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**Managing Jurisdictions at Canterbury Cathedral Priory  
in the High Middle Ages**

**1285-1331**

John Oxley Moon

Centre for Medieval and Early Modern Studies

University of Kent

Thesis for the degree of Doctor of Philosophy

13 April, 2012

## **Declaration**

This thesis is the result of my own work and includes nothing which is the outcome of work done in collaboration except where specifically indicated in the text.

This thesis is 97,847 words including footnotes, but excluding abstract, table of contents, acknowledgements, abbreviations, tables of figures, bibliography and quotations.

## **Abstract**

### **Managing Jurisdictions at Canterbury Cathedral Priory in the High Middle Ages: 1285-1331**

John Oxley Moon

This thesis examines the management of the spiritual jurisdiction of Canterbury Cathedral Priory [Christ Church] by Prior Henry of Eastry during his forty-six year priorate from 1285-1331. A significant quantity of extant documents remains from this period including registers, charters, papal letters and royal writs, which owe much to the foresight of Prior Eastry's reorganisation. These extant documents also contain letters, which relate to Christ Church possessions in France. This combination of English and French documents provides a rare opportunity to analyse how Christ Church managed its jurisdiction at both a national and international level.

This thesis asks two fundamental questions: what was the scope of the spiritual jurisdiction at Christ Church and how did Prior Eastry's policies contribute to the extension of this jurisdiction from a national to an international level. The extant sources show Prior Eastry's awareness of the political situation in late thirteenth century England and the actions he took to preserve the authority and uniqueness of Canterbury. Ensuring that no precedents were established over Christ Church was not only a policy of Prior Eastry and Canterbury Cathedral Priory in the late thirteenth and early fourteenth century but had consumed the attentions of priors from the time of Archbishop Lanfranc.

Canterbury Cathedral Priory's uniqueness not only derived from its rights to elect the archbishop of Canterbury and the primacy of the local ordinary over York but also from the Cult of St. Thomas that pervaded the whole of the Latin Church. This thesis will show how this unique combination of factors was used by Prior Eastry to appropriate the meaning of 'the Church of Canterbury' and extend Christ Church's jurisdiction to an international level.

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## List of Abbreviations

<i>Arch Cant.</i>	<i>Archaeologia Cantiana</i> (Kent Archaeological Society)
BL	British Library
CUL Eastry	Cambridge University Library MS Ee.5.1
<i>Canterbury Cathedral</i>	Patrick Collinson, Nigel Ramsay & Margaret Sparks, eds., <i>The History of Canterbury Cathedral</i> , (Oxford University Press, 1995)
CChR	<i>Calendar of Charter Rolls</i>
CCIR	<i>Calendar of Close Rolls</i>
CCP	Reginald A L Smith, <i>Canterbury Cathedral Priory</i> , (Cambridge University Press, 1943)
CPR	<i>Calendar of Patent Rolls</i>
CPL	<i>Calendar of Papal Letters</i>
EconHR	<i>The Economic History Review</i>
EHistR	<i>The English Historical Review</i>
<i>EpisCant.</i>	<i>Epistolae Cantuarienses, The Letters of the Prior and Convent of Christ Church, Canterbury</i> , ed. W. Stubbs, Vol. II, Rolls Series no. 38, (London, 1865)
Gervase	Gervase of Canterbury, <i>The Historical Works of Gervase of Canterbury</i> , 2 vols., ed. by William Stubbs, Rolls Series, no.73, (London, 1879-1880)
JEH	<i>Journal of Ecclesiastical History</i>
<i>Lit. Cant.</i>	<i>Litterae Cantuarienses, the Letter Books of the Monastery of Christ Church, Canterbury</i> , ed., J Brigstocke Sheppard, 3 vols., Rolls Series 85, (London, 1887- 1889)
<i>Memorandum Book</i>	T. L. Hogan, 'The Memorandum Book of Henry of Eastry, Prior of Christ Church, Canterbury', unpublished doctoral thesis, London School of Economics, 1966
<i>Monasticon</i>	Sir William Dugdale and Roger Dodsworth, eds., <i>Monasticon Anglicanum: a History of the Abbies and other Monasteries, Hospitals, Frieries, and Cathedral and Collegiate Churches, with their Dependencies, in England and Wales</i> , enriched by John Stevens, John Caley, Sir Henry Ellis, Bulkeley Bandinel and Richard C. Taylor, (London: Longman, Hurst, Rees, Orme & Brown, 1817-1830).
ODNB	<i>Oxford Dictionary of National Biography</i> , Oxford University Press, 2004; online edition, [ <a href="http://www.oxforddnb.com/view/article/nnnnn">http://www.oxforddnb.com/view/article/nnnnn</a> ]
TNA	The National Archive
TRHS	<i>Transactions of the Royal Historical Society</i>

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## Chapter 1: Introduction

My interest in management stems from over thirty years experience with a global leader in multi-industry Information Technology solutions. During my career I had gained extensive experience in designing and implementing policies to meet specific corporate objectives through planning and control systems, and resources deployment. My management roles have included management of a national sales team, a European solutions team, individual projects and a global marketing team. Through these activities I have come to understand the importance of sound financial and administrative management systems to underpin the planning and control, implementation and achievement of designated objectives.

In addition to these formal corporate-wide systems it was also apparent that there was another somewhat ethereal force at work which could be referred to as an organisational or collective memory, 'it is the way we do things around here'; everyone I have worked with came to appreciate that this 'institutional memory' played just as influential a role in meeting objectives as formal corporate-wide management systems. My thesis was first formed during informal discussions, with other students and lecturers, on Canterbury Cathedral Priory and in particular, my own in-depth analysis of *Canterbury Cathedral Priory* and *The History of Canterbury Cathedral*<sup>1</sup>. It was through this analysis that my interest in management resurfaced and the question as to whether a large Benedictine monastery could merely 'muddle along' or whether a more formal management system existed. In extant correspondence the priory attached to Canterbury Cathedral has been known by various names: Holy Trinity; St. Thomas; and Christ Church that in turn reflected the name by which the cathedral church itself was known. However, throughout this thesis, I will use Christ Church to represent the priory.

It is self evident from *Canterbury Cathedral Priory* that a sophisticated administrative system existed which underpinned their financial management and contributed to their success, in terms of revenue incomes and profit. However, the mere possession and use of an administrative system is not a necessary and sufficient

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<sup>1</sup> Reginald A. L. Smith, *Canterbury Cathedral Priory*, (Cambridge University Press, 1943); Patrick Collinson, Nigel Ramsay & Margaret Sparks, eds., *The History of Canterbury Cathedral*, (Oxford University Press, 1995).

condition for either successful overall management or policy implementation. The problem with words such as policy, administration or management is that they often possess a wide range of interpretations; therefore it is essential, at this point, to establish definitions for policy, administration and management before setting out the purpose and scope of this thesis. Firstly, a policy, put simply, is a course or principle of action adopted by an institution, a set of guidelines that help to navigate through the prevailing legal and political environment; secondly, administration is the process through which an institution is run in order to meet objectives; and thirdly, management is the control of people or resources, although it can also mean the people involved in the control. It may seem somewhat perverse but one of the books recommended as part of my management training was Sun Tzu's, *The Art of War*, which, although principally a sixth-century BC treatise on military strategy, informs from a managerial perspective the reader to be aware of your institutions' strengths and weaknesses and that of other external institutions.<sup>2</sup> It further countenances the manager to choose wisely as to where and when to engage with external organisations to one's own advantage. Within the context of Christ Church, the 'management' would be the Prior and his council, a council that consisted of senior obedientiaries, from within the priory, together with influential members of the establishment, both secular and ecclesiastical.<sup>3</sup>

Management can also have a meaning relating to the planning and control of a range of policies. In a modern business enterprise policies go hand-in-hand with procedures, with a combination of the two influencing major decisions and actions. It is recognised as good business practice that all these governing policies and procedures would be written down and readily available to all employees of a business enterprise. In theory, at least, all business activities would take place within the boundaries set by policies and procedures, in other words they would express the custom and convention of an organisation and how it was expected to behave. It is my contention that a medieval monastic institution such as Canterbury Cathedral Priory would have been no different. It would seem impossible, in a largely agrarian economy, to make institutional policy on an ad hoc basis without some form of

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<sup>2</sup> Sun Tzu, *The Art of War*, trans. by Samuel B. Griffith, (Oxford University Press, 1963); for a seminal work on modern management, see Peter F. Drucker, *The Practice of Management*, (Mercury Books, 1961).

<sup>3</sup> The role of the Prior's council is discussed in *Canterbury Cathedral Priory*, pp. 68-82.

internal and external guidance being made available to the monastic community. For internal behaviour, the Rule of St Benedict would seem to me to constitute a set of procedures governing institutional convention. Indeed Christ Church had a set of internal policies or conventions issued by Archbishop Lanfranc, *Constitutions* [c.1077], which were designed to influence monastic behaviour; these conventions were adopted by a number of other monastic houses, such as Durham Priory, soon after they were issued.<sup>4</sup> From an ecclesiastical institutions perspective both canon and common law, especially from the twelfth century onwards, would constitute a set of rules. In other words external policies that governed and shaped secular and ecclesiastical relationships with their tenants and their titular abbot, the archbishop of Canterbury, the Crown and the papacy. For example, Prior Eastry [1285-1331], on his election, would have had a number of key objectives of which one would be to repay over £5000 of debt inherited from Prior Ringmere. Whatever policies Prior Eastry designed would have required very careful planning and control particularly as the debt represented approximately two years revenues.<sup>5</sup> Policies would have also been needed for the other key legacies inherited from Prior Ringmere, that is, over twenty outstanding legal suits and poor internal monastic discipline.

The definitions of policy, administration and management outlined above all have a relevance to an industrial age and perhaps do not have complete resonance with the medieval period. It does not seem practical to retrofit modern ideas of management practice to a medieval institution such as Christ Church. It is perhaps more relevant to establish another term which those in control of medieval institutions, be they secular or ecclesiastical, would have had an affinity and a clear understanding of. It is my considered opinion that jurisdiction would be a more appropriate word with which to assess how Christ Church 'managed' not only its internal policies for estates management and monastic discipline but also its external policies towards other monastic institutions, namely the archbishopric of Canterbury, the suffragan bishops of the southern province, the Crown and the papacy. Jurisdiction is derived from the Latin, *iurisdictio*, *iuris* meaning law and *dicere*

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<sup>4</sup> All names of archbishops of Canterbury, Canterbury Cathedral Priors and their respective Estates are normalised with those published in *Canterbury Cathedral*, Appendix I - Office Holders, pp. 563-565 and Appendix II - Estates, pp. 566-569. For a detailed analysis of Lanfranc's Constitutions see, David Knowles and Christopher N. L. Brooke, eds. and trans., *The Monastic Constitutions of Lanfranc*, (Oxford University Press, 2002).

<sup>5</sup> For a plan to reduce household expenditure, see *CCP*, pp. 220-221.

meaning to speak, in essence a practical authority with legal enforcement. Although jurisdiction has a strong legal connotation, I also consider that it can be extended to reflect spheres of influence. Broadly speaking, Christ Church's jurisdictions consisted of two elements, one temporal and one spiritual. In terms of the temporal jurisdiction of Christ Church, that is its estates, Reginald Smith's seminal work, *Canterbury Cathedral Priory*, opens a rich and diverse portal into the management and control of this major revenue stream. However, it is the management of the spiritual jurisdiction that has not been evaluated. I will therefore examine the scope of Christ Church's spiritual jurisdiction and how its sphere of influence was extended, particularly during the priorate of Henry of Eastry [1285-1331], a period for which there is an extensive quantity of extant documentation. Documentation that was the subject of a late thirteenth century reorganisation and copying of charters, deeds and letters of Christ Church. Additionally, Prior Eastry commissioned two personal registers: a Memorandum Register, and a Register of Letters-Close and Letters Patent. It is this expansive and rich collection of memorandum books, letter books, registers and collections of individual documents that form the basis for answering the question of Christ Church's spiritual jurisdiction.

I have identified five key questions to use as a framework to examine the scope of spiritual jurisdictional management at Christ Church. These questions are: firstly, how we should examine primary sources, which have previously been used as evidence for local history, in a broader context in order to support answers on the management of jurisdictions; secondly, how we need to address document production and archival organization in the context of the creation of an institutional memory; thirdly, how the case of Eastry's rule, his persona and his organization of the archive is a good example to support a crucial moment in the definition of the Christ Church jurisdiction, otherwise known as the 'Church of Canterbury'; fourthly, how were jurisdictions managed and defined in thirteenth century England; and fifthly, how Prior Eastry's contribution to Christ Church policies can be exemplified through relevant case studies.

On the basis of these five questions this doctoral thesis will be developed through nine chapters, as follows: Chapter 2 is an examination of primary sources and historiography. The historiographical analysis specifically identifies gaps in the existing studies of Christ Church, which characteristically have had a largely local

and economic focus. Chapter 3 centres on an analysis of memory theories and will form the basis that will build towards a definition of institutional memory. In this respect a survey of memory theories will help distinguish between social and institutional memory, and show how the creation of institutional memory was essential to define and manage jurisdictional boundaries. Chapter 4 is a natural progression from the preceding analysis of memory theories and discusses the creation of the institutional memory of Christ Church between 1285 and 1331; it details how the priory archive and its registers were rearranged for this purpose. The establishment of the Christ Church institutional memory forms an important foundation for the subsequent discussion, which focuses on the forty-six year priorate of Henry of Eastry [r.1285-1331]. Chapter 5 uses the reconstruction of Christ Church's institutional memory together with an analysis of his relationships with four archbishops of Canterbury to establish his persona and how his persona contributed to shape jurisdictional actions during his priorate. Chapter 6 is a development of Eastry's relationships and persona and outlines how the formation of legal systems within the Church and the kingdom of England, in the late thirteenth century, informed Prior Eastry's actions and shaped his responses, which were often a means to react to broader changes and conflicts. Chapter 7 uses a case study of Christ Church's relations with Dover Priory [the church of St. Mary the Virgin and St. Martin of the New Work] from the twelfth to fourteenth centuries. This study contributes to a definition of Christ Church's jurisdiction within England and additionally how it contributed to the definition of the 'Church of Canterbury' within England. Chapter 8 uses another case study to examine a twelfth-century grant by Louis VII of France, subsequently known as the Wine of St. Thomas, which demonstrates an extension of Christ Church's jurisdiction and in particular, an extension of the jurisdictional definition of the 'Church of Canterbury' in an international context. Finally, Chapter 9 draws on the analysis of the preceding chapters to provide an outline of the policies used by Prior Eastry to manage the spiritual jurisdiction of Christ Church. Overall, the aims of this thesis are to help illuminate the management of a spiritual jurisdiction both in a national and international context, and to thus better understand the meaning of the Church of Canterbury and how it was appropriated by Prior Eastry for the benefit of Christ Church.

## Chapter 2: Historiography

To establish the range and scope of this thesis it is essential to assess the available documents relating to Canterbury Cathedral Priory and establish their historical perspective; these documents include manuscripts, both edited and unedited, and printed books and articles. To ensure consistency of definition the priory attached to Canterbury Cathedral will be referred to as Christ Church. There had been a community, secular or monastic, associated with Canterbury Cathedral since its establishment in 597; among the responsibilities of this community was the maintenance of the Cathedral on behalf of their titular abbot, the archbishop of Canterbury.<sup>1</sup> The Norman Conquest was a major turning point for the fortunes of Christ Church once the old Anglo-Saxon archbishop had been replaced by Archbishop Lanfranc [1070-1089]. Lanfranc ensured that the community of monks adhered to the Rule of St Benedict and also that they understood their duties and responsibilities in relation to Canterbury Cathedral and executed them with all due diligence. Many of the early records of Christ Church and the Cathedral were probably lost in the disastrous fire of 1067 but subsequently records were rebuilt as both royal and ecclesiastical jurisdictions increased the need for formal administration. It was during the late twelfth to early thirteenth century that Christ Church archives underwent a major reorganisation; consequently this historiographical review is primarily concerned with available documents covering this period. It was also during the early thirteenth century that separate record keeping was implemented for both the archbishop and Christ Church, following Archdeacon Simon Langton's letter to the papal curia, in 1238, relating to the forging of documents at Canterbury.<sup>2</sup> Furthermore Canterbury was not merely the home of the mother church of England and its associated priory but a resting place

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<sup>1</sup> Archbishop Theodore of Tarsus, in 668, established a community of clerks and 300 years later Archbishop Aelfric, in 997, established a monastic community; from the very early days maintenance duties at Canterbury Cathedral were undertaken by the monks of the abbey of St Peter and St Paul, now known as St Augustine's Abbey. For a pre-Conquest view of the Church of Canterbury and its Priory, see Nicholas Brooks, *The Early History of the Church of Canterbury: Christ Church from 597-1066*, (Leicester University Press, 1996); for a discussion on monasticism from the death of St Benedict to the Norman Conquest, see David Knowles, *The Monastic Order in England*, 2<sup>nd</sup> Edition, (Cambridge University Press, 2004), pp. 16-82.

<sup>2</sup> Gervase, ii, p. 132; '*Pater, inquit, sancte, non est aliqua falsificatio quae in ecclesia Cantuariensi non sit perpetrata*'.

for travellers to and from Europe. Following the murder of Archbishop Becket, his canonisation in 1173 and the many miracles associated with St Thomas Becket, Canterbury became a major pilgrimage site throughout the Middle Ages as St Thomas Becket quickly achieved cult status.<sup>3</sup> It was especially popular on the days when plenary indulgences were granted or on fiftieth anniversary occasions between 1220 and 1520.<sup>4</sup> Canterbury, being on the major thoroughfare between Dover and London, was often the first recipient of ecclesiastical and secular news from Rome and continental Europe.

Much of the history of Christ Church is inevitably woven within the lives of the archbishops of Canterbury, the histories of the Cathedral and the City of Canterbury, but as the seventeenth century antiquarian, archivist and Christ Church auditor William Somner observed, 'Perhaps the enormous wealth of Canterbury in terms of architecture, archaeological remains, manuscript books, archives and chronicles is enough to deter would-be writers of any general account of the city's history.' Nearly three hundred years later William Urry noted that Somner's observation still held true, clearly identifying that nobody has produced a comprehensive and academic study of the City of Canterbury from its Roman origins to the present day.<sup>5</sup>

A critical documentary analysis relies on an understanding of the interaction and interdependence of Christ Church and the archbishop of Canterbury, and Christ Church and the City of Canterbury, and wider national and international relationships with the papacy, and the English and French Crowns. The histories of these groups are inexorably linked from a social, cultural, legal and economic perspective. The

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<sup>3</sup> For the impact on Canterbury, see Anne Duggan, 'Canterbury: The Becket Effect' in Catherine Royer-Hemet, ed., *Canterbury A Medieval City*, (Cambridge Scholars Publishing, 2010); for miracles, see *Materials for the History of Thomas Becket, Archbishop of Canterbury*, ed., by James C. Robertson and Joseph B. Sheppard, Rolls Series 67, 7 vols., (Longman and Co., 1875-85); for a general discussion of cathedral shrines, see Benjamin J. Nilson, *Cathedral Shrines of Medieval England*, (The Boydell Press, 1998: paperback, 2001); for a discussion of the cult, see Anne Duggan, 'The Cult of St Thomas Becket in the Thirteenth Century' in *Saint Thomas Cantilupe*, ed. by Meryl Jancey (Hereford: The Friends of Hereford Cathedral, 1982), pp. 21-44; for a general discussion of Thomas Becket, see Anne Duggan, *Thomas Becket* (Arnold, 2004) and Frank Barlow, *Thomas Becket*, (Orion, 1997: paperback);

<sup>4</sup> For aspects of the financial impact of the cult, see C. Eversley Woodruff, 'The Financial Aspect of the Cult of St Thomas of Canterbury', *Arch Cant.*, 44 (1932), 13-32.

<sup>5</sup> William Somner, *The Antiquities of Canterbury*, 1703 edition, (EP Publishing Limited, 1977), p. xvii. The observation was made by the late Dr William Urry, the then Cathedral archivist, whose comment is equally valid with reference to Canterbury Cathedral Priory. Somner was also an Anglo-Saxon scholar and made significant contributions relating to Canterbury and religious houses in Kent for the *Monasticon*.

economic perspective is particularly important since Christ Church was a major landholder in Kent and South East England with all the associated management tasks and responsibilities of a feudal lord. In addition to their temporal responsibilities Christ Church had spiritual responsibility for the see of Canterbury during *sede vacante* periods following the death or resignation of the archbishop; although this responsibility was legally questioned on a number of occasions. Consequently, the multiplicity of national and international relationships have resulted in many documentary sources, both primary and secondary, which require careful assessment to ensure a correct understanding of their historical perspective, such as constitutional or economic.

Surprisingly for the monastery associated with the mother church of Christianity in England and ranking in importance alongside St Albans, Bury St Edmunds and Glastonbury there is a paucity of secondary sources whose sole focus is Christ Church. Many published secondary sources have focused on Canterbury Cathedral or the City of Canterbury and in many cases imbedded within these books are limited histories of Christ Church, although their focus is usually institutional or administrative. Prior to the twentieth century the majority of surveys followed the 'great man/great events' theory of historical presentation and it was not until the mid-twentieth century, with the publication of the book *Canterbury Cathedral Priory* that this situation was rectified and the focus changed to economic and agrarian history.<sup>6</sup> Throughout the remainder of the twentieth century the focus of academic research was almost exclusively directed toward an in-depth understanding of the economic history of Christ Church. It was not until 1995 that academic research moved away from the economic and agrarian approaches towards social history with the publication of *A History of Canterbury Cathedral*, which focused on the monastic community of Christ Church from its origins in 597 to the Dissolution.<sup>7</sup> Finally in the early twenty-first century an academic paper made a critical assessment of the political allegiances of fifteenth-century Christ Church.<sup>8</sup> The lack of historiography with a specific and central theme of Christ Church is even more surprising given the plethora of extant manuscripts in Canterbury Cathedral

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<sup>6</sup> For economic considerations, see *CCP*, pp. 1-67 and for agrarian considerations, see pp. 100-165.

<sup>7</sup> *Canterbury Cathedral*, pp. 1-153.

<sup>8</sup> Meriel Connor, 'The Political Allegiances of Christ Church Priory 1400-1472: The Evidence of John Stone's Chronicle', *Arch Cant.*, 127 (2007), 383-406.

Archives, not forgetting other archives located elsewhere in England. Some of these documentary and narrative sources were transcribed as part of the *Rolls Series* and summaries of key manuscripts and letters in the *Historical Manuscripts Commission* reports.

My historiographical analysis of Christ Church will assess the available secondary sources against the following questions, ‘what contribution is made to our understanding of the management of Christ Church’, ‘what period in Christ Church’s history is covered’ and ‘how can they be classified, for example: economic, social, cultural, administrative, political or some combination.’ All types of evidence will be considered including books, academic papers and, documentary and narrative sources. It is impossible within the scope of this analysis to assess every book or academic paper referencing Christ Church as many scholars have cited extant primary sources or post-Dissolution printed books to support their many and varied arguments. However, in developing this historiographical contextual analysis of Christ Church, the chapter will focus on those scholarly works that make a contribution to our understanding of Christ Church in the medieval period, primarily post-Conquest to the Dissolution. This analysis is not an in-depth critique of secondary sources or authors; however its intention is to identify what information is provided about Christ Church itself as opposed to the City of Canterbury or to the Cathedral and its architecture.

The arrival of humanism in England is generally thought to have occurred during the early part of the sixteenth century, although Daniel Wakelin has recently argued that there are traces of humanism in English literature almost a hundred years earlier through his analysis of the fifteenth-century scholar William Worcester.<sup>9</sup> Humanism witnessed a rise in English literature and poetry with antiquarians having a deep interest in cultural heritage and a desire to bring this knowledge, often with a narrow local or county focus, to a wider and increasingly literate audience. Along with this early antiquarian interest, we move to a major revision of British and Irish primary sources published from the mid-nineteenth century onwards which is known as the *Rolls Series*. Coincident with this monumental series was the establishment of

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<sup>9</sup> Daniel Wakelin, *Humanism, reading and English literature, 1430-1530*, (Oxford University Press, 2007); Nicholas Orme, ‘Worcester, William (1415–1480x85)’, *ODNB*, [article/29967, accessed 25 July 2011]; other noted 15<sup>th</sup> century humanists, included John Colet and Sir Thomas More, see Joseph B. Trapp, ‘Colet, John (1467–1519)’, *ODNB*, [article/5898, accessed 25 July 2011] and Seymour B. House, ‘More, Sir Thomas (1478–1535)’, *ODNB*, [article/19191, accessed 25 July 2011].

the professional historian; such a 'profession' led to an increase in professional qualifications, the number of publications, both books and journals, and diversification into different genres of history such as economic, constitutional or political, or some combination thereof. Over time historians have diversified from pure historical narrative and embraced other disciplines such as anthropology or sociology bringing new perspectives to our historical heritage. Such a diversification broadens the range of our knowledge providing a greater understanding of the interaction between the three estates of medieval society. As any search of a bibliographical reference source will reveal, historians have a wide and varied interest ranging from the narrow and local to the broad and international.<sup>10</sup>

### 2.1: Secondary Sources

One of the earliest printed books referencing Canterbury Cathedral and Christ Church was *A Perambulation of Kent: Containing the Description, Hystorie and Customs of that Shyre* published in 1576.<sup>11</sup> Lambarde's book is the first county history of Kent and includes a brief history of Britain drawing on work by Geoffrey of Monmouth [c.1100-c.1155]. Earlier sources are used sparingly, although it is evident from the precise detailing of events that public and ecclesiastical records were also examined. The book is largely a collection of pen-pictures of Kentish villages, towns and cities describing significant events or people in chronological order. Lambarde does depart from this style when discussing the see of Canterbury and notable archbishops such as St Thomas Becket. The chronology of key historic events relating to Christ Church and St Augustine's Abbey are discussed in the Canterbury pen-picture, attention being drawn to the long-standing and continuous dispute between these two great monastic houses, 'the Monkes of which places, were as farre removed from all mutuall love and societie, as the houses themselves were neare linked together, either in regarde of the time of their foundation, the order of their profession, or the place of their situation'. Moreover Lambarde goes further in

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<sup>10</sup> For example, using a search argument of Canterbury provides such diverse secondary sources from Charles H. Haskins, 'A Canterbury monk at Constantinople, c. 1090', *EHist R*, Vol. 25, No. 98 (1910), 293-5 to Michael Gullick, 'The scribal work of Eadmer of Canterbury to 1109', *Arch Cant.*, 118 (1998), 173-189.

<sup>11</sup> William Lambarde, *A Perambulation of Kent: Containing the Description, Hystorie and Customs of that Shyre*, first published in 1570, (Adams & Dent, 1970); Lambarde was an Elizabethan lawyer, antiquarian and Keeper of the Records in the Tower of London from 1600, see J. D. Alsop, 'Lambarde, William (1536–1601)', *ODNB*, [article/15921, accessed 16 Oct 2009].

his commentary on monastic behaviour by adding, 'For indeede, one whole Citie, nay rather one whole Shyre and countrie, could hardly suffice the pride and ambitious avarice of such two irreligious Synagogues'.<sup>12</sup> Brief mention is also made of the Hackington dispute between Christ Church and Archbishops Baldwin [r.1185-1190] and Hubert Walter [r.1193-1205]. Lambarde makes no commentary or critical analysis of these and other key events in the history of Christ Church leaving his audience to draw their own conclusions. Lambarde's *Perambulation* is just what the title infers, a survey of Kentish locations each one discussed as a chronological sequence of historical events. With the exception of the see of Canterbury, which is a constitutional history, the book is essentially a topographical travelogue with historical narrative.

Continuing Lambarde's trend from the general to the specific, William Somner published *The Antiquities of Canterbury* in the mid-seventeenth century.<sup>13</sup> This is an excellent example of a highly focused local topographical history with heavy emphasis on the Cathedral and its environs. Somner's *Antiquities* has proven to be a popular and durable addition to the local history of Canterbury and remains a valuable reference work. Originally published in 1640, it was republished in 1662 with a second edition in 1703 containing extensive revisions and additions by Nicholas Battely, its reference value being recognised with the publication of a facsimile edition in 1977 with a revised introduction by Dr William Urry, a local archivist.<sup>14</sup> Regrettably the facsimile edition does not include Battely's *Cantuaria sacra* which discussed the see of Canterbury, the Cathedral and other important religious foundations. *Antiquities* is a local history written in narrative form and structured chronologically; in part it is a topographical survey of Canterbury addressing the political and administrative structure of the city, important buildings, other religious houses and the Cathedral. The notable people of Canterbury, both secular and ecclesiastical, are also reviewed chronologically with greater emphasis placed on the ecclesiastical, with pen-pictures for each archbishop, prior and archdeacon, although in reality little detail is included providing the merest glimpse

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<sup>12</sup> Lambarde, *Perambulation*, p. 269.

<sup>13</sup> Peter Sherlock, 'Somner, William (*bap.* 1598, *d.* 1669)', *ODNB*, [article/26030, accessed 9 Oct 2009]; William Somner, *The Antiquities of Canterbury*, 1703 edition, (EP Publishing Limited, 1977); Somner was registrar of the Ecclesiastical Courts of Canterbury with ready access to Canterbury Cathedral Archives; he also made a significant contribution to the *Monasticon*.

<sup>14</sup> Charles S. Knighton, 'Battely, Nicholas (*bap.* 1648, *d.* 1704)', *ODNB*, [article/1710, accessed 12 Oct 2009].

of their involvement in Canterbury or ecclesiastical life. Throughout the chronological and topographical narrative there are mere hints to the many issues facing the archbishops of Canterbury and their relationships with St Augustine's abbey, the City of Canterbury and their own monastic chapter, the monks of Christ Church. Although the inclusion of a large appendix detailing charters and compositions relating to Canterbury and the religious houses is of value today, neither Somner nor Battely attempted any critical analysis of the political, cultural or social history of Canterbury and, as with Lambarde, left their audience to draw their own conclusions.

This theme of particularity is continued with the publication of another mid-seventeenth century work, Sir William Dugdale's *Monasticon Anglicanum*. Although his focus was national and monastic, Dugdale's book remains a key early reference source for English monasticism, providing extensive details of the religious orders of England with histories of individual monasteries and their growth, based on extant charters and manuscripts.<sup>15</sup> Dugdale recognised the critical importance of charters in understanding all aspects of medieval history, both economic and legal, a methodology that remains fundamental to the modern day medieval scholar. His history of Christ Church is split into sections covering biographical details of successive archbishops from Augustine to Thomas Cranmer, a discussion of the Dissolution, architectural aspects of the cathedral, and the spiritualities and temporalities of the archbishop and the Prior. Also included are charters and letters patent referring to privileges and grants for both the 'Church of Canterbury' and Christ Church together with names of Priors and various other officers, based on original sources including Bede [672-735], William of Malmesbury [c.1095/96-c.1143] and Gervase of Canterbury [c.1141-c.1210], while the charters and privileges all derive from manuscripts in the Cotton collection. Overall the *Monasticon* is a chronological review of the archbishops and Priors of Canterbury Cathedral including their possessions and no attempt is made of any critical analysis of the political, cultural or social history of the Cathedral, its archbishops or priors. One of the most valuable aspects of the *Monasticon* is the transcription of foundation charters and temporalities for Christ Church, which will be addressed in the case studies of this thesis.

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<sup>15</sup> *Monasticon*, for Dugdale's biography, see Graham Parry, 'Dugdale, Sir William (1605–1686)', *ODNB*, [article/8186, accessed 9 Oct 2009].

Continuing the tradition of examining religious institutions in detail, the late seventeenth century clergyman, scholar and prolific medieval historian Henry Wharton, published *Anglia sacra*, a two volume collection of Medieval Latin manuscripts describing eight monastic cathedrals including Canterbury.<sup>16</sup> The first volume begins with Canterbury, covering the lives of successive archbishops from St Augustine to Simon Langham [1366-1368] and is based on a collection of transcriptions from Latin originals, making extensive use of manuscripts from Lambeth Palace, the Cotton collection, Eadmer [ca.1060-ca.1126] and William of Malmesbury.<sup>17</sup> In many ways the *Anglia sacra* bears the features of a traditional medieval chronicle or annal; the reality is however that it is a medieval institutional history, providing a reference work for later historians such as Bishop Stubbs. However, like all his predecessors no attempt at critical analysis is made of the primary sources providing a chronological summary of the lives of archbishops and priors of Canterbury Cathedral.

The book of Wharton is very similar to the work of John Dart, *The history and antiquities of the Cathedral Church of Canterbury*, as they both largely relied on the work of their predecessors; however while Wharton used extant Latin manuscripts, Dart made extensive use of Somner and Battely's earlier work.<sup>18</sup> Dart, like many before him, was an antiquary, lawyer and later a clergyman who wrote a number of literary works including one on Canterbury Cathedral. Dart's book provides a chronological account of Canterbury Cathedral and Christ Church from early beginnings, including descriptions of the buildings, obits, vestments, the Dissolution and how the Cathedral and Christ Church transitioned through this major ecclesiastical and constitutional upheaval. A survey of the Cathedral and its environs is brought up-to-date [1726] with the inclusion of a particularly noteworthy set of fine engravings. Like all preceding commentators on Christ Church brief notes on the lives of archbishops and priors are included, although Dart adds nothing that was not already known and documented by his predecessors. An appendix contains an

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<sup>16</sup> Henry Wharton, *Anglia Sacra*, (London, 1691); Laird Okie, 'Wharton, Henry (1664–1695)', *ODNB*, [article/29167, accessed 4 Oct 2009].

<sup>17</sup> Wharton attributed the work to Stephen Birchington, a 14th century Canterbury monk; however, James Tait in *Chronica Johannes de Reading et Anonym Cantuariensis, 1346-1367* argues Wharton's interpretation was erroneous.

<sup>18</sup> Gordon Goodwin, 'Dart, John (d. 1730)', rev. by Nicholas Doggett, *ODNB*, [article/7171, accessed 9 Nov 2009]; see also John Britton, *The History and Antiquities of the Metropolitan Church of Canterbury*, (London, 1821), although a later publication is developed in a similar manner.

eclectic mix of ancient charters and manuscripts relating to the Cathedral and Christ Church, a catalogue of the Cathedral wealth in Prior Eastry's time and a Saxon obituary. Again no critical analysis of political, cultural or social history concerning either Canterbury or Christ Church is attempted the main focus is institutional history with discussions from an architectural and topographical perspective.

The last notable publication of the eighteenth century was Edward Hasted's general county wide study, *The History and Topographical Survey of the County of Kent*, a comprehensive survey of Kent published over a twenty-year period resulting from Hasted's researches at the Tower of London, the British Museum, Lambeth Palace, the Public Record Office and private manuscript collections; local knowledge was provided by his own surveys and information from his gentry network.<sup>19</sup> In many ways the book is similar to Lambarde's *Perambulations*; Hasted however provides greater detail and his survey of Kent is organised by Lathe and Hundred and within this structure historical details of land ownership both before and after the Dissolution. Such a structure made it difficult to understand the complete ownership of a major medieval landowner such as Christ Church. Further, historical facts, where included, are inconveniently situated within a Hundred, similarly making critical analysis time-consuming, given that the second edition was printed in twelve volumes. Although not of significant value to scholars interested in the history, management and development of Christ Church, it is however a more detailed evaluation and description of the topography of Kent than any preceding publication.

The books discussed above were all produced chronologically, with each successive book adding or refining information in order to produce an up-to-date publication. The books all display broad common characteristics: firstly, they document architectural style - including tombs, other memorials and building works of Canterbury Cathedral and Christ Church, both before and after the Dissolution; secondly, they provide brief details of the lives of the archbishops of Canterbury from Augustine onwards, while in some instances details of the lives of Priors are included; thirdly, they make little or no comment on the political stance, internal economy or jurisdictions of Christ Church - where economic data is included it is very scant and not discussed; fourthly, where comment or critical analysis is

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<sup>19</sup> Edward Hasted, *The History and Topographical Survey of the County of Kent*, 12 vols., (Canterbury, 1797); Joan Thirsk, 'Hasted, Edward (1732-1812)', *ODNB*, [article/12558, accessed 9 Oct 2009].

attempted, it is usually brief and typically discussing some conflict between an archbishop and a Prior, such as the one between Baldwin and Honorius concerning Hackington [1185-1190]; and fifthly, information is presented chronologically and is focused on key people and events, in other words they follow an annalistic approach favoured by chroniclers, essentially following the 'great man theory' expounded during the 1840s by Thomas Carlyle [1795-1881].<sup>20</sup> Despite this approach, all these books are valuable tools for the medieval scholar with each successive book correcting errors or assumptions from the one before but none have fully illuminated the management and everyday life of the monks of Christ Church, although they hinted at the important role that they played in its development, not only temporal but spiritual, especially during *sede vacante* periods.

In the twentieth century a gradual change in approach can be detected moving away from the singular perspective of either key people or key events toward a multi-disciplined perspective examining in-depth individual factors, such as economic, societal, agrarian, legal or political. It is not until the mid-twentieth century that the study of these individual factors becomes the norm. The first book to make the transition in the early twentieth century was Woodruff's *Memorials of the Cathedral and Priory of Christ in Canterbury*, published in 1912. Although the discussion of people follows the 'great man theory', the authors make a radical departure by providing for the first time an insight into the internal economy of Christ Church.<sup>21</sup> The book has four sections covering, architectural history, 'great men' such as St Thomas Becket, Prior Eastry and Prior Thomas Chillenden, the Cathedral Library and the internal life of the Benedictine Monastery. This latter section covers one-third of the book and is a clear indication that the monks played a crucial role in the development of Canterbury Cathedral and Christ Church. Extensive use is made of earlier commentators such as Somner and Battely, the Cathedral archives and Letter Books catalogued by Bishop Stubbs [1865] and Dr Brigstocke Sheppard [1887-1889], although the footnotes, while not comprehensive, can with some effort be matched to modern day catalogues. It is a good example of an early twentieth century history of Canterbury Cathedral and

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<sup>20</sup> Thomas Carlyle, *On Heroes, Hero-Worship and the Heroic in History*, (New York, 1888); for a counter view that suggests great men are a product of their environment, see Herbert Spencer, *The Study of Sociology*, (Appleton, 1896).

<sup>21</sup> C. Eversley Woodruff and William Danks, *Memorials of the Cathedral and Priory of Christ in Canterbury*, (London, 1912).

Christ Church bringing Somner's *Antiquities* up-to-date with a blend of economic, administrative, architectural and 'great man' history with heavy local connotations. Although adding a discussion of the internal economy of Christ Church, the book is no more or less than a general history of the Cathedral and its Priory.

The next major secondary source is Irene Churchill's two-volume study of the see of Canterbury - *Canterbury Administration*, published in 1933, which is based on the extant archiepiscopal registers from Archbishop John Pecham [1279-1292]; it is the first twentieth century book with a singular and narrow focus.<sup>22</sup> The book examines in detail the administrative machinery of the archbishopric of Canterbury. It is of immense importance to a scholarly understanding of the management of see of Canterbury, both *sede plena* and *sede vacante* and it remains after more than seventy years the seminal work of its type. As Churchill herself observes, 'The history of administration is the history or knowledge of the instruments whether human or documentary by which administrators act.'<sup>23</sup> From the perspective of the management of Christ Church, the most important chapters are those dealing with the management of the see of Canterbury *sede vacante* and how metropolitical visitations should take place; both these management areas caused controversy for various priors of Christ Church.<sup>24</sup> The first volume on process and procedure is fully supported by transcripts of relevant documents, in particular, the compositions of Archbishop Boniface relating to *sede vacante* administration. The two volumes provide an in-depth and highly valuable contribution to the institutional history of the see of Canterbury and how Christ Church formed a part of that administration. In essence Churchill's work concerns procedures for managing the various jurisdictions of the archbishop of Canterbury; in other words it reflects how the day-to-day working of the metropolitan see was achieved, from the appointment of bishops to the structure and control of various courts of Canterbury. This study is of particular value to my thesis as I am addressing similar issues but from the perspective of how Christ Church managed their relationships with each separate jurisdiction.

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<sup>22</sup> Irene J. Churchill, *Canterbury Administration*, 2 vols., (London, 1933).

<sup>23</sup> Churchill, *Canterbury Administration*, I, p. 5.

<sup>24</sup> Churchill, *Canterbury Administration*, pp. 131-152 and pp. 288-347 [visitations] and I, pp. 161-240 and pp. 551-572 [*sede vacante*].

Continuing the theme of particularity, Dr Smith's *Canterbury Cathedral Priory* is a short but highly respected study of Christ Church's administration and finances from the twelfth to sixteenth centuries and is based on his doctoral thesis, as Knowles says 'perhaps the best example of the type of monograph required.'<sup>25</sup> It discusses the temporal affairs of the monastery, highlighting the principal sources of revenue, namely its large and geographically disparate estates, the oblations left by pilgrims at Canterbury Cathedral's important shrines and income from advowsons. The twelve chapters cover finance, administration and agrarian practices from the twelfth to fourteenth centuries, although the main emphasis is the time of Prior Eastry [1285-1331]. The last 150 years of Christ Church's existence before the Dissolution has little coverage despite major changes to finance and administration resulting from the Black Death and subsequent plagues and pestilences. The book progresses from a general overview of Christ Church through a detailed evaluation of revenues, the central financial system, manorial administration, and farming and land reclamation; the analysis of manorial estates is limited to Kent, where agrarian land structures were markedly different from other parts of England. Dr Smith's book is structured in two distinct parts progressing from the general, namely the overall monastic administration to the particular, how farming was managed to maximise the yield from particular land types and how the important revenue of the manors were controlled and accounted for. Hence, the first six chapters describe the overall monastic administration system and in essence are much the same as Churchill's *Canterbury Administration*, although more narrowly focused on Christ Church, in that they provide an overview of the procedures and processes used to ensure that the overall day-to-day running of this important monastic institution was successful. The next five chapters [VII-XI] are based on the registers and records of Prior Eastry [1285-1331] and emphasise his streamlining of the management and financial control system, his reduction of debt, the restoration of internal monastic discipline and the many legal disputes inherited from his predecessor, Prior Ringmere. Reading between the lines of this notable account of Christ Church is an inference that Prior Eastry's leadership skills were wider than just the overall monastic administration and management of the manors, as will be discussed in a later chapter. Not only was

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<sup>25</sup> CCP; see also Reginald A. L. Smith, 'The Central Financial System of Christ Church, Canterbury, 1186-1512', *EHistR*, 55 (July, 1940), 353-369; David Knowles, *The Religious Orders in England*, vol. 1, (Cambridge University Press, 1979, paperback), p. 308 n.3.

this book a notable first for its singular focus on Christ Church's economic wealth and administration, but its value to scholars of monastic institutional history or medieval agriculture owed much to Dr Smith's methodology, which made extensive use of Christ Church registers and other records, in particular those of Prior Eastry. Limiting the detailed analysis of how Christ Church was administered to a period of forty-six years, however, does not detract from the value of *Canterbury Cathedral Priory* in establishing how the administration and finances of a leading Benedictine house were handled and how this short period of significant reorganisation set the platform from which later priors could develop and maintain their valuable revenue streams. The book also hints at Christ Church's relationships with Florentine and Pistorian merchants, although, despite these hints and individual supporting letters in *Litterae Cantuarienses*, the full extent and nature of these relationships would benefit from further research.<sup>26</sup> Dr Smith's *Canterbury Cathedral Priory* is a tightly focused economic and administrative history, nevertheless it remains after more than half a century the only book discussing Canterbury Cathedral Priory as a separate institutional entity from the archbishops of Canterbury and Canterbury Cathedral.

Along with Dr Smith's general analysis of Christ Church's revenue streams, *Canterbury Under the Angevin Kings*, by William Urry, discusses significant detail of Christ Church's property investments in the context of a local urban history.<sup>27</sup> Although centred on the City of Canterbury and land usage, it provides valuable information concerning Christ Church's role in the development of Canterbury. The book covers the period 1158-1206 using rent rolls and charters, and material from other local and national sources to reconstruct Canterbury's land usage during the twelfth century, a land usage that was intertwined with a major land holder, Christ Church. There are two volumes, the second including maps showing topographical change in Canterbury and its suburbs from 1166 to 1200. Christ Church rentals show how urban property contributed to the monks' income, although no conclusions are drawn as to the role property played in the overall management of the priory's temporalities.<sup>28</sup> The first volume highlights who held the tenements, what trades and allied employment existed, how property was held, how the City of Canterbury was

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<sup>26</sup> *CCP*, p. 149 and *passim*.

<sup>27</sup> William Urry, *Canterbury under the Angevin Kings*, (The Athlone Press, 1967).

<sup>28</sup> For the role of property in Christ Church's economic management, see Mavis Mate, 'Property Investment by Canterbury Cathedral Priory 1250-1400', *The Journal of British Studies*, 23 (Spring, 1984), 1-21.

governed and aspects of the relationships between Christ Church and their local tenants; the remainder of the first volume are transcriptions and translations of the most complete extant rent rolls and charters. Detailed analysis of rent rolls and charters illustrates the urban and topographical history of Angevin Canterbury, yet within the detail are glimpses of how Christ Church was managed and the importance of Canterbury to its prosperity. Although focused on approximately fifty years of history, *Canterbury Under the Angevin Kings* reveals the role of a monastic institution in developing an urban environment; as a by-product it is also a useful reference work for archaeologists interested in medieval Canterbury.

It was not until the late twentieth century that historians returned to re-examine Canterbury Cathedral with the publication of *A History of Canterbury Cathedral*, a book which takes a modernist approach with its societal perspective and focus on the community of Canterbury Cathedral.<sup>29</sup> This is a welcome and radical departure from Woodruff and Danks earlier work that had a traditional economic and administrative approach. It is presented as a series of essays, addressing in chronological order the Cathedral community from its Anglo-Saxon origins to the Dissolution and the Archives and Library. As is expected of a history of such an important institution, a list of archbishops, priors and deans is provided, as is a list of estates, both of the Cathedral and Christ Church.

The first two essays cover the Cathedral history from 597 to 1220, broadly following the 'great man' approach while the third essay focuses on societal aspects of the monastic community. The first essay is Nicholas Brooks's account of 'The Anglo-Saxon Cathedral Community, 597-1070, revealing the development of the see of Canterbury from St Augustine to the Norman Conquest [597-1066]', the community discussed is the archbishopric and his clergy, who, although partly monastic, did not necessarily follow any particular 'rule'.<sup>30</sup> The essay is centred on the lives of archbishops, estates acquisition and political relations with various kings. It is evident that the fortunes of the Church of Canterbury ebbed and flowed during this period and although the Crown recognised the importance of a supporting ecclesiastical pillar, it always sought ways to curb its power. It is not until the late

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<sup>29</sup> *Canterbury Cathedral*.

<sup>30</sup> Nicholas Brooks, 'The Anglo-Saxon Cathedral Community, 597-1070' in *Canterbury Cathedral*, pp. 1-37; see also Nicholas Brooks, *The Early History of the Church of Canterbury*, (Leicester University Press, 1996).

tenth and early eleventh centuries that the monastic tradition at Canterbury is firmly established as Benedictine with clear adherence to this important European wide 'rule'. The essay is an institutional history with political overtones and, although archbishop centric, is an important introduction to the 'Church of Canterbury'. Margaret Gibson's 'Normans and Angevins, 1070-1220' begins with the life of Lanfranc, the great reformer of the English church, to show how he built on the developing twin pillars of administration, the archbishopric and the monastic chapter of Christ Church.<sup>31</sup> These were not conflicting administrations, although successive priors did establish the power of the monks in determining their future, striving as they were to ensure that they had a monastic archbishop who represented their needs, yet at the same time having complete control over their own affairs. The essay also addresses monastic struggles with Archbishops Baldwin and Hubert Walter, Thomas Becket's death and the establishment of his European-wide cult, and massive rebuilding of the Cathedral. It has an institutional focus with political overtones, placing emphasis on the rise to power of the monastic chapter at Christ Church concluding that by the 1220s the only commonality 'between them [Christ Church] and their titular abbot [the archbishop] was the Cult itself, in all other respects they were poles apart.'<sup>32</sup>

The final essay in the pre-Dissolution trilogy is Barrie Dobson's 'The Monks of Canterbury in the Later Middle Ages: 1220-1540', discussing three-hundred years of the monastic history of Christ Church from the translation of St Thomas Becket in 1220 to the relinquishment of Christ Church Priory to Archbishop Cranmer in 1540. The essay follows the structure and methodology of Dobson's earlier work on the life and community of Durham Priory during the first half of the fifteenth century.<sup>33</sup> Like Durham with St Cuthbert it is impossible to focus on Canterbury without acknowledging the importance of the Cult of St Thomas. There is also a political theme to the essay deriving from successive archbishops' increasing involvement in

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<sup>31</sup> Margaret Gibson, 'Normans and Angevins, 1070-1220' in *Canterbury Cathedral*, pp. 38-68.

<sup>32</sup> Gibson, 'Normans and Angevins', p. 68.

<sup>33</sup> Barrie Dobson, 'The Monks of Canterbury in the Later Middle Ages, 1220-1540' in *Canterbury Cathedral*, pp. 69 – 153; for a discussion of Durham Priory, see Barrie Dobson, *Durham Priory 1400-1450*, (Cambridge University Press, 2005); for a general discussion on culture in medieval monasticism, see James G. Clark, ed. by *The Culture of Medieval English Monasticism*, (The Boydell Press, 2007), in particular Joan Greatrex, 'Culture at Canterbury in the Fifteenth Century: Some indications of the Cultural Environment of a Monk of Christ Church', pp. 169-176; for a wider perspective of Christendom culture, see Marc A. Meyer, ed. by *The Culture of Christendom*, (The Hambledon Press, 1993), especially, Robert Fleming, 'Christchurch's Sisters and Brothers: An Edition and Discussion of Canterbury Obituary Lists', pp. 115-154.

state government. The requirement to be close to government meant living at Lambeth Palace from the late thirteenth century and resulted in prolonged absences from Canterbury, leading to successive priors asserting their struggle for power until when finally in 1282, Archbishop Pecham, officially acknowledged that the Prior of Christ Church was *de facto* its Abbot.<sup>34</sup> The essay displays characteristics of urban and cultural history, although its primary aim is to develop the institutional history of the monastic community at Christ Church. However because Dobson's essay approaches his study through the eyes of the monastic community the narrative behind the narrative reveals key aspects of Christ Church's role as a direct and indirect employer to the City of Canterbury with employment opportunities that supported the pilgrimage trade associated with the Cult of St Thomas.<sup>35</sup> Christ Church also provided local education opportunities and sustained economic growth through their wide and varied estates in Kent and elsewhere. This is in essence a framework for the role of the Church in medieval secular society.

All three essays make extensive use of the Cathedral Library and Archives whose history is discussed, by Nigel Ramsay, in *The Cathedral Archives and Library*.<sup>36</sup> The essay examines the importance of the library and archives in the management of both the monastery and cathedral through ten centuries; it is a chronological history charting the development of and the people responsible from Anglo-Saxon times, through various losses to the separation of archbishops and priory records from 1238, and the careful re-recording under Prior Eastry. The essay represents a significant revision of our knowledge concerning the archives and library, but, perhaps more importantly, it brings to life the community involved in making, recording and maintaining this valuable resource. Overall, *A History of Canterbury Cathedral* has a societal and cultural perspective and is a welcome revision and updating to our knowledge of this important ecclesiastical institution.

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<sup>34</sup> CCP, p.4 n7 citing a 1282 entry in John Pecham's register, '*qui in absentia nostra abbatis geris officium*'.

<sup>35</sup> For a detailed discussion on the narrative behind the narrative, see John O. Moon, How much does *A History of Canterbury Cathedral* tell us about the role of the Church in secular society in the medieval period?, unpublished research paper, (University of Kent, 2006).

<sup>36</sup> Nigel Ramsay, 'The Cathedral Archives and Library' in *Canterbury Cathedral*, pp. 341-401.

No review of historiographical works examining Canterbury Cathedral and Christ Church in particular and English monasticism in general would be complete without a brief mention of two seminal works by David Knowles. The first is *The Monastic Order in England* with the main part of the volume discussing monastic life from its revival under St Dunstan in 940 to 1216, the Fourth Lateran Council.<sup>37</sup> While the volume is scant on economic history, it makes a major contribution to our understanding of monastic life, for example, contrasting the austerity of the Cistercians to the land exploitation of the Benedictines. Knowles approaches his subject in three phases: the Dunstan revival, the rise of Norman monasticism post 1066 and the rise of the new orders, the Cluniacs and the Cistercians. Following a general discussion on the religious life in England, the volume concludes with a discussion on the internal and external polity of the monasteries, both Black and White monks. However, the volume is essentially an administrative history following the definition derived from Churchill's work in that Knowles informs us on how the monasteries were managed. A series of chapters of particular interest are those on monastic relationships especially those external to the monastery, namely the interaction with the feudal system.

The second seminal work, consisting of three volumes, is *The Religious Orders in England*, a continuation of the work discussed above.<sup>38</sup> The three volumes cover respectively: 1216-1340, 1340 to the end of the Middle Ages and the Tudor period; only the period 1216-1340 will be analysed here as the other two volumes are outside the scope of this thesis. Similarly to his earlier work Knowles does not dwell too heavily on the economic side of life in the monasteries nor does he deal in any way with the nunneries, perhaps seeing them outside the scope of his work. The first volume is constructed in three parts: the old orders, largely referring too the Benedictines; the Friars; and the Monasteries and their world. As with Knowles original work this volume also follows the pattern of institutional or administrative history, his immense attention to detail providing the reader with an overview of how the monasteries worked on a day-to-day basis. However, unlike his earlier work, this book is subject to the changes introduced through the auspices of the Fourth Lateran

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<sup>37</sup> David Knowles, *The Monastic Order in England*, 2<sup>nd</sup> edition, (Cambridge University Press, 1963; paperback 2004).

<sup>38</sup> David Knowles, *The Religious Orders in England*, 3 vols, (Cambridge University Press, 1948-1959).

Council [1215], especially the centralisation of monastic finances and the organisation of chapters. Knowles also discusses some jurisdictional aspects of monastic life particularly visitations, while a whole section is devoted to the mendicant friars. Finally the last section of this volume differentiates between monastic and secular cathedrals and their chapters, and the impact these institutions had on their immediate urban environment. The daily life of the monk is also assessed including the intellectual aspect such as chronicles, art and music. Thus the volume provides not only an institutional/administrative outlook for a long thirteenth century [1216-1340] but also addresses aspects of social and cultural history.

One odd, although valuable, aspect of this volume is the chapter on Henry of Eastry, whom Knowles clearly sees as the outstanding monastic superior of the period, perhaps because of his longevity or more likely because of his achievements in monastic management both financial and agrarian. Both volumes of Knowles's work reviewed here are of immense value to the scholar of religious life; however within the scope of this thesis his work provides rather more by way of context, for we can deduce an overall impression of monastic and religious life, largely from an institutional/administrative perspective along with valuable observations on both the jurisdictional and cultural aspects of monastic life, especially for the period 1216-1340. Knowles therefore, with his additional chapter on Prior Eastry, provides a contextual framework against which the jurisdictional dilemmas that faced Christ Church throughout the thirteenth century can be viewed. Two of these jurisdictional dilemmas and the role of Prior Eastry played in managing them will be discussed in later chapters of this thesis. In many ways, Joan Greatrex's *The English Benedictine Cathedral Priories* takes a similar approach to the essays discussed in *A History of Canterbury Cathedral* since her focus is on monastic communities. Specifically through the use of archiepiscopal and episcopal registers, and monastic accounts Greatrex draws a distinction between the Rule of St. Benedict and its practical implementation throughout a monk's life. The value of this book lies in its comparison of nine cathedral monasteries, including Canterbury, Norwich and Durham.<sup>39</sup>

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<sup>39</sup> Joan Greatrex, *The English Benedictine Cathedral Priories: Rule and Practice, c. 1270-c. 1420*, (Oxford University Press, 2011)

In addition to the books reviewed above there are many academic papers discussing or referencing Christ Church. Within the context of this short historiographical review there are too many papers to warrant individual analysis such is the depth and breadth of individual historical interests. These historical interests range from the purely economic, through political allegiances, jurisdictional control and architecture to manuscript forgeries. It is also apparent from even a cursory analysis that, although Christ Church may be referenced within an article, it was not the main focus of the author's interest.<sup>40</sup> In particular these academic papers have extended our knowledge of Christ Church's economic and agrarian history. For a decade from the mid-1970s Professor Mavis Mate conducted extensive research of the beadle's and treasurer's rolls at Christ Church, building on the earlier research work of Dr Smith in *Canterbury Cathedral Priory* and providing an unprecedented level of detail on economic and agrarian operations from the mid-thirteenth to mid-fourteenth centuries.<sup>41</sup> Topics include Christ Church manors pre- and post-Black Death, illustrating the change forced on landowners by the demographic changes of the plague. Property investments detail not only Christ Church's speculative building associated with the Cult of St Thomas but also show how they benefited from such actions as the expulsion of the Jews by Edward I.

In contrast to the economic and agrarian research, I have chosen one paper to illustrate a renewed focus on administrative history. Administrative history has a long and distinguished pedigree pioneered by the 'Manchester History School' under the leadership of Thomas Tout and James Tait. Such notable historians as Christopher Cheney and the late Jeffery Denton continued this focus on administrative history. Following in their footsteps is Dr Mark Bateson, whose paper,

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<sup>40</sup> For example, Diane J. Reilly, 'French Romanesque giant bibles and their English relatives: blood relatives or adopted children?' *Scriptorium*, vol. 56, no. 2 (2002), 294-311 mentions Christ Church Priory but in essence this has nothing to do with the management of the Priory.

<sup>41</sup> All of the following are by Mavis Mate, 'Coping with Inflation: a Fourteenth Century Example', *The Journal of Medieval History*, 4 (March, 1978), 95-105; 'Property Investment by Canterbury Cathedral Priory 1250-1400', *The Journal of British Studies*, 23 (Spring, 1984), 1-21; 'The Agrarian Economy after the Black Death: The Manors of Canterbury Cathedral Priory, 1348-91', *EconHR*, New Series, 37 (August, 1984), 341-354; 'The Impact of War on the Economy of Canterbury Cathedral Priory, 1294-1340', *Speculum*, 57 (October, 1982), 761-778; 'The Indebtedness of Canterbury Cathedral Priory 1215-1295', *EconHR*, New Series, Vol. 26, No. 2, (1973), 183-197; 'Medieval Agrarian Practices: The Determining Factors,' *Agricultural History Review*, 23 (1985), 22-31; 'The farming out of manors: a new look at the evidence from Canterbury Cathedral Priory', *Journal of Medieval History*, 9 (December 1983), 331-343 and 'The Estates of Canterbury Priory before the Black Death, 1315-1348', in *Studies in Medieval and Renaissance History*, ed., by James A. S. Evans and Richard W. Unger, vol. 8, (AMS Press, 1986), 1-32.

based on extensive research in Canterbury Cathedral archives, discusses the thirteenth century jurisdictional struggle between Christ Church and the Archdeacon of Canterbury.<sup>42</sup> The paper examines the right or otherwise of Christ Church to act on spiritual matters for the see of Canterbury *sede vacante*. This authority was challenged at various times by the suffragan bishops of the Southern Province or the Archdeacon of Canterbury; the first major crisis occurred on the death of Archbishop Rich [1240], when Archdeacon Simon Langton complained that he, not the prior, should have spiritual jurisdiction in the archdiocese.<sup>43</sup> Dr Bateson's paper develops our understanding of how the procedure for a delegated case from the Roman curia was managed, particularly the use of proctors by both the Archdeacon and Christ Church in Rome and England, demonstrating how seriously Christ Church took its responsibilities and the lengths to which they would go to ensure that their customary authority were not usurped. Dr Bateson's insight into the relationships between Christ Church and the Roman curia addresses thirteenth-century monastic administrative management and has much in common with the institutional and constitutional history promoted by the Manchester History School.

In addition to papers in academic journals, many papers have been contributed to a Kent specific journal, *Archaeologia Cantiana*.<sup>44</sup> The journal contains a wide range of topics with those relating to Christ Church covering economic analyses, a particular charter, architectural aspects of the Cathedral and Christ Church or a chronicle.<sup>45</sup> However while these papers, with limited exceptions, contribute to our knowledge, they provide little insight into the management of Christ Church or political and legal relationships with the archbishop, the Crown or the Roman curia.

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<sup>42</sup> Mark Bateson, 'The struggle over Canterbury *sede vacante* jurisdiction in the late thirteenth century', *The Bulletin of John Rylands Library*, 2001, 147-166. Dr Bateson examined these issues in more detail in his unpublished PhD thesis.

<sup>43</sup> Gervase, ii, p. 180; Fred A. Cazel, Jr, 'Langton, Simon (d. 1248)', *ODNB*, [article/16043, accessed 2 April 2012].

<sup>44</sup> *Arch Cant.*, ensures the past is not forgotten; 'From the memory of things decayed and forgotten, we propose to save and recover what we may, for the present generation and for posterity, of the wrecks still floating on the ocean of time, and preserve them with a religious and scrupulous diligence', Vol. 1, p.5.

<sup>45</sup> See for example, C. Eversley Woodruff, 'The Sacrist's Rolls of Christ Church, Canterbury', *Arch Cant.*, 48, (1936), 38-80 or Robert C. Jenkins, 'On the connection between the Monasteries of Kent in the Saxon Period', *Arch Cant.*, 3 (1860), 19-34.

All printed books and academic papers discussed above have been published since the Dissolution with many focussing on Canterbury Cathedral rather than Christ Church in its own right. The contributions above mentioned either focus on a particular aspect of the history of Christ Church or represent narratives of the history of Christ Church, chronologically organized. This historiographical survey allows me to point out the gaps in our knowledge of Christ Church history, particularly in the area of spiritual jurisdiction both in England and abroad. These gaps will be addressed in subsequent chapters of this thesis. In particular all printed books prior to the twentieth century are chronologically structured with a focus on 'great men' and key events. From the twentieth century onwards the focus moves away from 'great men' and events to a topic based discussion, for example economic, but it is not until the close of the twentieth century is there any discussion of the monastic community at Christ Church and their role in the management and development of Canterbury Cathedral, their relationships with the City of Canterbury and Kent. Many of these books retain their value today since they are well researched books that include in many instances edited original manuscripts that are not transcribed elsewhere. In a similar manner we can consider *Canterbury Cathedral Priory*, *The History of Canterbury Cathedral*, *Canterbury Administration*, *The Monastic Order in England* or *The Religious Orders in England* to be seminal works as they address religious, economic, administrative and political issues concerning the history of Christ Church in the High Middle Ages. The majority of modern day secondary sources, books or academic journal articles, whose main focus is Christ Church fall into the category of economic or agrarian history, while those that can be termed of an antiquarian or post-modern origin are largely in the administrative/institutional genre. However these contributions do not specifically address the set of questions that I posed above, especially the one on 'what contribution is made to our understanding of the management of Christ Church'.

Yet the historiography has overlooked two issues concerning Christ Church institutional assets. Christ Church, as has been noted above, was an important monastic institution not least because of its association with the archbishop of Canterbury and its spiritual role during *sede vacante* periods. It is also well known that Christ Church had disputes with the Crown and the archbishop over many issues, especially those concerning the rights and privileges of the monastic

community. While individual cases have been well researched and consequently well documented, no attempt has been made to address the jurisdictional management of Christ Church at a national and international level and thus a gap exists in our knowledge. An important question arises in how the Prior and Chapter of Christ Church managed the jurisdictions to which it was subject, namely, the Royal and Ecclesiastical. It is the answer to this question that will form the focus of this thesis.

## 2.2: Primary Sources

Canterbury Cathedral Archives still hold the majority of primary source material for scholarly study of the Cathedral or Christ Church; however part of the archives have been lost or dispersed to other locations, such as Lambeth Palace or the British Library. Nevertheless, there is a plethora of material which is of significant value for a more detailed understanding of how Christ Church was managed, particularly in the thirteenth century, a period when record keeping burgeoned. Furthermore there is a dearth of edited material available to the researcher with key resources such as Priory registers and *Chartae Antiquae* remaining unedited. These primary sources are considered in two distinct categories; firstly, documentary sources, such as original letters, lists of archbishops, bishops, obits, treasurers accounts, beadles rolls and entries in medieval rolls, such as letters patent, letters close, charters and fines; secondly, narrative sources that tell or retell a complete story, such as chronicles or poems. When discussing primary sources I have included both edited materials, which in general are transcriptions of earlier manuscripts published in book form, and unedited sources.

Two key extant documentary sources, *The Memorandum Book of Henry of Eastry* and *Charters and Letters Close of Henry of Eastry* originated during the rule of Prior Henry of Eastry [1285-1331] and from the dating of the entries, almost certainly begun before 1300.<sup>46</sup> *The Memorandum Book of Henry of Eastry* consists of 186 folios and is contained within MS Cotton Galba E iv. The Cotton manuscript is an artificial contrivance of nine separate manuscripts consisting of 244 folios assembled by Sir Robert Cotton [1571-1631].<sup>47</sup> The manuscript appears to be a

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<sup>46</sup> BL MS Cotton Galba E iv is referred to as *The Memorandum Book of Henry of Eastry* by Hogan; CUL MS Ee.5.1 is referred to as *Charters and Letters Close of Henry of Eastry*.

<sup>47</sup> See BL MS Cotton Galba E, iv – Manuscript Description for index to the 244 folios; ff. 1-186 relate to Christ Church while ff. 187-244 relate to Bury St Edmunds Abbey; 17<sup>th</sup> century scholars, such as

personal register of Prior Eastry as the rubric title suggests *memoriale Henrici prioris monasterii Christi Cantuariensis*; the register contains much data relevant not only to a serving prior but also to those following Prior Eastry. Included in this manuscript are royal and papal charters, lists of popes, archbishops and kings, rent-rolls, pay-rolls, inventories of principle household offices, ordinances governing household and manorial administration, visitation articles, liturgical directives, and surveys of arable and pastoral farming, land purchase, expenses, rents, legal cases and mills. The manuscript also includes copies of other documents and registers of Christ Church, although some entries no longer exist elsewhere. The manuscript draws together, in one place, information contained elsewhere in the archives, thus making it easier to assess what was important for the management of the priory. It therefore follows that it is also a source for identifying what has been omitted and through secondary analysis to develop the character of Prior Eastry and his management style, as he instituted policies to recover from the disastrous debts, monastic indiscipline and legal suits left by Prior Ringmere. This manuscript is an important resource for the history of late thirteenth-century Christ Church; it is made even more relevant thanks to the Reverend Hogan's doctoral thesis completed in 1966 which supplies the only transcription of the Cotton manuscript.<sup>48</sup> Hogan's unpublished thesis provides not only a narrative description and critical analysis of Eastry's *Memorandum Book* but also throws light on the early life of this important and long-lived Christ Church Prior.

The second extant documentary source is Cambridge University Library MS Ee.5.1, often referred to as *Charters and Letters Close of Henry of Eastry*.<sup>49</sup> The manuscript consists of 278 folios with entries dating from 1227 to 1327. The majority of documents refer to Prior Eastry [1285-1331], while it should be noted that all the earlier dated entries are written in a late thirteenth-century cursive hand.<sup>50</sup> The manuscript has never been transcribed, translated, edited or subject to rigorous critical analysis despite citation in doctoral theses, books or academic papers,

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Wharton extracted a list of archbishops of Canterbury, from St Augustine to Walter Reynolds, for publication in his *Anglia sacra*.

<sup>48</sup> For a complete transcription of ff. 1-186, see *Memorandum Book*, whose principle aim is to provide an edition of the Cotton Galba MS.

<sup>49</sup> For a summary list of contents for CUL *Eastry*, see *A Catalogue of the Manuscripts preserved in the Library of the University of Cambridge*, 5 vols., (Cambridge University Press, 1856-1867); An alternative title is *Registrum procuratorum et litterarum de contractu*, CUL *Eastry*, fo. 9.

<sup>50</sup> The manuscript is written in several different 13<sup>th</sup> century cursive hands.

suggesting that it warrants a renewed evaluation, particularly from a legal perspective as it identifies relationships with proctors both in England and the Roman curia. The date of the cursive hand suggests it is a contemporary and companion manuscript to Prior Eastry's *Memorandum Book*. The existence of these two important manuscripts poses some interesting questions, 'why were these manuscripts produced', 'were they personal manuscripts or manuscripts for the Christ Church community or to be left as legacy for subsequent priors.' Perhaps one final and intriguing question is 'how do they assist us in understanding the collective memory of Christ Church.' Subsequent chapters of this thesis will discuss these questions within the context of Christ Church's relationships with both ecclesiastical and royal society, in the thirteenth and fourteenth centuries.

In addition to these two extant and valuable manuscripts, individual letters covering selected periods of Christ Church's history were transcribed as part of the *Rolls Series*. The first of these is *Epistolae Cantuarienses* listing letters relating to the dispute between Christ Church and Archbishops Baldwin and Hubert Walter from 1187 to 1189, where these two archbishops tried to establish a church and a college of canons to usurp the authority of Christ Church and dilute their influence.<sup>51</sup> The manuscript was originally at Christ Church and is of significance to twelfth-century historians with its focus on one of the major ecclesiastical conflicts of Richard I's reign [1189-1199].<sup>52</sup> It is also important in that it provides a perspective on the political mood of the early thirteenth century, in particular, the relationships between King John and the English Church, King John and the papacy, and King John and the citizens of England. Evidence supporting this argument derives from the fact that the manuscript was written between 1201 and 1205, when the case against the archbishops was finally won by Christ Church. The letters were edited and transcribed by Bishop Stubbs, who provided commentary on over 500 individual pieces of correspondence relating to the dispute together with an index of the letters and a calendar. The latter places each letter in its correct chronological sequence, making visible the relationships between Christ Church, Archbishops Baldwin and Walter, and the Roman curia. It provides a unique insight into late twelfth century

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<sup>51</sup> *EpisCant*, these letters are complementary to the discussion of the same dispute in Gervase's *Chronica* and are transcribed from Lambeth Palace Library MS 415.

<sup>52</sup> For a list of Prior Eastry's catalogue, see Montague R. James, *The Ancient Libraries of Canterbury and Dover*, (Cambridge: 1903), p. 31.

ecclesiastical politics, the process of inter and intra institutional diplomacy and the struggle for authority.

The other major collection of letters is *Litterae Cantuarienses*, which are predominantly personal and legal letters issued by Christ Church, as well as some incoming correspondence.<sup>53</sup> Unlike *Epistolae Cantuarienses* these letters are not from a cartulary or a single manuscript but are a random selection transcribed from existing Christ Church registers and extant manuscripts to form three volumes of letters dating from 1270 to the Dissolution. The first volume is perhaps the most interesting as it encompasses the priorate of Henry of Eastry and includes many personal letters from this reforming prior. In the second and third volumes however the letters concern largely administrative and legal themes. All three volumes have been assembled using the same criteria. The key question that Sheppard has posed in selecting letters is 'does it contribute to the overall history of Christ Church?' Other editorial decisions taken by Sheppard include the elimination of any manuscript that is likely to be found in other monastic institutions, for instance copies of papal bulls such as *Clericos laicos*, or letters, that concern the appointment of bishops and other ecclesiastical officials. When evaluating the first volume of letters it is also clear that they mainly concern legal matters, especially referring to the on-going dispute with Christ Church's agent in France relating to non-payment of rents from French land holdings as well as non-payment for wine sold in Paris. While such letters are undoubtedly valuable for the history of Christ Church, they reflect closely Sheppard's personal interest in legal matters given that he was a lawyer. Both *Litterae Cantuarienses* and *Epistolae Cantuarienses*, together with the individual commentaries, provide an understanding of the legal and administrative machinery of Christ Church.

There are other valuable manuscripts and documents preserved in the Canterbury Cathedral Archives that provide an insight into the legal history of Christ Church. These documents are referred to as *cautiones* with a date range from 1230 to 1328 and have been edited by Jane Sayers for her discussion on *Canterbury proctors at the court of 'Audentia Litterarum Contradictarum'*.<sup>54</sup> Writing in 1962 Sayers

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<sup>53</sup> *Lit. Cant.*

<sup>54</sup> Jane Sayers, 'Canterbury proctors at the court of 'Audentia Litterarum Contradictarum'' in Jane Sayers, *Law and Records in Medieval England*, (Variorum Reprints, 1988), pp. 311-345; the article was originally published in *Traditio* in 1962.

concluded that the survival of this type of manuscript is extremely rare with very few examples discovered to date and of those even fewer are originals.<sup>55</sup> The paper outlines the procedure at the Roman curia drawing a clear distinction between *audentia publica* and *audentia litterarum contradictarum* and formed part of the papal delegated jurisdiction, since the Pope could not be expected to hear every case.<sup>56</sup> Proctors and advocates at the papal curia would have represented their clients, often monastic institutions, before these courts. This was especially vital to ensure that any mandate issued in settlement of legal cases would not impact upon the running and management of the institution or monastery they represented. Christ Church as one of the wealthiest monastic houses in England had a long history of using this facility of the Roman curia to protect their interests. The paper does not provide an in-depth analysis of individual *cautiones* but does provide a clear idea of the types of cases, the court procedure and most usefully, the names of the proctors used by Christ Church over a period of 120 years. The fact that such a large number of not only original *cautiones* but also *littere conventionales* remain extant at Canterbury suggests that they were of immense value, when they were either at Christ Church or taken back to Canterbury, as it has been suggested in case of Philip de Pomonte, a Canterbury proctor [1276-1279].<sup>57</sup> Some of the *cautiones* refer to issues relating to tithes, presentation to churches or other matters considered prejudicial to Christ Church. The fact that they were kept would suggest the importance of ensuring that all rights and privileges, which had been examined in a lawsuit, were preserved and that no precedent was ever set against Christ Church.

Accordingly, there is a wealth of unedited manuscripts and registers in the Canterbury archives, which can be classified as narrative sources. These sources include chronicles, annals, hagiographies or selective histories of events whose existence, in the archives, is often suggested by how the monastic house wishes to be remembered. Chronicles have always fulfilled a useful function for a monastic institution, not only recording noteworthy people or events but also providing for future generations an institutional memory. A collective memory that could often be selective in its outlook and often dependant on the political and social agenda of the

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<sup>55</sup> Sayers, 'Canterbury proctors', p. 316.

<sup>56</sup> Jane Sayers, *Papal Judges Delegate in the Province of Canterbury 1198-1254*, (Oxford University Press, 1971), p. 58 discusses a Canterbury *cautio*.

<sup>57</sup> Sayers, 'Canterbury Proctors', p. 327.

day, an aspect of memory that will be discussed in the subsequent chapter on Christ Church memory. Strangely for a monastery as important as Christ Church relatively few extant chronicles remain, possibly as the result of a number of fires at Canterbury Cathedral. However, despite losses to the early history of Christ Church, important chronicles covering the period between twelfth and fourteenth centuries provide a detailed political history of the Priory. The first and most crucial extant chronicle is the *Opera Historica*, written by Gervase of Canterbury towards the end of the twelfth century; Gervase also compiled the *Gesta Regum*, a history of the kings of England from Brutus to 1210, with continuations into the early fourteenth century, the *Actus Pontificum Cantuariensis Ecclesiae 597-1205*, and the *Mappa Mundi*, a topographical survey of the counties of England including bishoprics, religious houses, castles and water courses.<sup>58</sup> Gervase's passion lay in preserving the past especially the history of his beloved Canterbury Cathedral where his keen eye for detail preserved, for later generations, many details of medieval construction, particularly William of Sens late twelfth-century building works. Included within the *Opera Historica* is Gervase's earliest work, his *Imaginacio*, a clever literary vehicle, which set out both sides of the argument of Archbishop Baldwin's jurisdictional conflicts with the monks of St Augustine's.<sup>59</sup> Gervase again uses this literary technique to construct an argument for Baldwin against Christ Church citing their continued disobedience against their titular abbot and then presenting the case for Christ Church against Baldwin citing Baldwin's hostility and his usurpation of Christ Church's customary rights. The use of argument and counter-argument from each party's perspective is critical to Gervase's positioning Christ Church as a victim of the oppression of both Archbishops Baldwin and Hubert Walter. Indeed Gervase's narrative makes it clear that the papacy was backing Christ Church, support that was

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<sup>58</sup> Gervase's work survives in the following manuscripts: BL Cotton MS Vespasian B.xix, Trinity College Cambridge MS 644 & Corpus Christi College Cambridge MS 438; all are mid thirteenth century or later copies; for a complete transcription see *The Historical Works of Gervase of Canterbury*, ed. by William Stubbs, 2 vols., Rolls Series, 73 (1879–80), volume 1 transcribes the *Opera Historica*, volume 2 transcribes the *Gesta Regum*, the *Actus Pontificum Cantuariensis Ecclesiae* and the *Mappa Mundi*, this latter volume also contains indexes for both volumes; the *Opera Historica* draws on earlier chroniclers such as Henry of Huntingdon, Benedict of Peterborough and the biographers of St Thomas Becket; for the life of Gervase see, G. H. Martin, 'Canterbury, Gervase of (b. c. 1145, d. in or after 1210)', *ODNB*, [article/10570, accessed 5 Oct 2009], Gervase's reputation was as a chronicler and topographer but he also served as sacrist from 1193 to 1197, see also Stubbs, i, pp. ix–xlix.

<sup>59</sup> *Imaginatio* – an argument, see Ronald E. Latham, *Revised Medieval Latin Word-List*, (Oxford University Press, 1965), p. 234.

critical to their success against both Baldwin and Hubert Walter. Gervase is taking a rather optimistic tone here; although it is true that some papal mandates quashed the actions of both Baldwin and Hubert Walter, it was by no means a foregone conclusion as papal support could change whenever a new pope took office. This was undoubtedly the case on Urban III's death in 1187 when his replacement Gregory VIII did not support Urban's position, thus forcing Christ Church to renew their opposition to Baldwin's actions.<sup>60</sup> The technique of presenting both sides of the argument not only provides the first real account of why conflict arose between Christ Church and the archbishop, and the processes by which the conflict was resolved, but also allows the scholar to make his own judgements and interpretations. The resulting chronicle is an elaborate social, legal and political memory of Christ Church. The one criticism that can be levelled at Gervase is that his account is that of an interested party who is drawing on the large amount of correspondence associated with the Baldwin conflict.<sup>61</sup> Given that Gervase was asked to provide a summary of Baldwin's conflict with St Augustine's and then continued in the same literary style to discuss the conflict between Baldwin and Christ Church, it is hardly surprising that his argument favours his own convent. Although Gervase is attempting to provide a balanced view, through argument and counter argument, his resulting conclusion that Baldwin persecuted Christ Church may be seen as a case of selective memory which will be discussed in the subsequent chapter on Christ Church Memory. There is no doubt that at times Baldwin did oppress Christ Church but it must be remembered that Christ Church itself was not blameless, a subject that will be returned to in subsequent chapters. Another example of the embellishment of institutional memory comes from the continuator of Gervase's chronicle in 1277 with a discussion of the foundation of St Martin's Church, Dover by King Wihtred in the eighth century.<sup>62</sup> Wihtred according to the Anglo-Saxon legend of St. Mildrith [694-c.733], founded the church after having a vision of St. Martin, who told him where the monastery should be situated; however, the continuator of Gervase while also citing the foundation as the result of a vision suggests that Wihtred had the vision on the battlefield; the original legend made no reference to where the vision

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<sup>60</sup> All correspondence for this case is transcribed in *EpisCant*, for example see pp. cxxxii-cxxxix for the changing fortunes of Christ Church.

<sup>61</sup> See *EpisCant* for a complete discussion and transcription of this correspondence.

<sup>62</sup> Gervase, ii, p. 287.

occurred.<sup>63</sup> The chronicle is reprising the history of the jurisdictional conflict between Christ Church and St Martin's, Dover and the continuator may have chosen to embellish the foundation with the battlefield vision, on the other hand he may not have had access to the details of the original Mildrith legend. Bishop Stubbs as part of the Rolls Series edited all of Gervase's chronicles and ancillary manuscripts in the nineteenth century. Stubbs produced two volumes each one has a commentary describing the contents of the volume; thereby making a contribution to our understanding of the political, legal and jurisdictional conflicts involving both St Augustine's and Christ Church, overall Stubbs has produced a constitutional history with elements of twelfth century ecclesiastical political history.

Christ Church chronicles appear either not to have been produced or have been subsequently lost between the death of Gervase [c.1210] and a series of fifteenth-century chronicles of which the earliest was discovered amongst a set of 51 folios largely consisting of a miscellany of early fifteenth-century Christ Church financial records.<sup>64</sup> This chronicle begins with Prior Eastry and ends with Prior Wodnesbergh [1411-1428] providing limited biographical, financial and building achievements on selected priors in the intervening period. The larger part of the chronicle summarises the many and varied building works of Prior Thomas Chillenden [1391-1411], while the remaining folios summarise the financial management of Prior Wodnesbergh. However, the chronicler provides very little information on the external affairs of Christ Church. The level of detail provided for both Chillenden and Wodnesbergh's priorates suggest that the chronicler had personal knowledge of both men and held them in high esteem, given the extent of the laudatory comments. The chronicler makes only brief mention of Prior Eastry referring to him as a 'distinguished man with much energy', but failing to mention other than in passing the huge debts he repaid.<sup>65</sup> However, the chronicler later praises Prior Wodnesbergh for the repayment of huge debts which were in fact less than half those repaid by Prior Eastry. Woodruff concludes that the chronicler 'apparently did

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<sup>63</sup> David W. Rollason, *The Mildrith Legend*, (Leicester University Press, 1982), p. 33; apart from later Dover Priory chronicles which merely reference the date of founding, the Mildrith legend is one of the only sources as to why it was founded.

<sup>64</sup> See C. Eversley Woodruff, 'A Monastic Chronicle Lately Discovered at Christ Church Canterbury', *Arch Cant.* 29 (1911), pp. 47-84; the paper provides a contents list, a Latin transcription and English translation.

<sup>65</sup> Woodruff, p. 57; Mavis E. Mate, 'Chillenden, Thomas (d. 1411)', *ODNB*, [article/38470, accessed 9 Sept 2011].

not have access' to Register L [1318-1367] that detailed Eastry's extensive building works at Christ Church, hence some of the key financial detail of Prior Eastry's rule is sketched over.<sup>66</sup> However, it seems implausible that the chronicler did not have access to either manuscripts or registers as Prior Eastry's registers still exist today at Canterbury Cathedral as do the manorial and treasury records. It is more likely that the chronicler never intended to make much of the earlier priors, merely using Prior Eastry as a convenient starting point, while focussing his chronicle on contemporary priors of whom he had personal experience. Indeed, the chronicler previously supplied unknown detail on lesser priors giving a more complete picture of the social and cultural memory of Christ Church from the late thirteenth century. Moreover, given that the chronicler's perspective is largely financial, it can only provide a narrow overview of several generations of priors and their handling of debt.

The remaining two chroniclers, William Glastynbury and John Stone, were near contemporaries of each other, although Stone has gained a wider reputation. Glastynbury's chronicle is centred on the domestic affairs of Christ Church [1418-1448], such as visits by Margaret of Anjou [1447] and Archbishop Chichele [1437-1438, 1439]; yet, despite his cloistered existence, he makes reference to national and international political issues affecting England and the Church during the early to mid fifteenth century, such as the Treaty of Troyes [1420] and the articles of the Hussites at the Council of Basle [1431-1449].<sup>67</sup> However, Glastynbury makes no reference to the support that the Hussites had in England or the threat they posed to the Church, a threat discussed at the Council of Constance [1416-1418]. Such commentary may not have been included, as Glastynbury did not think they posed a threat to Christ Church. The latter portion of the chronicle includes personal letters of Glastynbury to a fellow monk studying at Oxford, a poem about fairs in the precincts and twelve stained glass windows in the choir. This is an interesting chronicle insofar as it provides an insight into the thoughts and interests of a fifteenth-century monk at Christ Church, especially the international affairs of both the Crown and the Church; however the chronicle's focus is the monastery's administrative history.

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<sup>66</sup> Woodruff, 'A Monastic Chronicle', p. 56 n. 1.

<sup>67</sup> C. Eversley Woodruff, 'The Chronicle of William Glastynbury, Monk of the Priory of Christ Church, Canterbury 1419-1448', *Arch Cant.*, 37 (1925), 121-151. This article is based on Corpus Christi College, Oxford MS 256.

John Stone was also a cloistered monk like Glastynbury and his chronicle documents the internal affairs of Christ Church, although recording a number of civil war battles at Tewkesbury and Barnet in 1471.<sup>68</sup> The chronicle records obituaries and major events in the life of Christ Church, although at first glance it cannot be anymore than a chronological narrative of who came and went during the fifteenth century. Since Canterbury Cathedral was a major pilgrimage site and on the main road between London and the Continent, it was not unusual that many visitors, including kings, would be offered hospitality. Consequently we may conclude that Stone's chronicle provides us with no more information than earlier chronicles or other contemporary sources. W. G. Searle, whose transcription has been extensively used by scholars of fifteenth century England to support their research, reawakened interest in Stone's work.<sup>69</sup> However no re-examination of the original manuscript was undertaken until the 1990s when Dr Meriel Connor produced an English translation of the original manuscript, while also providing a detailed analysis of Christ Church's political allegiances and confraternities during the troubled times of fifteenth-century England.<sup>70</sup> The detailed analysis of Stone's chronicle demonstrates that Christ Church was well informed of the national and international events taking place during Henry VI's reign, including the rebellion of Jack Cade and subsequent civil war. Dr Connor's analysis also demonstrates Christ Church's cultivation of highly placed and influential national magnates surrounding the king together with the use of confraternity to consolidate national support and benefaction for this important Benedictine monastery, a practice that was imprinted deep in Christ Church's institutional memory. From Dr Connor's analysis it is clear that Stone's chronicle is more than a fifteenth-century annal, but it is a fine example of fifteenth-century political and social history from a Benedictine monastery's perspective.

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<sup>68</sup> The surviving manuscript is a contemporary copy, Corpus Christi College Cambridge MS 417; Nigel Ramsay, 'Stone, John (*d.* in or before 1481)', *ODNB*, [article/50199, accessed 5 Oct 2009]; John Stone, *John Stone's Chronicle Christ Church Priory, Canterbury, 1417-1472*, trans. by Meriel Connor, (Medieval Institute Publications, 2010).

<sup>69</sup> John Stone, *Chronicle of John Stone, monk of Christ Church, Canterbury 1415-71*, ed. by William G. Searle, Octavo Series 34, (Cambridge Antiquarian Society, 1902).

<sup>70</sup> Meriel Connor, 'The political allegiances of Christ Church Priory 1400-1472: the evidence of John Stone's Chronicle', *Arch Cant.*, 127 (2007), 383-406; Meriel Connor, 'Brotherhood and Confraternity at Canterbury Cathedral Priory in the 15th century: the evidence of John Stone's Chronicle', *Arch Cant.*, 128 (2008), 143-164 and Joan Greatrex, 'Culture at Canterbury in the Fifteenth Century: Some Indications of the Cultural Environment of a Monk of Christ Church', in J. G. Clark (ed.), *The culture of medieval English monasticism* (Studies in the history of medieval religion, 30), (Boydell Press, 2007).

The chronicles written by Christ Church monks are almost exclusively local in outlook with a focus on economic, biographical, architectural, archaeological and legal matters. They cover two time periods; post Conquest to 1328 and the fifteenth century. What stands out is that there are no known chronicles, either extant or that are known to have been lost, for a period of almost 100 years [1328 - c.1420]. Gervase and his continuator's focus was the late twelfth and early fourteenth century, highlighting Christ Church's struggle to maintain their customary rights and privileges, while in the fifteenth-century John Stone reveals insights into their political allegiances during the troubled times of mid-fifteenth century England. This is even more remarkable since the thirteenth century had many notable events that gave Christ Church many benefits, especially following the translation of St Thomas Becket in 1220 and the continuing rise of the Cult of Becket.

Throughout the period from 1220 to the death of Prior Eastry in 1331 a number of trials and tribulations beset Christ Church; the compositions of Archbishop Boniface mid-century and the parlous state of the Priory following Prior Ringmere's resignation are only two of many topics worthy of further investigation. Such investigation can take advantage of the great number of extant documents, registers and transcribed letter books not only at Canterbury Cathedral but at other archives throughout England. The histories of Canterbury Cathedral Priory from the late twelfth century works of Gervase of Canterbury provide the twenty-first century historian with multiple memories and overlapping themes, such as conflict with St Augustine's Abbey, Dover Priory, and various archbishops of Canterbury, and kings of England. It is not uncommon for histories to reflect antagonistic episodes in life, as Winston Churchill famously stated 'history is written by the victors'. Yet to assume that the memories preserved in the written tradition are entirely accurate would be fallacious for a community and especially a monastic community as important and powerful as Christ Church, which could not have survived by being constantly antagonistic towards those on whom its fortunes might ultimately depend. From 597 to the Dissolution, almost a thousand years of history, despite constant references to conflict, there have been long periods of peace and calm within the cloisters of Christ Church. Notwithstanding a number of clashes with its near

neighbour St Augustine's Abbey, conflict was not the norm and cooperation could be found at a number of levels such as the sharing of scribal processes.<sup>71</sup>

Arguably, what is absent from any antiquarian or historical commentator is an analysis of the 'culture and memory' of Christ Church that we ought to define further in this thesis. Any attempt of defining culture is usually confined to fine art and literature but in reality culture embraces a range of perspectives from the technological through to the ideological.<sup>72</sup> Indeed, two American anthropologists Kroeber and Kluckhohn conducting an analysis of definitions found no less than 164 different answers.<sup>73</sup> However it is more common to view culture in three aspects: firstly, an expression of appreciation in fine arts and literature; secondly, patterns of human knowledge including belief systems and behavioural patterns, which naturally require thought and reasoning ability; and thirdly, a set of attitudes, norms and beliefs that make an institution what it stands for. In my opinion, this last definition provides a practical framework against which to assess the institutional memory and culture of Christ Church with a particular focus on the culture of legal systems. This analysis should reflect more accurately the environment in which a monastic house such as Christ Church operated and how it managed both its ecclesiastical and civil jurisdictions. Given the propensity of Prior Eastry [1285-1331] to ensure that everything of importance to Christ Church and its 'cultures' was collected and, where necessary, engrossed in registers, in the next two chapters an examination of the 'collective memory' of Christ Church during the thirteenth and early fourteenth centuries should inform and illuminate our knowledge of the management of its jurisdictions.

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<sup>71</sup> For a discussion on the development of Canterbury Cathedral library and its survival following the Dissolution, see Richard Gameson, *The Earliest Books of Canterbury Cathedral*, (The Bibliographical Society, 2008), pp. 19-47 and for St. Augustine's Abbey, Canterbury, see B. C. Barker-Benfield, *St Augustine's Abbey, Canterbury*, Corpus of British Medieval Library Catalogues, Vol. 13, (British Library, 2008).

<sup>72</sup> John Lewis, *Anthropology*, (W. H. Allen, 1969), pp. 76-77.

<sup>73</sup> Alfred L. Kroeber and Clyde Kluckhohn, *Culture: A Critical Review of Concepts and Definitions*, (Vintage Books, 1952).

## Chapter 3: Theories of Memory

*'Valuable and worthy of praise is the labour whereby things unknown become known, hidden things are brought to light, the past brought into the present.'*<sup>1</sup>

Memory has great importance when attempting to interpret the past especially from an historian's perspective, as all sources take the form of some aspect of remembrance. Memory was held in high regard from ancient times and throughout the Middle Ages, attracting academic interest from psychologists, anthropologists and historians. On the one hand, psychologists have traditionally taken a scientific approach when considering how the memory works, making a separation between short-term or working memory and long-term memory. Anthropologists and historians, on the other hand, have sought to understand what has been remembered and how it has been adapted and shaped to fit within an individual and socially acceptable cultural context.

### 3.1: Studies on Memory

When trying to define culture either at an individual, institutional or nation level there is perhaps a point of singularity where psychologists, anthropologists and historians converge; a convergence that relies on long-term memory, a memory that has a commonality across many members of an individual society; in other words it is cultural, what society remembers is influenced by the way things are viewed. Maurice Halbachs in his influential book, *La Memoire collective*, takes this concept a stage further positing that remembering is social for the simple expedient that it had to be acceptable to society at large; a societal remembrance that had a feel of the least common denominator given that, he argued, its construction was an interaction between and accommodation of individuals.<sup>2</sup>

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<sup>1</sup> William Thorne, 14th century chronicler of St. Augustine's Abbey cited by Rose Graham, 'The Conflict between Robert Winchelsey, Archbishop of Canterbury and the Abbot and monks of St. Augustine's, Canterbury', *JEH*, 1 (1950), 37-50.

<sup>2</sup> Maurice Halbwachs, *On Collective Memory*, ed. and trans. by Lewis A. Coser, (The University of Chicago Press, 1992).

Earlier on, some English anthropologists such as Bronislaw Malinowski [1884-1942], Alfred Radcliffe-Brown [1881-1955] and Sir Edmund Leach [1910-1989] had preferred a more pragmatic approach arguing that what was recalled was designed to achieve a specific end, such as the legitimisation of an institution, or to support a particular claim to status or rights; a concept that would resonate with an historian and more specifically with a medieval monastic institution.<sup>3</sup> In the 1990s this tradition was refined by among others Jocelyne Dakhlia who argued that in order to understand and comprehend a historical discussion, it was fundamental to understand the society that was presenting it.<sup>4</sup> As I argued in the introduction of this thesis and I will demonstrate, within the context of a monastic institution such as Christ Church it could well be necessary to understand several societies at different points in their history.

The anthropological examination of memory moves from Aristotle and Plato's philosophical ideas, which were read and developed within the Christian tradition in the Middle Ages, especially thanks to the interpretation of St Augustine of Hippo, who saw memory as a fundamental element from which all other aspects of rhetoric developed. As Mary Carruthers argues in *The Book of Memory*, 'medieval culture is fundamentally memorial while modern Western culture is documentary', implying an underlying debate of an oral versus written tradition.<sup>5</sup> Oral tradition is by far the oldest form of communicating and has been fundamental to the acquisition of knowledge. As Elizabeth Eisenstein argued in an earlier article, 'Clio and Chronos an Essay on the Making of History-Book Time', the underlying medieval scribal culture has a close relationship with oral tradition and "auditory memory training".<sup>6</sup> Eisenstein further argues that the onset of the printing press has altered the way in which we attempt to narrate the past, a past where events are ordered sequentially, which in turn leads to a subtle change in collective memory. As Eisenstein so aptly summarises the modern documentary culture, 'There is, however, no longer any

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<sup>3</sup> For key examples of their work, see Bronislaw Malinowski, *Argonauts of the Western Pacific*, (G. Routledge and Sons, 1922); Alfred R. Radcliffe-Brown, *African Systems of Kinship and Marriage*, (Oxford University Press, 1950) and Sir Edmund Leach, *Rethinking Anthropology*, (Athlone Press, 1961).

<sup>4</sup> Jocelyne Dakhlia, 'New Approaches in the History of Memory? A French model' in *Crisis and Memory in Islamic Societies*, Angelika Neuwirth and Andreas Pflitsch, eds. (Beirut : Orient-Institut, 2001), pp. 59-74.

<sup>5</sup> Mary Carruthers, *The Book of Memory*, (Cambridge University Press, 2009), p. 9.

<sup>6</sup> Elizabeth L. Eisenstein, 'Clio and Chronos an Essay on the Making of History-Book Time', *History and Theory*, vol. 6, Beiheft 6: History and the Concept of Time, (1966), 36-64 [44].

single body of knowledge that can be committed to memory and transmitted from one generation to the next.<sup>7</sup> However, the primary problem with an underlying oral tradition associated with a medieval scribal culture is the possibility of manipulation or the application of selective memory; if this is suspected, then it is vital to try and understand the context in which the oral tradition arose and the external factors influencing the speaker. Such factors may make the oral tradition unreliable, although there is inevitably a grain of truth in any oral tradition.

The skill of the historian is to somehow separate fact from fiction. However, there must be a contextualized approach to the written word that requires deep thought and analysis by the reader. Historical writings are no different from oral traditions and can be equally inaccurate and subjective, and in some cases completely false, as in the instance of manuscript forgeries. No matter how hard the writer tries to be impartial, it is a fundamental part of human nature that social conditions will influence the outcome; as Bernard of Chartres [d. c.1130] said, 'we are like dwarfs on the shoulders of giants, so that we can see more than they, and things at a greater distance, not by virtue of any sharpness of sight on our part, or any physical distinction, but because we are carried high and raised up by their giant size.'<sup>8</sup> In extreme cases this can lead to false or at best misleading accounts. In either case, whether oral or written, it is essential that the historian keeps an open mind and attempts to extract fact from fiction.<sup>9</sup> Carruthers continues her discussion of memory in medieval culture by developing the relationship between memory training and literacy from a variety of perspectives both psychological and historio-anthropological. From this latter view she develops the concept of books as memorial objects, an approach that will be applied to the key books and registers of Christ Church, later in this chapter. Carruthers also draws heavily on Aristotle, Plato and Augustine of Hippo to develop her arguments, in particular Augustine's theory, advanced in his *Confessions*, that memory is what we learn and an active process of recall.<sup>10</sup> The Middle Ages also extended classical traditions of Aristotle, Cicero and Plato in which memory was seen as the focus for constructing or treating an argument. Here the discussion concerns rhetorical memory and implies that there is a close relationship between rhetoric and knowledge, although this was not Plato's

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<sup>7</sup> Eisenstein, 'Clio and Chronos', 63.

<sup>8</sup> John of Salisbury, *The Metalogicon of John of Salisbury*, trans. by Daniel McGarry, (University of California Press, 1962), p. 167.

<sup>9</sup> Michael Clanchy, *From Memory to Written Record*, 2<sup>nd</sup> Edition, (Blackwell Publishing, 2003), pp. 294-327.

<sup>10</sup> See St Augustine of Hippo, *Confessions*, trans. by Richard S. Pine-Coffin, (Penguin, 1961).

perspective who saw rhetoric as empty words and distinct from knowledge. A modern viewpoint is that rhetoric and knowledge are inseparable, communication between people being fundamental to the creation of knowledge. While it is not the intention to discuss the finer points of memory research, it is nevertheless important to consider three aspects of rhetorical memory: memory theory; the practices and uses of memory; and orality and literacy. This consideration should provide clues to the construction and use of memory in a monastic institution and in particular in Christ Church. If we are to understand all aspects of memory in the Middle Ages, then one important perspective must be the religious estate given that this body of people represented a significant proportion of the educated and literate. One of the earliest discussions appears in Augustine of Hippo's *Confessions*, where he argues that memory is constructed from a wide range of sources including our own experiences, both in terms of the things we learn ourselves and what we hear from others.<sup>11</sup> Part of the process of memory building and memory reinforcement were the readings that took place in monasteries. Such readings would have been both formal, in the refectory, the chapter house or at mass, and informal. It is known that formal readings would have followed, in some instances, a three cycle process thus allowing the words to become ingrained in a monk's memory.<sup>12</sup> Part of the memory training would have been through the use of mnemonics, a process used actively for recollection.

Mary Carruthers expands on Augustine's theme of the centrality of memory where she argues that memory was a special mental endowment and a fundamental and important part of education but that it was also the cornerstone of all aspects of literacy.<sup>13</sup> The crux of her theory is that medieval culture was a memorial culture since 'recognizing that, as a set of institutionalized practices, *memoria* was adapted, at least to a point, as these institutions changed, and yet that as a modality of culture it had a very long life as a continuing source and reference for human values and behaviour'.<sup>14</sup> Carruthers principally refers to early treatises on aspects of memory such as Thomas Bradwardine's *De Memoria Artificiali*, which discusses memory

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<sup>11</sup> St Augustine of Hippo, *Confessions*, especially Books X and XI

<sup>12</sup> Teresa Webber, citing BL MS Harley 1005=B14 in *English Benedictine Libraries*, ed. R Sharpe et al, Corpus of British Medieval Library Catalogues, Vol. 4, pp. 87-93; for an understanding of monastic culture and its relationship to learning, see Jean Leclercq, *The Love of Learning and the Desire for God*, 3<sup>rd</sup> edition, trans. by Catherine Misrahi, (Fordham University Press, 1982, repr. 1993).

<sup>13</sup> Carruthers, *Memory*, pp. 11-12.

<sup>14</sup> Carruthers, *Memory*, p. 260.

training contemporary with his life [c.1290-1349] or Hugh of St Victor's *De Tribus Maximis Circumstantiis Gestorum*, which discusses the contemporary teaching of history and the use of memory [c.1096-1141].<sup>15</sup> Carruthers argument that medieval culture is itself memorial seems to imply that the construction of texts such as monastic chronicles or registers also relies heavily on memory and a recollection of the past. Recollections or remembrances that became altered with the passing of time especially during the tenth century, when, as Patrick Geary puts it, many European monastic institutions chose to reinvent their past.<sup>16</sup> Similarly, Karen Ugé when discussing Flemish monasteries such as Saint Bertin [Flanders: Saint-Omer] points out that their narrative was constructed, 'for a specific time and purpose'.<sup>17</sup>

An alternative approach is put forward by Janet Coleman who argues that remembering is an interrelation between the theories of symbols and language. In addition, she posits that consideration should also be given to the relationship of language to thinking. In her *Ancient and Medieval Memories Studies in the Reconstruction of the Past*, Coleman approaches the subject of memory from the standpoint of psychology and the theory of knowledge.<sup>18</sup> The practical uses of memory can be categorised in two parts: what is concerned with individual learning, for example the scriptures, the liturgy or major rhetorical works; and collective or shared learning. This latter use has parallels with social or collective memory and with history.

Both Carruthers and Coleman approach the subject of memory and the reconstruction of the past from a theoretical perspective drawing on parallels from ancient and medieval texts, while it is evident that both Geary and Ugé have examined practical examples of memory as an historical phenomenon, where memory is selective and the principles and reasons for selection are discussed at length. Peter Burke in *History as Social Memory* takes a similar approach, when looking at the relationship between history and social memory, through the study of the transmission of social memory from generation to generation. This generational transmission considers not only written text but also oral traditions, such as reading

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<sup>15</sup> Carruthers, *Memory*, Appendix A, pp. 261-266 [Hugh of St Victor]; Appendix C, pp.281-288 [Bradwadin]

<sup>16</sup> There are a number of texts discussing the reconstruction or renewing of a monastery's history see, Patrick Geary, *Phantoms of Remembrance*, (Princeton University Press, 1994).

<sup>17</sup> Karen Ugé, *Creating the Monastic Past in Medieval Flanders*, (Boydell and Brewer, 2005).

<sup>18</sup> Janet Coleman, *Ancient & Medieval Memories*, Paperback, (Cambridge University Press, 2005).

in refectories, images, rituals and spatial use – the placing of images in particular locations.<sup>19</sup> Social or collective memory is important to an institution as it provides a basis on which to make policies and decisions, both political and business oriented. If there were not such a mechanism that transcended several generations, then the ability to make informed judgements based on past experience would be lost. Subsequent decisions, it could be argued, would be so much the poorer and would inevitably require a degree of reinvention. But it is equally important to recognise that social memory also suffers from amnesia, which may simply occur because it was not remembered in the first instance. Alternatively, the amnesia could be deliberate or selective; constructing a memory of how an institution such as a monastery would wish to be perceived by the outside world implies that the institution is forgetful of part of its past.

### 3.2: The practices and uses of memory

Different perspectives could be required to fit particular circumstances, while there may be an inherent underlying memory that would last for centuries, for instance, destroying information that is awkward or embarrassing or otherwise creating information. For Medieval institutions, especially monastic ones, creating information in support of a claim or what they perceived to be a right was not unusual, 'rather it was part of a norm: an on-going process of monks reinventing their traditions, which drew on communal memory, the cult of saints, and objects, as well as charters.'<sup>20</sup> Christ Church was not immune from creating a new past or rather, as Berkhofer puts it, 'what Christ Church believed should have happened.'<sup>21</sup> This particular reconstruction refers for instance to the long running debate concerning the primacy of Canterbury over York and the forging of letters in support of their case, a dispute that started in 1070.<sup>22</sup> Although originally an argument between archbishops, by the 1120s it was the monastic community at Canterbury that was fighting for the privilege of supremacy to be maintained.<sup>23</sup> Canterbury had not always been the rich

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<sup>19</sup> Peter Burke, 'History as Social Memory', in Thomas Butler ed., *Memory: history, culture and the mind*, (Blackwell, 1989), pp. 97-113.

<sup>20</sup> Robert F. Berkhofer III, 'The Canterbury Forgeries Revisited', *Haskins Society Journal*, 18 (2006), p. 45.

<sup>21</sup> Berkhofer, 'Canterbury Forgeries', p. 37 n5.

<sup>22</sup> Frank Barlow, *The English Church 1066-1154: A History of the Anglo-Norman Church*, (Longman, 1979), pp. 39-44.

<sup>23</sup> Richard W. Southern, 'The Canterbury Forgeries', *EHistR*, 73 (April, 1958), p. 210.

and powerful house it was by the late twelfth century but was much impoverished when Lanfranc arrived in 1070. Indeed, Christ Church's growth and power was based on a forgery that established the right and privileges of a monastic community at Canterbury Cathedral, a privilege that was confirmed to Lanfranc by Alexander II in 1071.<sup>24</sup> These two examples of reconstructing the past are by no means the only examples at Canterbury, as Barrie Dobson has pointed out '... more notorious for its fabrication of documents advantageous to itself [Christ Church] than any other English monastery.'<sup>25</sup>

One of these key documents granting major privileges to Christ Church and consisting of twelve detailed clauses was the *Magna Carta Beati Thome*, which, as Cheney argues, could not have existed before 1237, despite the claim that it had been issued by perhaps their most famous archbishop, St Thomas Becket, in or about December 1170.<sup>26</sup> Cheney has analysed all twelve clauses and concluded that the latter was a forgery since it does not mention and is not cited in any history or biography of Archbishop Becket; similarly the manuscript does not conform to the normal external features of Becket's *acta*. In Cheney's opinion there appears to be no reason to protect Christ Church in 1170 as there was no known conflict between Becket and his convent. Further evidence of a thirteenth century date is provided by the admission of two Canterbury monks, sometime between 1236 and 1237, of their involvement in the forging of a document; in Cheney's opinion this document was the *Magna Carta Beati Thome*. Finally, the clauses of this document, when read together, are not datable to the 1170s but to the last years of the twelfth century. On the basis of diplomatic analysis and with due consideration to context Cheney concludes that the charter was probably produced during the conflict between Christ

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<sup>24</sup> Southern, 'Canterbury Forgeries', p. 202; for earlier Anglo-Saxon forgeries at Christ Church, see Nicholas Brooks, *The Early History of the Church of Canterbury*, (Leicester University Press, 1996, paperback), pp. 191-197, 232-236 and 240-243.

<sup>25</sup> Dobson, 'Canterbury in the Later Middle Ages' in *Canterbury Cathedral*, p. 73 and 76-77; Christ Church was not the only famous monastery to fabricate elements of its past, for example see, Mark Hagger, 'The *Gesta Abbatum Monasterii Sancti Albani*: litigation and history at St. Albans', *Historical Research*, 81 (August 2008), 373-398, Jennifer Paxton, 'Forging communities: Memory and Identity in Post-Conquest England', *Haskins Society Journal*, 10 (2001), 95-109 and Thomas Tout, 'Medieval Forgers and Forgeries', *Bulletin of the John Rylands Library*, 5 (April-November 1919), 208-234.

<sup>26</sup> For a detailed discussion of the forgery and the rights and privileges, see Christopher R. Cheney, 'Magna Carta Beati Thome – Another Canterbury Forgery', *BIHR*, 36 (1963), 1-26; for Gregory IX's confirmation of this forgery, see CCA-DCC-Register/A, fo.46.

Church and Archbishop Edmund; a fact that is somewhat ironic, as Edmund was known to be a major supporter of the Cult of St Thomas.

A forgery can also be considered something that not only resulted from a specific need, such as the disputes between Christ Church and their archbishop, but also from an oral tradition. An oral tradition that does not stem from any factual basis or a reconstructed myth, but from another type of tradition, namely 'it is a belief that we [the convent] should be entitled to such and such a privilege'. The belief or custom that this different tradition once existed is supported by forgeries, which no one challenges once they have been authenticated.<sup>27</sup> From this stems the belief that it did once exist and hence when a forgery is produced no one is in the least concerned.

For example, one of such cases is the right for suffragan bishops of the southern province to be consecrated at Canterbury by Christ Church rather than the archbishop unless agreed otherwise, a right that was exercised until 1540.<sup>28</sup> It is somewhat ironic that, although doubt was obviously cast on the authenticity of these documents between 1236 and 1237, some forty years later it was confirmed in an *inspeximus* by the Prior of St Gregory's, Canterbury, despite the somewhat colourful letter by Archdeacon Simon Langton, in 1238, to the pope, 'Holy Father, there is not a single sort of forgery that is not perpetrated in the church of Canterbury', the only resultant action beforehand seems to have been the papal decree that the monastic archives should be kept separate from those of the archbishop.<sup>29</sup>

It is clear that Canterbury chose deliberately to fabricate evidence of its rights and privileges during the eleventh and twelfth centuries; in doing so it was surely seeking to establish past precedents in order to secure its future. The need to prove a right was being forced upon ecclesiastical institutions through both papal and royal control. Nonetheless these rights and privileges, although in some cases of

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<sup>27</sup> For forgery in narrative charters, see Marjorie J. Chibnall, *Piety, Power and History in Medieval England and Normandy*, (Ashgate, 2000) pp. 331-346; Julia Crick, 'Insular History? Forgery and the English Past in the Tenth Century' in Conrad Leyser, David Rollason and Hannah Williams, eds., *England and the Continent in the Tenth Century*, (Brepols, 2011); for a discussion on decretals and forgery see, Charles Duggan, *Decretals and the Creation of 'New Law' in the Twelfth Century*, (Ashgate, 1998).

<sup>28</sup> Dobson, 'Canterbury in the Later Middle Ages' in *Canterbury Cathedral*, p. 77.

<sup>29</sup> Cheney, 'Canterbury Forgery', p. 1; see p. 2, n.2 for details of other manuscript copies at Christ Church, the British Library and St John's College, Cambridge; Nigel Ramsay, 'The Cathedral Archives and Library' in *Canterbury Cathedral*, p. 352; It was Langton's statement to the pope that caused the archbishops archives to be separated from those of Christ Church, for a discussion of these archives, see Jane E. Sayers, 'The Medieval care and custody of the archbishop of Canterbury's archives', *BIHR*, Vol. 39, Issue 99 (May, 1966), 95-107.

disreputable origin, were part of their social memory. James Fentress and Chris Wickham in *Social Memory* made a differentiation between history, and individual and social memory, arguing that individual and social memory may be neither truthful nor everlasting, it is something that evolves. Implied within this observation is the sense that there is no attempt at objectivity but that it merely has to be believed at some level. Social and individual memory is usually reinvented to fit a new social context, although it may take a considerable time to change, since society itself is slow to move on. On the other hand history, a study of the past, uses evidence to discover what has happened and why. The historian could be construed as a witness rather than a rememberer. What is valuable to the historian is the ability for social memory, namely what is written down opening a window on what otherwise would be an unidentified society; for 'Memories die, but only to be replaced by other memories.'<sup>30</sup> Although written history may itself be subject to the prevailing influences of individual and social memory. Yet societies are multi-dimensional and in accordance with Duby and Bloch's argument, society in the Middle Ages can be divided into three great estates: Lay aristocracy, the Church and Peasant society.<sup>31</sup> The memory of this multi-dimensional society can be derived from a plethora of extant sources including manuscripts, charters and chronicles that have been addressed in different ways by the historiography, as shown in the previous chapter. Each of these historical surveys, namely 'memories', seeks to establish what the historian wants us to know or believe about a particular time in history or a particular sub-culture, for example, monastic institutions. But by inference what is neither written nor survives may be construed as missing, namely forgotten. What is forgotten may result from it never being held within individual or collective memory. Similarly, the deliberate exclusion or selection of some aspects of the underlying culture, which do not fit the historian's perspective, may represent inconvenient omitted truths.

To sum up in accordance with the fundamental tenet of Aristotelian and Platonic psychology, we remember from memory, namely we are remembering or recalling what is in the past. Accordingly, Augustine argues that our present

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<sup>30</sup> James Fentress and Chris Wickham, *Social Memory: New Perspectives on the Past*, (Blackwell, 1992), p. 202.

<sup>31</sup> Marc Bloch, *Feudal Society*, trans. by L. A. Manyon, (Routledge & Kegan Paul Ltd, 1961); Georges Duby, *The Three Orders Feudal Society Imagined*, trans. by Arthur Goldhammer, (University of Chicago Press, 1980: paperback, 1982).

understanding is conditioned by past memories.<sup>32</sup> All in all, books or indeed chronicles, registers, letters or memorandum books are voices from the past and convey ideas, selected memories or agendas from the past, whenever their contents are carefully examined. However, the conveying of ideas from the past raises a fundamental question ‘whose idea is it’ or more specifically ‘whose voice is being heard?’

To answer this question we must differentiate between two processes, the origination of the idea and the production of the text. For the purposes of analysing the question, the production process will be ignored. For all texts under consideration there can be two voices, either that of an individual person, for instance the Prior, or a collective voice, for example the Prior and Convent. A collective voice would naturally be couched in terms that represented the views of the institution rather than the head of the institution. It is also important to differentiate between types of text and here only three types of text will be considered: letters, chronicles and registers. For example, as argued above, a chronicle such as Gervase’s *Opera Historica* uses the literary construct of sketching opposing arguments to present the reader with his own interpretation of Christ Church’s history in the late twelfth century. It is clear from Gervase’s rhetoric that he views Christ Church as the victim of oppression by Archbishop Baldwin [1185-1190], a view that is reinforced by his presentation of Archbishop Richard’s [1173-84] conflict with St Augustine’s Canterbury, both conflicts being jurisdictional disputes. It could also be argued that, although the jurisdictional dispute was important to Christ Church, it did not occupy the whole of the archbishop’s tenure and therefore Gervase is taking one episode and presenting it as being the norm, conveniently forgetting other events in the life of both the archbishops and Christ Church itself. Similarly, throughout the history of Christ Church, jurisdictional disputes have always arisen but they were not the norm, although Gervase’s memory of life at Christ Church would make us believe otherwise.<sup>33</sup> Gervase’s account of life at Canterbury is based on his daily observations, thoughts and the written account; however this was not the only mechanism for conveying information and perhaps as equally important was oral communication.

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<sup>32</sup> Carruthers, *Memory*, p. 239.

<sup>33</sup> For a fuller discussion of Gervase and relationships with archbishops, see Marie-Pierre Gelin, ‘Gervase of Canterbury, Christ Church and the Archbishops’, *JEH*, 60 (July, 2009), 449-463.

### 3.3: Orality and Literacy

It is well known in medieval times that oral transmission of texts was an important mechanism for not only disseminating information but also for gaining support from the wider audience. As Colin Morris observes in his discussion on medieval media, 'Every society requires a mechanism for diffusing its values and culture among its members.'<sup>34</sup> Morris's further argues that 'sermons and songs were only two of the many ways in which ideas could at the time [medieval] be widely circulated,' in other words they were part of the mass media of the day.<sup>35</sup> One such highly successful example of mass communication was the preaching of the crusade by Bernard of Clairvaux, at Vézelay in Burgundy, who was asked by Pope Eugene III to enlist support for the Second Crusade [1146-1149].<sup>36</sup> Equally important was the oral tradition within monastic institutions, when readings were made each day to monks and their servants. Readings often took place in the refectory and included a wide variety of texts including the Bible, the life of Benedict and hagiographies on the appropriate feast day.<sup>37</sup> Good examples stressing the importance of orality and reading in Late Medieval Monasteries are given by evidence in Medieval Library Catalogues and concern the Cult of St Thomas. For instance, a late thirteenth century example from Peterborough Abbey shows that the Life of Becket was read on the Feast of St Thomas.<sup>38</sup> It is perhaps not unusual that such readings would take place at Peterborough Abbey as it was Prior Benedict, a witness to Becket's murder,<sup>39</sup> who was installed as Abbot there in 1178, while the date of the original manuscript hints at the popularity of Becket's cult in Late Medieval England. Two further examples, one a late fourteenth century reading list from Reading Abbey and a thirteenth

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<sup>34</sup> Colin Morris, *Medieval Media – An Inaugural Lecture*, (Camelot Press, 1972), p. 3.

<sup>35</sup> Morris, *Medieval Media*, p. 10.

<sup>36</sup> George Ferzoco, 'The Origin of the Second Crusade' in Michael Gervers, ed., *The Second Crusade and the Cistercians*, (St Martin's Press, 1992), p. 92-93, citing Odo of Deuil's *De professione* and Peter W. Edbury, 'Looking Back on the Second Crusade: Some Late Twelfth-Century English Perspectives', pp. 163-164, citing Ralph of Diceto, who said Bernard had a significant role.

<sup>37</sup> For readings in the refectory, see Leclercq, *The love of learning*, pp. 153-190.

<sup>38</sup> Dr Teresa Webber, *Reading in the Refectory*, Annual John Coffin Palaeography Lecture, University of London, 18<sup>th</sup> February 2010, citing Karsten Friis-Jensen and James M. W. Willoughby, eds., *Peterborough Abbey*, Corpus of British Medieval Library Catalogues, vol. 8, (London, 2001), pp. 46-49.

<sup>39</sup> Anne Duggan, *Thomas Becket*, (Arnold, 2004), p. 217, it was Benedict, later Abbot of Peterborough, who was tasked with recording and checking the miracles associated with St Thomas Becket.

century example from Sainte-Rictrude de Marciennes in Flanders are further testament to the on-going devotion to St Thomas Becket.<sup>40</sup>

The reading of hagiographies on a repeated basis would not only strengthen the cult status of a particular saint but reinforce the collective memory of the monastery in the minds of monks and servants at the same time. The refectory was not the only place within a monastery where texts were read aloud, the Chapter house would have heard many commemorative texts such as obits. It is also conceivable that other material relating to the collective memory of the institution would have also been read, although at present there is no supporting evidence surviving in the rich and diverse extant Canterbury archives.

### 3.4: Conclusion

The analysis of memory theories is an important step in our understanding of their practical application. I believe that they develop the concept of a selective memory which has important implications for understanding how and why monastic institutions reconstructed their past. This idea of selective memory can then be used as the basis for an assessment of the surviving material and archives relating to Christ Church. Furthermore, I wish to assess how a new 'institutional-social' memory of Christ Church was reconstructed under Prior Eastry, as I will argue in the next chapter.

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<sup>40</sup> I am indebted to Dr Teresa Webber, Trinity College, Cambridge for drawing these examples to my attention.

## Chapter 4: The Creation of Christ Church's Institutional Memory: 1285-1331

Canterbury Cathedral Archives are one of the foremost provincial and ecclesiastical archives in England containing a wealth of documentary evidence dating from its foundation by St Augustine in 597 to the present day.<sup>1</sup> Other valuable manuscripts relating to the history of Canterbury Cathedral Priory can be found at other archives in England and France, while many of these documents collected by antiquarians such as Cotton and Dering are now deposited in national archives.<sup>2</sup> Undoubtedly, many sources are no longer available for research purposes for a variety of reasons such as loss, misplacement, deliberate destruction or accidental destruction in fires, such as those that occurred in 1067, the 1580s and 1670. The various fires not only destroyed portions of the archive but also rendered other parts unreadable. Arguably, the bulk of the Canterbury Cathedral Archive remains intact and consists of a large quantity of extant individual documents, such as deeds of land, royal charters, compositions, papal letters, financial accounts, leases and letters.<sup>3</sup> Together with these thousands of individual items, a collection of leather bound registers form the beating heart of the archive. The existence of this vast quantity of material at Canterbury Cathedral together with other extant registers and documents preserved elsewhere poses the question as to their part in the functioning of Christ Church's institutional memory.

When considering why, how or to what purpose an archive was constructed in the Middle Ages every effort should be made to seek out not only surviving documents at its principle location, in this case Canterbury, but attention and analysis should be given to the reconstruction of the totality of the archive. It is inevitable that whenever attempting to reconstruct an archive for any particular time, what I will

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<sup>1</sup> Godfrey R. C. Davis, *Medieval Cartularies of Great Britain*, (Longmans, Green and Co., 1958); nos. 163-169, pp. 20-21; *Monastic Research Bulletin*, Borthwick Institute, nos. 3 & 4. [<http://www.york.ac.uk/library/borthwick/publications/pubs-by-series/monastic-research-bulletin/>; accessed 23 March 2012].

<sup>2</sup> For example, Lambeth Palace Library, British Library, Cambridge University Library, The National Archive and Bibliothèque nationale de France in Paris.

<sup>3</sup> See Nigel Ramsay, 'The Cathedral Archives and Library', in *Canterbury Cathedral*, pp. 341-407; the post-Dissolution discussion begins on p. 373; see also Margaret Sparks, 'The Storage of Canterbury Cathedral Archives and their Travels 1541-1967', *Arch Cant.*, 131 (2011), 345-352.

call a 'virtual archive', the key issue is to identify what is missing. A further reason for the destruction and dispersal of documents in England was the dissolution of the monasteries in the sixteenth century, when certain documents became politically and religiously unacceptable, or disappeared into private antiquarian collections, such as those of Sir Edward Dering [1598-1644]. Dering's interest in the archives was driven by his enthusiasm to establish his lineage as well as collect documents of historical interest.<sup>4</sup> A final and more difficult reason to identify is through deliberate destruction and selection, especially when a monastery attempted to reconstruct a new identity, a revised and often different 'institutional memory' than had previously existed. While it is by no means certain that every extant document missing from the original archive has been identified, there is a degree of confidence that the major documents have been tracked down through the diligent efforts of not only twentieth-century archivists and historians but their Victorian forebears.

With this wealth of information on the content and location of manuscripts, it is possible to reconstruct a 'virtual archive' for an institution such as Christ Church. Prior Eastry [1285-1331] commissioned a complete overhaul of the Priory's documentation from the late thirteenth century, which should provide the necessary data to reconstruct a 'virtual archive' for the forty-six years of his priorate. The following questions will be addressed when reconstructing Christ Church's 'virtual archive': can we identify reasons why Prior Eastry made a time-consuming and costly revision to the archive structure? How did he intend that it should be used both during his priorate and by subsequent priors? What reconstruction of the archives took place and how does it help us to understand the institutional memory of a major Benedictine monastery?

To be able to answer these questions it is necessary to construct a 'virtual archive' that represents what was available to Prior Eastry, the convent of Christ Church and their legal representatives in the late thirteenth and early fourteenth centuries. Two fundamental components form the basis of this 'virtual archive': the Canterbury Cathedral library and Christ Church muniments, in other words the documentary evidence by which they could defend a title to property or a claim to rights. Since some of this material has been lost, destroyed or removed to other archival locations, it is necessary to reconstruct the basic cornerstones of the archive

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<sup>4</sup> Ramsay, *Canterbury Cathedral*, pp. 379-80; Dering gained access to the muniments through his cousin Dean Bargrave.

to provide the necessary framework for analysis. The reconstruction of Canterbury Cathedral library for the late thirteenth and early fourteenth centuries is made easier through the existence of a comprehensive library catalogue commissioned by Prior Eastry.<sup>5</sup>

Similarly, while not much is known on the history of Christ Church archive in the Early Modern Period, in 1670 William Somner already found Christ Church library severely depleted with much of the original collection dispersed to other libraries. Somner's observation is supported by further research by Montague James who identified less than 200 of the original 2000 books remain extant; a few of these books remain at Canterbury, while others are in libraries at Cambridge and Lambeth Palace.<sup>6</sup> As I pointed out in Chapter 1, large collections of individual documents attributable to Christ Church are located at Canterbury and Lambeth Palace. The documentary collection at Canterbury consists of letters and deeds with the largest collection classified as the *Chartae Antiquae*. A significant number of these manuscripts and letters are engrossed in Christ Church registers. Consequently their significance to our understanding of Christ Church's monastic institutional memory will be assessed through a detailed examination of these registers.<sup>7</sup>

Christ Church registers can be divided into five categories: a) cartularies, title deeds, and royal and papal grants of licences and privileges; b) general estate memoranda; c) letter books; d) *sede vacante* administrative documents; and e) lease registers – details of Priory's estates from c.1390 onwards, when leasing became the norm for estate management.<sup>8</sup> The structure of the current set of Canterbury registers is the result of reorganisation and rebinding instigated by Samuel Norris, the Cathedral auditor, and dates from the eighteenth century [1711-1753]. The quality of

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<sup>5</sup> The significance of Eastry's library collection will be discussed in Chapter 5 - The Persona of Henry of Eastry 1285-1331, section 5.4; for details of the library see, Montague R. James, *The Ancient Libraries of Canterbury and Dover*, (Cambridge: 1903); MS Galba E, iv preserves Eastry's original Christ Church library catalogue.

<sup>6</sup> Woodruff and Danks, *Memorials*, p.387, for a history of the Canterbury library, see pp.377-404.

<sup>7</sup> For an example of transcribed letters, see *Lit. Cant.*; for copies of 14<sup>th</sup> century letters see Register/L; *HMC, 5<sup>th</sup> Report*, Appendix, p. 427.

<sup>8</sup> Michael M. N. Stansfield, *Canterbury Cathedral Dean and Chapter (DCc) Registers*, (Canterbury, 1990); for summary details of Registers A-I see *HMC 8<sup>th</sup> Report*, Appendix, pp.316-355 and Registers J-L, *HMC, 9<sup>th</sup> Report*, Appendix, pp.96-99; see also Canterbury Cathedral Dean and Chapter Printed Catalogue; Registers A-Z are available on Harvester Microfilm (1970's); *Registers of Christ Church – Index of Registers*, Joseph B. Sheppard, ed., 3 vols., (Canterbury, 1879), these indexes are handwritten and arranged in alphabetical order.

the work he commissioned was somewhat lacking and further adjustments were made when certain registers were rebound in the early twentieth century.<sup>9</sup>

Sometime in the early fifteenth century Registers A to D were broken apart and additional blank folios inserted, doubling the size of the manuscripts; these blank folios were used to paste copies of Christ Church deeds dating after 1327. The commissioning of all other Christ Church registers commenced after 1331, the year of Prior Eastry's death.<sup>10</sup> Only one register, Register E, which is contemporary with Registers A to D, was not broken apart nor were additional blank folios inserted. Register E therefore remains the only complete fair copy register dating from the late thirteenth century. Other items from Eastry's priorate are located in Register L, a priory letter book dating from 1318 and Register Q, a register of Christ Church's administration of the see of Canterbury, *sede vacante*.<sup>11</sup>

Similarly, as stated in the introduction, other registers which are datable to Eastry's rule can be located in Cambridge University Library and the British Library. One register, rubricated as *Registrum procuratorium et litterarum de contractu*, is dated 1285 and sometimes referred to as Henry of Eastry's Letters Close. The register contains copies of letters to Christ Church proctors, Florentine merchants (Pistorian and the Bardi), deeds, compositions and other letters relating to Christ Church business; it was written by four different scribes in an early fourteenth-century cursive hand and the last entry is dated 21 November 1327.<sup>12</sup> The other register is rubricated as *memoriale Henrici prioris monasterii Christi Cantuariensis* also dating from 1285 and referred to as *The Memorandum Book of Henry of Eastry*.<sup>13</sup> The register contains copies of royal and papal charters, governing ordinances, visitation articles, surveys of arable and pastoral farming, and other Christ Church business. The significance of this register however rests with the meaning of the adjective *memoriale*. Its meaning can range from memory to remembrance or memorial. If we consider it to be a remembrance, then it would be a

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<sup>9</sup> A. E. Oakley, *Repair and Rebinding of the Monastic Registers 1906-1938*, (Canterbury, 1987) located in *Registers/Rentals Folder #47* at Canterbury Cathedral Archives. For example, 50 folios incorrectly bound in Register E were placed in Register T.

<sup>10</sup> Kent Archives online catalogue has summary detail of registers; <http://www.kentarchives.org.uk/>.

<sup>11</sup> For letters from 1318-1337, see Register L, fos.111-199 and for *sede vacante* administration between 1295 and 1348, see Register Q, fos.3r-8v lists the contents of the register.

<sup>12</sup> CUL *Eastry*, fo.264v; for a list of the entries in this register, see *A Catalogue of the Manuscripts preserved in the Library of the University of Cambridge*, 6 vols., (Cambridge University Press, 1857), pp.192-250.

<sup>13</sup> In BL MS Cotton Galba E, iv only fos.1-186 relate to Christ Church, the remaining folios [fos.187-244] relate to Bury St Edmunds Abbey; for a transcription of fos.1-186, see *Memorandum Book*.

type of historiographical work and hence, in theory at least, could have been produced for any Christ Church prior. However it is well known that the meaning of words change over time and Latin words were no different. There are instances of *memoriale* being used by the mid-thirteenth century to mean a memorial, that is, a tomb or a shrine.<sup>14</sup> This is not to infer that the register is either a tomb or a shrine, but it could be seen as a thing hallowed by some memory. It is feasible that the scribe merely chose the word as a suitable title, but alternatively it may have been deliberately chosen by Eastry himself. Given that Eastry was responsible for reorganising the muniments of Christ Church to establish an easily accessible corpus of information on their rights, privileges and estates, it would follow that Eastry envisioned this personal register as a memorial, not a memorial to himself, but a memorial to the office of the Prior of Christ Church or indeed Christ Church itself. Both of these registers have contents that are included in the main Christ Church registers, but they also include deeds and letters that have long since vanished.<sup>15</sup> Given the fact that these registers were written in different hands suggests they were working documents used by Prior Eastry and his scribes in the day-to-day management of Christ Church and compiled either all at once or over a period of time, as they could have been intended to be of use to Eastry's successors as well.

Finally, there are four other manuscripts with similar dates to the Eastry registers: two of the manuscripts are fully engrossed in the main Christ Church registers and summarise a monk-wardens' handbook; the other two manuscripts are respectively, a priory register dated later than 1400 and a cartulary of the see of Canterbury that includes various compositions, compositions that are also engrossed in Register E.<sup>16</sup> The existence of copies of key documents such as royal charters, compositions or papal letters is vital to our understanding of the management of Christ Church in the Late Middle Ages. These documents were indeed essential to both the history of the monastery and its memory. While the existence of copies indicates that these documents were valuable and could not afford to be lost or destroyed, I will not include them in the reconstruction of the Christ Church 'virtual

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<sup>14</sup> Ronald E. Latham, *Revised Medieval Latin Word-List from British and Irish Sources*, Reprinted with Supplement, (Oxford University Press, 1999), p. 295.

<sup>15</sup> *Memorandum Book*, i, p. 400.

<sup>16</sup> The manuscripts are respectively Trinity College Cambridge MS O.9.29, BL Add. MS 6160, BL MS Arundel 68 and LPL MS 1212; also noted in *CCP*, p.206, see CCA-DCc-Register/E, fo.8r, for a list of compositions.

archive', since they are mainly copies of documentation that survives in other registers. The Christ Church virtual archive, as I will construct during the priorate of Henry of Eastry, therefore consists of three key elements: Eastry's personal registers – *The Letters Close* and *The Memorandum Book*; the main registers that Eastry commissioned, namely A to E consisting of royal charters, compositions, manor records, papal letters and Christ Church privileges; and Register L – a letter book and Register Q – a *sede vacante* register. The Priory registers including those private to Prior Eastry would in fact have played an important part in defending Christ Church during court actions. In all likelihood, although Christ Church would have employed legal counsel, Prior Eastry would have attended in person to assist with the defence or prosecution of any particular case. Having recourse to a consolidated institutional and legal memory would give, in practice, demonstrable credibility to Christ Church's claims. However, before analysing the virtual archive, a detailed evaluation of Christ Church Register E will shed light on Eastry's commissioning of the archive overhaul.

#### 4.1: An Analysis of Register E – A Memorial Object of Christ Church

Whichever theoretical approach has been taken to discuss memory and its use in the Middle Ages, the common theme when discussing written texts is one of remembrance. A remembrance is a means to reconstruct the past to justify present agendas and, as Geary observes, cartularies are now being recognised for their memorial significance.<sup>17</sup> The very structure of such written material may in itself be representative of a memory, thus making these written texts memorials not in a physical sense but in the sense of a hallowed item, something to be revered.

As already mentioned among the extant registers housed at Canterbury Cathedral Archive are a set of fourteenth century registers which can be considered as memorial objects, objects which when viewed in totality preserve an image – a memory of Christ Church Priory. The best preserved of these registers is currently known as Register E, which consists of fair copies of nearly two thousand deeds. It is entitled *Registrum omnium Cartarum et Compositioinum Ecclesie Cantuariensis* yet, despite this grandiose rubrication it does not contain all Christ Church charters and compositions. As it will be demonstrated, Register E includes those charters and

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<sup>17</sup> Geary, *Phantoms*, p. 84.

compositions of utmost importance to Christ Church, especially those that were relevant under Eastry's rule.<sup>18</sup>

Register E is contemporary to Registers A to D. As the analysis of the handwriting seems to suggest, they all originate from the late thirteenth to early fourteenth century.<sup>19</sup> Since they contain important deeds and privileges granted to Christ Church, it is possible that they were conceived and designed as a systemic series of registers. Indeed, Register E interestingly has a three-tier structure with two discrete indexes that give exact foliation for direct access to a specific deed, a fact that may suggest that Register E was the exemplar for the five registers in the series. If this was the case, then the title of Register E, *Registrum omnium Cartarum et Composicionum Ecclesie Cantuariensis*, would suggest that Register E was the first in the series and hence representative of all charters and compositions relating to Christ Church.<sup>20</sup>

#### 4.1.1: Description of Register E and its Contents

Register E measures 16 inches by 11 inches and consists of 408 leaves of vellum bound in leather on stout boards, a binding that dates from 1913.<sup>21</sup> As mentioned above, Register E is a cartulary containing engrossments of deeds, royal charters and compositions and commissioned for a variety of reasons, mainly to secure Christ Church rights and privileges, whose loss or destruction would have been detrimental to the continued success of this important and leading Benedictine monastery. If we consider that Registers A to E as being conceived as a single logical entity, then the relationship between these registers becomes more apparent. On the one hand, Registers B to D hold references to all Christ Church manors not just those within Kent. They include evidence on the liberties of the manor, lists of tenants, acreage and rents due, and the condition of the manor at the time of the Domesday Book survey. On the other hand information in Register E relates to manors only and consists of title deeds for manors in Kent. The reason for this difference may be two-fold: firstly, Register E is in all probability a summary cartulary containing only essential information necessary to navigate to details engrossed in other registers;

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<sup>18</sup> Register E; also available on Harvester Microfilm Reel #5; the title appears on fos.2r and 5r.

<sup>19</sup> *HMC 8<sup>th</sup> Report*, Appendix II, pp. 317-21.

<sup>20</sup> The numbering of registers is not contemporary with the late thirteenth century, a point that will be discussed later in the chapter.

<sup>21</sup> *HMC 8<sup>th</sup> Report*, Appendix II, pp. 330-331.

and secondly, Prior Eastry simplified agrarian management, when all manors outside of Kent were put to farm rather than having arable and stock returned to Kent for sale.<sup>22</sup> Accordingly, Register E is engrossed with codicils, compositions and royal records from England and France and many of these engrossments are duplicated in Register A.

The mentioned three tier structure of Register E deserves special attention. Two tiers are tables of contents with each deed referenced against the exact medieval folio on which it appears. From this structure we can surmise with a degree of confidence that it was intended as a reference volume. The principle of a reference volume is further reinforced by the fact that Register E was bequeathed by Prior Eastry to the convent of Christ Church as Prior Oxenden’s inventory shows. In other words, it was in his personal possession for reference in business matters both internal and external to Christ Church.<sup>23</sup> Nevertheless, it is not clear whether Prior Eastry intended that all registers should follow the exemplar of Register E, as there is no surviving evidence in Registers A to D of any table of contents.

The figure below illustrates the connection between the three-levels of Register E.

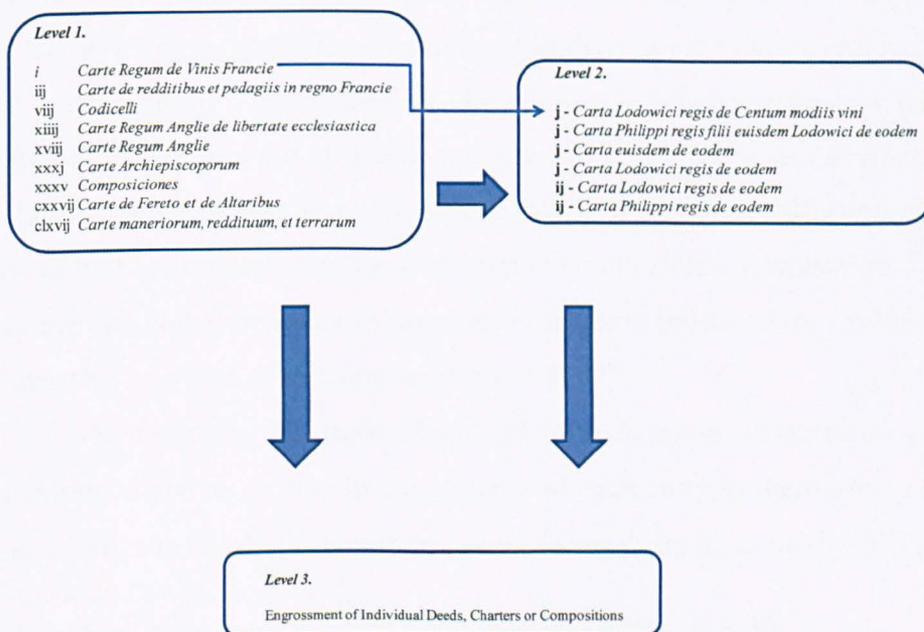


Figure 1. The Logical Structure of Register E

<sup>22</sup> CCP, p. 201.

<sup>23</sup> The inventory of books was taken by Prior Oxenden when he succeeded Prior Eastry in 1331, see CCA-LitMs/E/27; see James, *Ancient Libraries*, pp. 143-145.

Level one [L1] specifies nine categories under which deeds have been engrossed. Although the actual register does not have discrete entries for *Carte de Fereto et de Altaribus* or *Carte maneriorum, redditum, et terrarum*, they are used here to demonstrate the logical structure of the register. Each L1 entry specifies a discrete category of deeds, for instance, i *Carte Regum de Vinis Francie* and the Roman numeral [i – one] indicates the medieval folio where the engrossed deeds are detailed.<sup>24</sup> L1 entries provide a high-level table of contents allowing direct access to engrossed deeds.

The next logical part of the register are L2 entries which are an expansion of individual L1 categories, for example, *Carte Regum de Vinis Francie*, which in this instance has been expanded to six entries; each of the entries in this example refer to a gift of wine from French kings to the monks of Christ Church. Again the Roman numeral [j - one] indicates the appropriate medieval folio, where detailed expansions of individual deeds begin. Thus the combination of L1 and L2 entries can be viewed as a forty-two folio Table of Contents that allowed direct access to engrossed deeds.<sup>25</sup> L3 forms the main bulk of the register and consists of approximately two-thousand selected deeds from the Christ Church archives with the majority of entries individually numbered with an Arabic numeral written in a cursive hand.<sup>26</sup> Given that the late fourteenth- and fifteenth-century additions are not numbered, we can assume that the numbering of the entry preceding these deeds is contemporary with the original register. The use of Arabic numbers in cartularies is also a remarkable feature. Arabic numbers were introduced slowly from the twelfth century onwards having first appeared in Europe in eleventh-century Italian manuscripts.<sup>27</sup> Similarly, they are also found in a see of Canterbury cartulary, produced by Archbishop Kilwardby's scribes, and dating later than 1270.<sup>28</sup>

The following illustration highlights two common characteristics of Register E mentioned above: firstly, the initial letter of each entry is alternatively coloured blue or red, a detail that is common in cartularies throughout medieval Europe;

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<sup>24</sup> CCA-DCc-Register/E, fos.5r-5v; the medieval foliation begins on fo.34r.

<sup>25</sup> CCA-DCc-Register/E, fos.6r-33v.

<sup>26</sup> For L3 detail, see CCA-DCC-Register/E, fos.34r-400v, individual deed numbering begins on fo.34r.

<sup>27</sup> Bernhard Bischoff, *Latin Palaeography*, trans. by Dáibhí Ó Cróinín & David Ganz, 9<sup>th</sup> printing, (Cambridge University Press, 2006), p. 23 & p. 27.

<sup>28</sup> For description of LPL MS. 1212, see Colin Flight, *The survey of Kent: documents relating to the survey of the county conducted in 1086*,

secondly, the scribe has grouped L2 entries by red lines originating from the Roman numeral (medieval foliation) in the left-hand margin.<sup>29</sup>

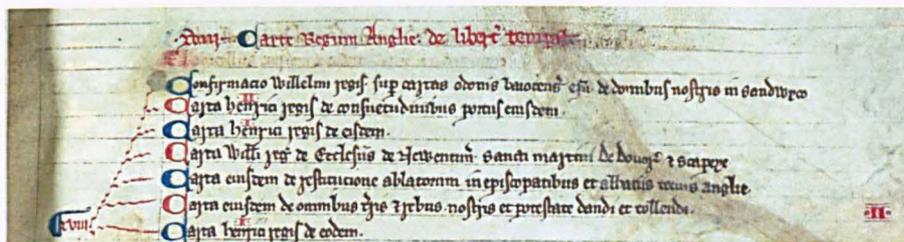


Figure 2. Detail from Register E, fo.7r

A detailed comparison of this L2 grouping with the appropriate folio confirms that the scribe is informing the reader that these deeds appear on the same folio. For example, the first seven entries of the illustration in Figure 2 are engrossed on folio 50r. Finally, for certain L2 entries a red Roman numeral [II-VI] is inserted either at the end of the line, where it is linked to the entry by a hand-drawn red line, or interlined above the king's name.<sup>30</sup> These red numerals do not occur for any L1 or L3 entries and occur only in certain sections of the register.<sup>31</sup> One possible explanation is that the Roman numerals refer to the ordinal number of the king but the evidence from the engrossed deeds does not support this idea.<sup>32</sup> Given that there is no logical connection between the sections containing these symbols, then another possible explanation is that these numbers or symbols are pressmarks that indicated the shelf, cupboard or location where the deed was stored in Christ Church archive.<sup>33</sup> However, a random check of individual deeds in the current archive reveals that they do not carry these same symbols, quite possibly because the majority of the deeds are copies and not originals. However, Ker's analysis of older MSS in medieval libraries found that they were marked letters and symbols similar to that shown in Figure 2,

<sup>29</sup> CCA-DCc-Register/E, fo.7r; all illustrations of registers are reproduced with kind permission from the Dean and Chapter of Canterbury.

<sup>30</sup> CCA-DCc-Register/E, fo.50r; four entries of *Carte Regum Francie* similarly linked are engrossed on fo.34r.

<sup>31</sup> What may be pressmarks occur in the following sections: i – *Carte Regum Francie de vini*, iij – *Carte diursom de reddibus*, vij – *Codicelli regum Anglie*, xiiij – *Carte regum Anglie de libertate ecclesiastica*, lxxxvij – *Carte parochia Sancte Mildred*, xcviij – *Carte parochia Sancti Andree* and cxviij – *Carte de diursio in Cantuaria*.

<sup>32</sup> For example, CCA-DCc-Register/E, fo.7v references a deed of King Henry interlined with a red IIII but the deed was not granted by Henry IV but an earlier Henry.

<sup>33</sup> See *Canterbury Cathedral*, p. 357 for discussion on pressmarks at the Christ Church library.

thus supporting the idea they were intended to provide those accessing the monastic archive with locative information.<sup>34</sup>

The monastic archive was always subject to change and it is unsurprising that individual registers have been subject to amendment, despite the fact that Register E was intended to be a full and final copy. Our attention to the fact that Register E may have had omissions and additions after its original inception is provided by the modern catalogue description for Register E, which makes three observations: firstly, ‘it is a general cartulary, with only the occasional later (up to circa 1500) additions on blank folios’; secondly, ‘there is a gap in the medieval foliation between f152v (now f166v) and f157r (now 167v)’; and thirdly, ‘the final section, containing fines in royal courts and customs, was incorrectly bound in Register B.’<sup>35</sup> These rather stark observations, while correct, belie the fact that on close inspection Register E has more errors, omissions and additions than these statements imply.

Two omissions from Register E, namely gaps in medieval foliation and incorrectly bound folios, were identified in the nineteenth century, when alphabetical indexes for all Christ Church registers and Historical Manuscripts Commission reports were being prepared.<sup>36</sup> However, the observation of a single gap in the medieval foliation is incorrect, as my detailed folio-by-folio analysis reveals an additional twenty gaps.<sup>37</sup> Detailed comparison of the medieval foliation specified for L1 and L2 entries with the medieval foliation of deeds for L3 is an exact match confirming that gaps in the foliation are contemporary with the production of the register. Furthermore, it confirms that the table of contents is contemporary, although the gaps in medieval foliation demonstrate that it was produced, when the scribes, or more likely Prior Eastry, confirmed that the register was complete. Further physical inspection of the register suggests that the gaps in the medieval foliation are due to the removal of folios possibly because the register was not initially bound, owing to the errors of the original scribes or due to poor quality vellum. It is however clear

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<sup>34</sup> Neil R. Ker, *Medieval Libraries of Great Britain*, 2<sup>nd</sup> edition, (London, 1964), p.29.

<sup>35</sup> See Register E entry in on-line catalogue; see also *Index to Christ Church Registers*, Register E and Register B, fos.307-316; Dean and Chapter Printed Catalogues.

<sup>36</sup> Sheppard, *Index of Christ Church Registers*.

<sup>37</sup> Register E; gap in medieval foliation between current fos.166v-167v; additional gaps in medieval foliation as follows (using current foliation); fos.45r-46r, 59r-60r, 62r-53r, 64r-65r, 89r-90r, 98r-99r, 103r-104r, 132r-133r, 158r-159r, 167r-168r, 172r-173r, 188r-189r, 201r-202r, 205r-206r, 217r-218r, 262r-263r, 276r-277r, 287r-288r, 317r-318r, 322r-323r and 363r-364r.

that the original scribes made every effort to ensure that Register E was a fair and final copy.

The second omission from Register E resulted from a fifteenth century rebinding error, when two sets of deeds, *Fines levatis in Curia Regis* and *Terre stiutia et consuetudines arentate per Cyrographum*, were bound in Register B.<sup>38</sup> A detailed palaeographical comparison between the misbound deeds in Register B and deeds in Register E demonstrate a high degree of correlation, as the book-hands and individual letter forms are similar and certainly date from the late thirteenth or the early fourteenth century. It is also noticeable that the majority of Register B is engrossed with entries in a fourteenth-century cursive hand rather than a book-hand, not only supporting the assertion that the book-hand deeds were misbound, but also that they were contemporary with Register E. Although the book-hands are contemporary with one another, as a comparison between Figures 2 and 3 confirms, there are slight variations in individual letter construction suggesting that another Canterbury scribe was responsible for engrossing these deeds.<sup>39</sup> Further evidence is provided by the medieval foliation, as the deeds in Register B are contiguous with the *Carte De Diversis* in Register E. Indeed, the last deed in *Carte De Diversis* [Register E] is #1995 and the medieval foliation ending at CCCcix, while *Fines levatis in Curia Regis* [Register B] begins with #1996 and medieval foliation starts with CCCcxij [413]. Figure 3 shows detail of the colouring of the initial letter H [*Hec*], of deeds, in Register B, which is an alternate colouring and lettering style consistent with Register E and supports the assertion that deeds from Register B were originally in Register E.

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<sup>38</sup> HMC 8<sup>th</sup> Report, Appendix, pp.321-326; see Register B, fos.307r-316v.

<sup>39</sup> For example, compare the letter h (plain in Register E but in Register B has extensions both top and bottom) and letter r (plain in Register E but in Register B is reversed); for a more detailed discussion on medieval handwriting see, Malcolm B. Parkes, *English Cursive Hands, 1250-1500*, (Ashgate, 2008, reprint).

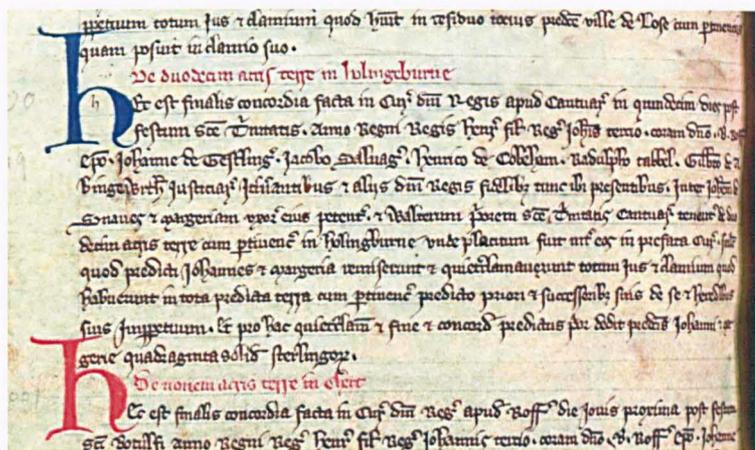


Figure 3. Detail from Register B, fo.307v

To sum up: Register E is decorated with individual entries written in a late thirteenth- or early fourteenth-century book-hand by two scribes and, when compared with other contemporary Christ Church registers, it is concluded that it was intended to be a fair and final copy of engrossed deeds.<sup>40</sup> The nineteenth century analysis of Register E dated it to c.1300 and observed that no further deeds had been engrossed; however detailed folio by folio palaeographical analysis shows this statement to be incorrect.<sup>41</sup> It is clear from my analysis that at least two further scribes made additions to Register E, as Latin entries have been made by a scribe contemporary to the compilers of Register E and by a scribe writing in a late fourteenth-century cursive hand; in addition entries have been added in a fifteenth-century cursive hand, although these entries are written in English.

To understand where ambiguity may arise, it is necessary to surmise how the register was constructed. As discussed above the register has three sections, two sections of contents and one section of complete deeds, which disregarding the content entries, consists of 1995 separate entries. The original nineteenth-century analysis was correct in observing that two scribes worked on the register, since the majority of entries are in a late thirteenth- or early fourteenth-century book-hand; however, palaeographical analysis supports the involvement of a third, yet contemporary scribe, as a small percentage of entries show marked differences to the bulk of entries. Firstly, a different ink has been used, although this is not necessarily an indication for the participation of a third scribe. Secondly, while definitely a late

<sup>40</sup> HMC 9<sup>th</sup> Report, Appendix, *en passim*.

<sup>41</sup> HMC 8<sup>th</sup> Report, Appendix, p. 331.

thirteenth- or early fourteenth-century book-hand, the style and shape of letter construction is different, different enough to support the involvement of a third person.<sup>42</sup> It should also be noted that these new entries are not always contiguous with earlier entries, even if entered in the correct section of the register. These small but important differences pose the question: is there other evidence to support that the compilation of the register took place over a long time, why?

#### 4.1.2: The Dating of Register E

While there would not have been a constant flow of letters, deeds, accounts, and other documents arriving at Christ Church, there would still have been a sufficient flow of acts requiring engrossment into registers. Therefore it follows that from the beginning of Register E engrossment further documentation became available that met Prior Eastry's criteria for inclusion. From a practical standpoint it would not be prudent to stop work to include each and every new deed; it would be far easier to make a note of new material for inclusion and copy them into the registers at a later date. Indeed, detailed analysis of documents engrossed in Register E and attributable to the same two scribal hands, shows that they are datable to before 1302-1303.<sup>43</sup>

There were a small number of deeds engrossed in a different but contemporary late thirteenth- or early fourteenth-century book-hand that are dated later than 1306. The one exception is a charter of Archbishop Kilwardby relating to Chepe in London and dated May 1276.<sup>44</sup> The preceding deed is dated 1295-1296, while the following deed, although undated, was probably copied in the late fourteenth century owing to its cursive handwriting.<sup>45</sup> Archbishop Kilwardby's deed is engrossed in the correct section of the register and, given that it completes the folio and the next entry is a late fourteenth-century deed, it may be concluded that this item was either an omission or was not found until after the majority of deeds were engrossed. Furthermore, there is no logical connection between Archbishop

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<sup>42</sup> For a discussion on the third scribe see Page 62 and note 39.

<sup>43</sup> CCA-DCc-Register/E, #1489, a charter relating to Parva Chert [Little Chart] and dated 31 Edward I [1302-1303].

<sup>44</sup> CCA-DCc-Register/E, #1767, a charter relating to Chepe [modern day Cheapside] in London; for *Carte de Londoniis* see CCA-DCc-Register/E, #1740-1768.

<sup>45</sup> CCA-DCc-Register/E, #1766 [1295-1296]; #1768 [undated, in the middle of an otherwise blank folio and written in a late 14<sup>th</sup> century cursive hand].

Kilwardby's deed and the entries both before and after other than that they all relate to London.

As pointed out above, there are a number of deeds, which are engrossed, in different ink and with noticeable differences in the construction of individual letters than the bulk of engrossed deeds. This therefore supports the idea of a third scribe involved with the production of Register E. The date of this earliest deed is 1257-1258, referring to land at Godmersham.<sup>46</sup> However, given that this deed is one of a series of four engrossments, in this contemporary but different hand, there can be no doubt that it was entered after 1301-1302, the date of the last Godmersham deed in the main book-hand.<sup>47</sup> The reason for this later entry is lost in the mists of time, it may have been a simple error of omission or a discovery found during an archive search to ensure that nothing was missed. If we accept that this entry is merely an error of omission, then the earliest deed in the third hand is dated 1306-1307 and relates to land in Meopham.<sup>48</sup> The latest deed is dated June 1322 and relates to a renewal of the Wine of St Thomas from Charles IV of France [r.1322-1328].<sup>49</sup> Whether or not these later insertions were included at L2 was purely dependant on whether there was space in the relevant section.<sup>50</sup>

Arguably, we may infer from the use of three scribal hands that there were two phases of compilation for Register E. Such a conclusion is also supported by the two separate indexes, one a simple high level table of contents and the other with a high level of detail including references to the deeds referred to above that were engrossed in the third book-hand. Other Christ Church registers, for example Register A, also have indexes similar in style to that of Register E, although some of these indexes are written in cursive rather than book-hand. Of perhaps equal interest because it supports the importance of Eastry's organisational restructuring of the archives is another register, which has not been discussed so far, this is Register I [1285-1316], which contains a summary catalogue of documents by location within

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<sup>46</sup> CCA-DCc-Register/E, #1341 is similar in that it was engrossed by a third scribe and although dated 1257-1258 is positioned in the correct section of the register, [Godmersham].

<sup>47</sup> The five deeds are CCA-DCc-Register/E, #1339-1343; this deed is in the majority book-hand, CCA-DCc-Register/E, #1338 dated 30 Edward I [1301-1302].

<sup>48</sup> CCA-DCc-Register/E, #939[1306-1307].

<sup>49</sup> CCA-DCc-Register/E, #8 [June 1322].

<sup>50</sup> Included at L2, for example, are a 1317 *Cirographum* [*Carta de Broke*] and a1354x1355 *Concordia* [*Carta de Magna Chert*], note, for this latter entry, both the engrossed item and the L2 entry are written in the same fourteenth century cursive hand, however, not included at L2 is a 1302x1303 *Carta* [*Carta de Parva Chert*].

Christ Church.<sup>51</sup> The observation on Register E of two separate indexes poses two further conclusive questions: firstly, is it possible to date the phases of compilation including the indexes and secondly, why was it constructed as suggested above?

The task of making a fair copy of deeds was undoubtedly time-consuming, costly and, given the scope and breadth of the archives, prone to error. Although it is not possible to know when Register E was actually begun or what instructions Prior Eastry may have issued to the monks of the scriptorium, it is patently obvious from the structure and contents of Registers A to E what these instructions were. It is possible to conclude that the register was written in two phases. Phase 1 was begun sometime after 1285 and consisted of all deeds dated before the death of Edward I [July 1307], while the latest dated deed in the majority book-hand is dated 1302-1303.<sup>52</sup> With the exceptions identified above, detailed palaeographical analysis confirms earlier assumptions that these deeds were engrossed by two scribes.<sup>53</sup> Analysis of deeds dated 1302-1303 or later confirms that they are followed by an entry written in a contemporary book-hand but by a different scribe with the first deed in this third hand dated to 1306.<sup>54</sup> However this deed has conflicting dating evidence, since it specifies that it was issued by Edward son of Edward, hence Edward II, whereas the actual given date is 1306. Given that all deeds engrossed in this third hand are later than 1306 and Edward I died in July 1307, it must be considered that this entry was copied incorrectly and rightly belongs to the reign of Edward II. It could be further argued that the scribe was unlikely to have incorrectly specified the relationship of the king and that he dated it wrongly. It is also possible that the original deed he was using could itself have been incorrect, although sadly no original or copy exists and thus the reason for the scribal error remains unknown.

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<sup>51</sup> Register J has an index similar to that in Register E and written in a similar book-hand, Register J is referred to as *Registrum Johannis de Gore*, see *HMC 9th Report*, Appendix, pp. 7-9; Register I, fos.449-477 [general priory register: 1285-1316] is a summary catalogue of muniments by location, see *HMC 8th Report*, Appendix, pp. 344-354 and *HMC 9th Report*, Appendix, pp. 1-7; Register Q [sede vacante records: 1292-1349] has an index written in a cursive hand but the indexing method is consistent with other late thirteenth to early fourteenth century Christ Church indexes; Register A has a two-column index in a late 13th to early 14th century book hand, similar to that in Register E; Sheppard describes Register A as a Register of Evidences and, Liberties and Estates, see Sheppard, *Registers of Christ Church, Index A-D*; *CUL Eastry*, the private letter-close register also has an index although it is slightly different from the main Christ Church registers.

<sup>52</sup> CCA-DCC-Register/E, #1489 – a deed relating to land at Parva Chert [Little Chart], dated 31 Edward I.

<sup>53</sup> *HMC Report 9*, pp.

<sup>54</sup> CCA-DCC-Register/E, #1728 – relating to land at Meopham.

Phase 2 would then have begun at some point during the reign of Edward II (July 1307-January 1327). A close examination of engrossed deeds in this third hand shows that they fall into two logical and distinct groups, 1307-1312 and 1314-1322. All these deeds are new Christ Church grants rather than deeds omitted from the original search. It would make sense that after a few years these new grants should be engrossed at the same time, thus making more productive use of the scribe's time. Given the two year gap, 1312 -1314, when no deeds appear to have been granted to Christ Church, it is feasible that grants dating from 1307-1312 were engrossed during this period. Similarly, deeds from 1314-1322 may well have been engrossed after June 1322.

In addition to deeds written by a third scribe there are a set of deeds at L3, *Carte altaris Sancte Eadwardi*, which have no reference at L1, although referenced correctly at L2 and with the correct medieval foliation.<sup>55</sup> L1 and L2 are written in the same book-hand and *Carte altaris Sancte Eadwardi* follows correctly from *Carte altaris Sancte Michaelis*; this suggests that either the scribe made an error of omission or it is more probable that the L1 and L2 indexes were produced at a later date, possibly between the latest dated engrossment on or after June 1322 and the demise of Edward II in January 1327. As the earlier analysis shows, Register E was complete by the death of Edward II or at the very latest 1331, when Prior Eastry died, and it is likely that any subsequent deeds were engrossed in Registers A to D, which is known to have been split during the time of Prior Oxenden [1331-1338]. Register E, however, does have some additions made later than 1325, all written in cursive hands ranging from the late fourteenth century onwards.<sup>56</sup> The earliest addition is deed #189, in the *Composiciones* section, written in a late fourteenth-century cursive hand, entitled but significantly not rubricated and dated 1330.<sup>57</sup> The latest, in the section titled *Carte manerii de Holvingburne*, is written in English and dates from the late fifteenth century based on the handwriting style.<sup>58</sup>

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<sup>55</sup> CCA-DCc-Register/E, fo.161r [L3]; fo.15r [L2]; fo.5r [L1].

<sup>56</sup> CCA-DCc-Register/E, #854 & 855 [late 15<sup>th</sup> century]; #1465 & #1768 [15<sup>th</sup> century, references a clerk John Stopyndon of Christ Church during reign of Henry VI], for other examples of Stopyndon as a clerk see, CCA-DCc-ChAnt/C/97 [*Inspeximus* and confirmation: 15 October 1428] and CCA-DCc-ChAnt/C/1231/3 [Writ: September 1432] and fo.328r [late 15<sup>th</sup> century].

<sup>57</sup> CCA-DCc-Register/E, #189, see CCA-DCc-ChAnt/N/4-6 for details of this important *sede vacante* composition relating to Norwich Cathedral Priory.

<sup>58</sup> CCA-DCc-Register/E, fo.312r; for examples of handwriting, see Leonard C. Hector, *The Handwriting of English Documents*, facsimile edition, (Kohler and Coombes, 1980), p. 83.

Attention should be also paid to a somewhat anomalous but grammatically correct Latin entry at the end of the L1 table of contents, *Terra in Southwark vide London*.<sup>59</sup> The writer, however, has not used the correct Latin word for London, which should be *Londonis*; furthermore, although written in a cursive hand, it is not contemporary with any other cursive hands in the register, suggesting a possible post-medieval date. Being such a short entry, few clues exist to determine the writer, but he may have been anyone of a number of keepers of the archive. The style of the handwriting suggests a date later than the sixteenth century and could have been anyone with legitimate access to the archives such as William Somner [seventeenth century], Samuel Norris [eighteenth century], Joseph Brigstocke Sheppard [nineteenth century] or C. Eversley Woodruff [early twentieth century]; comparative handwriting analysis of these potential writers however fails to provide any strong corroborative or conclusive evidence that any of these people may have written the entry, thus the mystery scribe will forever remain anonymous until further evidence comes to light.<sup>60</sup>

Register E is a unique register and, ignoring the later entries in cursive hands, was never updated in a book-hand after 1331. It no doubt reflects the appearance that Prior Eastry intended for all the registers that he commissioned. The copying of all registers would have been time-consuming and expensive, the primary expense coming from the cost of vellum. Given the expense and time involved in the production of multiple registers, it is essential to understand why the registers were commissioned and how they were to be used by Christ Church for the day-to-day ecclesiastical and lay jurisdictional management at the time of production and subsequently. By examining the life of Prior Eastry and his subsequent bequests to Christ Church on his death will assist in providing answers to these important questions.

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<sup>59</sup> CCA-DCC-Register/E, fo.5v; 'For land in Southwark see London'; there is no abbreviation mark after the 'n' of London suggesting that this was not contemporary with the original index.

<sup>60</sup> For handwriting samples, see CCA-DCb-J/Z/3.15 - Consistory and Archdeacons' Court Books (Somner), CCA-DCC-ChAnt/C/250 (Norris), *Index of Christ Church Registers* and CCA-DCC-U39/5/11 (Brigstocke Sheppard) and CCA-DCC/LA/5/59 - Calendar of the Registers of the Dean and Chapter of Canterbury 1553-1558 (Woodruff).

## Chapter 5: The Persona of Prior Henry of Eastry 1285-1331

All individuals are shaped by a number of factors including upbringing, people they meet, mentors, environment, and national and international events. Prior Henry of Eastry would have been no different in this respect; his temperament, his philosophy and his actions, both personal and in conjunction with others, would have been conditioned by his experiences. The thirteenth century was a period of political opposition, and economic, ecclesiastical and agrarian change, conditioned largely through the actions of Henry III, Edward I and their respective baronies, and the papacy. Change took many forms but the critical changes resulted from the Crown trying to exert omnipotent control, a level of control that was unacceptable to the baronial classes or as Maurice Powicke expresses it, 'the danger latent in the relationships between Edward [I] and his earls.'<sup>1</sup> Fiscal issues such as finding sufficient money for crusades and wars impinged upon everyone's lives and none more so than the monastic institutions. From the fiscal standpoint it was not only the Crown that looked to raise money but also the papacy.<sup>2</sup> The third and final issue was legal and constitutional reform under the leadership of Edward I and his chancellor Robert Burnell; a set of constitutional reforms that were designed to recover lost revenues for the Crown, to placate the magnates and exercise greater control over the ecclesiastical community.<sup>3</sup>

It is somewhat strange that Eastry, who Knowles described as 'one of the greatest monastic superiors' of the Middle Ages and one at the heart of the see of Canterbury, has had so little written about his life and times. The one exception is Reginald Smith in his seminal work, *Canterbury Cathedral Priory*, which was discussed above in Chapter 2. Smith's book focused more on Eastry as a high farmer and financial administrator than on other aspects of his abilities as a monastic superior and confidant of archbishops. This chapter will assess the life of Henry of Eastry with a particular focus on the factors that influenced his far-reaching decision

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<sup>1</sup> Sir Maurice Powicke, *The Thirteenth Century*, The Oxford History of England, 2<sup>nd</sup> Edition, (Oxford University Press, 1988), p. 517.

<sup>2</sup> For a discussion of England's fiscal policy with the papacy see, William E. Lunt, *Financial relations of the Papacy with England to 1327*, (Medieval Academy of America, 1939); for payment of tribute by Edward I and Edward II, pp. 157-172, for crusading tenths of Edward I, pp. 311-365 and income taxes levied by King and Pope, 1301-1324, pp. 366-418.

<sup>3</sup> English government and Legal Reforms are discussed in Michael Prestwich, *Edward I*, (Yale University Press, 1997), pp. 233-297; Powicke, *Thirteenth Century*, pp. 322-380 and Thomas F. Tout, *Chapters in the administrative history of medieval England*, vol. 2, (University of Manchester Press, 1920-33, repr. 1967), pp. 60-84.

to reorganise Christ Church muniments, since a detailed discussion concerning Eastry's decision-making has hitherto been overlooked by historians. Some of the key documents resulting from Eastry's reorganisation of the Christ Church muniments were already discussed above in Chapter 4, in particular Register E. Eastry's new construct for the muniments, a construct that remains largely extant today, provides a modern day historian with an insight into Christ Church's late thirteenth- and early fourteenth-century institutional memory. I will therefore address Prior Eastry's life and the context in which he made and executed his policies for Christ Church through an examination of and a challenge to the relevant historiography.

### 5.1: The Development of the Persona

Each commentator who appraised Eastry's life built on previously conducted research. For David Knowles this was Smith in *Canterbury Cathedral Priory* and Thomas Tout [1891], an early biographer of Eastry, in the *Dictionary of National Biography*.<sup>4</sup> Tout's biography used, among other sources, *Anglia Sacra, Monasticon* and *Litterae Cantuarienses* to provide a limited portrait of Eastry's life. Conversely, the latest biographer Mavis Mate draws on all previous commentators and her own comprehensive research into the economy of Christ Church, largely, although not exclusively, during Eastry's priorate.<sup>5</sup> In summary, these glimpses of Eastry are tantalising and demonstrate that he had an extraordinary grasp of agrarian management, but they also reveal that he possessed wider management and diplomatic skills, skills that allowed him not only to serve as prior for forty-six years, but also to act as advisor to four archbishops, and, in particular, to be a close confidant of Archbishop Reynolds in the early fourteenth century. This chapter will therefore discuss these skills, how Eastry came to acquire them and how he put them to use in managing Christ Church.

The time chosen to assess the influences on Eastry's life and the development of his management skills covers the period from his profession as a monk at Christ Church in the 1260s to the death of both Edward II and Reynolds in late 1327. The

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<sup>4</sup> Thomas F. Tout, 'Henry of Eastry', <http://www.oxforddnb.com.chain.kent.ac.uk/view/olddnb/12969>, [accessed 29 September 2011].

<sup>5</sup> Mavis Mate produced two biographies, one in 1993 and the other in 2004. For the latest version, see Mavis Mate, 'Eastry, Henry of', *ODNB*, [article/37531, accessed 13 Jan 2011].

selection of 1327 as an end-date is based on three factors: firstly, two key and influential people, died within two months of each other, namely Edward II [September 1327] and Reynolds [16 November 1327]; secondly, as demonstrated earlier, in Chapter 4, the reorganisation of the Priory's archives and Eastry's personal records all appear to end by December 1327; and thirdly, although Eastry was to live for another four years, the fragility of old age had been taking its toll since 1324.<sup>6</sup> Although it is quite possible that this wily old prior could continue to be influenced by people and events surrounding him, his major decisions on reforming the institution of Christ Church had already been taken and were producing the required results.

Nothing is known of his childhood although, toponomic evidence suggests that he was born in the village of Eastry in East Kent, and it is also possible that he lived on the priory manor of Eastry.<sup>7</sup> Eastry probably entered Christ Church to begin life as a monk in the early 1260s, an estimate made by Hogan based on Archbishop Langton's decree that no monk could be professed before age eighteen; nothing of Eastry's early life as a monk at Canterbury is known until his mention in the King's Bench records [1274], when serving as a clerk in Archbishop Kilwardby's household.<sup>8</sup> In 1278 Kilwardby resigned the archbishopric on his appointment by Nicholas III as Cardinal Bishop of Porto and Santa Rufina.<sup>9</sup> Kilwardby's archiepiscopal registers have never been discovered, although it has been suggested that they may have reached the papal curia on his appointment as a cardinal. David Smith's contention is that 'evidence is not sufficient to confirm the existence of a

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<sup>6</sup> The last entry, in Eastry's letters patent and letters close register, is dated 21 November 1327, only five days after Reynolds death, see CUL *Eastry*, fo.264v; for examples of Eastry's failing health see, *Lit. Cant.*, i, #121, p. 117, in April/May 1324 Eastry requested Reynolds to let the sub-prior act for him. The date is an estimate based on calendaring in *Lit. Cant.*; *Lit. Cant.*, i, #186, p. 190, on 9 June 1326, Eastry declines to visit Reynolds as he is unable to ride; *Lit. Cant.*, i, #278, pp. 290-291, in May 1329, Eastry asks Edward II for a royal licence to appoint a general attorney as he is an old and feeble man. Edward granted the original licence until midsummer 1331; *Lit. Cant.*, i, #285, p. 297, on 4 November 1329, Eastry requests through the Bardi, their London agents, a mule from Flanders and *Lit. Cant.*, i, #340, p. 354, in March 133, shortly before his death Eastry asks Edward II to extend the royal licence for a further unspecified period; Eastry died in April 1331.

<sup>7</sup> For Mate's latest biography see reference above in note 5; David Knowles, *Saints and Scholars: Twenty Five Medieval Portraits*, (Cambridge University Press, 1963); David Knowles, *The Religious Orders in England*, 3 vols., (Cambridge University Press, 1979, paperback), i, pp. 49-54, for Eastry's works and expenses, see pp. 322-325.

<sup>8</sup> *Memorandum Book*, i, p. 27 [for estimate of age on entering Christ Church] and i, pp. 41-42 [regarding rights of Dover Priory and case pending at King's Bench, 1273] and i, p. 30 [King's Bench case regarding charges of false imprisonment, 1274].

<sup>9</sup> Dominic A. Bellenger and Stella Fletcher, *Princes of the Church: A History of the English Cardinals*, (Sutton, 2001), p. 173.

formal register such as existed from the time of Archbishop Pecham onwards'.<sup>10</sup> The lack of these registers is most unfortunate as analysing them may have shed more light on Eastry's early career in Kilwardby's household. Eastry served in a number of roles at Christ Church: he was treasurer [1275-1278] and monk-warden for the Custody of Essex [1278-1282].<sup>11</sup> In her discussion on bailiffs and reeves in the early fourteenth century, May McKisack observes that Eastry's late thirteenth-century reorganisation at Christ Church enhanced the monk-warden role, a reorganisation designed to reduce the level of internal bureaucracy and at the same time to increase accountability and to strengthen financial stability.<sup>12</sup> Eastry served a second term as treasurer [1282-1285] before his appointment as prior following Prior Ringmere's forced resignation in April 1285.

While serving as either a treasurer or a monk-warden, Eastry was under the leadership of Thomas Ringmere, whose priorate was characterised by huge debts of £5000, a considerable amount of litigation and issues of internal discipline.<sup>13</sup> With the exception of Smith's single reference to Eastry's household expenditure reduction plan and a brief discussion in the unpublished thesis of Hogan, a detailed account of how Eastry repaid Ringmere's significant debt has been overlooked by historians.<sup>14</sup> Ringmere was regarded as a strong disciplinarian, although this did not prevent some of his monks from being rebellious and uncontrollable, suggesting that Ringmere did not possess many management skills such as the ability to listen, to reason and to ensure that his orders were obeyed through respect for the individual rather than by force of position.<sup>15</sup> This assessment is supported by Archbishop Pecham's letter of January 1281, counselling Ringmere to take advice from his senior monks; it is clear that Ringmere did not heed this wise counsel as Pecham took action, in November 1281, to establish a council of six senior monks with the aim of exercising control over Ringmere.<sup>16</sup> It is impossible to know what was in

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<sup>10</sup> David M. Smith, *Guide to Bishops' Registers of England and Wales*, (Royal Historical Society, 1981), p. 1.

<sup>11</sup> *Memorandum Book*, i, p. 12.

<sup>12</sup> May McKisack, *The Fourteenth Century 1307-1399*, (Oxford University Press, 1959, rep. 1988), pp. 316-7; for further detail of the enhanced monk-warden role, see Reginald A. L. Smith, 'The Central Financial System of Christ Church, Canterbury, 1186-1512', *EHistR*, 55 (July, 1940), 353-369 [357-358] and for a discussion on husbandry and monk-wardens, see *The Register of John de Gore* in Register J.

<sup>13</sup> *CCP*, p. 53.

<sup>14</sup> *Memorandum Book*, i, pp. 44-45.

<sup>15</sup> *CCP*, p. 53.

<sup>16</sup> *CCP*, p. 59; Decima Douie, *Archbishop Pecham*, (Oxford University Press, 1952), pp. 177-178.

Eastry's mind during Ringmere's priorate but after his election as prior, he immediately implemented a plan for reducing household expenditure, which in all likelihood was part of a wider plan to eliminate debt. As both Smith and Hogan point out, this reinforces Eastry's earlier role in the reorganisation of Christ Church finances and supports Eastry's recognition that strong financial control was critical to the continued success of Christ Church.<sup>17</sup> On 8 April 1285 Eastry was elected prior by the monks of Canterbury, a right they had been granted *sede vacante* by Pope Alexander III in 1174 and which Pope Gregory IX [r. 1227-1241] extended, allowing Christ Church free election of their prior with the archbishop acting in a scrutinising capacity [*scrutator*]. Pecham confirmed Eastry's appointment on 9 April and installed him as prior on 10 April.<sup>18</sup> In 1282 Pecham mandated that all priory revenues, with limited exceptions such as the almoner and the *camera prioris*, should be handled by the treasurers, thus making the treasurer a senior position and a pivotal role for the stability and wealth of Christ Church.<sup>19</sup> It is clear that Eastry, in his second term as treasurer, played a prominent part in Pecham's centralisation of the financial system. It is possible that this reorganisation and strengthening of the financial system was under Eastry's leadership, since Pecham confirmed his promotion to prior of Christ Church. However, Decima Douie argues that Eastry never held a senior role before his elevation to prior, which may be true of his first appointment as treasurer [1272-1275]. I would nevertheless argue that Douie is wrong in drawing the same conclusion for Eastry's second term as treasurer [1282-1285], based on Pecham's mandate of 1282.<sup>20</sup>

During Eastry's forty-six year priorate only two kings ruled England, Edward I and Edward II; on the ecclesiastical side, four archbishops of Canterbury led the English church with Pecham, Winchelsey and Reynolds covering the majority of the same period [1272 – 1327], while Archbishop Meopham's archiepiscopate covered only a short period of Eastry's life [June 1328 to April 1331], during which time Eastry was suffering from ill health and old age. Eastry's priorate can be

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<sup>17</sup> For Eastry's household expenditure reduction plan see, *CCP*, Appendix II, pp.320-321.

<sup>18</sup> For Christ Church papal grants, see *Papsturkunden in England*, Walther Holtzmann ed., II, (Göttingen, 1935), #31 [Alexander III] and *CCP*, pp. 29-30 [Gregory IX, r. 1227-1241; for election details, see *Fasti Ecclesiae Anglicanae 1066-1300, II, Monastic Cathedrals*, Diana E. Greenway ed., (The Athlone Press, 1971), p. 12.

<sup>19</sup> *CCP*, pp. 22-23.

<sup>20</sup> Douie, *Pecham*, pp. 186-187. [p. 186, 'for the new prior [Eastry] had hitherto held no important office in the community'].

characterised by five key elements: firstly, the strengthening of the central financial system and repayment of Ringmere's accumulated debts; secondly increasing Christ Church revenues; thirdly, a reorganisation and strengthening of agrarian management; fourthly, a general improvement in internal monastic relations; and fifthly, a reorganisation and improvement of Christ Church muniments, to which attention was drawn in the previous chapter. Smith has discussed at length the strengthening of Christ Church's central financial system and in particular the impact of agrarian reform on Christ Church income.<sup>21</sup> Mate has also referred to agrarian reforms, both in terms of high farming and the contribution to increased revenues. Mate's discussion on property management strategies, some of which sought to take advantage of the Cult of St Thomas, also enhances our knowledge of the increase in Christ Church revenues.<sup>22</sup> Hogan similarly discussed an increase in Christ Church revenues but from the standpoint of repaying Ringmere's debts. Part of Hogan's argument also makes reference to the use by Christ Church of Florentine and Pistorian merchants in the management of Christ Church revenues and debts.<sup>23</sup> Regrettably this aspect of the fiscal management of Christ Church remains to be researched in detail. Similarly, monastic discipline remains to be researched in detail, as only passing references are made by Smith and Brigstocke Sheppard.<sup>24</sup> Finally, as I argued above, the reorganisation of Christ Church muniments has not been researched thoroughly and the reasons for Eastry's actions not fully established. Indeed, Nigel Ramsay's comments on Eastry reorganisation of the Christ Church muniments are rather dismissive and in my opinion they grossly undervalue the reorganisation carried out during the late thirteenth and early fourteenth centuries, as I will establish in this chapter.<sup>25</sup>

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<sup>21</sup> Reginald A. L. Smith, 'The Central Financial System of Christ Church, Canterbury, 1186-1512', *EHistR*, 55 (July, 1940), 353-369.

<sup>22</sup> For agrarian management and other investments at Christ Church see, Mavis Mate, 'The Estates of Canterbury Priory before the Black Death, 1315-1348' in *Studies in Medieval and Renaissance History*, James A. S. Evans and Richard W. Unger, eds., vol. 8, (AMS Press, 1986), 1-32 and 'Property Investment by Canterbury Cathedral Priory 1250-1400', *The Journal of British Studies*, 23 (Spring, 1984), 1-21

<sup>23</sup> *Memorandum Book*, i, pp. 91-92.

<sup>24</sup> *HMC 5<sup>th</sup> Report*, Appendix I, p. 92 and 94; *CCP*, p. 49

<sup>25</sup> Ramsay, 'Cathedral Archives' in *Canterbury Cathedral*, p. 353.

## 5.2: Prior Eastry's management attributes

Partly due to the success of Eastry's expenditure reduction plans, the accumulated debt owed to Italian merchants was repaid within two years.<sup>26</sup> Although reducing financial expenditure was an essential element of financial stability, there was an obvious need to increase the level of income from all sources. Increases in revenue were derived from three areas: investment in property; the management of tenancies to increase yield; and significant changes in agrarian management, a combination that increased overall financial stability at Christ Church, despite individual manors periodically suffered floods, drought or plague.<sup>27</sup> Not only were tenancies managed for yield, they were also managed tightly on default, as a legal case of 11 August 1322 illustrates, when Eastry confiscated the estate of a tenant who had become both a felon and a fugitive.<sup>28</sup>

In general, Eastry had a relatively quieter priorate than his predecessor, Ringmere, as there were fewer occurrences of monastic unrest. Neither David Knowles nor Joan Greatrex make any observation about monastic unrest in Eastry's time, although they do draw attention to Archbishop Edmund's dispute with Christ Church regarding the election of a new prior following the resignation of John de Chatham in 1213; for this illegal action Edmund excommunicated his monks.<sup>29</sup> This is not to say that Eastry's priorate was without incident; for example Archbishop Reynolds and Prior Eastry had to deal with the excesses of some monks, who were found to be accumulating private fortunes and misusing priory possessions.<sup>30</sup> However, not all corrections related to excesses, some were merely a need to correct a lack of procedure. For example, on 23 April 1314, Reynolds sent a letter of credence with his chaplain, Dominus Galfridus Potere, to Eastry so they might discuss how corrections to priory treasurers and external wardens might be carried out, following an earlier visitation by Reynolds.<sup>31</sup> Moreover he had praise for the

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<sup>26</sup> *CCP*, p. 26.

<sup>27</sup> For a comprehensive review of lease and property management, and changes in agrarian practices, see articles by Mavis Mate listed above in Chapter 2 - Historiography, p. 45 n.49; for financial reforms, see *CCP*, pp. 22-23, 25, 53-54, 60-61, 102-3 and 220-21, and for agrarian reforms, pp. 116, 118, 135-41, 149-50, 168-89.

<sup>28</sup> *Lit. Cant.*, i, #78, pp.75-76 [11 August 1322].

<sup>29</sup> Knowles, *Religious Orders*, i, p. 261; Joan Greatrex, *The English Benedictine Cathedral Priories: Rule and Practice*, (Oxford University Press, 2011), p. 12.

<sup>30</sup> *CCP*, p. 48.

<sup>31</sup> *Lit. Cant.*, i, #41, pp.36-37 [23 April 1314]; J. Robert Wright, *The Church and The English Crown 1305-1334*, (Pontifical Institute of Medieval Studies, 1980), pp. 368-370, Reynolds had been in Canterbury on February 17 for his enthronement and at eight other times before end of April 1314.

relationship with the priory, stating that ‘the monks [Christ Church] showered him with gifts and he [Reynolds] bequeathed them several important legacies.’<sup>32</sup> On the contrary, Wright draws attention to the cases of Robert of Thanet and Robert de Aledone in 1325 and Thomas de Sandwich in 1327 as examples of monastic unrest during Eastry’s priorate.<sup>33</sup> Following a commission from Reynolds, Eastry conducted an inquisition into the behaviour of the monk Robert de Aledone, an investigation which concluded on 19 October 1325 and found him guilty.<sup>34</sup> On 1 December 1325, Eastry wrote to Reynolds to inform him that Aledone wished to transfer to the Dominican order; however he further reported that Aledone’s fellow monks were unsure of his motives and consequently Eastry sought Reynolds’ opinion.<sup>35</sup> Later, in December 1325, Aledone was accepted back by Christ Church on the understanding that he did penance; Eastry was also concerned that false rumours might surround this case and asked Reynolds to speak in favour of Christ Church’s action.<sup>36</sup> In a similar case in July 1327, Eastry was warned by his proctor at the papal curia that false accusations had been made against him by Thomas de Sandwich. The case had a similar outcome to that of Aledone, as Thomas was accepted back by the convent in October 1327, again on the understanding that he did penance.<sup>37</sup> This is not the last mention of Thomas as a letter, to the sub-prior from Eastry, dated 20 February 1330, identifies the people to appoint as monastic officers, one of whom is

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<sup>32</sup> See, Wright, *Church and Crown*, pp. 267-268.

<sup>33</sup> Wright, *Church and Crown*, p. 325, #37; see also CCA-DCC-ChAnt/C/1294A/1-5 [Letters: October 1325-November 1325] is a series of legal letters relating to this case; Barrie Dobson, ‘Canterbury in the Later Middle Ages’, in *Canterbury Cathedral*, pp. 89-90.

<sup>34</sup> For a discussion of the investigation, see, *Lit. Cant.*, i, #156, pp. 147-152 [19 October 1325], Eastry’s report to Reynolds after inquisition into the behaviour of Robert de Aledone, which contains details of the inquisition.

<sup>35</sup> *Lit. Cant.*, i, #163a, pp. 160-161 [1 December 1325], ‘*de communi consensus Conventus deliberatorium est super hujusmodi dubio vos consulere juxta canonicas sanctiones*’.

<sup>36</sup> *Lit. Cant.*, i, #156, pp. 147-150 [19 October 1325] and #157, pp. 150-152 [10 November 1325], Eastry’s report to Reynolds reference the misdeeds of Robert de Aledone and #163A, pp. 160-161 [1 December 1325], Eastry consults Reynolds whether to allow Robert de Aledone to join Dominican friars and #164, p. 162, Eastry informs Reynolds that he has made a monk do penance as he was suspected of spreading false rumours.

<sup>37</sup> *Lit. Cant.*, i, #221, p. 230 [July 1327], John de Malling, Christ Church proctor at Roman curia is warned to be aware of Thomas de Sandwich, a fugitive monk, who may appear at the curia and #222, p. 232 [21 July 1327], Eastry informs Reynolds that Thomas de Sandwich, fugitive monk, will be readmitted to Christ Church if his is penitent and returns the stolen goods; #235, pp. 242-243 [13 October 1327], Eastry reports to Reynolds that Thomas de Sandwich, fugitive monk, and readmitted to Christ Church. The letter also points out that Christ Church and Sandwich town have quarrelled and it is difficult to provide food for the Convent.

named as Thomam de Sandwico, appointed bartoner.<sup>38</sup> If this is the same Thomas who did penance in 1327 then this was a rapid reconciliation by the ageing Eastry, as the Barton was a home-farm of Christ Church and thus the bartoner was an important position. Joan Greatrex highlights that Eastry professed a group of monks at Canterbury in 1309, including Robert de Aledone and Thomas de Sandwich; Greatrex further points out that this group may have been much younger than usual and also that they had to wait seven and a half years for ordination.<sup>39</sup> This long wait for ordination by Aledone and Sandwich, may offer a possible explanation for their subsequent behaviour.

Two further examples, unconnected to monastic unrest, demonstrate Eastry's management qualities and foresight, both in the kingdom and in his convent. Firstly, during the possibility of a French invasion in 1324, Eastry wrote a letter outlining how the pending situation should be handled. Within the letter is a suggestion, '*vous mandez*', that the Sheriff of Kent prevented anyone in Kent from raising the common cry thus producing unnecessary panic; his letter further points out that this was how the potential threat of invasion was handled by Edward I and Henry III.<sup>40</sup> The letter does not specify an addressee, although it has been suggested that it could have been the Constable of Dover Castle. The letter also incorrectly stated that the Constable was the only person having authority over the Sheriff, since the king would also have had authority. The letter opens with the words, '*A son trescher et bien ame en Dieu saluz*', which would suggest someone other than the king.<sup>41</sup> In addition to Eastry's letter there is a writ addressed to the King's Council seeking recompense for expenditure for guarding the Kent coast, at significant expense, from threat of possible French invasion. It transpires that at that time the Mayor of London had also seized Christ Church's property to meet some of their expenses.<sup>42</sup> Secondly, on 20 February 1330, Eastry, absent from Christ Church, wrote to Thomas, the sub-prior, asking him to appoint various monastic officers and defining, for the sub-prior, the

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<sup>38</sup> *Lit. Cant.*, i, #298, p. 308, where Thomas de Sandwich is described as '*Berthonarium*' (a bartoner); for a discussion of the bartoner, see Reginald A. L. Smith, 'The Barton and Bartoner of Christ Church, Canterbury', *Arch Cant.*, 55 (1942), 16-25.

<sup>39</sup> Greatrex, *Benedictine Cathedral Priories*, p. 94 and n. 26.

<sup>40</sup> *Lit. Cant.*, i, #132, pp. 126-127 [5 October 1324], Eastry's plan for avoiding false alarms with reference to potential invasion by France.

<sup>41</sup> For a short discussion of who the recipient might be, see Anon, 'An Invasion of Kent', *Canterbury Cathedral Chronicle*, Vol. 36 (1940), 8-9.

<sup>42</sup> *Petitions to the Crown from English Religious Houses c.1272-c.1485*, Gwilym Dodd and Alison K. McHardy eds., (The Boydell Press, 2010), #123, pp. 148-149 [SC 8/200/9996, dated c. 1315-1331].

attributes of the appointee, which included wisdom, cautiousness and not to be wasteful.<sup>43</sup>

In general the handling of monastic unrest and misbehaviour through Eastry's management style of calm consideration, his willingness to forgive and by offering advice rather than centralising all tasks, inevitably contributed not only to a relative period of calmness in Christ Church's history but also to his longevity as prior. Powicke's observation that Eastry 'had worldly wisdom and would have enhanced any episcopal bench' also suggests that he was unfortunate not to achieve the highest ecclesiastical office, although this was probably due to the long-standing unacceptability of monk-bishops.<sup>44</sup> Notwithstanding his undoubted credentials for higher office Eastry enjoyed wide ranging relationships with individuals in positions of authority, from the papal curia to the King's Bench, who were able to provide valuable assistance to Christ Church in times of litigation and maintain their high awareness of national and international affairs. For example Brother William of Hothum, a Dominican diplomat and Edward I's ambassador to the papal court, wrote on several occasions in 1289 to his friend Prior Eastry indicating the low esteem in which Edward I was held at that time by the papacy; in Hothum's own words to Eastry '*Dominus papa [Nicholas IV] conqueritur de clericis regis nostri quod suis non obtemperant mandatis, unde modicam gratiam nostrates reperiunt hiis diebus.*'<sup>45</sup> Although Edward I's relations with later popes, such as Boniface VIII and Clement V, were in general more amicable, as will be discussed briefly below, for Eastry, a man with a strategic foresight across finance, property, and estate and agrarian management, these were truly valuable contacts and sources of information.

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<sup>43</sup> *Lit. Cant.*, i, #298, p. 308 [20 February 1330] and #299, p. 309 [1330] where Eastry provides details of what constitutes an efficient administrator, '*qui sit prudens et providus, non prodigus nec bonorum communium dissipator*'.

<sup>44</sup> Powicke, *Thirteenth Century*, p. 485; see also William of Malmesbury, *Gesta Pontificum Anglorum*, Introduction and commentary by Rodney M. Thomson, vol. II, (Clarendon Press, 2007), p. 94, comments that 'bishops were tired of being ruled by primates who were Benedictine monks' and as a result elected William de Corbeil [r. 1123-1136], an Augustinian canon.

<sup>45</sup> For the text of Hothum's letter, see Historical Manuscripts Commission, *Report on Manuscripts in Various Collections*, (London, 1901), i, p. 256; Powicke, *Thirteenth Century*, pp. 261-2; Knowles, *RO*, p. 168; Prestwich, *Edward I*, p. 313 and Pierre Chaplais, *English Medieval Diplomatic Practice in the Middle Ages*, (Hambledon Press, 2003), p. 168 n. 59, Chaplais cites the Gascon rolls which describes Hothum and Othon de Grandson as '*dilectos consiliarios et fideles nostros.*'

### 5.3: Prior Eastry and his relationships with the archbishops of Canterbury

Relationships always played an important role in medieval England and ensuring that relationships were maintained and exercised for the benefit of Christ Church required great diplomacy on the part of Prior Eastry. Ecclesiastical relationships, especially those with the titular abbot, the archbishop of Canterbury, were of utmost importance not only from the perspective of how the prior managed them but also how he was influenced by them and hence what decisions he made. Although in theory the archbishop was the titular abbot, it was Pecham who in 1282, recognised for the first time that the Prior of Christ Church was in reality the abbot.<sup>46</sup> Although Eastry, when prior, maintained relationships with four archbishops, it is those of Pecham, Winchelsey and Reynolds, covering forty-three years of the priorate, that are of most interest in the period under review. Despite this long priorate, Irene Churchill makes no mention of Eastry other than in formal procedural relationships with the see of Canterbury.<sup>47</sup>

#### 5.3.1: Archbishop John Pecham [r. 1279-1292]

Eastry's relationship with Pecham, who was the Franciscan provincial minister of England in 1275, is described by Douie as 'the practical handling of a difficult old friar'; although they both shared a common enthusiasm for administration, books and the services of the Franciscan lector, Henry de Woodheye.<sup>48</sup> It was also Eastry's competent implementation of Christ Church's financial reorganisation that would have closely endeared him to Pecham. A few extant letters suggest a formal relationship with Pecham, who borrowed canon law books from the prior and, in a letter written before April 1285, asked Eastry's advice on the health of Ringmere.<sup>49</sup> Despite this apparent formal relationship, it is likely that

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<sup>46</sup> CCP, p. 4 n.7 citing a 1282 entry in John Pecham's register.

<sup>47</sup> Churchill, *Canterbury Administration*, I, p. 28 appointment of Eastry as Vicar general and II, pp. 13, 19, 120 and 224 which are various formal letters.

<sup>48</sup> Douie, *Pecham*, p. 187, Eastry asks the provincial chapter if he can use the services of Woodheye again.

<sup>49</sup> Douie, *Pecham*, p. 187; see also, CCA-DCc-EC/IV/79 [Letter: 1285x1331], a letter from Pecham advising Christ Church that he sending brother Nicholas to enquire about Ringmere's health; the date of the letter is assessed as 1285x1331, however Pecham's archiepiscopate was 1279-1292 and given that it is enquiring about Ringmere it must be before March 1285 when Eastry was appointed, hence it can be dated between January 1279 and March 1285. CCA-DCc-EC/77 & 78 [Letters: 1285x1331] are requests to borrow canon law books from the unnamed prior however it is most probably Eastry as he was known to have a canon law collection in his private library, thus again the dating of the letters can be narrowed March 1285xDecember 1292.

Eastry was not overly enamoured with Pecham's handling of the Dover Priory lawsuit. The archbishop undoubtedly caused consternation, when in 1289 he sided with Dover Priory over Christ Church.<sup>50</sup> Indeed, extant documents suggest that Eastry enjoyed cordial relationships with Pecham despite the latter's hostility towards Christ Church in the case of Dover Priory. Aspects of the Eastry-Pecham relationship are better addressed through an examination of documents relating to Dover Priory's jurisdictional case that was brought to the Court of Arches in the 1270s and 1280s and will be discussed in the next chapter. Notwithstanding this disagreement, Christ Church benefited from Pecham's relationship with Edward I and his part in the expulsion of the Jews in 1290, acquiring Jewish property in Canterbury, while Pecham himself received a clerical grant for supporting the king.<sup>51</sup>

However, in terms of shaping Eastry's persona it is clear that Pecham believed in Eastry's administrative and organisational ability, and with his successful handling of the financial reorganisation confirmed his appointment as prior. Eastry's abilities and the trust that Pecham placed in him so early in his priorate would undoubtedly have given Eastry the courage to back his own personal decision making, which is exemplified by Eastry's handling of the consecration of Walter Scamel as bishop of Salisbury less than one month after his election. It was customary for bishops to be consecrated at Canterbury unless Christ Church had granted permission for it to be held elsewhere. Pecham had proceeded to consecrate Scamel at Salisbury without Christ Church's agreement. Christ Church had complained to the pope and the matter subsequently went to arbitration on 13 May 1285 at the instance of Edward I; Christ Church soon after withdrew their objections on 15 May 1285.<sup>52</sup> It seems abundantly clear that Eastry, very early in his priorate, was not only fully aware of Christ Church's rights and privileges but was also prepared to appeal against his own archbishop. It is also apparent, as will be demonstrated later in the discussion of Eastry's relationship with Archbishop Reynolds, that he was prepared to see the value in compromise, having established the point of principle and law and preventing precedent being set against Christ

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<sup>50</sup> Douie, *Pecham*, p. 189.

<sup>51</sup> Douie, *Pecham*, p. 323.

<sup>52</sup> CCA-DCc-ChAnt/C/129 [*Cautio*: 8 May 1285] is a *cautione* from Walter Scamel confirming that he did not wish to prejudice Christ Church; CCA-DCc-ChAnt/C/1287 [Notice of submission to arbitration: 13 May 1285]; CCA-DCc-ChAnt/X/2 [*Inspeximus*: 15 May 1285] is an *inspeximus* and confirmation of Christ Church's withdrawal of their appeal; Douie, *Pecham*, pp. 184-189.

Church. Although it took almost a year before Pecham, in February 1286, issued an ‘apology’ to Christ Church in the form of a without prejudice letter, which also recited the rights of Christ Church regarding consecration of bishops, as granted by archbishops Becket and Boniface.<sup>53</sup> Pecham too was quick to learn of Eastry’s formidable skills and his determination to maintain Christ Church’s rights, as his second letter of June 1290 requested Christ Church’s consent to Edward I’s request to consecrate William de Luda as bishop of Ely, at Ely.<sup>54</sup> The letters surrounding the consecrations of the bishops of Salisbury and Ely clearly demonstrate that that not only had Eastry established his credentials as a leader and a pragmatist, but also that he would always strive to ensure that no precedent or prejudice was set against Christ Church. The subsequent letter from Luda inviting Eastry to his consecration would suggest that Eastry had not made any enemies.<sup>55</sup>

### 5.3.2: Archbishop Robert Winchelsey [r. 1294-1313]

Pecham died in December 1292 and was eventually succeeded by Robert Winchelsey in September 1294, following a long papal vacancy. Winchelsey had been elected without any opposition but was not consecrated as archbishop until October 1295. Before his appointment to Canterbury, Winchelsey had a noted career as a scholar in Paris and Oxford; he was described as being a mild mannered and affable individual but with strong and unwavering beliefs.<sup>56</sup> Winchelsey was not to enjoy good relationships with Edward I particularly on ecclesiastical and taxation issues. This was a situation no doubt inflamed by Winchelsey at the very beginning

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<sup>53</sup> CCA-DCC-ChAnt/C/126/7 [*Cautio*: 18 February 1286].

<sup>54</sup> CCA-DCC-ChAnt/C/142 [Letter from Edward I: 9 June 1290] requesting Christ Church's permission to consecrate Luda at Ely away from Canterbury; CCA-DCC-ChAnt/C/130A [Letter: 27 June 1290] is a similar letter from Pecham also requesting Christ Church's permission and referring to Edward I's request; CCA-DCC-ChAnt/C/110/3 [Letter: 26 June 1290] is a similar request from Luda of Ely requesting Christ Church's permission for his consecration at Ely; CCA-DCC-ChAnt/C/130 [*Cautio*: 10 July 1290] is a *cautione* from Luda of Ely confirming he does not wish to prejudice Christ Church and also reciting their rights relating to suffragan bishops as given by Archbishops Becket and Boniface; CCA-DCC-ChAnt/C/142A [Letter from Edward I: 10 July 1290], Edward I's letter confirming no prejudice against Christ Church for allowing Luda's consecration at Ely; Luda was consecrated at Ely on 1 October 1290; the *cautiones* reflect an evidence of appeal at the papal curia, by Christ Church, but perhaps more significantly they inform us as to the importance of memory and record-keeping at Christ Church, see a discussion on the *Audientia Litterarum Contradictarum* and *cautiones*, see Jane E. Sayers, *Papal Judges Delegate in the Province of Canterbury 1198-1254*, (Oxford University Press, 1971), pp. 9-25.

<sup>55</sup> CCA-DCC-EC/III/77 [Letter: c.11 August 1290], letter inviting Eastry to Luda's consecration at Ely.

<sup>56</sup> Jeffery H. Denton, ‘Winchelsey, Robert (c.1240–1313)’, *ODNB*, [article/29713, accessed 18 Aug 2011]; for Winchelsey’s relationship with Edward I, see Jeffery H. Denton, *Robert Winchelsey and the Crown 1294-1313*, (Cambridge University Press, 1980, pback 2002).

of his archiepiscopal rule, when his oath of fealty to the king only involved his temporalities; on ecclesiastical matters he was loyal to the pope, although he was determined to help the king through difficult times.<sup>57</sup> In reality, this was to prove a challenge for Winchelsey drawing him into direct conflict between his loyalty to papal authority and his desire to satisfy the needs of the English Crown. Winchelsey was, I would suggest, a prisoner of conscience. The conflict arose over clerical taxation, part of a general taxation to provide funds for Edward I's multiple campaigns in Gascony, the Welsh rebellion and the possible threat of a French invasion. Edward I, in November 1295, made a renewed taxation demand on both secular and ecclesiastical communities, a demand that clerics refused despite Edward reminding them of their earlier promise to support him.<sup>58</sup> Winchelsey and the clerics took advantage of Boniface VIII's bull of February 1296, *Clericos laicos*, issued to prevent taxation excesses of both French and English kings.<sup>59</sup> Bolton points out that the papal bull was aimed primarily at halting the Anglo-French war and was the subject of much friction between Edward I, Winchelsey and Boniface VIII.<sup>60</sup> Winchelsey undoubtedly enraged Edward, when he published *Clericis laicos* in his dioceses in January 1297; the wider knowledge of this important bull was instrumental, at the January 1297 convocation, in refusing to grant Edward his much needed subsidy of a tenth. Yet, the whole question of papal and royal taxation is undoubtedly one of the critical issues of the late thirteenth century and consequently has been the subject of detailed analysis and commentary by such historians as Bolton, Denton and Lunt.<sup>61</sup> In particular they have focused on Boniface VIII's constitution, *Clericis laicos*, and his much vaunted attempt to resolve outstanding issues of royal impropriety in England and France, where his predecessor Celestine V had failed to act. To attempt to out-manoeuvre Edward, Winchelsey had asked Eastray to provide him with copies of the bishops' oaths of profession, before the

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<sup>57</sup> Powicke, *Thirteenth Century*, p. 673.

<sup>58</sup> For a discussion on the taxation conflict see, Powicke, *Thirteenth Century*, p. 672-78; Denton, *Winchelsey*, pp. 55-268.

<sup>59</sup> Powicke, *Thirteenth Century*, pp. 675-679; for specifics of *Clericos laicos* see Denton, *Winchelsey*, pp. 80-99 and *passim*.

<sup>60</sup> Brenda Bolton, 'Bonifacio VIII and the Kingdom of England', *XXXIX Convegno storico internatazionale*, (October, 2002), 329-354 [344].

<sup>61</sup> Lunt, *Financial Relations* and Jeffery H. Denton, *Robert Winchelsey and The Crown 1294 – 1313*, (Cambridge University Press, 1980: paperback 2002) and Bolton, 'Bonifacio VIII and the Kingdom of England'.

January convocation.<sup>62</sup> Edward's reaction to the clergy's refusal was swift, threatening to withdraw his protection, if subsidy was not forthcoming. Winchelsey was finally forced to compromise at a second convocation in March 1297 by allowing his clergy to act according to their conscience in the matter of taxation. Winchelsey's compromise was forced on him through strong opposition led by William of Hothum.<sup>63</sup> William was not only a close friend and confidant of Edward, but also his ambassador to the papal court and a mediator with France, and by inference no doubt a persuasive speaker. Similarly, as already mentioned, William was also a close friend of Henry of Eastry and was often in private communication with him on international matters, a situation that Eastry may have found compromising during this taxation conflict.<sup>64</sup> In March 1297, Eastry received a letter from the sub-prior and convent suggesting he sought Winchelsey's advice, but Eastry declined and replied, setting out the options available to Christ Church. It was unlikely that Eastry would have asked for Winchelsey's guidance, as it would have been clear from the outcome of the two convocations that the archbishop was in an impossible position, given his greater responsibility to the Church. Given also that Eastry was *de facto* abbot of Christ Church his response to the sub-prior and chapter would have given them a series of options, but left them in no doubt that they should protect Christ Church's interests at all costs. This wise advice, heeded by the convent, resulted in the king's protection following a payment of £200 to the exchequer in May 1297; Eastry also took action through proctors to protect the archbishop's lands, which he claimed belonged to Christ Church, *pleno iure*.<sup>65</sup>

Winchelsey's obdurate position was eased when Boniface issued *Etsi de statu* on 31 July 1297.<sup>66</sup> This bull allowed the raising of clerical taxation in times of emergency, providing that support was forthcoming from his [the king] counsellors, a position that Winchelsey enforced when agreeing to Edward's plea of necessity.<sup>67</sup> Necessity is the key element in this debate, although Powicke and Denton are in

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<sup>62</sup> Denton, *Winchelsey*, p. 101.

<sup>63</sup> Powicke, *Thirteenth Century*, p. 675; for biographical details, see Roy M. Haines, 'Hotham, William of (c.1255–1298)', *ODNB*, [article/13857, accessed 7 Oct 2011].

<sup>64</sup> CCA-DCc-EC/III/85 [Letter from Hothum to Eastry: 16 March 1289], Hothum was with Edward I in Aquitaine and CCA-DCc-EC/II/24 [Letter from Hothum to Eastry: 21 October 1289], implies that he is at the papal court.

<sup>65</sup> Denton, *Winchelsey*, p. 127.

<sup>66</sup> For a general discussion on taxation and the French crown, see Jeffery H. Denton, 'Taxation and the Conflict between Philip the fair and Boniface VIII', *French History* 11 (1997), 241-264.

<sup>67</sup> Powicke, *Thirteenth Century*, p. 523.

broad agreement that Winchelsey used *Etsi de statu* to his advantage, they differ in the final conclusion. On the one hand, Powicke sees Winchelsey as using the bull to place restrictions on Edward, whilst agreeing to the taxation of November 1297.<sup>68</sup> On the other hand, Denton sees Winchelsey's interpretation of the bull and his subsequent agreement to taxation as 'Winchelsey achieving his aim of freedom from lay interference. He ... kept strict control over the whole process ... of the new tax of November 1297'.<sup>69</sup> Despite his willingness to compromise, Winchelsey was suspended from office and exiled to the papal court; the suspension followed Edward's request to Clement V, an old friend of Edward, who had served as a clerk in his court.<sup>70</sup> On balance, the resulting actions taken against Winchelsey would support Denton's view, as Edward did not favour those who challenged his authority.

It is during this period of exile that Winchelsey wrote to Eastry explaining his position and sought the prior's advice.<sup>71</sup> No extant documents remain that provide evidence of Eastry's reply, but it is probable that he advised Winchelsey to try and meet with Clement V, and explain his position as well as to be patient, as Edward was dying. Following Edward I's death, his son Edward II effected reconciliation and Winchelsey returned to England in March 1308; for a short period awaiting Winchelsey's return, Eastry was appointed vicar-general in the province and diocese of Canterbury.<sup>72</sup>

Powicke observes that 'if he [Winchelsey] had not enjoyed good relations with his cathedral church and Henry of Eastry he would have been a very lonely man.'<sup>73</sup> It is true that, in general, Winchelsey did enjoy a good relation with his cathedral church and with Eastry, seeking the latter's advice when situations were difficult and politically delicate. However there were a number of instances where Eastry may have felt aggrieved by the tone of advice from the archbishop. For example, in the midst of the taxation dispute he found time to write to Eastry on the 14 July 1297 to advise him that there was a deficiency in the number of monks at Christ Church and that only proper candidates should be selected, a position he reiterated on 15 September 1298, when he added that candidates must be pure in

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<sup>68</sup> Powicke, *Thirteenth Century*, p. 677.

<sup>69</sup> Denton, *Winchelsey*, pp. 173-174.

<sup>70</sup> Powicke, *Thirteenth Century*, pp. 717-718.

<sup>71</sup> Denton, *Winchelsey*, pp. 244-45.

<sup>72</sup> Denton, *Winchelsey*, p. 247; CCA-DCC-ChAnt/A/194 [Notarial exemplification: 15 February 1308 – 24 March 1308].

<sup>73</sup> Powicke, *Thirteenth Century*, p. 717.

mind and body before admittance to the Benedictine order.<sup>74</sup> For someone, who had been a Benedictine monk for the best part of thirty years and prior for thirteen years, this advice was no doubt unwelcome and unnecessary and Eastry is likely to have politely ignored it. However, in February 1299 and in somewhat stronger terms Winchelsey forbade Christ Church from retaining their legal counsel, John de Sancto Claro, and allocating him an annual pension, as in Winchelsey's opinion de Sancto Claro was against the Church.<sup>75</sup> The situation is explained by a letter from John Boccamazza, cardinal-bishop of Frascati, dated 23 April 1301, explaining that he, the bishop of London and the abbot of St Albans's had been appointed by Boniface VIII as executors to protect de Sancto Claro.<sup>76</sup> Boccamazza recited the papal letters that forbade Winchelsey and Christ Church from molesting John de Sancto Claro on penalty of excommunication, suspension and interdict. It transpired that de Sancto Claro had been defending those subject only to papal jurisdiction, most notably St. Augustine's. Pantin points out that there was inevitability about this struggle, given its proximity to the see of Canterbury; the struggle spanned three centuries, the eleventh to fourteenth, before being resolved by a composition in 1397, when Archbishop Arundel accepted St. Augustine's claims.<sup>77</sup> St. Augustine's were periodically the subject of jurisdictional disputes with the then current archbishop despite the fact that it was a royal foundation and exempt from episcopal jurisdiction. Similarly, in her article on the archbishop's dispute with St Augustine's, Rose Graham stresses that St Augustine's claimed that churches appropriated to them were also subject to exemption, a challenge that Winchelsey was keen to pursue.<sup>78</sup> Although the tone of Winchelsey's letter may have challenged Eastry's position, the

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<sup>74</sup> *Lit. Cant.*, i, #30, pp. 24-25 [14 July 1297], Winchelsey instructs Eastry to profess more monks as Christ Church is some 30 monks short of complement and #31, pp. 25-26 [15 September 1298]; Winchelsey also counsels Eastry to be careful when selecting new monks, CCA-DCC-ChAnt/A/193E [Letter from Winchelsey to Eastry: 15 September 1299]; see also Greatrex, *Cathedral Priories*, p. 50, which draws attention to the admission procedures and the necessary prerequisites.

<sup>75</sup> *Lit. Cant.*, i, pp. liii-liv; *Lit. Cant.*, i, #33, pp. 27-28 [16 February 1299], Winchelsey forbids Eastry to grant pension to John de Sancto Claro; CCA-DCC-ChAnt/A/193F [Letter from Winchelsey to Christ Church: 16 February 1300]; *CUL Eastry*, fo.12v references a *littera obligatoria* to Johannis de Sancto Claro in 1288.

<sup>76</sup> CCA-DCC-ChAnt/N/25 [Copy of Mandate: 23 April 1301], mandate to Winchelsey from John Boccamazza, bishop of Frascati, providing protection for John de Sancto Claro. The mandate was issued by Boniface VIII at Lateran and dated 28 March 1301.

<sup>77</sup> William A. Pantin, 'The Letters of John Mason: A Fourteenth-Century Formulary from St. Augustine's, Canterbury', in Thayron A. Sandquist and Michael R. Powicke, eds., *Essays in Medieval History presented to Bertie Wilkinson*, (University of Toronto Press, 1969), pp. 192-219.

<sup>78</sup> For a fuller discussion see, Rose Graham, 'The conflict between Robert Winchelsey, archbishop of Canterbury and the abbot and monks of St. Augustine's, Canterbury', *JEH*, 1 (1950), 37-50.

subsequent mandate may well have persuaded him that discretion was the best course of action. Winchelsey died in May 1313 and Eastry was among those who read a lesson at his funeral on 22 May 1313. Eastry also assisted Thomas of Lancaster, second earl of Lancaster and grandson of Henry III, with the canonisation process of Archbishop Winchelsey, a process still on-going in 1327, when Edward III intervened with the pope but without any success.<sup>79</sup> From the limited correspondence it is evident that both men enjoyed cordial relations, each offering the other advice whenever appropriate. Eastry would have observed Winchelsey's dilemma of Crown versus Church and undoubtedly learnt that it was wisest to steer a compromise course whenever possible.

### 5.3.3: Archbishop Walter Reynolds [r. 1314-1327]

Archbishop Reynolds was a confidant and favourite of Edward II, although contemporary sources see him in a different light. Tout stressed that 'he [Reynolds] was accused of dissolute and indecorous life', while Wright sees Reynolds in a more conciliatory light, praising him particularly for his mediation roles.<sup>80</sup> Yet another view is provided by Denton who sees Reynolds as someone who set out to give 'greater control of the clergy to the Crown .... an action diametrically opposite to that of his predecessor Winchelsey.'<sup>81</sup> Whatever the differing opinions of Reynolds, it would appear that compromise was very much his watchword, although as McKisack observes 'he ensured that his knowledge of the governmental system worked to his advantage, wherever possible'.<sup>82</sup> His compromise over the benefice of Harrow in 1317 is perhaps indicative of either his balanced judgement or perhaps weak management. Reynolds granted the sitting tenant, William de Bosco, the benefice but at the same time provided a life pension from the benefice to the other claimant, Cardinal William Testa, who, in Reynolds' words, 'has to remain in the College of

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<sup>79</sup> Denton, *Winchelsey*, p. 15, pp. 21-2 and pp. 24-6; Winchelsey and Thomas had been close allies until Winchelsey's untimely death; for biographical details see, John R. Maddicott, 'Thomas of Lancaster, second earl of Lancaster, second earl of Leicester, and earl of Lincoln (c.1278-1322)', *ODNB*, [article/27195, accessed 7 Oct 2011].

<sup>80</sup> Thomas F. Tout, 'Reynolds, Walter (d 1327), archbishop of Canterbury', *ODNB* archive, [accessed 26 Aug 2011], originally published in 1896; for a more detailed discussion of Wright's analysis of Reynolds character, see Wright, *Church and Crown*, pp. 243-274.

<sup>81</sup> Denton, *Winchelsey*, p. 20.

<sup>82</sup> McKisack, *Fourteenth Century*, p. 296; for biographical details see, J. Robert Wright, 'Reynolds, Walter', *ODNB*, [article/23443, accessed 26 Aug 2011].

Cardinals at continued heavy expenditure.<sup>83</sup> Reynolds had spent time at the papal curia and understood how the administration worked in detail, his award to Testa reflected how the curia really worked in practice.<sup>84</sup> The cardinals in particular were an important aspect of papal control, and, as Wright has shown, on the formal side many local English benefices were used to ensure their financial stability; indeed as Wright observes on the basis of letters surviving in the Roman rolls, ‘in the absence of an English cardinal, the crown at times relied upon Testa’s influence at the Roman court.’<sup>85</sup>

As far as his mother church was concerned, Reynolds, unlike his predecessors, generally enjoyed amicable relations with Eastry and his cathedral church. Reynolds was not the monks’ first choice and his elevation to the archbishopric was prompted by Clement V’s intervention at Edward II’s request, while Christ Church would have preferred Thomas Cobham, to whom they had previously granted a pension.<sup>86</sup> The Reynolds – Eastry relationship can be concisely represented as advice and guidance with the majority of guidance being given by the ageing prior, as Wright comments on the many extant letters between Reynolds and Eastry, which demonstrate ‘the considerable extent to which Eastry advised the primate ... even on important political affairs.’<sup>87</sup> The issue surrounding the deposition of Edward II is a prime example of this guidance. John XXII sought Reynolds’ assistance on a number of occasions; for example, in 1316 to collect financial levies due to the papacy and again as a valuable mediator with the ability to solve the crisis caused by Queen Isabella and Roger Mortimer, although the Pope was impatient at Reynolds’s lack of action.<sup>88</sup> Eastry undoubtedly had seen this type of situation before and was wise enough to realise that Christ Church and Reynolds should be seen as

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<sup>83</sup> Wright, *Church and Crown*, p. 323; for other pensions to Testa, see p. 306 [pensions from the Bishop of Rochester in 1320 or 1321 and p. 120 [pension from Edward II]; for complete list of Testa’s interests in England, see pp. 306-307.

<sup>84</sup> Wright, *Church and Crown*, p. 269.

<sup>85</sup> Wright, *Church and Crown*, p. 126 and p. 310 [Edward II wrote 107 letters to Testa in 13 years 9 months].

<sup>86</sup> McKisack, *Fourteenth Century*, p. 275; for biography of Thomas Cobham see, Roy M. Haines, ‘Cobham, Thomas (c.1265–1327)’, *ODNB*, [article/5745, accessed 26 Aug 2011]; for Eastry relationship see, Wright, *Church and Crown*, pp. 267-70; Sophia Menache, *Clement V*, (Cambridge University Press, 1998), pp. 63-64; Patrick N. R. Zutshi, *Original papal letters in England 1305-1415*, (Rome: Vatican Library, 1990), #74, pp. 36-37, [October 1, 1313], papal letter from Clement V recommending Reynolds to Edward II.

<sup>87</sup> Wright, *Church and Crown*, p. 268; for Eastry’s diplomatic advice on how to handle the situation, see McKisack, *Fourteenth Century*, p. 91.

<sup>88</sup> Wright, *Church and Crown*, p. 263 and 270.

neutral. McKisack describes the revolution of Mortimer and Isabella, 'as a rapid and complete success'.<sup>89</sup> Yet despite Reynolds's grievances against Edward II, he defended him devoutly throughout the autumn of 1326, while, in McKisack's words Reynolds 'bowed before the storm' and preached a passionate sermon in 1326 calling for the deposition of Edward II and the enthronement of his son, later Edward III.<sup>90</sup> Eastry was concerned that the deposition of Edward II may have been illegal and would have no doubt been horrified at the thought of Reynolds' alleged involvement.<sup>91</sup> Consequently, in December 1326 Eastry wrote to Reynolds advising a more cautious approach, '*In cujus tractationis eventum, juxta consilium Apostoli, cautius est ambulandum*'. Sheppard saw this response as weak and timid, and of little use to Reynolds in this difficult period; however given that Reynolds was undoubtedly keen to preserve his position as archbishop, I think that Eastry's advice was particularly wise and sensitive to the situation, given that he suspected Isabella was not being totally open.<sup>92</sup> Eastry may also have wished that Christ Church and his friend Reynolds could be neutral but given the national crisis this was probably a forlorn wish. As McKisack implies, there was little room for manoeuvre by any party, although Eastry wrote to Reynolds on 3 January 1327, excusing himself from attending the Parliament when Edward II was deposed.<sup>93</sup> Given the political upheaval in England, I think that it is self-evident that Edward II's deposition could not be prevented and consequently Eastry wished, in some way, to express his personal disquiet and distance his beloved Christ Church from the whole affair. Eastry would, I suspect, have wished to be neutral, although this was not always a realistic possibility and was in stark contrast to his position of March 1322, when Christ Church sent 100 marks to Edward 'as an aid against those that rebel against him'. The 1322 letter's eschatocol also shows Christ Church's love for their king, 'Et sachez, trescher Seignur, qe nous prieroms devotement a Dieu, et a Nostre Dame, et a Saint Thomas, pur vous, de jour et de nuy, qe vous puissiez issi exploiter les

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<sup>89</sup> McKisack, *Fourteenth Century*, p. 93.

<sup>90</sup> McKisack, *Fourteenth Century*, p. 89 and 93.

<sup>91</sup> McKisack, *Fourteenth Century*, p. 93; for a discussion of baronial opposition to Edward II, see James C. Davies, *The Baronial Opposition to Edward II, its character and policy: a study in administrative history*, (Cambridge University Press, 1918) and W. Mark Ormrod ed., *Fourteenth Century England III*, Fourteenth Century England Series, (Boydell Press, 2004).

<sup>92</sup> *Lit. Cant.*, i, #198, pp. 202-203 [December 1326], advice from Eastry to Reynolds, '*Quidam somniant quod Domina Regina intendit omnes praelatos, et omnes majores, ac multos de communitate regni in proximo convocare, et super arduis negotiis cum ipsis tractare*'.

<sup>93</sup> *Lit. Cant.*, i, #199, p. 203 [3 January 1327].

busoignes qe vous avez empris qe ceo soyt al honour de Dieu, et de vous, et al profist de vostre roialme.’<sup>94</sup>

#### 5.3.4: Archbishop Simon Meopham [r. 1328-1333]

Reynolds died in November 1327 and was succeeded by Archbishop Meopham who was consecrated at Avignon on 31 May 1328, returned to England in September 1328, swore fealty to Edward II and received the temporalities of the archbishopric. Meopham’s archiepiscopal relationship with Eastry was not as harmonious as that of Reynolds with Wright, Smith and Knowles all defining the relationship as stormy.<sup>95</sup> Wright goes even further when discussing the archbishop’s system of nominations to monastic offices by describing Meopham as someone ‘the aging Eastry disliked considerably.’<sup>96</sup> The same issue over monastic nominations had occurred between Eastry and Winchelsey but not with Reynolds; Eastry was always ready to defend the rights and privileges of Christ Church no matter who was involved. An instance of Christ Church’s rights and privileges being usurped by Meopham will illustrate the point. On 30 December 1328 Eastry wrote to the Abbot of Westminster, who had been appointed as a special commissary by Meopham to investigate a benefice relating to John of Cirencester; Eastry’s letter pointed out that the abbot had no jurisdictional authority. On the same day Eastry also wrote to Meopham advising him that such an appointment was an infringement of Christ Church’s long held privileges.<sup>97</sup> As argued earlier in this chapter, Eastry was seemingly old and frail at this time of his priorate, but this did not prevent him from recognising and acting to avoid a precedent being set against Christ Church and uphold their customary rights.

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<sup>94</sup> *Lit. Cant.*, i, #64, pp. 58-60 [5 Mar 1322], ‘*qe vous avez moult affaire par encheson de aucunes gentz qi sount rebels et desobediaantz a vous, contre Dieu et resoun*’.

<sup>95</sup> *CCP*, p. 8; Knowles, *Religious Orders*, I, p.52 and Wright, *Church and Crown*, p. 268.

<sup>96</sup> Wright, *Church and Crown*, p. 268; for a short biography see, Roy M. Haines, ‘Mephram, Simon, *ODNB*, [article/18568, accessed 26 Aug 2011]; Wright, Smith and Knowles have all referred to Prior Eastry’s snubbing of archbishop Meopham; these references are all derived from *Lit. Cant.*, i, p. xxviii, which was the inference that Brigstocke Sheppard drew from extant correspondence between Meopham and Christ Church, see for example *Lit. Cant.*, i, #292, pp. 304-305 [3 January 1330] which was indicative of Meopham’s lack of understanding of the Church of Canterbury’s history and ecclesiastical procedure, which in turn reflected Eastry’s exasperation.

<sup>97</sup> For letters from Eastry to Abbot of Westminster and Meopham, see *Lit. Cant.*, i, #261, pp. 272-273 [30 December 1328] and *Lit. Cant.*, i, #262, pp. 273-274 [30 December 1328] respectively. The outcome of these letters is not known especially as Meopham’s register has been lost.

Arguably, it would be wrong, as in previous discussions on relationships between Eastry and respective archbishops of Canterbury, to assume that every archiepiscopal relationship was entirely antagonistic, since it would have been most unlikely that Eastry would have survived as prior. Eastry had served as the monastic superior of a major Benedictine house for a considerable period of time and clearly had a wealth of knowledge relating to procedure, protocol and above all the rights and privileges of Christ Church. Therefore it would be right to assume that Christ Church letters and archiepiscopal registers would bear witness to an exchange of information regarding protocol. Such was the case in June 1330, when Eastry gave his approval to Meopham's composition concerning archiepiscopal visitation rights to Norwich Cathedral Priory, when the see of Norwich was vacant. This was the last see in the southern province to reach a compromise with the archbishop of Canterbury on administration during a vacancy and Churchill observes that no records exist of either Pecham or Winchelsey appointing anyone.<sup>98</sup> The question of jurisdiction over Norwich had arisen during Reynolds's archiepiscopal rule, but remained unresolved as neither party could agree on who should appoint a *sede vacante* administrator. However, Meopham achieved a satisfactory compromise whereby Norwich Priory were allowed to nominate three persons of their choice, for Meopham to make the final decision; Meopham's compromise was to apply to all future archbishops. Churchill and Wright imply, although they do not specifically state, that if Meopham had not found a solution, then the jurisdictional dispute would have been taken to the papal curia.<sup>99</sup> Hence, as evidenced in Eastry's complimentary letter to Meopham on 29 June 1330, the prior comments on his avoidance of a potentially expensive law-suit.<sup>100</sup> In a similar vein Eastry advised Meopham in October 1330 to settle a jurisdictional dispute with St. Augustine's, even if he had to compromise his principles. He further advised Meopham that he had examined St

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<sup>98</sup> For comment on Norwich *sede vacante* administration, see Churchill, *Canterbury Administration*, i, pp. 194-207 [194].

<sup>99</sup> Wright, *Church and Crown*, pp. 329-330, #59.

<sup>100</sup> *Lit. Cant.*, i, #309, pp.316-317 [29 June 1330], '*Et credo, pater sanctissime, sicut alias vobis scripsi quod propter lite quasi immortals in Curia Romana, et plures alias causas variis periculis subjectas vos in dicto negotio Norwycensi per viam securiorem procedure decrevistis*'; for discussion of the administration of the vacant see of Norwich, see Churchill, i, *Canterbury Administration*, pp.194-207; for a general discussion on the administration of vacant sees, see i, pp.161-193; for a general discussion on diocesan visitation, see i, pp. 131-149; for Meopham's composition with Norwich, see Churchill, *Canterbury Administration*, ii, pp.64-69, Churchill notes that the composition is from Archbishop Islip's [1349-1366] register, as Meopham's register had been lost.

Augustine's privileges and there was no value in appealing to the papal curia.<sup>101</sup> Eastry would be well versed in this case as previous archbishops had claimed jurisdiction over St Augustine's, although in every case they had lost as St Augustine's was one of those monastic institutions subject only to papal jurisdiction.<sup>102</sup> Meopham was a doctor of theology at a time when bishops were more likely to be qualified lawyers, either canon or civil. Since Meopham's register has been lost, it is difficult to grasp his persona which has to be pieced together from other sources. Two fourteenth-century chroniclers, William Thorne, a St Augustine's monk, and William Dene, archdeacon of Rochester, had little to praise Meopham for; indeed Dene argues that 'he [Meopham] was totally ignorant of men and the reality of everyday life.'<sup>103</sup> Similarly, historian Roy Martin Haines addresses Meopham as 'a man who might have proved a good provincial diocesan, was unsuited to the hurly-burly of life at the top, amidst men far more worldly-wise than himself.'<sup>104</sup> It is hardly surprising therefore that numerous Christ Church letters point to Meopham's ineptitude in matters of ecclesiastical and state politics, and consequently the worldly-wise and aging Prior Eastry would have treated Meopham with some disdain; Eastry was not a man to suffer fools gladly.

To sum up, as we have seen Eastry's rule coincided with the office of four archbishops and his relationships with them were not always peaceful, as Eastry was constantly striving to ensure that Christ Church's rights and privileges were upheld. On the one hand, the many letters that remain extant in the Canterbury Cathedral Archives attest to the unending quest to ensure that no precedent was ever set against Canterbury. On the other hand, Eastry demonstrated qualities of loyalty, balanced judgement, sound advice, impartiality, knowing when to compromise and knowing

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<sup>101</sup> *Lit. Cant.*, i, #317, pp. 333-334 [October 1330]; the case is finally resolved in favour of St. Augustine's, November 1332, by Itherius de Concoreto – a papal-judge delegate, Pantin, 'John Mason Letters', pp.196-197; an entry in Andrea Sapiti's register implies that some of Meopham's archiepiscopal muniments may have been stored with details of this case, '*et actitata remanent penes magistrum Andream Sapiti, in quadam cista per magistrum Iohannem de Wytchurch, penes ipsum deposita sub serura una cum aliis domini Cant (uariensis) litteris ac munimentis*', see Barbara Bombi, *Il registro di Andrea Sapiti, procuratore alla curia avignonese*, (Istituto Storico Germanico di Roma & Viella, 2007), #2, pp. 352-353.

<sup>102</sup> Knowles, *Religious Orders*, p.277; Churchill, *Canterbury Administration*, i, p.148-149; *Lit. Cant.*, i, pp. lv-lxvi.

<sup>103</sup> Roy M. Haines, 'An Innocent Abroad: The Career of Simon Meopham, Archbishop of Canterbury, 1328-1333', *EHistR*, 112 (June, 1997), 555-596 [555], for William Thorne, see Nigel Ramsay, 'Thorne, William (fl. c.1397)', *ODNB*, [article/27348, accessed 10 Oct 2011] and for William Dene, see Mark C. Buck, 'Dene, William (fl. 1317-1354)', *ODNB*, [article/7475, accessed 10 Oct 2011].

<sup>104</sup> Haines, 'An Innocent', p. 580.

which principles to fight for at all costs. He would have acquired these qualities throughout his priorate, while advice and guidance would have been received directly from the archbishops that he served, from the Prior's council and from numerous friends and the network of advisors he made during his forty-six year priorate. Overall, my assessment of Eastry's personal qualities agrees with Knowles, who sees him as a 'great high farmer and superbly able man of business' rather than Ramsay who sees him merely as a 'tenacious administrator.'<sup>105</sup> Eastry was much more than this and in the modern world, I contend, would be seen as an innovator, entrepreneur, diplomat and highly skilled "executive director".

#### 5.4: Prior Eastry's Personal Archive and Library

To better understand Eastry, I am trying to reconstruct his persona through an examination of his letters and the personal books that he kept in the prior's quarters. During his long period in charge of Christ Church, Eastry acquired some eighty books on a wide range of topics, such as theology, law, and liturgy, although such a collection would be a common acquisition for monastic superiors.<sup>106</sup> However, the possession of theological works does not fit with Eastry's persona, since he was generally recognised as a great administrator and a high farmer rather than an intellectual.<sup>107</sup> Prior Oxenden [1331-1338] made a list of these books, when he took an inventory of the prior's quarters on Eastry's death in April 1331.<sup>108</sup> An analysis of these books will shed light on Eastry's intentions and actions towards Christ Church's archival reorganisation.

Of the law books in Oxenden's inventory, twenty-nine relate to *Iure Canonici* [Canon Law] and fourteen to *Iure Ciuili* [Civil Law]. A comprehensive understanding of canon law was a necessity for Eastry, when presiding over ecclesiastical cases during *sede vacante* periods and also when advising his monastic council.<sup>109</sup> The canon law reference works included six significant canonists: Huguccio, who wrote a commentary on Gratian's Decretum; Pope Innocent IV [Sinibaldo dei Fieschi] and Geoffrey of Trani, who wrote commentaries on the

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<sup>105</sup> Ramsay, 'Cathedral Archives', in *Canterbury Cathedral*, p. 355 and Knowles, *Religious Orders*, p. 54.

<sup>106</sup> James, *Ancient Libraries*, xxxv-xliv and pp. 143-145.

<sup>107</sup> Knowles, *Religious Orders*, p. 53.

<sup>108</sup> James, *Ancient Libraries*, pp. 143-145; this list is also in BL MS Cotton Galba iv and CCA-LitMs/E/27.

<sup>109</sup> Knowles, *Religious Orders*, p. 50.

Decretals; Hostiensis; William Durand [The Speculator] and Johannes Calderinus.<sup>110</sup> These volumes were not unique to Christ Church and were common to monastic libraries across Europe; however their significance lies in their personal possession by Prior Eastry. Although not a canon lawyer by profession, a working knowledge of canon law would be highly beneficial when discussing prosecution or defence strategies with counsel or briefing proctors at the papal curia; in all probability these books would have been a constant source of reference.<sup>111</sup> As I will argue in a following chapter, one such case would have been the dispute with Dover Priory; this was a particularly difficult case and its outcome rested on whether the Priory could be considered a royal chapel and on the boundary between ecclesiastical and common law. The origins of the dispute which began in 1136, was subject to periodic and intense litigation which was particularly problematic during Prior Eastry's rule. Although supposedly resolved during his priorate, the case was not finally settled until the mid fourteenth century.

Although Eastry's library does not include many civil law books, they would have been of equal importance given the huge estates that Christ Church managed. Among those volumes were commentaries on the Institutes of Justinian, such as *Summa Placentini super Instituta*, a commentary of Roman law written before 1192, and common law texts, such as Bracton's *De legibus*, which sets out the law of royal courts and is based on a development of Roman law. Similarly, we find the *Liber de Statutis Regni Anglie* (Statutes of England) and the *Historia Troianorum*, which contains a statute of Edward I, and a book on the Statute of Rageman [1277].<sup>112</sup> As argued in Chapter 4, this great corpus of knowledge was reinforced with Eastry's archive of deeds and correspondence, now surviving in two registers: the *Registrum omnium cartarum et compositionem Ecclesie Cantuariensis* [Register E], whose contents have been extensively discussed in the previous chapter, and Eastry's *Memoriale multorum* [Memorandum Book].<sup>113</sup> As argued above, the *Memoriale multorum* was identified by Montagu James with BL Cotton Galba E.iv and its

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<sup>110</sup> For a general discussion on Medieval Canon Law see James A. Brundage, *Medieval Canon Law*, (Longman, 1995), particularly pp.206-230 for short biographies of major canonists.

<sup>111</sup> For a discussion of Christ Church proctors at Rome and their experiences, see Robert Brentano, *Two Churches: England and Italy in the Thirteenth Century*, (University of California Press, 1988), pp. 10-15.

<sup>112</sup> Paul Brand, 'Bratton, Henry of (d. 1268)', *ODNB*, [article/3163, accessed 7 June 2011]; Prestwich, *Edward I*, p.97.

<sup>113</sup> *Memorandum Book*, i, p. 395.

contents are not unique, as they are also engrossed in other Christ Church registers. Since it is inferred that it was a personal register, from Oxenden's inventory, then we must conclude that it was made at the instigation of Eastry who may have viewed it merely as a memorandum book. Accordingly, Hogan's thesis reached the same conclusion, therefore conferring no special status on the register.<sup>114</sup> However, as argued above, the register was important to the management of Christ Church and would have been invaluable to subsequent Christ Church priors. Given that Eastry reorganised the muniments of Christ Church to establish an easily accessible corpus of information of their rights, privileges and estates, it would follow that Hogan's view that the register was a mere 'memorandum book', would be inaccurate. It could be further argued that such a personal register was vital to help ensure that no precedent was set against Christ Church.

The second register, listed in Oxenden's inventory, was titled *Registrum omnium cartarum et compositionem Ecclesie Cantuariensis*, which is the same title in what is now known as Register E.<sup>115</sup> The detail of this register has been discussed earlier, but it is interesting to note that it was in Prior Eastry's personal possession; all previous analysis concluded that Registers A to E were contemporaries of one another and produced for the benefit of Christ Church and stored in the priory's archives. However, given the two-level table of contents structure of Register E, which facilitated quick and easy access to important deeds, it is perfectly plausible that Prior Eastry may have commissioned this register specifically for his own personal use and only after his death would it have passed into general use for the benefit of subsequent priors.

I have argued that Prior Eastry was an innovator, a diplomat, and an entrepreneur as well as being a very able administrator. The registers he commissioned for his personal use together with the extensive reconstruction of Christ Church's institutional memory would have given him an unparalleled knowledge of the priory's rights and privileges. It is this combination of Eastry's persona and knowledge that in my opinion contributed to maintaining a level of insulation between Christ Church and the thirteenth century ecclesiastical and secular environment that will be addressed in the next chapter.

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<sup>114</sup> *Memorandum Book*, i, pp. 397-401.

<sup>115</sup> CCA-DCC-Register/E, fos.2r and 5r.

## Chapter 6: Thirteenth Century Influences on Prior Eastry and Christ Church

The earlier focus on Eastry's life set out to examine the relationships that developed with the archbishops of Canterbury and how these may have shaped his persona and hence contributed towards his actions in managing Christ Church. Accordingly, in his time as prior, Eastry would have also met the king on various occasions but it is most likely that this relationship would have been of a formal nature as inevitably a king passing through Canterbury would pay homage to the shrine of St Thomas.<sup>1</sup> However, by providing hospitality for a royal visit, Eastry would have gained an insight into the king's persona and entourage. Although having no direct personal relationship with the king, Eastry could understand the king's behaviour and the political games within the royal curia through his handling of the constitutional crisis, the fiscal embarrassment of wars and through the legislation enacted. For instance, an ancient petition dated between 1327 and 1331 was sent to Edward II by Eastry which suggested that Eastry had been appointed to conduct business at the papal curia and in Gascony, with Richard de Bourton, a royal clerk, between 1315 and 1319.<sup>2</sup> However in my opinion I think this would have been highly unlikely as Eastry would have been in his mid 70s by 1315; furthermore the petition makes reference to a Henry of Canterbury.

Arguably, Eastry who Ramsay described as a 'very capable and tenacious administrator', acted within the context of significant political reforms, for both lay and ecclesiastical jurisdictions.<sup>3</sup> To assess why Eastry's internal policies are perhaps more than a 'simple necessity', we ought to discuss the critical national and international political turning points in the thirteenth century, how they were resolved and how Christ Church's policies towards managing its affairs within the

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<sup>1</sup> *John Stone's Chronicle*, selected, translated and introduced by Meriel Connor, (Medieval Institute Publications, 2010), p.80, Margaret of Anjou in September 1446 was at Canterbury for three days; also records that Henry VI came to Canterbury on pilgrimage. In Prior Eastry's time, Queen Isabella was at Canterbury before leaving for London and leaving behind her huntsmen and hounds for Christ Church to offer hospitality, see *Lit. Cant.*, i, #168, pp. 164-165 [5 February 1326] and *Lit. Cant.*, i, #171, pp. 168-171 [6 March 1326], where Eastry complained and asked Hugh Despenser the Younger's help to get rid of the huntsmen and hounds, due to the expense; Rose Graham however notes that the King would more usually reside at St. Augustine's Abbey when in Canterbury, as it was a royal foundation.

<sup>2</sup> Richard de Burton was part of a diplomatic mission to the papal curia and the king of France between 1315 and 1319, see Seymour Philips, *Edward II*, (Yale University Press, 2011), pp. 285, 291 and 354; TNA, SC8/37/1847 [1327-1331] is a writ attributed to Henry of Eastry, however the writ says it is from Henry of Canterbury, a known royal diplomat and consequently in my opinion the ancient petition has been wrongly attributed to Henry of Eastry.

<sup>3</sup> Ramsay, 'Cathedral Archives and Library' in *Canterbury Cathedral*, p. 355.

lay and ecclesiastical jurisdictions may have been shaped. Throughout the thirteenth and first three decades of the fourteenth century, the critical factors that shaped Eastry's policies and practices were in my opinion fourfold: firstly, baronial opposition to the power of the Crown; secondly, taxation, both lay and clerical; thirdly, the rise of papal power; and fourthly, clearer definitions of the roles, responsibilities and structures of lay and ecclesiastical court systems. Although one could suggest that a clearer courts' structure may well be the result of statute legislation, indeed it could be argued further that the increase in statutes was itself a consequence of baronial opposition.<sup>4</sup> However, all these aspects are interwoven and are worthy of individual analysis in order to put Eastry's policies into perspective, since, as discussed earlier, no other historian has addressed this important issue.

### 6.1: Baronial Conflict and the Statutes of Edward I

An important aspect of thirteenth-century England was the struggle for power within the secular jurisdiction, which in turn was precipitated by the barons' reluctance to accept the king's rule; a reluctance applying equally to Henry III and Edward I. Earlier issues of governance raised by the barons against King John were famously resolved by the *Magna Carta* [1215], a significant piece of legislation that was reissued several times by successive kings of England.<sup>5</sup> Despite baronial success against the Crown, the latter still desired to exert even greater control over the running of England, a desire resulting in increased bureaucracy and the formation of a statute law code, albeit in embryonic form. Clanchy identified, throughout the period 1226-1271, that the Chancery of England produced an increasing number of writs, which is evidence of an increase in bureaucracy; indeed Clanchy highlights that Henry III 'governed by the seal ... as thousands of letters in the National Archives testify'.<sup>6</sup> Accordingly, Tout had previously discussed in his classic work, *Chapters in the Administrative History of Medieval England*, the formalisation of

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<sup>4</sup> For an overview of baronial opposition under Henry III and Edward I and the consequences, see James C. Davies, *The Baronial Opposition to Edward II, its character and policy: a study in administrative history*, (Cambridge University Press, 1918), pp. 1-48.

<sup>5</sup> W. Lewis Warren, *King John*, (Yale University Press, 1997), pp. 206-240; Austin L. Poole, *Domesday Book to Magna Carta 1087-1216*, 2nd edition, (Oxford University Press, 1988, reprint), pp. 459-486; John Gillingham, 'John (1167-1216)', ODNB, [article/14841, accessed 20 Oct 2011]; for *Magna Carta*, see Michael T. Clanchy, *England and its Rulers 1066-1272*, 2<sup>nd</sup> edition, reprint 2001, (Blackwell, 1998), pp. 138-142 and pp. 148-149.

<sup>6</sup> Based on the increase in the weight of sealing wax used, see Michael T. Clanchy, *From Memory to Written Record*, 2<sup>nd</sup> edition, (Blackwell, 2003), pp.78-80; Clancy, *Rulers*, p. 159.

different aspects of government and the move from personal to public service as an evolutionary process throughout the thirteenth century and beyond, resulting in new forms of administrative practice and increased bureaucracy.

The emergence of an English statute law led eventually in 1295 to a greater representation for the people in parliament. This set of laws began according to Pollock and Maitland in 1236 with Henry III's Provisions of Merton, which they conclude were 'the first set of laws which in later days usually bears the name 'statute''; the statute was not to obtain concessions from the king but to set down points of law suggested by experiences.<sup>7</sup> Henry III's style of government resulted in a baronial opposition, led by Simon de Montfort, which forced Henry to accept the Provisions of Oxford in 1258. Accordingly, Powicke and Carpenter agree that the subsequent legislation, the Provisions of Westminster of 1259 was a set of laws; as Powicke says 'they [Provisions of Westminster] emphasized the subjection of the administration of justice in seigniorial courts .... to rules defined by the laws of the land.'<sup>8</sup> Despite papal condemnation of these legal changes and the papal Legate Ottobuono's support for restoration of royal authority in the 1260s, a bankrupted Henry III was forced to accept a compromise that broadened the governance of England to include a fifteen man baronial council.<sup>9</sup> However, the Provisions of Westminster, as Pollock and Maitland observe, 'never became a well established part of law' and were overturned by Henry with the assistance of Urban IV's papal decree of 1261, although in 1267 these provisions were re-enacted in the Statute of Marlborough.<sup>10</sup> The question of whether a set of laws and statutes existed was again raised by Gilbert of Clare, earl of Gloucester, in 1279 when enquiring about the legality of *quo warranto* proceedings; the king's council quickly ruled that 'the proceedings were not contrary to the law of the land.'<sup>11</sup>

The unfortunate consequence of Henry's attempt to recover power led to the second Barons' War [1263-1267], a war driven in part by Henry's passionate belief in royal prerogative. Henry subsequently secured victory, at the Battle of Evesham in

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<sup>7</sup> Sir Frederick Pollock and Frederic Maitland, *The History of English Law before the time of Edward I*, 2 vols., 2nd edition, (Cambridge University Press, 1898), i, pp. 179-180; Powicke, *Thirteenth Century*, p. 69.

<sup>8</sup> Powicke, *Thirteenth Century*, p. 149, David A. Carpenter, *The Reign of Henry III*, (The Hambledon Press, 1996, reprinted 2006), p. 243.

<sup>9</sup> Powicke, *Thirteenth Century*, pp. 136-137 and *passim*; Carpenter, *Henry III*, p. 42 and *passim*.

<sup>10</sup> Powicke, *Thirteenth Century*, p. 148 and *passim*; Carpenter, *Henry III*, p. 102 and *passim*; Pollock and Maitland, *English Law*, p. 179-180.

<sup>11</sup> Powicke, *Thirteenth Century*, p. 378.

1265 owing to divisions among the barons. Henry's victory produced legislation establishing the basis for royal government and the relationship of the king to his subjects; the peace negotiations were settled by the Dictum of Kenilworth in October 1266, a piece of legislation that was subsequently incorporated into the Statute of Marlborough in November 1267; as Prestwich puts it, this is 'a lengthy series of legal provisions which ... continued ... legislative reform begun in 1259.'<sup>12</sup>

Accordingly, William Stubbs observes that Edward I's reign can be characterised in two phases: the first phase 'was occupied with legislation and with the war in Wales, the second with constitutional development and war with France and Scotland'.<sup>13</sup> The process of the re-establishment of royal authority began, in August 1274, when Edward I returned from the ninth crusade. Edward's actions were backed by a significant change in royal personnel and seven major pieces of statute law. Firstly, the Statute of Westminster I and II [1275 and 1285] established wide-ranging improvements in the administration of the judiciary, the establishment of a common right available to rich and poor alike, and free elections.<sup>14</sup> Secondly, the Statute of Gloucester [1278] allowed people to petition the king against their feudal lords, thus assisting with Edward's desire for royal supremacy. Thirdly, the Statute of Mortmain [1279 and 1280] aimed at recovering royal revenues related to gifts of land to the church which by custom had been free from taxation; under the new legislation land could only pass to the church, when a licence fee was paid.<sup>15</sup> Fourthly, the Statute of Merchants [1285 and 1286] replacing the earlier Statute of Acton Burnell [1283] required debtors to specify in front of witnesses when they would repay their debts to merchants. Fifthly, the Statute of *Circumspecte agatis* [1286] which clarified which cases could be dealt with in ecclesiastical courts.<sup>16</sup> Sixthly, the Statute of *Quo Warranto* [1290] was enacted as too many cases remained open from the *quo warranto* proceedings, which Powicke sees as a way of resolving 'matters of

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<sup>12</sup> Powicke, pp. 170-226, p. 216; Michael Prestwich, *Edward I*, (Yale University Press, 1988: paperback 1997), p. 59.

<sup>13</sup> William Stubbs, ed., *Select Charters and Other Illustrations of English Constitutional History From the Earliest Times to the Reign of Edward I*, 8<sup>th</sup> edition, (Clarendon Press, 1900), p. 428.

<sup>14</sup> For Edward I's reign and administration, see Thomas F. Tout, *Chapters in the administrative history of medieval England*, vol. 2, (University of Manchester Press, 1920-33, repr. 1967) and Prestwich, *Edward I*; for Edward I's statutes, see Powicke, *Thirteenth Century*, pp. 355-80 and *passim* and Prestwich, *Edward I*, pp. 267-97 and *passim*.

<sup>15</sup> Powicke, *Thirteenth Century*, p. 325; Denton, *Winchelsea*, p. 195 and Prestwich, *Edward I*, pp. 251-253.

<sup>16</sup> For the wording of the writ, see *English Historical Documents 1189-1327*, Harry Rothwell ed., (Eyre & Spottiswoode), 1975, no. 60, pp. 462-463.

principle' which had been raised by justices.<sup>17</sup> Prestwich not only agrees with Powicke's view that legislation was issued to clarify 'matters of principle' but considers that the legislation reinforced the belief that 'all judicial authority derived from the king.'<sup>18</sup> A survey of liberties and land ownership, which became known as the Hundred Rolls, had been conducted by Henry III [1255] and again by Edward I [1274-1275 and 1279-1280], with subsequent investigations into the legality or otherwise of individual holdings known as *quo warranto* proceedings.<sup>19</sup> In practice little was regained by Edward other than establishing the important legal opinion that all rights emanated from the Crown. Edward had faced strong opposition from those affected by *quo warranto* proceedings and subsequently accepted that, if the franchise or privilege had been exercised since 1189 [accession of Richard I], then it could be kept, otherwise it required proof of a royal charter or grant; as Prestwich succinctly puts it, 'an ingenious compromise.'<sup>20</sup> Finally, the Statute of *Quia Emptores Terrarum* [1290], which was part of the Third Statute of Westminster, and intended to address the problems associated with conveyances of land and tenements, and the loss of services and fees related to feudal tenure, which had occurred directly from the subinfeudation process.

Edward I's legislation, driven by his chancellor, Robert Burnell, drew on the writings of Henry de Bracton [1210-1268], particularly, *De Legibus et Consuetudinibus Angliae* (On the Laws and Customs of England). Given the speed of implementation, the scope and far reaching implications of Edward's legislation, it is hardly surprising that Eastry owned a copy of this book, a book he subsequently bequeathed to Christ Church, as pointed out above.<sup>21</sup> In terms of the influence of external factors on Eastry's persona, we can be in no doubt that since the baronial conflicts and Edward's early legislation took place during Eastry's formative years, it must have left an indelible impression on the young farmer and monk. An increase in legislation and the consequent use of that legislation, within the lay and ecclesiastical

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<sup>17</sup> Powicke, *Thirteenth Century*, pp. 376-379.

<sup>18</sup> Prestwich, *Edward I*, pp. 260-261.

<sup>19</sup> Powicke, *Thirteenth Century*, p. 376; see also Helen M. Cam, *The Hundred and the Hundred Rolls: an outline of local government in medieval England*, (Methuen, 1930, reprint Merlin Press, 1963); for a perspective of local government, see J. C. Ward, 'The Kent Hundred Rolls: local government and corruption in the thirteenth century', *Arch Cant.*, 128, (2007), 57-72.

<sup>20</sup> Prestwich, *Edward I*, pp. 346-347.

<sup>21</sup> For a translation of Bracton's treatise, see Henry de Bracton, *On the laws and customs of England*, ed. by George E. Woodbine with and trans. and revisions by Samuel E. Thorne, 4 vols., (Harvard University Press, 1968-77); for details of Canterbury Cathedral Library collection, see James, *Ancient Libraries*, p.145.

spheres, led in the Middle Ages, as it does today in the twenty-first century, to increased levels of administration, which in turn produced increased record keeping, in other words an increased level of bureaucracy. Edward I's legislation, such as the Statute of Mortmain [1279] and the Statute of *Circumspecte Agatis* [1286], did pose potential threats to the Church both in terms of their feudal rights and jurisdictional control. Both these pieces of legislation were enacted when Eastry held positions of importance at Christ Church, as has been discussed earlier in this chapter. A newly elected prior of a prestigious monastic house would have undoubtedly taken a pragmatic approach when selecting how best to circumvent the potential restrictions of these two statutes.<sup>22</sup> Eastry, whose love of Christ Church is reflected in the achievements of his forty-six year priorate, clearly demonstrated balanced judgement to ensure the long-term sustainability of his convent and the cathedral church of Canterbury.<sup>23</sup> Eastry's extensive re-organisation of the Christ Church archives and his preservation of the priory's memory is even more self-explanatory in terms of the context discussed above.

## 6.2: Taxation - Clerical and Lay

The continual demand for money - Edward I raised subsidies nine times during his reign - through various forms of clerical and lay taxation was used to support both royal and papal aspirations; however taxation was unpopular and placed immense strain on English resources eventually leading to resentment and political opposition.<sup>24</sup> As Winchelsey's case has shown, opposition also came from the Church; although initially supporting the king in his demands, the archbishop ultimately opposed the king.<sup>25</sup> In the late thirteenth century, taxation of the clergy especially by papal decree caused problems for all monastic institutions, although

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<sup>22</sup> For example, CCA-DCc-ChAnt/C/941 [Warranty: 1279x1285], is a warranty to repay Christ Church money if they lose the land under the Statute of Mortmain, CCA-DCc-ChAnt/C/1210 [Licence in mortmain to St. Augustine's Abbey, Canterbury: 11 June 1288], allowing St. Augustine's Abbey to swap land with Christ Church and CCA-DCc-ChAnt/C/1217 [Pardon and Grant from Edward III: 10 June 1347], to Christ Church, who have acquired lands without a mortmain licence and which have therefore been forfeited; for examples of mortmain legislation before Edward I see, Pollock and Maitland, *The History of English Law before the time of Edward I*, i, pp. 333-334.

<sup>23</sup> Knowles, *Religious Orders*, i, pp. 322-325; Dobson in 'Canterbury in the Later Middle Ages', p. 85 n. 79 comments that 'Knowles translation into English is slightly inaccurate'.

<sup>24</sup> Four subsidies were levied from 1294-1297; for a discussion on 13<sup>th</sup> century taxation, especially under Edward I, see Michael Prestwich, *English Politics in the Thirteenth Century*, (Macmillan, 1990), pp. 109-128; for specific lay subsidies, see Denton, *Winchelsey*, pp. 77-8, 87-8, 152-3, 159-60, 298-9 and *passim*.

<sup>25</sup> Denton, *Winchelsey*, p. 87.

Christ Church made attempts in 1274 and 1291 to avoid payment.<sup>26</sup> Denton points out that taxation in the late thirteenth century 'had grown to a position of outstanding importance ... the taxes on personal property, or 'lay movables', and taxes on clerical income.'<sup>27</sup> A critical point in late thirteenth-century taxation came with the establishment by Pope Nicholas IV of the 1291 *taxatio* assessment whereby clerical taxation was based not only on spiritual income but on temporal income, a move that was hotly challenged by the clergy but which was difficult to resist. Again Denton sums up the mood of the thirteenth-century clergy, arguing that the clergy 'had no ultimate protection in strictly monetary terms.'<sup>28</sup> Both Denton and Lunt agree that the papacy and Edward I had pressing financial needs, especially for crusading purposes.<sup>29</sup> However, despite this need for financial support, there were clerical concerns over the severity of the 1291 taxation, which finally came to an end in an unsuccessful appeal to Pope Boniface VIII in August 1297. As Rose Graham points out, Winchelsey defined it as 'an appeal touching the common good of the clergy and of the Kingdom.'<sup>30</sup> Despite the dislike of the assessment process, it remained in force and was used for subsequent taxation assessments, such as that demanded in 1309, although there was always a difference of opinion between the king and Winchelsey over whether parts of ecclesiastical wealth could be classed as temporal and therefore under the king's control. Indeed, ecclesiastical wealth was significant and approximately equal to that of lay contributions, which amounted to £365,000 during the archiepiscopate of Winchelsey [1294-1313].<sup>31</sup>

Accordingly, lay opposition to Edward I, while not as open as Winchelsey's, focused on two key issues: military service and taxation. Powicke and Prestwich are both clear that Edward's imposition of taxation of an eighth and fifth in 1297 did not have proper consent, although within a few months this became irrelevant with the English defeat at the Battle of Stirling Bridge.<sup>32</sup> Lay resistance coupled with this defeat forced Edward to make significant concessions that were encapsulated in the Confirmation of Charters, [a reconfirmation of *Magna Carta*] and the Charter of the

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<sup>26</sup> For Pecham borrowing, see *CCP*, p. 53; for papal finances see, William E. Lunt, *Financial relations of the Papacy with England to 1327*, (Medieval Academy of America, 1939), p. 328 & 352.

<sup>27</sup> Denton, *Winchelsey and Crown*, p.55.

<sup>28</sup> Denton, *Winchelsey and Crown*, p.59.

<sup>29</sup> Lunt, *Financial Relations*, pp.311-365; Denton, *Winchelsey and Crown*, p.64.

<sup>30</sup> Rose Graham, 'A Petition to Boniface VIII from the Clergy of the Province of Canterbury in 1297', *EHR*, 37 (January, 1922), 35-46.

<sup>31</sup> Denton, *Winchelsey and Crown*, p.55.

<sup>32</sup> Powicke, *Thirteenth Century*, pp. 678-683 and Prestwich, *Edward I*, pp. 424-428.

Forest, which provided rights, privileges and protections for the common person against an encroaching aristocracy.<sup>33</sup> Edward did not take political defeat lightly and overturned the 1301 assessment of royal forests thanks to a papal bull from his former royal clerk, the newly elected Clement V.<sup>34</sup> Edward I was ruthless in his quest for money to fund wars without a thought for the livelihoods of his people. For instance, in 1275 the English wool merchants agreed a permanent duty on wool, a duty not applied to foreign merchants until 1303.<sup>35</sup>

Edward was also indebted to the Riccardi of Lucca, who handled the king's wool revenues and financed his wars. Prestwich argues that in the first half of Edward's reign, the Riccardi were his principle moneylenders, designers of the customs and duties system, and therefore, in Prestwich's words, 'the mainstay of the financial system.' However, the Riccardi eventually fell from grace and, as Prestwich notes, the 'root cause of the problem' was their inability to collect the crusading tenth granted in 1275 but not promised until 1291. Edward eventually lost patience with their failure to collect taxes, needed to finance the war with France, and confiscated their assets.<sup>36</sup> Edward I's desire for finance did not diminish, so much so that, between 1294 and 1298, moneylenders were forced to lend to him under threat of expulsion. During this period, a new set of moneylenders, the Frescobaldi, lent money voluntarily to Edward but from 1298, they became his main source of finance. Between 1297 and 1310 the Frescobaldi lent the king £150,000 which in modern terms equates to approximately £80 million and, as Powicke notes, 'they [the Frescobaldi] are indispensable to Edward'.<sup>37</sup>

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<sup>33</sup> Powicke, *Thirteenth Century*, p. 683 and 700, and Prestwich, *Edward I*, pp. 426-427.

<sup>34</sup> Powicke, *Thirteenth Century*, pp. 683, 700 and 767-8; Prestwich, *Edward I*, pp. 518-19 and 524-7.

<sup>35</sup> Powicke, *Thirteenth Century*, pp. 648, 662-3, 666 and 671.

<sup>36</sup> For the role of the Riccardi in Edward I's finances, see Prestwich, *Edward I*, pp. 402-3; Richard W. Kaeuper, *Bankers To the Crown : the Riccardi of Lucca and Edward I*, (Princeton, 1973); Richard W. Kaeuper, 'The role of Italian financiers in the Edwardian conquest of Wales', *Welsh History Review*, 6 (1973), 387-403 and Tout, *Administrative Chapters*, pp. 123-125.

<sup>37</sup> Prestwich, *Edward I*, p. 534; Powicke, *Thirteenth Century*, p. 639; for currency conversion calculator see, TNA, [<http://www.nationalarchives.gov.uk/currency/results.asp#mid>], accessed 28 October 2011; Edward I's creditworthiness was questioned, in early 1298, when he experienced difficulty in raising a ransom for John de St John without the surety of the monasteries as 'Edward I was not creditworthy', see Prestwich, *Edward I*, p. 533; in October 1311 Edward II ordered the arrest and seizure of goods of Amerigo dei Frescobaldi, see McKisack, *Fourteenth Century*, p. 14; for a general discussion on the Frescobaldi, see Richard W. Kaeuper, 'The Frescobaldi of Florence and the English Crown', in *Studies in Medieval & Renaissance History*, ed. by William M. Bowsky, Vol., 10 (New York, 1973), 41-95; for a discussion on Italian bankers and the Roman Curia, see Ignazio del Punta, 'Tuscan Merchant Bankers and Moneyers and their Relations with the Roman Curia in the 13<sup>th</sup> and early 14<sup>th</sup> centuries', *Rivista di Storia della Chiesa in Italia*, 1 (2010), 39-53.

Edward I's final act of ruthlessness to acquire money by fair means or foul was the expulsion of the Jews in 1290. This move had taken Edward some fifteen years to achieve through various statutes placing restrictions on Jewish businessmen under the Statute of the Jewry [1275], a 1280 statute outlawing usury and religious conversion, and finally the Edict of Expulsion [1290]. This final act expelled Jews from England and not unnaturally their outstanding loans and property reverted to the Crown; as a by-product of this expulsion Christ Church acquired Jewish property in Canterbury.<sup>38</sup> The deliberate and calculated actions of Edward I and Edward II, who both reneged on agreements with firstly the Riccardi and then the Frescobaldi, are in my opinion prime examples of kings acting in their own best interests without recourse to the consequences.

### 6.3: Papal Power and Ecclesiastical Reform

Henry III enjoyed good relationships with the papacy, especially as far as finance was concerned, although Henry III was forced to continue paying tribute to the papacy for their assistance in helping King John prevent a French invasion in 1213.<sup>39</sup> Edward I's payment of this tribute was also sporadic until he finally ceased payment in 1289. Henry III and Edward I's taxation of the clergy caused a major rift especially as papal decrees such as that of the Council of Lyons [1274], awarding a tenth of clerical income for six years for relief in the Holy Land, were diverted to finance royal debt, wars and, as Lunt argues, such a tax 'would eventually be converted to other uses'.<sup>40</sup>

Similarly, the Church extended papal authority in the thirteenth century through the rigorous application of canon law, the formalization of procedures for accessing the Roman curia and the establishment of a strong and centralized chancery providing common governance across the whole of the Latin Church.<sup>41</sup> The formalization of the structure of the papal court required an intimate knowledge of its

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<sup>38</sup> Prestwich, *Edward I*, pp. 343-346; Mavis Mate, 'Property Investment by Canterbury Cathedral Priory 1250-1400', *The Journal of British Studies*, 23 (Spring, 1984), pp.4-5; CCA-DCC-EC/II/60 [Letter: July 1291], gives advice to Christ Church from Hugh de Kendale, king's clerk, on how to purchase Jewish property in Canterbury; *CPR, Edward I, Vol. 2: 1281-1292*, p.410 [December 20<sup>th</sup> 1290 – Mandate to Hugh de Kendale to sell Jewish property on behalf of Edward I].

<sup>39</sup> For King John's tribute to Innocent III, see Austin L. Poole, *Domesday Book to Magna Carta 1087-1216*, 2nd edition, (Oxford University Press, 1988, reprint), p. 457.

<sup>40</sup> Lunt, *Financial Relations*, p. 311.

<sup>41</sup> For a general discussion of Anglo-Papal relations see, Clifford H. Lawrence, ed., *The English Church & the Papacy in the Middle Ages*, (Sutton Publishing, 1999); for the thirteenth century, pp. 117-156.

workings and the people who played a key role in achieving safe and correct passage toward a satisfactory conclusion to an individual grievance or petition; as Cuttino notes, in his discussion on envoys to the papal court, 'no uninstructed foreigner, no casual envoy, could possibly hope to cope with such problems.'<sup>42</sup> A total of no less than 250,000 papal letters are preserved in papal registers spanning the period 1198-1417, and Giulo Battelli has estimated that this represents no more than 10% of all letters dispatched from the curia in part due to the lack of any extant registers before 1198.<sup>43</sup> However, as Zutshi points out, 'comparisons on the basis of numbers can be misleading, as not all letters were registered.' However, this trend changes from 1305 onwards when 'it became normal for certain classes of letters to be registered and during the Great Schism ... compulsory'.<sup>44</sup>

The initial driving force for thirteenth-century papal supremacy was Innocent III [r. 1198-1216]. Accordingly, Colin Morris argues that 'Innocent's policy closed one chapter and opened another in many aspects of papal history' and 'The Council [Fourth Lateran] was the most dramatic expression of the monarchical power of the medieval papacy.'<sup>45</sup> Under Innocent's papacy began the process of improving and consolidating canon law, a process that was continued by other legally minded thirteenth-century popes, especially Gregory IX [r.1227-1241] who ordered the compilation of the *Liber Extra* in 1234, consolidating canon law.<sup>46</sup> The key to promulgating laws and strengthening the power of the papacy were the ecumenical councils, which took place at the Lateran in 1215, at Lyons in 1245 and 1274, and Vienne from 1311-1313. The Fourth Lateran Council was the most far reaching, convoked by Innocent III in 1213 and meeting in 1215 to confirm seventy canons

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<sup>42</sup> George P. Cuttino, *English Diplomatic Administration 1259-1339*, (Oxford: The Clarendon Press, 1971), p. 143; see also Patrick N. R. Zutshi, 'Petitions to the Pope in the Fourteenth Century' in W. Mark Ormrod, Gwilym Dodd and Anthony Musson, eds., *Medieval Petitions Grace and Grievance*, (York Medieval Press, 2009), pp. 82-98, the Avignon papacy is the earliest period where significant papal petitions are available.

<sup>43</sup> Christopher R. Cheney, *The Study of the Medieval Papal Chancery*, (Glasgow, 1966), p. 15; an example given is the bishopric of Glasgow where 36 letters from 13<sup>th</sup> century popes are preserved but only one letter exists in the papal registers.

<sup>44</sup> Patrick N. R. Zutshi, *Original papal letters in England 1305-1415*, (Rome: Vatican Library, 1990), p. xiii.

<sup>45</sup> Colin Morris, *Papal Monarchy: the Western Church from 1050-1250*, (Oxford University Press, 1989), 417; for the wider discussion of papal government to 1250, see Part III, *The Thirteenth Century*, 411-577.

<sup>46</sup> For canon law see, Wilfried Hartmann and Kenneth Pennington, eds., *The history of medieval canon law in the classical period, 1140-1234: from Gratian to the decretals of Pope Gregory IX*, (Catholic University of America Press, 2008).

designed to reinforce the supremacy of the pope and implement disciplinary reform.<sup>47</sup> One such disciplinary reform implemented through Canon 12 required the convening of general chapters of black monks on a triennial basis in each of the provinces of the Church.<sup>48</sup> Such a move would potentially threaten Christ Church's assumed preeminence in England and, if potential visitations were involved, then usurp the archbishop's visitation rights.<sup>49</sup> In reality this threat did not materialise as Christ Church simply refused to attend and were consequently held in contumacy but to no lasting detriment.<sup>50</sup> Throughout the thirteenth century the black monks of England only met separately in the Canterbury and York provinces and it was not until the Constitutions of Benedict XII dated 20 June 1336 that English chapters met as a single entity.<sup>51</sup> Despite this papal decree, Christ Church continued to refuse to attend, as Knowles says, 'as a matter of principle.'<sup>52</sup> For example, in June 1338, Prior Oxenden said he could not attend as he was ill, he had cardinals to entertain and the king [Edward III] had ordered him to arrest his enemies, who were attacking Kent.<sup>53</sup> Similarly, in September 1366, Prior Hathbrand wrote to the president of the chapter of Black monks declining to attend but agreeing to send two proctors, although there is no extant evidence to suggest their attendance.<sup>54</sup> Christ Church monks were so concerned throughout their history of precedent being set against them that they never had any intention of attending such a gathering of Black monks and this reality

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<sup>47</sup> For Innocent III's life, see Jane E. Sayers, *Innocent III: Leader of Europe, 1198–1221*, (Longman, 1994).; for an English translation of these important canons see, <http://www.fordham.edu/halsall/basis/latran4.asp>, [accessed 31<sup>st</sup> August 2011].

<sup>48</sup> For the overall discussion, see William A. Pantin, 'The General and Provincial Chapters of the English Black Monks, 1215-1540', *TRHS*, Fourth Series, 10 (1921), 195-263; Knowles, *Religious Orders*, pp. 10-27.

<sup>49</sup> Churchill, *Canterbury Administration*, i, p.143 and 143n, Churchill cites a letter from Archbishop Sudbury on 1 July 1378 warning 'Christ Church not to submit to a visitation from the president of the general chapter of Benedictines.'

<sup>50</sup> Pantin, 'Chapters', p. 263.

<sup>51</sup> Pantin, 'Chapters', p.212; for the impact of *Summi Magistri* on monastic orders see, Peter McDonald, 'The Papacy and Monastic Observance in the Later Middle Ages: The Benedictines in England', *Journal of Religious History* 14 (1986), 117 - 132.

<sup>52</sup> Knowles, *Religious Orders*, p. 17.

<sup>53</sup> CCA-DCC-ChAnt/X/6 [Certificate: 4th June 1338], from Prior Oxenden of Christ Church to the abbot of St. Mary's Abbey, York and the abbot of St Albans Abbey, seeking to be excused from attendance because of illness and pressure of work.

<sup>54</sup> CCA-DCC-ChAnt/S/395 [Notarial instrument: 16th September 1366], a letter prepared by a notary public, from Hathbrand, Christ Church to the presidents of the provincial chapter of the monks explaining why he cannot attend and appointing proctors in his place.

was formalized through Urban VI's papal bull of 1379 exempting them from all future attendance.<sup>55</sup>

The work begun by Innocent III to reorganize and strengthen papal administration increased the complexity of legal procedures, a rise in bureaucracy and the eventual formalization of access to the papal curia through a system of cardinals used as auditors, and proctors. Morris argues that the much needed reforms and strengthening of the papacy provided protection for increasing numbers of petitioners; he further argues that the curia was not above criticism, a criticism that increased throughout the second half of the thirteenth century.<sup>56</sup> Although Morris makes no comment in his conclusion on papal monarchy, he may well be referring to the increasing cost of petitioning the papal court.<sup>57</sup> A cost that could be out of reach of the less wealthy, especially if it were necessary to recruit the influence of a cardinal, as discussed below, in the case of Thomas de Cantilupe.

The move of the papacy to France in 1305 brought more stability to the administrative machinery, as papal officials tended to remain in Avignon rather than move with the pope. The Avignon move also brought an increase in papal business because of its geographical location close to the Rhone, a major transport artery of medieval Europe.<sup>58</sup> Not only did successful plaintiffs have to pay a fee for a papal letter but they were also required to pay proctors. Additionally for those who were wealthy and understood the inner workings of the papal curia the payment of additional monies might smooth the path to a successful outcome. For example, during Thomas de Cantilupe's jurisdictional argument with Pecham, he sent a hundred marks in 1282 with instructions for its use to his proctors at the curia; unfortunately Cantilupe died before the outcome of his case was decided.<sup>59</sup> Significant benefit could be derived from retaining proctors to maintain a watchful eye on day-to-day proceedings at the papal curia; proctors were employed by the

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<sup>55</sup> Pantin, *Chapters*, p. 263, Christ Church did not attend the provincial chapter meetings in either 1423 or 1426 as they were exempt.

<sup>56</sup> Morris, *Papal Monarchy*, 582.

<sup>57</sup> For reforms in the operation of the papal court, see Patrick N. R. Zutshi, 'Innocent III and the Reform of the Papal Chancery' in Andrea Sommerlechner, ed., *Innocenzo III, urbs et orbis : atti del Congresso Internazionale* : Roma, 9-15 settembre 1998, Part 1, 84-101.

<sup>58</sup> For a discussion of the Avignon papal court see, Patrick N. R. Zutshi, 'The Avignon Papacy' in Michael Jones, ed., *The New Cambridge Medieval History*, Volume VI c.1300-c.1415, (Cambridge University Press, 2000), pp. 662-669.

<sup>59</sup> Lawrence, *English Church*, p. 128; Lunt, *Financial Relations*, p. 181 – in 1188 a Christ Church monk in Rome writes to his prior regarding the high cost of prosecuting cases at the Roman curia and the corruption that exists among curial officials.

King, Christ Church and many others, although they were only appointed for two years at a time.<sup>60</sup>

With centralized control came an increase in workload and consequently successive popes also sought to strengthen their position through the appointment of cardinals. The College of Cardinals became an important body within the curia, an importance strengthened in 1289 by Nicholas IV with permanent financial support. Financial support was also forthcoming for the English crown, as Wright's in-depth analysis of English interests and connections with the College of Cardinals demonstrates.<sup>61</sup> The cardinals formed an important element of curial management and decision-making, hence access to them would greatly improve a plaintiff's chances of success, as they increasingly became 'gatekeepers' for the pope himself. Very few Englishmen were appointed as cardinals, but despite this anomaly it does not appear to have been detrimental to successful appeals by English plaintiffs. For example, Cardinal John of Toledo [d. 1275] was instrumental in assisting Henry III in 1261 to overturn his oath to abide by baronial governance.<sup>62</sup> Accordingly, in 1305, while on a mission to the papal curia for Edward I, Thomas Jorz was appointed a cardinal; Thomas was Edward I's confessor and he continued his close relationship with the king while a cardinal; no further Englishmen were appointed cardinals until 1368.<sup>63</sup>

In 1309 Pope Clement V [r.1305-1314], a Gascon by birth, took up residence in Avignon, a residency for the Avignon papacy that lasted until 1376.<sup>64</sup> During this extended period of papal absence from Rome all popes came from southern France and, as Zutshi points out, 'their connections with the French crown before their elections differed.'<sup>65</sup> In Zutshi's opinion the location of the papal government in

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<sup>60</sup> For a general discussion of proctors, see Patrick N. R. Zutshi, 'Proctors acting for English Petitioners in the Chancery of the Avignon Popes (1305-1378)', *JEH*, 35 (1984), 15-29; for proctors and British interests, see Jane E. Sayers, 'Proctors representing British interests at the papal court, 1198-1415', in Stephan Kuttner, ed., *Proceedings of the 3<sup>rd</sup> International Congress of Medieval Canon Law*; (Vatican City, 1971), 143-163; for a discussion of a specific curial proctor, see Barbara Bombi, 'Andrea Sapiti: His Origins, and His Register as a Curial Proctor', *EHistR*, 123, (2008), 132-148; for examples of appointments of curial proctors by Christ Church from 1285-1327, see *CUL Eastry*, fos.10\*v, 13\*v, 48v,49r, 50r, 64r, 65v, 66r, 67v, 71v, 78r, 78v, 80r, 93v, 102r, 113v, 117v, 225v, and 246r.

<sup>61</sup> Wright, *Church and Crown*, Appendix 3, pp. 285-308.

<sup>62</sup> Lawrence, *English Church*, p. 124.

<sup>63</sup> Menache, *Clement V*, p. 42 n. 40, p. 51 n. 104 and p. 250; see also Wright, *Church and Crown*, pp. 125-127.

<sup>64</sup> For a discussion of the Avignon Papacy see, Zutshi, 'The Avignon Papacy', pp. 653-673.

<sup>65</sup> Zutshi, 'Avignon', p. 658.

Avignon, which was not part of the kingdom of France, throws a question mark over whether 'the Avignon popes were subservient to the kingdom of France.'<sup>66</sup> The whole question of the influence of the kings of France on the Avignon papacy remains the subject of much debate and as yet no definitive answer has been reached.<sup>67</sup> Hallam and Everard have argued that French influence had been growing throughout the thirteenth century with Charles of Anjou's establishment of a kingdom of Naples and Sicily, a time during which the papal curia saw an increase in French cardinals with a consequent increase in influence.<sup>68</sup> However, Zutshi points out that in general the Avignon popes, 'were in general conciliatory in their relations with secular powers ... although the kings of France were undoubtedly favoured the most.'<sup>69</sup> Influence over the Avignon papacy was not limited to the French crown but also extended to the English crown under Edward I. Clement V, the first Avignon pope, enjoyed good relations with Edward I and Edward II since before being elected pope he had served as a clerk at Edward I's court. However, Clement had also been in the service of Philip the Fair of France and hence the debate among historians as to the amount of influence the kings of England and France exerted on Clement V. Renouard argues that Philip the Fair applied pressure through threats to reopen his heresy charge against Boniface VIII and this was the reason for the revocation by Clement V in 1306 of *Clericos laicos*, although he also maintains that Clement 'sought constantly to compromise.'<sup>70</sup> Menache on the other hand argues that the revocation was 'a gesture of goodwill toward Edward I' and 'it reflected his political priorities for strengthening royal authority ... in preparation for a crusade.'<sup>71</sup> Menache also draws attention to historians such as Boutaric, Finke and Strayer who concluded that Clement V was biased in favour of the French kings, an interpretation, she argues, that is based on the statements of fourteenth-century chroniclers.<sup>72</sup> Menache accordingly concludes that Clement V's correspondence

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<sup>66</sup> Zutshi, 'Avignon', p. 658.

<sup>67</sup> For a general discussion of the historiography surrounding the Avignon popes see, Daniel Waley, 'Opinions of the Avignon Papacy: A Historiographical Sketch', in *Storiografia e storia: Studi in onore di Eugenio Duprè Theseider*, (Roma, 1974), pp. 175-188.

<sup>68</sup> Elizabeth M. Hallam and Judith A. Everard, *Capetian France 987-1328*, 2<sup>nd</sup> edition, (Longman, 2001), pp. 414-416.

<sup>69</sup> Zutshi, 'Avignon', p. 658.

<sup>70</sup> Yves Renouard, *The Avignon Papacy 1305-1403*, trans. by Denis Bethell, (Faber and Faber, 1970), p. 124 and p.21.

<sup>71</sup> Sophia Menache, *Clement V*, (Cambridge University Press, 1998), p. 58 and 97.

<sup>72</sup> For discussions of Clement V's relationships with France and England, see Menache, *Clement V*, pp. 174-246 and pp. 247-278 respectively.

suggests that he took a more pragmatic and balanced approach to his relations with England and France, thus demonstrating that Clement was keen to resolve the issues facing both kings. Clement had also been the archbishop of Bordeaux and therefore the leading prelate in Edward's fiefdom of Aquitaine.<sup>73</sup> It is not possible to say whether Edward was instrumental in Clement's election, but there can be no doubt that Edward reaped early reward, when Clement V granted Edward a tenth of the income of the English church less than two months after Clement V's appointment.<sup>74</sup>

#### 6.4: English Ecclesiastical Courts

The birth of ecclesiastical courts can be traced back to William the Conqueror who in the mid-1070s separated ecclesiastical matters from the Hundred courts.<sup>75</sup> From that time ecclesiastical courts evolved procedures to handle a wide variety of legal issues with the parallel development of canon law. However, these English courts were part of a wider system of church governance that originated from the papacy. The papal court was Roman in origin and, whilst originally instigated to judge cases of metropolitans, it was gradually broadened to cover all appellants in the twelfth century.<sup>76</sup> As the number of cases coming to Rome had increased significantly by the time of Alexander III [r.1159-1181], so to the structure of the papacy had to change to facilitate the management of these cases. By the middle of the thirteenth century new administrative procedures had been put in place with the formalization of the Chancery, the *audientia litterarum contradictorum*, the Court of Auditors, the College of Cardinals, papal legates and papal judges delegate. Such a formalized structure required a great deal of understanding; as Jane Sayers points out, 'the ear of a friendly cardinal or curial official might be decisive ... whether it [the case] was major or not ... to which auditor was appointed.'<sup>77</sup> That is not to say

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<sup>73</sup> Zutshi, 'Avignon', p. 658; Menache, *Clement V*, pp. 6-13; Jeffrey H. Denton, 'Pope Clement V's Early Career as a Royal Clerk', *EHistR*, 83 (April, 1968), 303-314 and Patrick N. R. Zutshi, 'The Letters of the Avignon Popes (1305-1378): A Source for the Study of Anglo-Papal Relations and of English Ecclesiastical History' in Michael Jones and Malcom Vale, eds., *England and Her Neighbours, 1066-1453: Essays in Honour of Pierre Chaplais*, (The Hambledon Press, 1989), pp. 263-264.

<sup>74</sup> Denton, *Winchelsey*, pp. 218-221; Menache, *Clement V*, p. 70.

<sup>75</sup> Sir Frank Stenton, *Anglo-Saxon England*, 3rd edition, The Oxford History of England, (Oxford University Press, 1977, repr. 1988), p. 669; see also pp. 658-679 for a discussion of the reorganisation of the English Church.

<sup>76</sup> For a discussion of the development of the curia, see Jane E. Sayers, *Papal Judges Delegate in the Province of Canterbury 1198-1254*, (Oxford University Press, 1971), pp. 1-41.

<sup>77</sup> Sayers, *Judges Delegate*, p. 24.

that these offices did not exist earlier than the mid-thirteenth century, but it was by this time that they were fully formalized with clear roles and responsibilities, underpinned by the complete revision of the *Liber Extra*.<sup>78</sup>

Sayers and Charles Duggan both agree that the role of the papal judge delegate was a powerful and important adjunct to the work of the papal curia itself and a system that was also integral with and complementary to the English ecclesiastical court system.<sup>79</sup> Above the papal judge delegate, who would be assigned to a single or specific legal complaint, was an even more powerful individual, the papal legate, or as Robert Figueira describes him, the pope's *alter ego* and to whom Sayers assigns 'full jurisdictional and corrective authority'.<sup>80</sup> As we have seen with all governmental administrations, whether secular or ecclesiastical, when the growth of complaint reaches breaking point, then a new system needs to be put in place. Once this system was implemented, it inevitably developed a life of its own and its roles and responsibilities needed clarification as time progressed. The papal legate system, is just such a case in point, from the time of Pope Gregory VII [r. 1073-1085], which Sayers describes as a 'principal instrument of papal government', to Pope Alexander III who gives the system 'direct judicial powers'.<sup>81</sup> Accordingly, Figueira's detailed examination of the *Liber Extra* has shown two important classifications for legates: firstly, a full papal legate, often a cardinal, and classed *de latere* – most special and according to Bernard of Parma, 'empowered by the pope for their personal qualities' and entrusted for a finite period of time; and secondly, again in Bernard's words 'a legate by right of dignity of office', claiming their right for as long as they wished to do so; this latter definition applied to several archbishops of Canterbury, including Theobald, Becket and Richard of Dover.<sup>82</sup>

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<sup>78</sup> Sayers, *Judges Delegate*, pp. 35-37 and for the operation of the papal judge delegate system, see pp. 42-275.

<sup>79</sup> Charles Duggan, *Decretals and the Creation of 'New Law' in the Twelfth Century*, (Aldershot: Ashgate, 1998).

<sup>80</sup> Robert C. Figueira, 'Subdelegation by Papal Legates in Thirteenth Century Canon Law: Powers and Limitations' in *In Iure Veritas: Studies in Canon Law in Memory of Schafer Williams*, Steven B. Bowman and Blanche E. Cody eds., (University of Cincinnati, 1991), pp. 56-79 [p. 56]; Sayers, *Judges Delegate*, pp. 25-34 [p. 26] and pp. 39-40.

<sup>81</sup> Sayers, *Judges Delegate*, p. 26.

<sup>82</sup> Robert C. Figueira, 'The Classification of Medieval Papal Legates in the *Liber Extra*', *Archivum Historiae Pontificiae*, 21, (1983), 211-228 [218-219]; for limitations of papal delegates, see Robert C. Figueira, 'Papal Reserved Powers and the Limitations of Legatine Authority' in *Popes, Teachers, and Canon Law in the Middle Ages*, James R. Sweeney and Stanley Chodorow eds., (Cornell University Press, 1989).

In much the same way as the papal court evolved from an amorphous organism into a clearly defined jurisdictional machine, so too did the jurisdictional machine of the archbishop of Canterbury; and, as Woodcock observes ‘the evolution does not differ from the king’s Courts of Law.’<sup>83</sup> Since my thesis is primarily concerned with the jurisdictional interaction between Christ Church and the archbishop of Canterbury, and Christ Church and the Crown, the subsequent discussion of the ecclesiastical court system is restricted to the Province of Canterbury.<sup>84</sup> In this respect recognition must be given to the two jurisdictions, *sede plena* and *sede vacante*; it is important to understand the technical differences as Christ Church often acted, as in several instances of the Dover Priory case that will be illustrated below, *sede vacante*. The business of church courts divides itself into three parts: instance; *ex officio*; and probate. Although this thesis does not consider either *ex officio* or testamentary matters, testamentary cases could be settled by archdeacon’s or diocesan courts or, in exempt parishes, by the rector. In the case of wills with property in more than one diocese or peculiar, then the Prerogative Court of Canterbury held the final judgment.<sup>85</sup> The hearing of instance cases could occur in four different places. Depending on the status of the case, these were: the Court of Canterbury, also known as the Court of Arches; the Court of Audience; the diocesan court and the archdeacon’s court. In the case of the archdeacon’s court of Canterbury, the powers had been limited by Archbishop Lanfranc, in the late eleventh century, to the City of Canterbury and diocese of Canterbury, which covered East Kent; his powers did not include exempt parishes nor matrimonial cases.<sup>86</sup> Where an instance case could not be resolved or where there was a complaint, either of abuse or procedural irregularity, the case would be referred to appeal. Two routes were available to the complainant, either the Court of Arches or the Court of Audience. This latter court was the archbishop’s personal court and had grown out of the formalization of procedures from his household; there are recorded

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<sup>83</sup> Brian L. Woodcock, *Medieval Ecclesiastical Courts in the Diocese of Canterbury*, (Oxford University Press, 1952), p. 6, Woodcock discusses the Canterbury Jurisdictions, pp.6-29; Churchill, *Canterbury Administration*, i, pp, 430-434.

<sup>84</sup> For York, see K. F. Burns, ‘The Administrative System of the Ecclesiastical Courts in the Province of York’, i, *The Medieval Courts*, unpublished manuscript, (University of York, 1962).

<sup>85</sup> Woodcock, *Ecclesiastical Courts*, p. 30.

<sup>86</sup> Woodcock, *Ecclesiastical Courts*, p.19; Woodcock notes that there is a great deal of obscurity concerning archdeacon’s courts as no records exist for the 12<sup>th</sup> century and much of the 13<sup>th</sup>; Archbishop Pecham [1279] restricted archdeacon’s powers *sede vacante*; for a definition of the diocese of Canterbury, see Smith, *Bishops’ Registers*, p. 1.

instances in Reynolds' archiepiscopate of an Auditor of Causes, acting in the absence of the archbishop.<sup>87</sup>

At the pinnacle of the English ecclesiastical court system was the Court of Arches or the Court of Canterbury, a court that came into existence in the 1250s, although existing earlier in embryonic form. The Court of Arches was the appellate court of the archbishop of Canterbury and in the early stages of its evolution it did not have a clear role or established procedures as to its operation and who could appeal their case.<sup>88</sup> The process of constitutional reform was begun by Archbishop Pecham in the 1280s, leading to a formalized institutional structure by the 1290s. Further ordinances were issued under Archbishop Winchelsey and unwritten customs were codified in the 1340s. The Court of Arches was not without its detractors, since jurisdictions, which inevitably involved financial consideration, were jealously guarded and rights were robustly defended. One such action against Pecham in 1282 helped provide a clear definition of the role of the Court of Arches in relation to the jurisdiction of bishops' courts. A clarification that ensured that no one could make a direct appeal to the Court of Arches; due process must be followed when a case was unresolved at a lower court. Early actions by Archbishop Kilwardby in 1273 had required court officials to swear oaths of allegiance, while Archbishop Winchelsey's subsequent decision to restrict advocates and proctors allowed to prosecute cases, provided the Court of Arches with its exclusivity.<sup>89</sup>

Overall, the resulting structure of ecclesiastical courts stems from the need to formalize roles and responsibilities of each court in response to the increasing number of cases requiring judgment and in response to complaints by bishops whose jurisdiction was threatened. As Churchill so succinctly observes 'in many ways the methods adopted by the archbishops for administering their province will be found ... to reflect the methods of their ecclesiastical superior, the Pope.'<sup>90</sup>

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<sup>87</sup> Churchill, *Canterbury Administration*, i, pp. 483-484.

<sup>88</sup> For the Court of Arches and its statutes and procedures, see F. Donald Logan, ed., *The Medieval Court of Arches*, The Canterbury and York Society, (The Boydell Press, 2005).

<sup>89</sup> For Kilwardby statutes, see Logan, *Arches*, pp. xvi, xxii, 4 & 216; for Winchelsey statutes, see Logan, *Arches*, pp. xxii, xxiv, xlii, 5-21 & 218.

<sup>90</sup> Churchill, *Canterbury Administration*, i, p. 483.

## 6.5: Conclusion

Nigel Ramsay comments that much of the archival change under Prior Henry of Eastry was because of 'extreme carefulness on his part rather than prudent necessity'.<sup>91</sup> It is self-evident from both primary and secondary sources that Prior Eastry was careful and prudent, but this in itself did not warrant the major investment required to categorise, restructure and copy large sections of Christ Church muniments. Throughout the thirteenth century significant changes occurred to royal and ecclesiastical government with much of this far reaching change occurring while Henry of Eastry was a monk and then prior of Christ Church. In my opinion, as I will demonstrate later on in this thesis, it is the complexity and interrelationships between these governmental changes and his persona that resulted in Prior Eastry instigating the far reaching task of restructuring of Christ Church's invaluable muniments.

The foundation of the legal system in continental Europe was based around the *ius commune*, a combination of Roman and canon law which, in Helmholz's words, 'long governed the practice in the courts of the church.'<sup>92</sup> Although there are many parallels between English common law and *ius commune*, historians 'have no agreement' on the extent of the influence that may have run from Roman and canon law to common law.<sup>93</sup> I think from Eastry's perspective what was important were the major enhancements to canon law, begun with Gratian's *Decretum* [c.1140], and developed and strengthened as a major church law collection with the publication of Gregory IX's *Liber Extra*. Also of major importance to Eastry would have been the growth and development of a legal profession, not only well versed in canon law but also common law and the emergence of a statutory laws from Edward I, which impinged on all levels of English society.<sup>94</sup> The impact of these two jurisdictions and the potential for disagreement at their boundaries, the 'grey areas', by those who practised as judges, lawyers and proctors will be discussed in my review of the dispute involving the Crown, the archbishop of Canterbury, Christ Church and Dover Priory in the subsequent chapter.

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<sup>91</sup> Ramsay, 'Cathedral Archives' in *Canterbury Cathedral*, p. 353.

<sup>92</sup> Richard H. Helmholz, *The Ius Commune in England*, (Oxford University Press, 2001), p. 3.

<sup>93</sup> Helmholz, *Ius Commune*, p. 6.

<sup>94</sup> For a discussion of the medieval legal profession, see James A. Brundage, *The Medieval Origins of the Legal Profession*, (The University of Chicago Press, 2008).

It is against the background of legislative changes in England and the development and strengthening of canon law that Prior Eastry reorganised and updated the administration of the archives of Christ Church; the key question remains, why? It is too simplistic to argue that Prior Eastry was known for his attention to detail and thus the reorganisation of archive material was simply just another element in his overall reform of Christ Church. Eastry's reforms were widespread and included property investment strategies, fiscal strategies and major agrarian reforms. It is possible to deduce that Prior Eastry was more than just an administrator, albeit a highly skilled one. The various positions that he held during a long and distinguished career, as clerk in the archbishops' household, treasurer (twice), monk-warden and finally as Prior, gave him not only administrative ability but also a wider management skill; the skill to foresee the impact of changes in legislation, as well as the policies formulated by archbishops, kings and popes, and also the ability to react to change.

It would also have been clear to Eastry that royal investigations such as the Hundred Rolls and *quo warranto* proceedings were moving the burden of proof from customary acceptance to the possession of authenticated and proven documentation. Eastry would also have observed that the burden of proof was not restricted to lay courts, as ecclesiastical courts were also not immune from this burden of proof.<sup>95</sup> Furthermore, it would not have escaped his notice that Edward I was constantly short of money to support his territorial ambitions and that major ecclesiastical institutions, such as Christ Church, were vulnerable as they were among the wealthiest landowners and therefore a lucrative source of revenue. One further element clear to Eastry would have been the jurisdictional control that Edward I was exerting over the Church by specifically stipulating over which cases ecclesiastical courts could adjudicate. In theory at least these two jurisdictional legal systems controlled different aspects of English society however it was Edward's desire to have absolute control both legal systems. It was his definition of an ecclesiastical courts' jurisdiction that caused conflict between these legal systems and posed a threat to ecclesiastical governance.<sup>96</sup>

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<sup>95</sup> The change in church and civil procedures is discussed in depth, see Chapter Four: Church Courts, Civil Procedure, and the Professionalization of Law in Brundage, *The Medieval Origins of the Legal Profession*, pp. 126-163.

<sup>96</sup> For the relationship between these law codes see, Richard H. Helmholz, *Canon Law and The Law of England*, (Hambleton Press, 1987), pp. 1-20.

For instance, issues had arisen in June 1286 relating to the king's court and the bishop of Norwich, the resolution was specific guidance to judges; this guidance developed into the Statute of *Circumspecte Agatis* [1286].<sup>97</sup> Such legislation only reinforced the clergy's long held grievances against the Crown, particularly royal interference in the operation of ecclesiastical courts and ecclesiastical jurisdiction. Under the leadership of Winchelsey, a set of ecclesiastical grievances were drawn up and presented to Edward I in March 1300 and January 1301. Unsurprisingly, Edward conceded nothing and much of his reply reiterated answers to earlier grievances presented in 1280; as Denton observes, 'clerical resistance to taxation was still at the heart of the matter.'<sup>98</sup> A redress to ecclesiastical grievances was finally achieved by Reynolds in 1316 with the publication of the Statute of *Articuli cleri*, although this was not an entirely successful piece of legislation from the clergy's perspective or, as Denton observes, 'Defending the Church against the encroachment of the secular courts [and *de facto*, the king] was a hard struggle.'<sup>99</sup> In summary, Eastry was witnessing Edward I's commitment to establishing an omnipotent power base, a power base against which Christ Church would need protection and prevent, where possible, dangerous precedent from being set.

The second element of Eastry's concern would have been the parlous state of Christ Church's finances, following Prior Ringmere's resignation. As pointed out above, Ringmere's legacy to Eastry was threefold: firstly, a debt of £5000 equivalent to two years revenue; secondly, twenty unresolved legal suits; and thirdly, monastic unrest. Eastry's pressing need must have been to solve the financial crisis, for which he would need to ensure that revenues could be maximised, hence the need for comprehensive and up-to-date records of property, leases, tenancies and agrarian income. Faced with increased legislation and the shifting burden of proof from a customary right to a right supported by charter or other form of documentation, I believe that it is self evident that Eastry had little or no choice but to commission a major overhaul of the Christ Church archives. The richness of the content of all registers produced during his priorate are testament to establishing Christ Church's

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<sup>97</sup> Powicke, *Thirteenth Century*, pp. 482-485; see also Edgar B. Graves, 'Circumspecte Agatis', *EHR*, 43 (January, 1928), 1-20 and David Millon, 'Circumspecte Agatis Revisited', *Law and History Review*, 2 (Spring, 1984), 105-127.

<sup>98</sup> For a discussion of ecclesiastical grievances under Winchelsey's leadership, see Denton, *Winchelsey*, pp. 194-199.

<sup>99</sup> Denton, *Winchelsey*, p. 255; for a discussion of the Statute of *Articuli cleri*, see Jeffrey H. Denton, 'The Making of the *Articuli Cleri* of 1316', *EHistR*, 101 (July, 1986), 564-595.

rights and privileges. Furthermore, the production of Register E, which was discussed in detail in Chapter 4 and which contains key Christ Church privileges, allowed Eastry to quickly assert his authority. Eastry's ability to assert his authority is further supported by two other personal registers for Eastry's day-to-day use; namely, his Memorandum Book [BL MS Cotton Galba E.iv] and Letters Close register [CUL MS Ee.5.31]. It is my contention that Eastry conceived these three contemporary documents as a single logical entity at the core of his administration. The ease of access to individual pieces of information, provided by tables of contents, magnified the usability of these documents above any other type of traditional cartulary. It is very clear that Eastry gave the same level of attention to the reorganisation of Christ Church muniments, the archives and the library, as he gave to estates management and finance. It is also self-evident that the ability to gain rapid access to important privileges and substantiate Christ Church's rights was crucial to ensuring that no one, not even the king, the archbishop or the pope, could set a precedent against Christ Church. As Hogan succinctly sums up, Eastry's influence 'to create or maintain a political climate in which the fortunes of Christ Church could flower and flourish'.<sup>100</sup>

The availability of all essential documentary proof in one easily accessible and well-organised repository, Christ Church's institutional memory, would prove valuable when exercising jurisdictional control over Dover Priory. Such material would be equally valuable when exercising jurisdiction over Louis VII of France's the gift of wine to Christ Church, which has become more commonly referred to as the Wine of St Thomas. My thesis will therefore utilise two case studies to understand how Christ Church managed jurisdictional control. The first case study: Dover Priory – An Ecclesiastical and Royal Jurisdictional Conflict, will examine and draw conclusions on jurisdictional management at a national level in England. Accordingly, the second case study: the Wine of St Thomas – The 'Church of Canterbury's' Jurisdiction in Europe, will examine and draw conclusions within an international context.

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<sup>100</sup> *Memorandum Book*, i, p. 393.

## Chapter 7: Dover Priory – An Ecclesiastical and Civil Jurisdictional Conflict

T. S. Eliot wrote ‘Between the thought and the action falls the shadow’ and, although written in the twentieth century, it would serve as a suitable epitaph for the jurisdictional dispute to be discussed in this chapter. The dispute, which began in 1136 and spanned over two-hundred and twenty years, concerned who exercised jurisdictional control over the church of St Mary the Virgin and St Martin of the New Work in Dover; the church which will be referred to as Dover Priory throughout this chapter. The exercising of jurisdictional control over Dover Priory was complex, a complexity magnified by three factors. Firstly, it involved both ecclesiastical and civil jurisdictions. Secondly, the political motivations of the key people or institutions involved in resolving the conflicts and specifically who was prosecuting the case; the key people or institutions were: the King of England, the archbishop of Canterbury, the Prior and Chapter of Christ Church and the Prior and Chapter of Dover Priory. And thirdly, whether prosecution of the legal action was taking place during the *sede vacante* or *sede plena* jurisdiction of the archbishop of Canterbury. Charles Haines in his 1930 history of *Dover Priory* had no doubt as to who were the main and culpable protagonists, challenging the behaviour of the Christ Church monks, ‘Throughout the whole history of Christ Church Priory, that its monks were factious, turbulent, luxurious, litigious, and tyrannical, perpetually in opposition to their archbishop and their king, and everlasting quarrelling with the Abbot of St. Augustine’s and the Prior of Dover.’<sup>1</sup> Haines was adamant that Christ Church were nothing but troublemakers who paid little heed to the thoughts, words and deeds of their long dead mentors, namely St Benedict [480-550] and Archbishop Lanfranc

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<sup>1</sup> Charles R. Haines, *Dover Priory: A History of the Priory of St. Mary the Virgin, and St. Martin of the New Work*, (Cambridge University Press, 1930), for the detail of the 200 year quarrel between Christ Church and Dover Priory, see pp. 59-110 [69] and J. Bavington Jones, *Annals of Dover*, 2<sup>nd</sup> Edition, (Dover Express Works, 1938), pp. 191-198; see also William P. Stoneman, ed., *Dover Priory*, Corpus of British Medieval Library Catalogues, Vol. 5, (The British Library, 1999), pp. 3-46; Frederick C. Plumtre, ‘Some Account of the Remains of the Priory of St Martin’s, and the Church of St Martin-le-Grand, at Dover’, *Arch Cant.*, 4 (1861), 1-26; William Lambarde [1536-1601], in his *Perambulation of Kent* commented on Christ Church’s behaviour, ‘the Monkes of which places, were as farre removed from all mutuall love and societie, as the houses themselves were neare linked together, either in regarde of the time of their foundation, the order of their profession, or the place of their situation’.

[r.1070-1089], and to the rule of law, either ecclesiastical or civil.<sup>2</sup> Haines, in many ways exhibits some of the characteristics of a medieval chronicler, namely, a local and singular focus, and a narrative, which accentuates the positive attributes of his subject while ignoring or discounting the negative attributes. A criticism levelled at Gervase of Canterbury despite his attempt to produce a balanced argument through his *Imagines* that related to the oppression of Christ Church by Archbishop Baldwin [r.1185-1190]. However, in some respects Haines's views are somewhat inaccurate or at least overstated. While it is undoubtedly true that both Christ Church and St. Augustine's, the other main monastic institution in Canterbury, did quarrel with the archbishop of Canterbury, from time to time, it was by no means everlasting. Indeed, extant documents reveal many instances of amicable compromise where land transactions were involved between Christ Church and the archbishop, in the case of Caldecote manor near Canterbury, in 1326, specifically for the recovery of sick monks.<sup>3</sup> In my opinion, Haines's study suffers from four shortcomings. Firstly, his analysis of a number of well-researched and documented disputes between Christ Church and other monastic institutions, such as St Augustine's and Dover Priory, does not take a proportionate approach when considering these disputes against the reality of medieval monastic life at Canterbury. Secondly, he has not given due consideration to the actions of Dover Priory or indeed any of the litigants involved in a wider national and international context. Thirdly, Haines describes his book as a '*historiola*', in other words a narrative history with minimal explanation of context and rationalisation of actions.<sup>4</sup> Finally, he has not considered the evolution of secular and ecclesiastical law and therefore how this would have impacted on the actions of the litigants involved.

In constructing his case against Christ Church, for being both litigious and domineering, Haines references the major disputes between archbishops Baldwin and Walter and Christ Church regarding the construction of collegiate churches at

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<sup>2</sup> As part of the Norman revitalisation of Benedictine monasticism, Archbishop Lanfranc wrote a set of constitutions for Christ Church monks, *The Monastic Constitutions of Lanfranc*, trans. and eds., David Knowles and Christopher N. L. Brooke, (Oxford: Clarendon Press, 2002); these Constitutions were not intended for other monasteries, but were however introduced at Durham Priory, see Julie Kerr, *Monastic Hospitality: the Benedictines in England, c.1070-c.1250*, (Boydell Press, 2007), p. 15.

<sup>3</sup> For example, see J. Robert Wright, *The Church and the English Crown 1305-1334*, (The Pontifical Institute of Medieval Studies, 1980), p. 268 and 271, the gift of Caldecote manor from archbishop Reynolds to Christ Church; for the pope's authority for this grant, see CCA-DCc-ChAnt/C/817 [Faculty: 15 October 1326] and CCA-DCc-EC/I/53 [draft Petition to pope: c. 1326] and CCA-DCc-ChAnt/C/1223A [Lease: 15 July 1326] granted before papal confirmation.

<sup>4</sup> Haines, *Dover Priory*, p. x.

Hackington and Lambeth, in the late twelfth century; and disputes between Christ Church and St. Augustine's. While it was undoubtedly true that Christ Church were involved in litigation with Baldwin and Walter, much of the litigation to which Haines alludes, in his statement, refers in fact to jurisdictional disputes between the archbishop of Canterbury and St Augustine's, largely concerned with episcopal visitation rights, an issue that was discussed earlier.<sup>5</sup> The twelfth-century monastic chronicler, Gervase of Canterbury, came not unnaturally to a different conclusion, which was that Christ Church were not only defending their rights and avoiding precedent being set against them, but were being persecuted by their archbishops. However, in forming his opinion of Christ Church's character, Haines has overlooked Gervase's late twelfth century analysis of Christ Church's disputes with archbishops Baldwin and Walter.<sup>6</sup>

However, Haines's *Dover Priory* remains the only detailed discussion of the two-hundred and twenty year quarrel, while other historians, such as Martin Brett and Jeffery Denton, make only passing reference to the jurisdictional dispute and then only to early twelfth century actions by Christ Church, which Brett describes as a 'disgraceful episode', a sentiment shared by Denton.<sup>7</sup> In particular, Denton's focus was constitutional rather than jurisdictional and discussed the foundation aspects of royal secular colleges and their transition by the thirteenth century to royal free chapels. The primary source documents, such as royal charters and papal confirmations, covering the early aspects of the jurisdictional quarrel are mainly limited to thirteenth or fourteenth century copies and all historians have cited from both Dugdale's *Monasticon* and Gervase's *Chronicles* to support their arguments. It is fortunate however that Prior Eastry's reconstruction of Christ Church's institutional and legal memory, which I have cited in an earlier chapter, provided a

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<sup>5</sup> For a discussion of archiepiscopal disputes with St Augustine's, Canterbury, see Barbara Bombi, 'The role of judges delegate in England. The dispute between the archbishops of Canterbury and St. Augustine's Abbey in the thirteenth century', in *Legati e delegati papali*, Maria Pia Alberzoni and Claudia Zey, eds., (Milan, 2012), 221-259.

<sup>6</sup> Gervase, i, pp. 29-57, where Gervase presents his arguments for and against Archbishop Baldwin, discusses the prosecution of the case and summarises Baldwin's oppression of Christ Church and pp. i, 68-83 for Gervase's arguments in favour of Baldwin's rights over St. Augustine's, Canterbury; Gervase's chronicle and his reflections on monastic and archiepiscopal behaviour were discussed in Chapter 2 – Historiography.

<sup>7</sup> The Dover Priory dispute is also discussed in the *Victoria County History of Kent* although it is only a paraphrase of Haines's work rather than adding any new observations; Martin Brett, *The English Church Under Henry I*, (Oxford University Press, 1975), p. 142; for St Martin's Dover, see Jeffery H. Denton, *English Royal Free Chapels 1100-1300*, (Manchester University Press, 1970), pp. 57-66.

selection of extant late thirteenth century documents that illuminates legal procedures of proctors and judges at the Court of Arches and the archbishops Court of Audience.

Preliminary reading of these primary and secondary sources would suggest that Haines and Denton were correct in drawing the conclusion that Christ Church had no legal justification for either refusing admittance to Augustinian canons or the installation of Benedictine monks at Dover Priory in the 1130s. Indeed, as I will argue below, neither Edward I nor Ralph de Hengham, his chief justice, had any legal basis for prosecuting Prior Ringmere, in 1284, over the ownership of the Dover Priory advowson, since Christ Church had never claimed ownership. Denton concludes that royal secular colleges had mutated into royal free chapels by the end of the thirteenth century and that it was during this latter period that the Crown pressed their claims for jurisdictional control. Further he concludes that the importance of royal secular colleges, such as Dover, 'lay in their Anglo-Saxon past rather than in their Norman and Plantagenet future.'<sup>8</sup>

It would be easy to conclude from these historical perspectives that the monks of Christ Church had been acting illegally. Dover Priory, once founded in the early twelfth century, never had any more than twelve clergymen in residence, irrespective of whether they were Augustinian canons or Benedictines. Why then does the jurisdictional dispute surrounding a priory consisting of only twelve people, with a two-hundred and twenty year history of legal disputes, warrant further examination given there was little reward for either party? To provide an answer to this tantalising question, I have followed an investigative approach that seeks to illuminate the respective parties actions by understanding 'the social relationships and interactions among historical persons' within a detailed historical context and provide a rationale for individual actions in this long-running jurisdictional dispute.<sup>9</sup> In my opinion, a contextualized discussion is an aspect of this multi-faceted dispute which historians have hitherto paid scant regard and finally, as Barrie Dobson notes, 'Neither of these two notorious and voluminous documented disputes [Dover Priory and St. Augustine's] have yet been analysed in detail'; it is the purpose of this case study to rectify this shortfall.<sup>10</sup> The remainder of this chapter is structured in

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<sup>8</sup> Denton, *Royal Chapels*, pp. 132-136.

<sup>9</sup> Sheila Sweetinburgh, 'Caught in the Cross-Fire: Patronage and Institutional Politics in Late Twelfth-Century Canterbury' in Paul Dalton, Charles Insley and Louise J. Wilkinson, *Cathedrals, Communities and Conflict in the Anglo-Norman World*, (Boydell Press, 2011), pp. 187-202 [p. 187].

<sup>10</sup> Barrie Dobson, 'Canterbury in the Later Middle Ages', in *Canterbury Cathedral*, p. 101 n. 152.

three parts. Firstly, a chronological analysis of Dover Priory, from its foundation in 1130 to the final legal decision in 1356. Secondly, from this analysis I intend to identify the key pivotal points that demand further detailed contextual analysis. And thirdly I will derive a set of conclusions that place this dispute in a broader national secular and ecclesiastical context.

### 7.1: The Foundation of Dover Priory and the Jurisdictional Dispute

The foundation of religious institutions in Dover dates from the Anglo-Saxon period and possibly from an earlier Roman time, although much of the early history is shrouded in mystery and indeed myth. One of the earliest known is St. Mary's chapel within the grounds of Dover Castle, which is reputed to have been founded by King Eadbald of Kent [r.616-640] with a complement of twenty-two secular canons.<sup>11</sup> During the reign of King Withred of Kent [r.690-725] a church dedicated to St. Martin was founded in the town of Dover under the patronage of the king.<sup>12</sup> Bavington Jones argues that Withred's move of the secular canons, with their privileges and liberties, from St. Mary's in Dover Castle to St. Martin's church in Dover, was part of the colonization of the lower Dour valley.<sup>13</sup> The dedication to St. Martin derives from the Mildrith legend in which St. Martin appeared, in a vision, to Withred showing him where to found a monastery.<sup>14</sup> Gervase's continuator, in an entry for 1277, offers a slightly different version of the foundation and, although both accounts involve a vision, the continuator's version refers to the vision taking place on the battlefield.<sup>15</sup> Withred is also reputed to have issued charters granting privileges and immunities to churches and monasteries in Kent; charters which were confirmed

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<sup>11</sup> Sir William Dugdale, *Monasticon Anglicanum*, with additions and translation by Roger Dodsworth, John Stevens, John Caley, Sir Henry Ellis, Bulkeley Bandinel and Richard C. Taylor, 6 vols., (Longman, 1817-1830), iv, p. 528; Thomas Tanner, *Notitia Monastica*, (London, 1744), p. 208; Haines, *Dover Priory*, p. 23.

<sup>12</sup> David W. Rollason, *The Mildrith Legend*, (Leicester University Press, 1982), pp. 33-34; for a biography of Withred see, S. E. Kelly, 'Withred (d. 725)', *ODNB*, [article/29381, accessed 5 Oct 2011].

<sup>13</sup> *Monasticon*, iv, p. 528; William Page, ed., *The Victoria County History of Kent*, 3 vols., (1926), II, pp. 133-37; Haines, *Dover Priory*, p. 25; Bavington Jones, *Dover*, p. 192.

<sup>14</sup> Rollason, *Mildrith Legend*, p. 34, see also pp. 83-84 which notes that the foundation of the church is summarised in the *Genealogia Regum Cantuariorum* and in the Anglo-Saxon *pa halgan*; Nicholas Brooks, *The Early History of the Church of Canterbury*, (Leicester University Press, 1996, paperback), p. 183 and Alan Everitt, *Continuity and Colonization: The Evolution of Kentish Settlement*, (Leicester University Press, 1986), p. 187.

<sup>15</sup> Gervase, ii, p. 287, '*Apparuit ei Sanctus Martinus, dicens ne desperaret, et promittens quod inimicos suos vinceret. Victoria potita, Deo gratias egit, et in villa Dovorise beato Martino ecclesiam fundavit, et kanonicos saeculares in eadem instituit, atque ad sustentationem illorum de redditibus suis largiter providit.*'

at the synod of *Clofesho* in 716.<sup>16</sup> The authenticity of these charters has been called into question by Nicholas Brooks, an aspect of this dispute that will be discussed below. Archaeological evidence confirms that Wihtried's Anglo-Saxon church went through several phases of development before it was razed to the ground during the Norman Conquest; the vestiges of the church were granted, after the Conquest, to Odo, Earl of Kent and Bishop of Bayeux, who rebuilt the church in stone and it subsequently became known as the church of St Martin-le-Grand.<sup>17</sup>

Nothing of historical noteworthiness is recorded until Henry I's visit in 1130 to attend the dedication of Canterbury Cathedral's new choir, following the completion of building works.<sup>18</sup> It is during Henry I's visit that the church of St. Martin-le-Grand, Dover, was granted to Archbishop Corbeil and the 'Church of Canterbury', a grant that is confirmed, in 1131, by Pope Innocent II.<sup>19</sup> Henry I's foundation charter and Innocent II's confirmation are essentially the same, although Henry specifies that Dover Priory should consist of canons regular, '*ad ordinem canonicorum regularium in eadem ecclesia Dovor*' and that no other monastic order was permitted, '*nec eam liceat ulterius in alterius religionis ordinem in posterum transmutari*'.<sup>20</sup> Innocent II was quite specific that they should be Augustinian canons, '*ut in praefati beati Martini ecclesia ordo canonicatus secundum beati Augustini regulam statuatur et futuris inviolabiliter conservetur temporibus*'.<sup>21</sup> However, there is no mention of Dover Priory being a royal chapel, although as it was a gift in alms from the king with an associated income stream of the port tolls of Dover; this may imply that it was a royal possession. Corbeil, was himself a canon regular who had earlier been appointed as prior of St. Osyth's in Essex [1121], a newly established Augustinian priory.<sup>22</sup> Also known as a strict disciplinarian he distanced himself from the secular canons at St. Martin's largely because of their behaviour which in his

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<sup>16</sup> For details of Wihtried's charters, see <http://www.trin.cam.ac.uk/kemble/pelletter/ccc/ccclist.htm>, [accessed 05/12/2008].

<sup>17</sup> For the archaeological evidence, see Brian Philp, *Discovery and Excavation of Anglo-Saxon Dover*, 9<sup>th</sup> Report, Kent Monograph Series, (Kent Archaeological Rescue Unit, 2003); for reference to Odo, see *Monasticon*, iv, p. 528. Haines, *Dover Priory*, p. 41; for summary of Odo's life, see D. Bates, 'Odo, earl of Kent (d. 1097)', *ODNB*, [article/20543, accessed 8 Nov 2011]. This should not be confused with the church of St. Martin-le-Grand in London.

<sup>18</sup> Haines, *Dover Priory*, p. 61.

<sup>19</sup> Gervase, i, p. 96.

<sup>20</sup> *Monasticon*, iv, p. 538, '*Carta regis Henrici primi filii Will. Conquestoris, facta Willielmo Corbyl archiepiscopo, fundatori*'.

<sup>21</sup> *Monasticon*, iv, p. 538, '*Confirmation Innocentii Papae super Cartam H. primi*'.

<sup>22</sup> Frank Barlow, 'Corbeil, William de (d. 1136)', *ODNB*, [article/6284, accessed 20 Feb 2012].

opinion no one had any intention of controlling. Consequently, he embarked on a rapid building programme and established a new monastery outside the town of Dover; this monastery, partially completed by September 1136, was called St. Mary the Virgin and St. Martin of the New Work and is now commonly referred to as Dover Priory.<sup>23</sup> From Corbeil's perspective this was another example of ensuring that monasteries were regulated and over time their bad reputation repaired.<sup>24</sup> Corbeil's building work was completed by Archbishop Theobald between 1150 and 1159 and we may infer from Theobald's later indulgences that Henry I may not have given any direct financial support for its construction, although by making available Caen stone he did imply that he wanted this new structure to be of high quality.<sup>25</sup>

The building work appears to have been the simplest element in the establishment of Dover Priory, although the process took some twenty-three years to complete. However, it is the wording of Henry I's charter with the grant to both the archbishop of Canterbury and the 'Church of Canterbury' that began to cause problems when, in 1136, sufficient building works had been completed for Augustinian canons to take residence in Dover Priory. It is this initiative that precipitated action by Christ Church, in particular the sub-prior Jeremiah. It is Jeremiah's actions and the subsequent support of Theobald that point to the root cause of this long running dispute.

#### 7.1.1: The Actions of Sub-Prior Jeremiah and Archbishop Theobald: 1136-1200

In late 1136, sufficient building works had been completed to allow Dover Priory to be occupied by the canons regular. However, Christ Church acted unilaterally and illegally against the wording of both Henry's charter and Innocent's confirmation, by preventing the Augustinian canons from occupying the monastery; the action according to Gervase was taken while Corbeil was ill at Merton [Surrey]. Jeremiah also appealed to Innocent II, although it is not clear whether there was any

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<sup>23</sup> Gervase, i, pp. 96-97 specifies 1136 as the date of the new building; Haines, *Dover Priory*, p. 66. Henry I had also placed the quarries at Caen at Corbeil's disposal for building works; some of Caen stone remains visible, see p. 64; the church of St. Martin-le-Grand reverted to being one of a number of parish church's in Dover.

<sup>24</sup> Corbeil was at the same time replacing secular canons with canons regular at St. Gregory's Priory, Canterbury, see Haines, *Dover Priory*, p. 64.

<sup>25</sup> Theobald granted indulgences to those anyone who contributed towards the building of Dover Priory, see Avrom Saltman, *Theobald Archbishop of Canterbury*, (Greenwood Press, 1969), no.92 [forty days' indulgences: 1150-1159]. Dover Priory was dedicated on 19 October 1159, see no.94, pp.315-316.

direct intervention from the papal curia to Jeremiah's appeal. However, the papacy did arbitrate in this case at a later date, as will be discussed below. Arguably, Haines sees this as 'a pernicious system of appealing in our national and domestic affairs', rather than understanding that Dover Prior and Christ Church were part of a wider international ecclesiastical community.<sup>26</sup> To compound the matter further, the illegal action of Jeremiah, the sub-prior of Christ Church, had the full backing of the Christ Church chapter but not the consent of Prior Elmer [1128-1137].<sup>27</sup> It is interesting that a mid fifteenth-century Chronicle of Dover Priory made no reference to Jeremiah's initial action when sub-prior but focused on his action as Christ Church prior. This action referred to the installation of prior and Benedictine monks, from Canterbury, during a *sede vacante* period and without the king's assent.<sup>28</sup> Jeremiah's action was illegal but it was also undoubtedly a snub to archiepiscopal, royal and papal authority. Given the proximity of Jeremiah's actions to the recent grant and confirmation by Henry I and Innocent II respectively, it is highly unlikely that ignorance would have been seen as a valid defence.<sup>29</sup> Throughout the *sede vacante* period Jeremiah continued to act unlawfully; yet, despite his behaviour, Archbishop Theobald [r.1139-1161] allowed Christ Church to continue their actions. It is quite possible that the civil war was consuming Theobald's attention and therefore Jeremiah was allowed to continue his occupation of Dover Priory.<sup>30</sup>

Not only did Theobald seemingly condone this illegal behaviour but he himself sent Benedictine monks to Dover Priory under the leadership of Asceline, previously sacrist at Christ Church. Theobald went further by making Dover Priory a

<sup>26</sup> Haines, *Dover Priory*, pp. 68-69.

<sup>27</sup> Gervase, i, p. 97-99, '*Sed dominus archiepiscopus decidit in lectum doloris apud Murtelacum, et fere perductus est ad extrema*'

<sup>28</sup> *Monasticon*, iv, p.536, '*in qua vacatione prior ecclesiae Christi Cantuariae absque regis assensu Canonicos Regulares per Willielmum archiepiscopum inductos monasterio Dovorr. Expulit, et monachos suos introduxit, praeficiens eis priorem nomine Willielmum le Longa Villa*', the quote is taken from BL MS Cotton Vespasian.B.xi, fo.73 and Nigel Ramsay concludes that this is a mid-fifteenth century or later document based on handwriting evidence. Ramsay also notes that Ker accepts that its origin was Dover Priory while Hardy concludes that the early parts of the chronicle are fanciful, see <http://www.hrionline.ac.uk/cotton/mss/ves2.htm>, [accessed 11 October 2011].

<sup>29</sup> Brett, *English Church*, p. 192.

<sup>30</sup> Denton, *Royal Chapels*, p. 59; for a summary of the dispute see, *5<sup>th</sup> Report Historical Manuscripts Commission*, (London, 1876), Appendix, p. 441; see also Frank Barlow, 'Theobald (c.1090-1161)', *ODNB*, [article/27168, accessed 11 Oct 2011]; for the Baron's attitude to civil war, see W. Lewis Warren, *Henry II*, (Yale University Press, 2000), pp. 39-41, for Theobald's role as arbitrator with Henry de Blois [bishop of Winchester] in the succession crisis, see pp. 51-52 and Edmund King, *King Stephen*, (Yale University Press, 2010), pp. 138-139, 172, 174, 279-82 and 298-299; David Crouch, *The Reign of King Stephen, 1135-1154*, (Longman, 2000), in particular, see Chapter 8. Lincoln, pp. 133-145 and Chapter 14. The Solution, pp. 255-291; for Henry de Blois's life see, Edmund King, 'Blois, Henry de (c.1096-1171)', *ODNB*, [article/12968, accessed 9 March 2012].

cell of Christ Church, an action confirmed by both King Stephen, between 1136 and 1139, and Anastasius IV, between 1153 and 1154.<sup>31</sup> By 1143, Theobald had transferred the assets of St. Martin-le-Grand to Dover Priory and mandated that the monastery was at the disposition of the archbishop of Canterbury.<sup>32</sup> Between 1157 and 1161, Theobald issued his ordinance confirming Dover Priory as a cell of Christ Church and requiring them to show total obedience to Canterbury on sanction of anathema.<sup>33</sup> Although a papal letter of Adrian IV [r. 1154-1159], to Theobald, included a *prohibemus* clause stating that Christ Church had no rights over Dover Priory during a vacant archbishopric, the wording of the papal letter does not suggest that Dover Priory had petitioned for this change to Theobald's ordinance, as there is no *petimus* clause included.<sup>34</sup> However, in response to a petition from Dover Priory in 1156, Adrian IV placed them under his protection.<sup>35</sup> Furthermore, Adrian was not only a reforming pope but was English and had been a canon regular at the Abbey of Saint-Ruf [Avignon], before becoming a cardinal and eventually pope.<sup>36</sup> His action may be related to his life as a canon regular, the original designation for Dover Priory, and therefore sought to place some restrictions on the actions of Christ Church. However, given that he did not alter the *sede plena* jurisdiction, it would appear to be somewhat of a token gesture. Christ Church successfully appealed to Pope Alexander III [r. 1159-1181], using Theobald's *ordinatio*, arguing that Dover Priory was not living in accordance with the Rule of St. Benedict. Alexander's papal letter, issued on 28 May 1163, confirmed Dover Priory as a cell of Christ Church, thus reaffirming Theobald's earlier ordinance and also making null and void all previous papal confirmations.<sup>37</sup> In 1174, Alexander addressed a further papal letter,

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<sup>31</sup> For King Stephen, see Haines, *Dover Priory*, p. 70 and for Anastasius IV, see *Monasticon*, iv, p. 536.

<sup>32</sup> Gervase, i, p. 109 and ii, p. 288.

<sup>33</sup> For Theobald's ordinance, see *Lit. Cant.*, iii, Appendix, no.27, pp.370-371; Archbishop Theobald's conversion of Dover Priory to a Benedictine cell of Canterbury was confirmed in a papal letter of Pope Innocent II [January, 1139], see *Lit. Cant.*, iii, Appendix, no.26, pp. 369-370 for details of letter; CCA-DCC-ChAnt/D/83 [Notification of Theobald's ordinance: 1157x1161] and CCA-DCC-ChAnt/D/72 [Notification of Theobald's ordinance:1157x1161].

<sup>34</sup> Walther Holtzmann, *Papsturkunden in England*, II, (Berlin, 1935), no.89, p. 269 [Papal letter: 16 April 1155, St. Peter's Rome].

<sup>35</sup> *Papsturkunden*, no.91, pp. 271-272 [Papal letter: 17 February 1156, Benevento], '*quicquid ad ius suis noscitur pertinere, sub Petri et nostra protectione suscipimus*'.

<sup>36</sup> For a detailed discussion of Adrian's life from canon regular to Pope, see Brenda Bolton and Anne J. Duggan, eds., *Adrian IV The English Pope (1154-1159)*, (Ashgate, 2003); for short biographical details see, Jane E. Sayers, 'Adrian IV (d. 1159)', *ODNB*, [article/173, accessed 17 Oct 2011].

<sup>37</sup> For Alexander III's letter, see *Papsturkunden*, no.110, pp.298-299 [Papal letter: 28 May 1163, Tours] and CCA-DCC-Register/A fo.38; for a later copy, see CCA-DCC-ChAnt/D/91 [copy of papal

to Archbishop Richard, adding a clause that prevented Christ Church from interfering with Dover Priory, although the letter did not specify when the clause should apply.<sup>38</sup> One year later, in 1175, Alexander wrote again to Archbishop Richard specifying that the period was *sede vacante*; and another letter added that the archdeacon of Canterbury was also prevented from acting, although there was no date.<sup>39</sup> In the three decades from 1180, Archbishop Baldwin [1185-1190] favoured Dover Priory, while Archbishop Hubert Walter [1193-1205] favoured Christ Church. Hubert Walter reinstated Christ Church's rights, confirmed the acts of Theobald and Henry II; subsequently King John confirmed both Henry I and Henry II's charters.<sup>40</sup> The jurisdictional dispute, subject to papal, royal and the archbishop's intervention, ended the twelfth century where it had begun, with the archbishop and Christ Church firmly in control and maintaining their rights and privileges. The attempts at resolution of the legal arguments with petitions to the pope and visits to Rome placed financial burdens on all parties, although it was Dover Priory with its meagre resources that suffered most; as it will be shown, the thirteenth century proved to be a similar period of argument and counter argument, although towards the end of the century the king of England was to play a greater interventionist role.

### 7.1.2: The Thirteenth Century: 1200-1270

Innocent III's [r. 1198-1216] letter ratified by *privilegium* Christ Church's jurisdiction over Dover Priory by removing Adrian IV's *prohibemus* clause, which had imposed restrictions on Christ Church acting during a vacant archbishopric. The consequence of Innocent's actions provided Christ Church with privileges *sede plena* and *sede vacante* or, in Haines's words, 'it gave Christ Church monks opportunities to act in the high-handed way so congenial to them.'<sup>41</sup> Whatever the rights and wrongs of Innocent's papal letter, it is certain that the papal letter reignited the long

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privilege: 1159x1181, Frascati], for a more accurate date for this copy, Alexander III was at Frascati in January in 1171, 1172 and 1179 (Canterbury Cathedral Archive Catalogue); see also Register L, fo.110r, Register L is a priory letter book 1318-1367; Haines, *Dover Priory*, p. 77; for a transcript of Theobald's *ordinatio*, see *Lit. Cant.*, iii, Appendix, no.27, pp. 370-371.

<sup>38</sup> *Papsturkunden*, no.136, pp. 328-329 [Papal letter from Alexander III to Archbishop Richard: 30 April 1174, Anagni], where he reiterates much of his earlier letter of 1163.

<sup>39</sup> *Papsturkunden*, no.145, pp. 335-336 [Papal letter from Alexander III to Archbishop Richard: 8 July 1175, Ferentino], Alexander's letter again makes all previous letters null and void; for letter preventing archdeacon of Canterbury acting, see *Papsturkunden*, no.166, p. 359 [Papal letter from Alexander III to Prior and Convent of Dover: 11 February 1160-1178, Anagni].

<sup>40</sup> Haines, *Dover Priory*, pp. 78-80; *Lit. Cant.*, iii, p. 374.

<sup>41</sup> Haines, *Dover Priory*, p. 80.

standing quarrel regarding the jurisdiction of Dover Priory. Throughout every decade of the thirteenth century there was litigation of one form or another relating to the jurisdiction of Dover Priory. Apart from the period following Christ Church's exile to France, in 1207, an action instigated by King John partly as a response to the monks handling of the election of a new archbishop following Hubert Walter's death, Innocent III's quashing of the two nominees, and the imposition of Stephen Langton, as the new archbishop.<sup>42</sup> In the second and third decades of the thirteenth century only minor disputes took place and all appear settled amicably. Nevertheless, an *inspeximus*, dated between 1235 and 1237, suggests a possible challenge to previous settlements, in the third decade of the thirteenth century. This *inspeximus* authenticated three documents: firstly, copies of Alexander III's papal privilege, dated 20 November 1177, concerning rights and privileges of Christ Church over Dover Priory; secondly, a charter by Anselm, dated 1107; and thirdly, the *Magna Carta Beati Thome*, which Cheney has argued was a forgery and dated between 1235 and 1237.<sup>43</sup> Whether or not any business related to Dover Priory was transacted at the papal curia, Christ Church reached its own settlement with Archbishop Edmund, on 18 December 1237, in response to a case brought against him by Prior John of Christ Church over a number of issues related to rights and privileges.<sup>44</sup> Similarly, for the next three decades, the scarcity of extant documents suggests that there were no major disputes and legal arbitration only took place when corrections were needed, in other words it was a period of ordinary business. One such extant example was the submission, on 7 December 1240, from Robert of Ulcombe, prior of Dover Priory, admitting his fault for withdrawing his obedience to Christ Church and renouncing all appeals to the papal court; he was summoned to appear before the prior of Christ

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<sup>42</sup> W. Lewis Warren, *King John*, (Yale University Press, 1997), pp. 160-162; Austin L. Poole, *Domesday Book to Magna Carta 1087-1216*, (Oxford University Press, 1955, repr. 1988), pp. 443-445; Margaret Sparks, 'Normans and Angevins, 1070-1220' in *Canterbury Cathedral*, p. 68.

<sup>43</sup> CCA-DCc-ChAnt/C/1275 [1235x1237], gives date of Alexander III's privilege; for date of Anselm's charter from Henry I, see Haines, *Dover Priory*, p. 29 and for estimated date of Becket's forged charter, see Cheney, *Magna Carta Beati Thome*, discussed above in Chapter 3.

<sup>44</sup> CCA-DCc-ChAnt/D/80 [Appointment of proctors: 1222x1238]; CCA-DCc-ChAnt/D/73 [Notification of commission: 1222x1238], letter addressed to archdeacon's of Surrey and St Alban's; CCA-DCc-ChAnt/D/74 [Notification of commission: 1222x1238], letter addressed to abbot of St Alban's and archdeacon of Surrey; CCA-DCc-ChAnt/D/69 [*Acta*: 1222x1238]; CCA-DCc-ChAnt/C/34 [Settlement: 18 December 1237], this settlement specifies a Prior John, if it was a recent case brought against Edmund [r. 1234-1240] then it must be John de Sittingbourne [r. 1222-1244] since the only other Prior John would be John de Chatham [r. 1205-1218] whose priorate ended before Edmund was elected.

Church, Roger de la Lee [r. 1239-44].<sup>45</sup> In the 1270s, Richard de Wincheap, prior of Dover, was cited to appear before Christ Church on 25 November 1270, for bad behaviour; on 21 January 1271, he renounced his appeal to the papal court, and on 29 December 1271, he requested that Christ Church absolved his sentence of excommunication and also stated that if he had offended Christ Church, he would swear his obedience; finally on 6 January 1272, he appointed his nephew, the rector of Newenden, to act as his proctor to obtain absolution from interdict and excommunication.<sup>46</sup> These extant letters at Christ Church reveal a somewhat different story to that told by Haines, who argued that Richard de Winchepe was persecuted by Christ Church for a ‘presumably incredible and wholesale robbery.’<sup>47</sup> Although Haines’s citations do not refer to such a charge by Christ Church, they do refer to Richard’s failure to prosecute a case and support his priory against Christ Church, for illegal actions during a *sede vacante* period. The extant documents show that the matter was referred to the archbishop of Canterbury for resolution.<sup>48</sup> One final contemporary example was Dover Priory’s successful appeal to Gregory X [1271-1276] to obtain papal letters [9 August 1272], which confirmed their existing rights and liberties as granted by previous popes. As a result of these letters, Christ Church proctors obtained a *cautio* [23 August 1272] from the auditor of contradictory letters, in which it is stated that Dover Priory’s successful appeal did not prejudice Christ Church’s rights.<sup>49</sup>

The prior and convent of Dover were not always in one accord over the dispute; for instance on 28 December 1271, Henry III issued letters patent to Stephen de Penecestre, constable of Dover Castle, to protect the sub-prior and the convent against misuse of authority by their prior. Richard de Wenchepe, previously sacrist at Christ Church, was prior at Dover from 28 October 1268 before being deposed by Prior Chillenden of Christ Church on 9 March 1272, while the new prior Anselm de

<sup>45</sup> CCA-DCc-ChAnt/D/38 [Submission: 7 December 1240].

<sup>46</sup> CCA-DCc-ChAnt/D/40 [Citation: 22 November 1270]; CCA-DCc-ChAnt/D/41 [renunciation: 21 January 1271], he had appealed against the election of Adam de Chillenden as archbishop; CCA-DCc-ChAnt/D/44 [Letter: 29 December 1271]; CCA-DCc-ChAnt/D/43 [Letters of proxy: 6 January 1272].

<sup>47</sup> Haines, *Dover Priory*, pp. 85-86.

<sup>48</sup> Haines’s citations are Cant. MS. D. 68 (2) now CCA-DCc-ChAnt/D/68 [Mandates – copies: 1282]; Cant. MS. D. 89 now CCA-DCc-ChAnt/D/89 [Report of a *cautio*: August 1272], this *cautio* is related to land and tithes of Dover Priory; Cant. MS. D. 44a now CCA-DCc-ChAnt/D/44 [Letter from Richard seeking absolution from excommunication: December 1271].

<sup>49</sup> CCA-DCc-ChAnt/D/42 [*cautio*: 23 August 1272].

Eastry was not appointed until 1275.<sup>50</sup> It was therefore Richard who had renounced the convent's appeal to Rome despite his sub-prior petitioning the king.<sup>51</sup> On 3 May 1272, Stephen de Penecestre was commissioned to protect Dover Priory and their temporalities from molestation by Christ Church contrary to a papal indult, forbidding Christ Church to interfere, when the archbishopric was void. From the wording of the mandate we can conclude that the king believed that both the papal indult and his command should be sufficient to settle this matter.<sup>52</sup> His veiled threat to take further action also suggested that he was not best pleased at not being obeyed; an action that may also be interpreted as resulting from his ill health, as he died just twelve days later on 16 November 1272. However, on 4 November 1272 Henry appointed Robert de Arcubus, a monk of Reading, as prior of Dover, in order to re-establish royal authority and reinforce Gregory X's support of Dover Priory, particularly as the archbishopric of Canterbury was vacant.<sup>53</sup> As in previous episodes of this long running dispute neither side seemed content to abide by any legal ruling irrespective of whether it was secular or ecclesiastical and made by the highest authorities. Despite an earlier petition to the papacy and Henry III's support, Dover Priory again appealed to the papal curia, an action had unintended consequences.

### 7.1.3: The Stalemate Years: 1273-1284

Despite their restoration of rights, Dover Priory appealed to Gregory X once more, this appeal resulted in three papal mandates, in early 1273, delegating the complaints for Archbishop Kilwardby's investigation.<sup>54</sup> Dover Priory's complaints were: firstly, that a composition made to solve an earlier dispute prejudiced them; secondly, the illegal imposition of *sede vacante* authority by Christ Church; and thirdly, that Christ Church had illegally imposed an excommunication and interdict on them. It is somewhat ironic that these complaints were resolved by Gregory X's letter to Archbishop Kilwardby which reiterated Adrian IV's *prohibemus* clause that prevented Christ Church from acting during a *sede vacante* period. However, in a

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<sup>50</sup> *Monasticon*, iv, p. 530.

<sup>51</sup> *CPR, Henry III, Vol. 6: 1266-1272*, p. 613 [Commission: 28 December 1271].

<sup>52</sup> 'not suffering the said official and others [Christ Church] to molest them [Dover Priory] during the voidance, so that the king be not further solicited upon this, whereby he would have to apply his hand to this in another manner'; *CPR, Henry III, Vol. 6: 1266-1272*, p.700 [Mandate: 3 May 1272].

<sup>53</sup> *CPR, Henry III, Vol. 6: 1266-1272*, p. 712 [Notification: 4 November 1272].

<sup>54</sup> CCA-DCC-ChAnt/D/68 [Three citation mandates from Gregory X to Archbishop Kilwardby: (1) 13 February 1273, (2) 21 March 1273 and (3) 28 April 1273].

libel deposition submitted by Dover Priory between 1273 and 1275 they cited a confirmation by Urban IV [r.1261-1264] of Christ Church's jurisdiction *sede vacante*.<sup>55</sup> Therefore it is more likely that Gregory X's mandate to Kilwardby was prompted by Dover Priory's allegation that Christ Church had made false statements to Urban IV to secure their rights *sede vacante* and remove Adrian IV's *prohibemus* clause.<sup>56</sup> The subsequent eleven years of legal investigations cost both parties a significant amount of money as neither Kilwardby nor his successor Archbishop Pecham made any resolution. Indeed, it was the intervention of Edward I, in 1284, that resolved the matter.

This case was brought before commissaries, acting for Kilwardby, at the Court of Arches, and went through a series of long and protracted arguments without reaching a satisfactory conclusion before Kilwardby resigned the archbishopric, on 5 June 1278, to take up his appointment as Cardinal-bishop of Porto.<sup>57</sup> The case issued seven different *acta* during its three year progress through the Court of Arches, a case that was constantly delayed by argument and counter argument. For example, at one point in the case Christ Church's proctor, Walter de Thremfeld, submitted a dilatory exception, during the opening stages of the litigation, which delayed the progress of the case and consequently no trial issues could be heard until such exceptions had been resolved.<sup>58</sup> Dover Priory were also guilty of delaying tactics, when on 12 December 1273, they challenged Christ Church's exceptions on the basis that they had not been submitted by a suitable proctor. From the wording of the *acta*, it appears that Walter de Thremfeld was a valid proctor, although a victim of his own administrative oversight for not presenting the requisite accreditation on the appropriate day. He was eventually approved, the exceptions admitted and the case rescheduled for 15 January 1274.<sup>59</sup> In parallel to the original exceptions, a

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<sup>55</sup> CCA-DCc-ChAnt/D/85 [Additions to libel: 1273x1275].

<sup>56</sup> *Papsturkunden*, no.89, p. 269 [Papal letter from Adrian IV to Archbishop Theobald: Lateran, 16 April 1155]; Haines, *Dover Priory*, p. 87.

<sup>57</sup> For example, see CCA-DCc-ChAnt/D/49 [Citation mandate from official of the court of Canterbury, i.e. Court of Arches, to the Rural Dean of Canterbury: 21 September 1273]; Gervase, ii, p. 291.

<sup>58</sup> CCA-DCc-ChAnt/D/71 [Exceptions: c. 1273x1275]; for a discussion of exceptions, see James A. Brundage, *The Medieval Origins of the Legal Profession*, (The University of Chicago Press, 2008), pp. 431-432 and for a wider discussion of court practice, see pp. 416-455.

<sup>59</sup> CCA-DCc-ChAnt/D/50 [*Acta*: 12 December 1273]; CCA-DCc-ChAnt/D/48 and CCA-DCc-ChAnt/D/77 are copies of same document; the case is further delayed because of the disagreement over exceptions and delayed until 13 February 1274, see CCA-DCc-ChAnt/D/52 [*Acta*: 18 January 1274].

declinatory exception had been submitted by Christ Church and the court reconvened on 17 March 1274 to consider the exception, to fix a date for the new hearing and the interlocutory sentence. It would appear that frustration was setting in, for the official of the Court of Canterbury, on 14 March 1274, dismissed both parties from his court and remitted the case to the papal court to be heard on 26 April 1274. However, both parties used delaying tactics as Christ Church would not agree to the case being remitted to the papal court and Dover Priory objected to the interlocutory sentence, thus the interlocutory sentence was revoked and the hearing date cancelled.<sup>60</sup>

No resolution was forthcoming during 1274 and in early 1275, while Christ Church raised further exceptions regarding heavy expenses due to the non-appearance of Dover Priory in late 1274. The case was again before the Court of Arches, on 24 January 1275, which heard dilatory and declinatory exceptions and received an interlocutory sentence. However, Christ Church objected to the wording of the previous *acta* and no agreement could be reached on the exceptions; consequently the interlocutory sentence was delayed until 4 March 1275.<sup>61</sup> Between the 4 and 6 March 1274, the exceptions were discussed and the interlocutory decision was pending; however, Christ Church raised questions over the first exception. It also transpired that Bernard de Casteneto, auditor general at the papal curia had asked Christ Church why the case should remain at the papal court. Christ Church had not provided an answer and consequently the case was returned to the Court of Arches with no right of appeal by Christ Church. The commissary set the 8 March 1275 to deliver his decision on the exceptions and the 26 March 1275 for the interlocutory sentence.<sup>62</sup> The court session begun on the 26 March continued until 6 April 1275, with Christ Church raising various new exceptions related to Dover Priory's contumacy over the case remaining at the papal court. However, the judge after due consideration refused the exception and delayed the hearing until 1 May 1275.<sup>63</sup> There appears to be no further extant documents in this case with the exception of one, issued on 31 July 1275, summoning Christ Church to appear at the Court of Arches on 11 October 1275. It would appear that the obfuscation on both

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<sup>60</sup> CCA-DCc-ChAnt/D/45 [Memorandum and *acta*: March 1274].

<sup>61</sup> CCA-DCc-ChAnt/D/70 [Exceptions: 1275].

<sup>62</sup> CCA-DCc-ChAnt/D/53 [*Acta*: 6 March 1275].

<sup>63</sup> CCA-DCc-ChAnt/D/56 [*Acta*: 6 April 1275].

sides did not produce a resolution to the case during Kilwardby's archiepiscopate. It would be left to Archbishop Pecham to renew the litigation between the two parties.

Nothing more is heard of the case until Archbishop Pecham issued citation mandates and commissions, on 21 September 1282, to the rural dean of Canterbury summoning both parties to appear in St Paul's Cathedral on 19 October 1282.<sup>64</sup> Since the Court of Arches sat at St. Mary-le-Bow church and this case was mandated by the archbishop, it is not unreasonable to conclude that it was heard at the archbishop's Court of Audience. Three *acta*, all issued on 19 October 1282, illustrate that as in Kilwardby's time each party used delaying tactics. For example, both Christ Church and Dover Priory objected to the letters of proxy appointing proctors, while Christ Church also requested copies of documents to be used in prosecuting the case and proceedings were consequently delayed until 12 November 1282.<sup>65</sup> All three *acta*, also asked Anselm of Eastry [prior of Dover] whether he wished to proceed with the prosecution and whether he wished to assist his sub-prior and convent in their defence. On or soon after 12 November 1282, Christ Church issued a recusation against one of the judges, Robert de Stowe, canon of St Paul's Cathedral. Christ Church put forward three arguments against Stowe: firstly, he had acted as an advocate, on several occasions, for Dover Priory; secondly, he was an advocate in a *sede vacante* case between Christ Church and John de Chishull I, late bishop of London; and thirdly, there was appeal pending before him concerning the rector of Eastry and the priory.<sup>66</sup> Not unnaturally, the commissaries wished to consult their fellow commissary, Ralph de Baldock, archdeacon of Middlesex, who was absent; and consequently the case was rescheduled for 23 January 1283.<sup>67</sup> Haines only partially discusses the prosecution of the case, before both Kilwardby and Pecham, making no mention of the delaying tactics exercised by both parties, merely reiterating his point that 'the Canterbury chapter appealed to him [Pecham] to

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<sup>64</sup> The three citation mandates are all dated 21 September 1282, see CCA-DCc-ChAnt/D/62, CCA-DCc-ChAnt/D/63 and CCA-DCc-ChAnt/D/64; the commissions and certificates of execution are dated 21 September and 30 September 1282 respectively, see CCA-DCc-ChAnt/D/60 [commission copy: c.1282] and CCA-DCc-ChAnt/D/65 [commission copy: c.1282].

<sup>65</sup> All three *acta* are dated 19 October 1282, see CCA-DCc-ChAnt/D/58, CCA-DCc-ChAnt/D/59 and CCA-DCc-ChAnt/D/61.

<sup>66</sup> CCA-DCc-ChAnt/D/82 [Recusation: 1282], see also CCA-DCc-ChAnt/D/86 and CCA-DCc-ChAnt/D/92 [working copies of the recusation].

<sup>67</sup> CCA-DCc-ChAnt/D/102 [*Acta*: 17 November 1282].

confirm their illegal acts'.<sup>68</sup> Decima Douie's view is that despite Pecham's efforts and those of his commissaries, Richard de Swinfield, archdeacon of London, Ralph de Baldock, archdeacon of Middlesex and Robert de Stowe, canon of St. Paul's Cathedral, London, acting as judges in the case, '[they] endeavoured unsuccessfully ... to reach a settlement acceptable to both parties'.<sup>69</sup> However, in my opinion Douie is wrong in her conclusion as the extant *acta* of this case support the argument that the proctors of the two parties knew how to exploit the Romano-canonical procedure and the possibility of appealing against judicial sentences at different stages.<sup>70</sup> I would further conclude that inherent in the *acta* relating to both Kilwardby and Pecham's prosecution of this case are strong indications of the development of a complex legal culture which the historiography has overlooked, possibly because its nature was not understood. Eleven years of legal wrangling and obfuscation in the highest ecclesiastical court in England had failed to deliver a satisfactory solution to both parties. The dispute now followed a new direction when Edward I, in 1284, used secular legislation to enforce royal ownership of Dover Priory and end Christ Church's interference.

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<sup>68</sup> Haines, *Dover Priory*, pp. 86-90. It is to be noted that Haines's citations are not always accurate, for example, he cites Canterbury MS. D. 73 which is now classified as CCA-DCc-ChAnt/D/73, in support of appointment of papal judges delegate in 1282, however this document refers to a much earlier dispute dated to 1222x1238. Careful cross-referencing of Haines's citations reveals that they correspond to the current *Charta Antiquae* catalogue although as noted above, citations are incorrect or simply omitted.

<sup>69</sup> For the commission of Pecham's judges delegate see, CCA-DCc-ChAnt/D/65 [Commission and certificate: 21 September 1282], see also CCA-DCc-ChAnt/D/60 and CCA-DCc-ChAnt/D/64 which are copies of CCA-DCc-ChAnt/D/65; for short discussion of the case under both Kilwardby and Pecham, see Decima Douie, *Archbishop Pecham*, (Oxford University Press, 1952), pp. 184-189.

<sup>70</sup> For the *acta* during Pecham's archiepiscopate see, CCA-DCc-ChAnt/D/58 [*acta*: 19 October 1282] where both parties object to each others letters of proxy and presentation of relevant documentation, CCA-DCc-ChAnt/D/59 [*acta*: 19 October 1282] requesting a different set of documents and CCA-DCc-ChAnt/D/61 [*acta*: 19 October 1282] requesting yet further documents, for all three requests the judges delayed the sitting until 12 November 1282; CCA-DCc-ChAnt/D/102 [*acta*: 17 November 1282] where Christ Church recuse Robert de Stowe [one of the judges], the judge being absent the case is rescheduled for 23 January 1283, see CCA-DCc-ChAnt/D/82 [Recusation of Judge: after 30 September 1282 – the date of his appointment], see also CCA-DCc-ChAnt/D/92 and CCA-DCc-ChAnt/D/86 which are working copies of CCA-DCc-ChAnt/D/82. It is undoubtedly these two prosecutions that result in an entry, dated 1277, by Gervase's continuator concerning the quarrels surrounding Dover Priory, Gervase, ii, pp.286-290.

#### 7.1.4: Edward I's Prosecution for the Advowson of Dover Priory

Edward I fought vigorously to defend his customary rights relating to royal free chapels to such an extent that he appointed a proctor to prosecute cases on behalf of the Crown between 1275 and 1287.<sup>71</sup> Both Edward I and his justices would no doubt have been aware of the inability of the Court of Arches and the Court of Audience to resolve to the satisfaction of both parties an eleven year dispute over the jurisdiction of Dover Priory. Clearly the dispute needed a resolution, especially given Henry III and Edward I's policy over royal chapels, one which was favourable to the king. Consequently, in October 1284, Edward I took control of the situation to resolve the question of advowson ownership. This action itself had stemmed from the inability of Anselm of Eastry, Prior of Dover Priory between 1275 and 1283 to control the priory, while Edward I wanted a more appropriate method of appointing suitable priors.<sup>72</sup> Edward I's action was to issue a *quo warranto* plea against Prior Ringmere for taking the advowson of Dover Priory contrary to the rights of the archbishop.<sup>73</sup> The resulting litigation was Hengham's artifice to prosecute Christ Church for exercising the advowson of Dover Priory.<sup>74</sup> Edward was using this method to ask that Christ Church proved their right to the advowson of Dover; a right that Christ Church had never claimed except perhaps during voidance of the archbishopric. John le Fauconer, proctor for the king, prosecuted the case before the King's Bench, in Trinity Term 1286, claiming the advowson belonged to the king.<sup>75</sup> Christ Church's defence was that they did not claim the advowson now nor had they done so at any time in the past; however, they did claim the right to appoint the prior of Dover, basing their claim on Archbishop Theobald's 1158 ordinance. Two judgments were unsurprisingly given in favour of the king: firstly he could claim

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<sup>71</sup> Denton, *Royal Chapels*, p. 103, although Edward I was not always successful as the court, in 1293, ruled in favour of the bishop of Coventry and Lichfield over the rights of Gnosall. It is interesting to note that the court upheld the right of the bishop to act as 'warden and bishop of spiritualities rather than as diocesan', see p. 70. These were similar circumstances to the archbishops of Canterbury and Dover Priory.

<sup>72</sup> Prior Anselm of Dover Priory had been ineffectual and was deposed by Pecham. Edward I imposed John de Burne as custodian of Dover Priory against Pecham's ownership of the advowson, see Haines, *Dover Priory*, pp. 237-238. Pecham successfully appealed to the Chancellor, Robert Burnell, and advowson was restored in January 1284, see *CCIR, Edward I, Vol. 2: 1279-1288*, p. 249, which is an order for John de Burne to replevy [replevin – legal right to reclaim goods and property unlawfully withheld] Dover Priory to Pecham.

<sup>73</sup> Haines, *Dover Priory*, pp. 90-91.

<sup>74</sup> Denton, *Royal Chapels*, p. 62.

<sup>75</sup> *CPR, Edward II, Vol. 2: 1313-1317*, p. 286 [4 May 1315], this records an exemplification of the original case in 1286.

seisin of the advowson and a writ was issued to the Sheriff of Kent to take the necessary action to recover the advowson; and secondly, Theobald's ordinance was set aside as invalid, since it had not been confirmed by Edward I, although it had been endorsed by King Stephen, King John and Henry III, in 1237 and 1271.<sup>76</sup>

In November 1286, the Sheriff of Kent, under the precept of the seisin order took possession of the temporalities of Dover Priory causing them hardship. It transpired from a letter, dated 3 December 1286, sent by Ralph de Hengham, Chief Justice, to Robert Burnell, the Chancellor, that the action of the Sheriff was not what Edward had intended. However, Hengham's letter also makes clear that issuing the writ was an error of judgement, not unsurprisingly Edward's aggression against Dover Priory produced a stand-off between Archbishop Pecham and Edward. Hengham asked Burnell to resolve the matter with the king so that the archbishop could hold the advowson of Dover Priory as granted by Edward's predecessors; this request had the desired effect and the advowson of Dover Priory reverted to the archbishop and his successors. In December 1289 Pecham appointed a prior at Dover, who was a Dover monk chosen to eradicate internal insubordination. However, Christ Church, ever willing to ignore any judgement that did not please them, were unhappy with the Kings' Bench judgment and therefore continued at every opportunity, especially when the archbishopric was void, to exert their jurisdiction over Dover Priory. Dover for their part would respond with a complaint to the king. Christ Church's actions resulted in writs of prohibition, that decreed that Christ Church should not interfere with Dover Priory during the voidance of the archbishopric, which Edward II issued against Christ Church in September 1313, March 1319 and May 1319.<sup>77</sup> The actions of Christ Church must have been driven by Prior Eastry with the agreement of the Chapter. As I have evidenced earlier, Prior Eastry was a man who, throughout his priorate, always maintained that no precedent should be set against Christ Church. Indeed he was a man who constantly fought to preserve their right and privileges, in other words he was ensuring that Christ Church's jurisdiction was not impacted or diminished.

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<sup>76</sup> For the endorsements of King Stephen and King John, see Haines, *Dover Priory*, p. 70 and p. 80 and for Henry III, see *CChR*, *21 Henry III*, p. 227 [19 May 1237] and *56 Henry III*, p. 178 [28 December 1271].

<sup>77</sup> Haines, *Dover Priory*, p. 96.

### 7.1.5: The Madness of Prior Eastry

It is clear that Eastry was not going to allow the question of jurisdiction over Dover Priory to end with judgement against Christ Church and hence a reduction in their jurisdictional authority. Between 1314 and 1319 various attempts were made by Dover Priory to restrict Christ Church's jurisdiction, as the latter had continued to ignore Edward II's judgement of 1310 not to interfere with Dover Priory; a judgement that was renewed in 1314.<sup>78</sup> For example, one of Dover Priory's attempts to curtail Christ Church's interference took place on 4 May 1315 when an exemplification of their successful suit before Edward I was read at the behest of Queen Isabella.<sup>79</sup> During the same period Dover Priory were also successful in recovering their tolls, which were originally granted by Henry II. However, Christ Church's counter-claim on the same day, 4 May 1315, appears to have been unsuccessful. The claim was based on an *inspeximus* of Henry II's charter which granted Dover Priory, in frankalmoin, to the Church of Canterbury and Archbishop Theobald.<sup>80</sup> However, on matters relating to Dover Priory tithes and alienation of goods, Christ Church were successful in obtaining *cautiones* from the Court of Contradictory Letters at the Roman curia. These extant and valuable letters also attested to the importance of an institutional and legal memory to protect rights and privileges, and prevent precedents being set against Christ Church.<sup>81</sup> As discussed earlier, in relation to the eleven year hiatus in the 1270s and early 1280s, each litigant would wherever possible seek to delay proceedings on the case. Christ Church, in particular, objected to the place of judgement and the appointment of the judges; a compromise was eventually reached in December 1316 with agreement by both parties.<sup>82</sup>

A settlement of the long running dispute over the right to appoint a prior for Dover Priory was demanded by the monks of Dover, in c.1319, through a plea to Edward II, which pointed out that the case was taking too long to settle; two other

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<sup>78</sup> Haines, *Dover Priory*, p. 94.

<sup>79</sup> *CPR, Edward II, Vol. 2: 1313-1317*, p. 286-287 [Exemplification: 4 May 1315].

<sup>80</sup> *CPR, Edward II, Vol. 2: 1313-1317*, p. 285 [Inspeximus: 4 May 1315].

<sup>81</sup> CCA-DCC-ChAnt/D/87 [Report of *cautio*: 17 December 1316] and CCA-DCC-ChAnt/D/90 [Report of *cautio*: 17 December 1316].

<sup>82</sup> CCA-DCC-ChAnt/D/78 [Letter of compromise concerning appointment of judges: 30 December 1316].

pleas were issued, possibly shortly afterwards as the sub-prior was now mentioned.<sup>83</sup> These pleas by Dover Priory were only partially successful when Edward II, on 3 June 1319, granted custody of the priory to Ralph de Walmere, 'to hold during pleasure'; Edward II also issued a writ *de intendendo*, 'directed to the knights, free men and other tenants of the priory'.<sup>84</sup> Despite this ruling, it would appear that Edward II was not satisfied that he fully understood the issues surrounding Dover Priory's petition, as he summoned, on 3 June 1320, Archbishop Reynolds to explain his right to the advowson and the monks of Canterbury to explain their rights.<sup>85</sup> On 5 June 1320 Edward II issued a letter to Ralph de Walmere ordering that he admit a person nominated by Reynolds to jointly supervise the priory; Edward II further informed Walmere that he did not wish for certain reasons that the matter should be finally determined.<sup>86</sup> Following a delay of five months, on 24 November 1320, Edward II made what appears to be a final judgement. He assigned the advowson to Reynolds so that he could hold it as his predecessors with the exception that on the death of the prior of Dover Priory, he decreed that an appointment must be made from Dover itself. Edward II further stipulated that if both Dover Priory and the archbishopric were vacant, then the sub-prior of Dover should have custody. In addition, Edward II issued a mandate to Walmere to 'meddle therewith no further' and heeded Reynolds' wishes. In other words Edward II had intended that this should be a full and final settlement.<sup>87</sup> Edward II also made a further judgement and granted, on 21 May 1321, the advowson of Dover Priory to Reynolds, adding that 'the grant is made for devotion to Canterbury Cathedral and St. Thomas Becket'.<sup>88</sup> Despite the almost immediate appointment, on 29 May 1321, of John de Sholdon as their new prior, two new petitions covering similar issues were sent to Edward II by

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<sup>83</sup> TNA SC8/82/4093 [c. 1319], given that the plea was issued by the monks of St. Martin's church, Dover, it indicates that they are without a prior nor an approved deputy. Edward II appointed a group of men to investigate petition; TNA SC8/128/6387 [1319-1321] is a similar short plea but from sub-prior and monks of Dover Priory; TNA SC8/145/7210 [1319-1321] is a longer plea again from sub-prior and monks of Dover Priory requesting Edward II to remedy there situation.

<sup>84</sup> *CPR, Edward II, Vol. 3: 1317-1321*, p. 339; *Petitions to the Crown from English Religious Houses c. 1272-c. 1485*, Gwilym Dodd and Alison K. McHardy, eds., The Canterbury and York Society, Vol. C, (Boydell Press, 2010), #149, pp.183-185; Christ Church were also pursuing their claim at the Roman curia, see Wright, *The English Church*, p. 327.

<sup>85</sup> CCA-DCC-ChAnt/D/73 [Edward II writ: 3 April 1320].

<sup>86</sup> *CCIR, Edward II, Vol. 3: 1318-1323*, p. 195.

<sup>87</sup> *CPR, Edward II, Vol. 3: 1317-1321*, p. 531.

<sup>88</sup> *CPR, Edward II, Vol. 3: 1317-1321*, p. 587; CCA-DCC-ChAnt/D/96 [Grant from Edward II: 21 May 1321].

the prior and convent of Dover.<sup>89</sup> Matters appeared to move apace as Edward II, on 14 July 1321, issued a writ to Prior Eastry which commanded him to revoke sentences of excommunication served on Dover Priory and not to proceed with any undecided cases pending between Christ Church and Dover Priory in any ecclesiastical court, either at the papal court or elsewhere; Edward also referred to the 'attachment' of Eastry which referred to earlier *sede vacante* actions after Winchelsey's death on 11 May 1313.<sup>90</sup> Judgement was swift and against Prior Eastry, however on 28 September 1321 Edward II issued Letters Patent to Justice Henry le Scrope and the Kings' Bench to prevent the arrest of Prior Eastry, adding that, 'the execution of judgment shall be respited at the king's pleasure.'<sup>91</sup> Edward II may have on reflection remembered that Prior Eastry was seventy years old and imprisonment would have served no useful purpose and, indeed, may well have ended Prior Eastry's life prematurely. However with the stay of execution of arrest Eastry continued as prior until his death, aged approximately eighty years, in 1331.

One would have imagined that with a stay of sentence hanging over him, Prior Eastry would have been content to live the rest of his life managing Christ Church, which he had done successfully for the last forty-two years, but this was not the case. Throughout his long priorate Eastry made several attempts to impose the jurisdiction of Christ Church on Dover Priory despite legal rulings against him in the courts of Edward I and Edward II and against the ruling of the archbishops of Canterbury Pecham and Reynolds. Yet regardless of these judgements it appears that jurisdictional disputes surrounding Dover Priory did not have any adverse consequences for his priorate or his relations with Reynolds.

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<sup>89</sup> TNA SC8/128/6383 [c. 1321]; Since the petitioners included the prior, then the petition must be later than 29 May 1321 when John de Scholdon was appointed prior, see Haines, *Dover Priory*, p. 261 and David M. Smith & Vera C. M. London, eds., *The Heads of Religious Houses: England & Wales, II. 1216-1377*, (Cambridge University Press, 2001), p. 98. Before the appointment of Prior Sholdon, Dover Priory issued two petitions, which among other requests asked to be allowed to appoint a prior, see TNA SC8/257/12847 [1320] and TNA SC8/267/13302 [c. 1321]; see also TNA SC8/264/13198[1322-1327] and Haines, *Dover Priory*, p. 96.

<sup>90</sup> CCA-DCc-ChAnt/D/97 [Writ from Edward II to Prior Eastry: 14 July 1321], it appears that the writ is endorsed saying that it was not received until 15 September 1321.

<sup>91</sup> *CCR, Edward II, Vol. 3: 1318-1323*, p. 402.

### 7.1.6: All's Well That Ends Well: The Final Composition 1331 - 1356

Christ Church, throughout the history of this dispute, had always seen an opportunity to re-establish their jurisdiction whenever significant administrative changes had occurred, such as the death of a king, of the archbishop or in the case of Dover Priory, its prior. Such an opportunity presented during the political turmoil of 1327, following the deposition of Edward II, and his subsequent death along with that of Archbishop Reynolds, both by December 1327. On Reynolds' death, no new archbishop was consecrated immediately, consequently during the ensuing *sede vacante* period Christ Church held jurisdiction for the spiritualities of the see of Canterbury. Despite both Edward I and Edward II's judgement against Christ Church, the monastery immediately appealed to the new king, Edward III, for restitution of their jurisdiction over Dover Priory. Christ Church's appeal was rejected and Dover Priory's right to be freed from interference during the voidance of the archbishopric was renewed by the newly consecrated, Archbishop Meopham [June 1328-October 1333]. However, Meopham rebuked Dover Priory for taking their appeal to the secular court, since the issue was one of advowson ownership; an ownership that Edward II granted to Reynolds and his successors and hence was within Meopham's jurisdiction.

This apparent setback did not deter Christ Church, since in June 1331 in the first year of Prior Oxenden's priorate he asked William de Everdon, a friend of Christ Church, to use his influence in a new jurisdictional case pending before the courts: '*Quia habemus quaedam negotia in Curia Domini Regis Londoniarum expedienda quae per vos felicius poterunt expediri*'.<sup>92</sup> Christ Church had always maintained close relationships with the judiciary, both lay and ecclesiastical, through pragmatic use of the pension system. These judges were often part of the Prior's council and by 1332 the majority of Christ Church pensions were paid to ecclesiastical judges.<sup>93</sup> Although it is not clear, from the extant documentation, which court heard this pending case, Oxenden's actions and Christ Church's policy on judicial pensions suggests that the case may have been due to be heard before an ecclesiastical court.<sup>94</sup> However, it is not self-evident that Dover Priory brought the

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<sup>92</sup> *Lit. Cant.*, i, no.361, p. 372 [Letter: June 1331].

<sup>93</sup> Smith, *CCP*, p. 74.

<sup>94</sup> For a general discussion of Courts Christian and in particular their structure, see Peter D. Jason, 'The Courts Christian in Medieval England', *The Catholic Lawyer*, 37 (1997), 339-360; there is a

case to an ecclesiastical court, although not to do so would have again risked the wrath and retribution of Meopham. Given the fourteenth-century instances of this case being heard in a secular court, Oxenden's request to Justice Everdon may reflect Everdon's contacts rather than the actual court. As has already been mentioned, Meopham's registers are missing therefore we have no way of determining the outcome of the appeal. However, given that there is no record of a settlement listed in the Patent Rolls for 1332 or any extant document in the Christ Church archives, then we may conclude with some degree of certainty that no agreement was reached. The lack of evidence in the Crown enrolments does not necessarily indicate that the appeal was prosecuted in the Kings' court, since the case could have been delayed. On the other hand if the case had been prosecuted in an ecclesiastical court then it would seem reasonable to assume that Oxenden's appeal, to ecclesiastical judges, to influence the case was successful. It is equally possible however, that Dover Priory's long history of intransigence and prevarication in jurisdictional disputes with Christ Church, caused a twenty-four year hiatus before the case was resolved. As discussed earlier, when appeals were brought before the Court of Arches or the Court of Audience, Dover Priory often objected to seemingly irrelevant detail, thus avoiding compromise or judgement against them. I would argue, this position was equally valid for Christ Church not least because they had significantly greater funding, with which to prosecute jurisdictional issues, than Dover Priory. Perhaps of greater importance to Christ Church was one of precedence, not only wishing to protect themselves against Dover Priory but against all other Benedictine houses or secular claims.

On 26 March 1337, at Westminster, an exemplification was read, at the request of Dover Priory, which repeated Edward II's earlier ruling that Prior Eastry and Henry de Forsham, his commissary, had acted illegally against the king during the *sede vacante* period following Archbishop Winchelsey's death. The exemplification also repeated Edward II's stay of execution against Eastry's arrest.<sup>95</sup> However, there was no reference to any stay of execution for de Forsham, therefore

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William de Everdon identified as a king's clerk in August 1322, see *CPR, Edward II, Vol. 4: 1321-1324*, p. 197.

<sup>95</sup> *CPR, Edward III, Vol. 3: 1334-1338*, pp. 410-412; Dover Priory in a separate action through a testification on, 20 February 1338, were able to recover tolls and customs from the Port of Dover, see *CPR, Edward III, Vol. 4: 1338-1340*, p. 17.

it is reasonable to conclude that he was arrested and sent to prison.<sup>96</sup> There is no obvious reason why Dover Priory sought this exemplification since the new archbishop, John Stratford [November 1333-August 1348], had been in office since 1333. Stratford, in July 1334, had asked one of his officials, Adam Murimuth, to examine the relevant documents concerning jurisdictional rights over Dover Priory, however nothing appears to have been concluded and Christ Church continued to press its claims.<sup>97</sup> The exemplification apparently had the desired effect as Prior Oxenden, in a letter dated 22 November 1337, agreed to arbitration and to abide by the decision of Stratford.<sup>98</sup> Oxenden's letter suggests a period of fruitless discussions between Christ Church, Dover Priory and Stratford with no resolution to the agreed jurisdictional issue. Since Stratford's registers have been lost, we may only infer that Stratford had not resolved the case before his death in 1348. Indeed, Prior Hathbrand appointed two Christ Church monks, on April 5 1350, John Hedecrone and James de Oxene as proctors to receive Archbishop Islip's decision regarding jurisdiction over Dover Priory.<sup>99</sup> On the 20 May 1350 Islip issued an ordinance subsequently confirmed by Edward III on 26 May 1350. The ordinance contained four clauses: firstly, during *sede vacante* periods of the archbishopric, Dover Priory must render canonical obedience to the prior of Christ Church of Canterbury, who is their superior; secondly, also during *sede vacante* periods, Dover Priory will not prevent the clergy of their appropriated churches from rendering canonical obedience to Christ Church, nor will they prevent Christ Church from exercising ecclesiastical jurisdiction over them and their people, or distributing oil and chrism; thirdly, it renewed Dover Prior's freedom from Christ Church jurisdiction *sede vacante*, except for the rendering of canonical obedience and it further absolved Dover Priory from impeachment by Christ Church forever, quashing anything that is contrary to this ordinance; and fourthly, Dover Priory was to pay Christ Church one-hundred shillings from the manor of Siberteswold [Shepherdswell], for the sake of peace and quiet, while the archbishopric reserved judgement on certain churches, as it was

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<sup>96</sup> Edward II issued a writ to free Hugh de Forsham and others from Canterbury gaol on 14 June 1311, see *CCIR, Edward II, Vol. 1: 1307-1313*, p. 317.

<sup>97</sup> Roy M. Haines, *Archbishop John Stratford*, (Pontifical Institute of Medieval Studies, 1986), p. 58.

<sup>98</sup> CCA-DCC-ChAnt/D/99A [Submission to arbitration: 22 November 1337].

<sup>99</sup> CCA-DCC-ChAnt/D/101 [Appointment of proxies: 5 April 1350]; Roy Martin Haines, 'Stratford, John (c.1275-1348)', *ODNB*, [article/26645, accessed 28 Nov 2011]; CCA-DCC-ChAnt/D/95 [includes papal bulls: mid 14<sup>th</sup> century] contains copies of documents from 1143-1331 such as papal letters and charters relating to rights of Christ Church over Dover Priory.

unclear who owned the rights.<sup>100</sup> In essence, Islip maintained the status quo but imposed a financial burden on Dover Priory, perhaps in the hope and expectation that they would not pursue any further unnecessary court action, although the rendering of canonical obedience during *sede vacante* periods is important and will be discussed below.

It would appear that Dover Priory did not heed Islip's ordinance, as Islip was granted a licence in mortmain, on the 20 May 1356, to unite Dover Priory with Christ Church; a clause was also attached that allowed Islip to appoint whomever he wished as prior if Dover Priory became vacant before the mortmain licence was enacted.<sup>101</sup> Apparently, according to the Patent Rolls, a second licence in mortmain was granted to Islip following an inquisition by Gilbert de Helles, the escheator of Kent, as to who held the advowson of Dover Priory. Helles determined that Dover Priory was held by the archbishop in frankalmoin and further confirmed that uniting the two priories was the only available option to settle the issue.<sup>102</sup> On the same day, 20 May 1356, Edward III issued Letters Patent confirming Dover Priory's independence from interference by Christ Church, in direct contradiction to the licence in mortmain granted to Islip to resolve the issue.

Arguably, the arguments between English kings and archbishops of Canterbury concerning the control or at least the restriction of ecclesiastical jurisdiction, for the early fourteenth century has been researched in detail, for example by Jeffery Denton and J. Robert Wright.<sup>103</sup> However, as argued above, the dispute surrounding Dover Priory was multi-faceted, involving as it did complex relationships between pope, king, archbishop and, the priories of Dover and Canterbury. Throughout its two-hundred and twenty year history, the dispute was prosecuted and settled under both ecclesiastical and secular jurisdictions. One key aspect of this complex jurisdictional issue was over who had the right of authority over Dover Priory. As I have discussed above only two people had any authority, namely the archbishop of Canterbury by virtue of the advowson ownership and the

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<sup>100</sup> CCA-DCc-ChAnt/D/100 [Notarial exemplification of composition: 20 May 1350], this document is a notarial exemplification of Islip's composition; for Edward III's judgement see, *CPR, Edward III, Vol. 8: 1348-1350*, pp. 508-509; CCA-DCc-ChAnt/C/1042A [part agreement between Christ Church and Dover Priory: mid-14<sup>th</sup> century] dated because of reference to Prior Hathbrand [1338-1370].

<sup>101</sup> *CPR, Edward III, Vol. 10: 1354-1358*, pp. 383-383.

<sup>102</sup> *CPR, Edward III, Vol. 10: 1354-1358*, p. 379.

<sup>103</sup> For a discussion surrounding Robert Winchelsey, see, Jeffery H. Denton, *Robert Winchelsey and the Crown, 1294-1313*, (Cambridge University Press, 1980: paperback, 2002) and for Walter Reynolds, see Wright, *Church and the English Crown*.

king by virtue of the foundation rights of his predecessors, in particular Henry I. Notwithstanding this seemingly straightforward situation, Christ Church had continued to act without authority. Therefore, the remainder of this chapter will address the contextual issues and will present a rationale for Christ Church's unilateral actions.

## 7.2: The Clash of Jurisdictions: Ecclesiastical Ideology versus Constitutional Reform

Despite seemingly binding settlements made by the highest ecclesiastical or secular authorities and agreed by both Christ Church and Dover Priory, the dispute was repeatedly re-opened most often by Christ Church's actions when the archbishopric was vacant. An analysis of the dispute outlined above raises, in my opinion, several important questions which, when answered, will aid our understanding of the complex inter-relationship between the five involved parties and the two distinct jurisdictions. These questions are fourfold: firstly, why did Jeremiah, the Christ Church sub-prior, act in defiance of secular and ecclesiastical law, and why was neither he nor Theobald punished for their unilateral actions; secondly, did Theobald's ordinance which changed the monastic order at Dover Priory from Augustinian to Benedictine compromise its earlier classification as an Anglo-Saxon royal secular college; thirdly, was Edward I's prosecution for the advowson of Dover Priory legal; and fourthly, why did Prior Eastry act in defiance of the Royal judges' ruling. Each of these questions will be discussed against the background of the prevailing political situation and, the inherent evolutionary changes occurring in secular and ecclesiastical legislative systems and their respective administrative machineries.

### 7.2.1: Jeremiah's action, Theobald's support and Ideology

It is clear that Jeremiah's action, when sub-prior of Christ Church, that forbade the admission of Augustinian canons to Dover Priory, his subsequent illegal election as Prior of Christ Church and his installation of Benedictine monks from Canterbury to occupy Dover Priory, exacerbated what must have been a tense situation. These actions therefore pose an intriguing and fundamental question: is it feasible to offer a rational explanation for Jeremiah's behaviour and Theobald's support? Through an examination of the contemporary secular and ecclesiastical

politics, I intend to demonstrate that Christ Church's concerns were partly constitutional and partly ideological in nature, and therefore Jeremiah acted in light of what he perceived as a direct threat to the supremacy of Canterbury and more particularly Christ Church.

In early twelfth-century England, there were two key ecclesiastical disputes, which could be considered constitutional: firstly, the right to elect the archbishop of Canterbury following a vacancy; and secondly, the primacy of Canterbury over York. The archbishop of Canterbury had a number of concurrent positions, including the metropolitan and the bishop of the diocese of Canterbury; he was also *de facto* the abbot of Christ Church, a Benedictine priory. Consequently, in accordance with Chapter 64 of the Rule of St. Benedict, the monastic chapter had the right to elect its own abbot.<sup>104</sup> For a Benedictine chapter such a right would be jealously guarded, however the complication was that the archbishop of Canterbury was also the head of the church in England and a prominent individual in the governance of England. With the importance of his role as advisor to the king, it was inevitable that other individuals such as the pope, the suffragan bishops of the southern province, the barons and the king would feel that they had a more important vote than that of the Canterbury chapter. Archbishop Corbeil's election, in 1123, was not the first to challenge the Canterbury chapter's rights. Corbeil's predecessor, Ralph D'Escures, had been elected through a compromise between the king, the barons and the Canterbury chapter in May 1114. When Henry I convened the Council of Gloucester, in February 1123, to elect a new archbishop, he provoked controversy and struggle for electoral dominance.<sup>105</sup> At the council, the Christ Church monks backed by the barons wanted a monk, while the episcopal group led by Roger of Salisbury favoured a secular appointment. The Canterbury monks' argument rested, not unnaturally, on the Rule of St Benedict, on the historical precedent that all three previous archbishops, namely Lanfranc, Anselm and Ralph D'Escures, had been monks, and on the fact that William Rufus had given Christ Church the single right to elect their archbishop, that is Archbishop Anselm. However, Roger of Salisbury's episcopal

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<sup>104</sup> *The Rule of St. Benedict*, Abbot Justin McCann, ed. and trans., (Sheed and Ward, 1972), pp. 145-147.

<sup>105</sup> Canterbury's primacy claims had arisen under archbishop Anselm, for a discussion of Corbeil's election and the primacy debate, see Brett, *English Church*, p. 12-13 and *en passim*; Martin Brett also provides a comprehensive analysis of the operation of the English Church for the first three decades of the twelfth century arguing that it 'was itself shaped and altered by currents of social, legal, and political change in which the whole kingdom, and sometimes all Europe, was involved', p. 2.

group favoured a secular appointment because of the important role that the archbishop fulfilled in the governance of England.<sup>106</sup> Corbeil was viewed as a reformer and an excellent scholar, and, as it happened in the election of Ralph D'Escures, a compromise solution was found whereby Christ Church's rights were seen to be preserved and precedent maintained. Of the names proposed by Henry I, the monastic group chose Corbeil which as Barlow notes, 'the monks [Christ Church] opted for the one they considered the least unsuitable', adding that 'William, although not a monk, was at least a regular canon'.<sup>107</sup> Constitutionally, the archiepiscopal election was a win for both sides, although the king had the upper-hand in terms of nomination, while Christ Church's precedent was seen to be maintained. The matter of precedent being set against Canterbury is a recurring theme throughout its whole history from its Anglo-Saxon origins to the Dissolution under Henry VIII. From Christ Church's perspective it could be argued that at least they had chosen a person with an ecclesiastical background, albeit an Augustinian canon; however, they may have seen the burgeoning growth of Augustinian canons as a threat to the ideology of Benedictine monasticism.

The second constitutional issue was the supremacy of Canterbury over York, an issue first begun in 1070 and one which had been exacerbated by Corbeil's predecessor Ralph D'Escures who refused to consecrate Thurstan as archbishop of York, unless he professed obedience to Canterbury.<sup>108</sup> Despite Thurstan's refusal to obey Henry I at the Council of Salisbury in 1116, and to submit to Canterbury, the matter was eventually resolved in Thurstan's favour when he was consecrated by Pope Calixtus II in October 1119. Calixtus also released Thurstan from obedience to Canterbury forever.<sup>109</sup> With the support of the papal mandate, Thurstan refused to accept Corbeil as his superior and subsequently the supremacy was disputed at the Roman curia by both parties. York was again supported by the papacy when Pope Honorius [r. 1124-1130] ruled in its favour, basing part of his judgement on the fact

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<sup>106</sup> C. Warren Hollister, *Henry I*, ed. and completed by Amanda C. Frost, (Yale University Press, 2001: paperback, 2003), p. 287-288 and Frank Barlow, 'Corbeil, William de (d. 1136)', *ODNB*, [article/6284, accessed 10 Nov 2011]; B. R. Kemp, 'Salisbury, Roger of (d. 1139)', *ODNB*, [article/23956, accessed 10 Nov 2011].

<sup>107</sup> Frank Barlow, *The English Church 1066-1154*, (Longman, 1979), p. 85 and Barlow, 'Corbeil', *ODNB*.

<sup>108</sup> Barlow, *English Church*, pp. 39-44; Robert Bartlett, *England Under the Norman and Angevin Kings, 1075-1225*, (Clarendon Press, 2000), p. 394.

<sup>109</sup> Hollister, *Henry I*, pp. 269-273.

that Christ Church's documents were forged.<sup>110</sup> In June 1138 a papal legate, Alberic, cardinal-bishop of Ostia, arrived in England and after a visitation of the dioceses he summoned a general council at Westminster for 11 December. In his mandate to the diocese of Canterbury he listed the appointment of a new archbishop among the business to be transacted. He recognized the right of the monks to elect the archbishop, but also mentioned the interest of the bishops and the king in the matter.<sup>111</sup>

Constitutional issues aside, there was an ideological threat to Benedictine monasticism, although perhaps not as great as Jeremiah may have believed. The ideological threat came from the rise of the Augustinian canons that lived a more austere life than the Benedictine orders, which in the late tenth and eleventh centuries appeared more acceptable in social and economic terms.<sup>112</sup> Both Henry I and Queen Matilda were not only enthusiastic supporters of Augustinian canons but shared a preference for them over other religious orders.<sup>113</sup> During their reign forty-three new houses were founded, many with the full backing of Archbishop Anselm but more specifically, the powerful landowner and champion of Augustinians, Roger of Salisbury.<sup>114</sup> For example, in 1131 at the cathedral of Sees [Orne: Lower Normandy], Henry I, with papal permission, had replaced secular canons with Augustinians, a move which may well have alarmed some elements of the Benedictine order. Similarly, William Paynel founded an Augustinian priory at Drax, in Yorkshire, with the full support of Thurstan.<sup>115</sup> Nevertheless, as Marjorie Chibnall observes, 'The monastic reforms of the tenth century in England ... had established a solid core of

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<sup>110</sup> For a wider discussion of Corbeil and the York dispute, see Denis Bethell, 'William of Corbeil and the Canterbury York Dispute', *JEH*, 19 (October, 1968), 145-159; Poole, *Domesday to Magna Carta*, p. 184; Charles Duggan, 'From the Conquest to the Death of John' in Clifford H. Lawrence, *The English Church and the Papacy in the Middle Ages*, (London, 1965), p. 98.

<sup>111</sup> Barlow, *English Church*, p. 110; Robert Bartlett, *England Under the Norman and Angevin Kings*, p. 411.

<sup>112</sup> Marjorie Chibnall, 'Monastic Foundations in England and Normandy, 1066-1189' in David Bates and Anne Curry (eds.), *England and Normandy in the Middle Ages*, (The Hambledon Press, 1994), p. 43; for a general discussion on Augustinian canons, see John Dickinson, *The origins of the Austin Canons and their introduction into England*, (SPCK, 1950).

<sup>113</sup> The Augustinian canons represented a different way of life to that of the Benedictine monastery and had at least in their ideals, of a rigorous canonical life and, a more frugal and needy life, had much in common with hermits, for a broader discussion, see Henrietta Leyser, *Hermits and the New Monasticism*, (Macmillan Press, 1984); for the growth of Augustinian canons after 1100, see David Knowles, *The Monastic Order in England*, 2<sup>nd</sup> ed., (Cambridge University Press, 1948, paperback: 1979), p. 175.

<sup>114</sup> Hollister, *Henry I*, p. 397.

<sup>115</sup> Chibnall, *Monastic Foundations*, pp. 46-47.

great Benedictine houses on both sides of the channel'.<sup>116</sup> On the contrary, Lawrence notes that Augustinian canons were 'a movement which began in northern Italy and southern France ... actively promoted by bishops of the reforming tendency [Gregorian Reform programme]'.<sup>117</sup> The growth of Norman wealth was mirrored in their patronage of religious institutions; however in a finite world, patronage of Augustinian houses meant less patronage for Benedictine houses.<sup>118</sup>

In Barlow's short biography of Theobald, he notes that, '[Theobald] was at first impressed by this firebrand [Jeremiah]', which in and of itself may be the sole reason that Jeremiah acted against Dover Priory. However, Christ Church was not isolated from the political, social or economic climate in either England or continental Europe; with its position close to the continent they would have been fully aware of the rise of Augustinian canons. A rise not only supported by Henry I and Matilda, but also by powerful adversaries such as Roger of Salisbury and Archbishop Thurstan. In describing Jeremiah as a firebrand, Barlow is also inferring that he was an eloquent and persuasive speaker and thus would have not only convinced the Christ Church chapter of the financial and ideological threat by the establishment of another Augustinian monastery, but also by the constitutional challenges that they faced over the supremacy of Canterbury. Commenting on a late twelfth-century confrontation between Christ Church and their archbishop that attempted to establish a new collegiate church at Hackington [Canterbury] paid for with revenues from Christ Church, Barrie Dobson argues that, 'the Canterbury monks were notoriously alarmed by the danger such a foundation might take', a comment that would have found resonance in Jeremiah's time.<sup>119</sup> Accordingly, it is hardly surprising that a 'firebrand', such as Jeremiah, acted with the full backing of his convent and the consequences of his actions are in themselves also an interesting point for discussion.

Theobald was consecrated archbishop in January 1139; yet despite his undoubted knowledge of the Rule of St. Benedict he condoned Jeremiah's illegal act and allowed Dover Priory to be re-populated by Benedictine monks. Part of

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<sup>116</sup> Chibnall, *Monastic Foundations*, p. 38.

<sup>117</sup> Clifford H. Lawrence, *Medieval Monasticism*, 2<sup>nd</sup> edition, (Longman, 1989), p. 164; there were two-hundred and seventy four Augustinian foundations in England as against two-hundred and nineteen Benedictine, p. 167.

<sup>118</sup> Chibnall, *Monastic Foundations*, p. 47.

<sup>119</sup> Dobson, 'Canterbury in the Later Middle Ages', *Canterbury Cathedral*, p. 74.

Theobald's reasoning no doubt concerns his wish to maintain good relations with his convent. On the other hand, Theobald also chose to ignore Jeremiah's illegal election as Christ Church prior, no doubt wishing to make use of his talents for the reform of the diocese of Canterbury, but also due to his involvement in the civil war with Normandy, and the succession of King Stephen.<sup>120</sup> Jeremiah's usefulness in reforming the diocese eventually ended and Theobald deposed him, which may have been the opportunity that Theobald needed to exact punishment for Jeremiah's illegal action over Dover Priory and the harm that he may have caused to the reputation of both the archbishop and Christ Church. However, despite a successful appeal to the papal court by Christ Church, Jeremiah was eventually forced to resign in c.1143 with a payment of one hundred marks to offset the cost of his appeal to Rome.<sup>121</sup>

Irrespective of Gervase's partisan account of sub-prior Jeremiah's actions regarding the installation of Augustinian canons at Dover Priory, we should be in no doubt that he acted contrary to both canon and secular law. However, in reality Jeremiah usurped the authority of both the king and the pope. Despite this unlawful behaviour Jeremiah was not punished by either the king or Theobald. We may never know why the King Stephen took no action; however we must presume that, because Stephen knew that the advowson belonged to Archbishop Theobald, it became an ecclesiastical matter and therefore there was no need for intervention. Additionally, Stephen's attention may have been diverted towards more important issues such as civil war and the claims of Matilda. As to why Theobald took no action may be simply answered by the fact that Jeremiah had installed Benedictine monks at Dover Priory and Theobald, also Benedictine, 'found himself in entire sympathy with his [Jeremiah] viewpoint.'<sup>122</sup> While this may seem a plausible explanation I think that there were three other reasons for inaction by Theobald against Jeremiah. Firstly, he wanted to use Jeremiah's talents to prevent clerical marriage in the diocese, a major element of the earlier Gregorian reform. Secondly, a political motive which reversed the policy of Henry of Winchester, who was King Stephen's brother, and once a potential rival for the archbishopric, in favouring Augustinian canons at Dover Priory.<sup>123</sup> Thirdly, Theobald had strong supporters in England and the Roman curia.

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<sup>120</sup> Barlow, 'Corbeil', *ODNB* and King, *King Stephen*.

<sup>121</sup> Barlow, 'Corbeil', *ODNB*.

<sup>122</sup> Saltman, *Theobald*, p. 57.

<sup>123</sup> Saltman, *Theobald*, p. 57 and p. 9.

In Rome he had the support of Cardinal Robert Pullen [1145-1147] and in England Stephen doubtless recognised Theobald's qualities of arbitration in both the civil war and the succession crisis. Stephen had also favoured Theobald, as the new archbishop, over his brother Henry.<sup>124</sup> In the latter part of Theobald's archiepiscopate moved to strengthen Christ Church's jurisdictional position over Dover Priory through legislation, making Dover a cell of Canterbury; a move that may have had implications for its status as a royal chapel. Finally, one further intriguing possibility is posed by Jeremiah's action and that is one of ideological belief. A belief entwined in the complexities and political motivations surrounding Canterbury's supremacy over York, together with the electoral rights and privileges of Christ Church in the election of a new archbishop of Canterbury. If Jeremiah did see these issues as ideological, then he may have found his answer in the wording of Henry I's grant, which included a dedication to the 'Church of Canterbury'. Arguably, Jeremiah would have rationalized his actions because he believed that Christ Church and the 'Church of Canterbury' were one and the same entity. This important aspect of the Dover Priory dispute will be discussed further when drawing conclusions from my contextual analysis for Christ Church's jurisdictional challenges.

#### 7.2.2: Did Theobald's *Ordinatio alter Dover Priory*' status as a Royal Free Chapel?

Jeffery Denton has pointed out that St. Martin's church originated as an Anglo-Saxon royal secular chapel and along with others in England, such as Waltham Holy Cross, was founded by secular canons and not under a specific religious rule, for example Augustinian canons. In all of these early foundations, the jurisdiction of the chapels belonged to the king and there was no local episcopal jurisdiction.<sup>125</sup> Dover Priory's claim to exemption had rested with this association with the Anglo-Saxon kings of Kent. Nicholas Brooks casts doubt on the authenticity of these charters and their synodial confirmation. Brooks rationale is based on four key elements: firstly, episcopal control clauses are very similar to known forgeries associated with Le Mans and Agobard of Lyons; secondly, any royal diploma would

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<sup>124</sup> Saltman, *Theobald*, p. 22; Stephen was also a supporter of the Benedictine order and had founded Faversham Abbey [Kent] in 1147, see King, *Stephen*, pp. 248-249; for his peace making involvement, see pp. 138-139 [1140] and pp. 279-282 and 298-299 [1153]; Cardinal Robert Pullen was also chancellor of the Roman Church from 1145, see David Luscombe, 'Pullen, Robert (*d.* in or after 1146)', *ODNB*, [article/22877, accessed 16 March 2012].

<sup>125</sup> Haines, *Dover Priory*, p. 24.

have benefitted Archbishop Wulfred [805-832] who was struggling with the Synod of Chelsea; thirdly, privileges would not have been required by abbesses, as nearly all were of royal blood; and fourthly, the formulae followed were those of ninth century Kentish charters rather than eighth century.<sup>126</sup> Furthermore, although both Brooks and Everitt agree that St Martin's at Dover was an Anglo-Saxon royal minster and subject only to royal and papal jurisdiction, there is no mention, as far as can be determined, of any jurisdiction by the archbishop of Canterbury.

An examination of early Norman extant evidence demonstrates that nothing of significance appears to occur in relation to the prebendal church of St. Martin's, Dover. The first significant reference does not occur until the production of the *Domesday Book*, by William the Conqueror [1086], and the production of the *Domesday Monachorum*, by Christ Church [1087].<sup>127</sup> Between the foundation by Withred in the late eighth century and the *Domesday Book* there is no allusion to St Martin-le-Grand having any royal association; however, a royal connection is inferred by a grant of Henry I. In 1106, Henry I restored the church of St Martin's to Ranulf Flambard, the bishop of Durham, and also restores 'all the things he held in Kent in the time of King William, my brother.'<sup>128</sup> Interestingly, Herbert Craster refers to the 'unreformed canons of St. Martin of Dover' when discussing Henry I's earlier grant in 1102 that gave the canons 'all the lands that they have in demesne.'<sup>129</sup> Finally, Denton draws attention to Henry I's notification in 1108 to Archbishop Anselm that had restored the prebend held by the Abbot of St Augustine's, as evidence of continued royal interest in Dover Priory.<sup>130</sup> It would appear from this succession of royal grants that Henry I retained an interest in St Martin's. This would

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<sup>126</sup> Brooks, *The Early Church of Canterbury*, pp. 191-197.

<sup>127</sup> Everitt, *Continuity*, p. 189; *Domesday Book*, Ann Williams & Geoffrey H. Martin eds., (Penguin Books, 1992), pp. 4-6; *The Domesday Monachorum of Christ Church Canterbury*, David C. Douglas, ed., (London, 1944), pp. 9-11, discuss the foundation of St Martin's in Dover, however, Douglas only cites the *Monasticon* as evidence; the *Domesday Monachorum* was the survey of the archbishop of Canterbury's estates, those of Christ Church, the bishop of Rochester and other Kentish landowners; also Haines, *Dover Priory*, p.78 lists the churches associated with St Martin's in Dover; see also, William Page, ed., *The Victoria history of the county of Kent*, 3 vols., (St. Catherine's Press, 1908-1926), pp. 255-256.

<sup>128</sup> Herbert H. E. Craster, 'A Contemporary Record of the Pontificate of Ranulf Flambard', *Archaeologia Aeliana*, 4<sup>th</sup> series, vol. 7 (1930), 33-56, specifically 47-51; see also James Campbell, *Essays in Anglo-Saxon History*, (The Hambledon Press, 1986), pp. 150-15; for summary of Ranulf's life, see John F. A. Mason, 'Flambard, Ranulf (c.1060-1128)', *ODNB*, [article/9667, accessed 8 Nov 2011].

<sup>129</sup> Craster, 'Ranulf Flambard', pp. 50-51.

<sup>130</sup> Denton, *Royal Chapels*, p. 58 citing *Regesta Regum Anglo Normannorum 1066-1154, Regesta Henrici Primi 1100-1135*.

support the general consensus that in the early eleventh century it was seen as a royal secular collegiate church. However, it is also possible that, in the grant to St Augustine's, Henry was merely protecting the financial interests of St Augustine's royal heritage. On the other hand the protection of the prebends at St Martin's is also consistent with Denton's arguments for royal secular approval.<sup>131</sup>

Neither Henry I nor Henry II charters denote St Martin's as a royal free chapel, indeed the only evidence for the origination of this idea comes from Gervase in 1136.<sup>132</sup> Gervase referred to St. Martin's-Le-Grand as a royal chapel, '*capellam regiam*', although he is the only recorded source to do so.<sup>133</sup> Denton argues that the use of the term '*capella*' in association with royal churches does not occur until the twelfth century and therefore it may not be unreasonable to conclude that Gervase was reflecting current fashion, rather than having access to charters that are now missing.<sup>134</sup> However, Gervase's continuator, in an entry for 1277 relating to the foundation of Dover Priory, makes no mention of any royal association except that of the Anglo-Saxon King of Kent, Withred.<sup>135</sup> Given that the evidence is written in a Christ Church chronicle and in view of the open litigation in the Court of Arches and the Court of Audience between 1273 and 1282, this may be however explained as an example of selective memory on the part of the chronicler who recalled only those facts that were favourable to the active court case rather than providing all the relevant detail.

Theobald's ordinance making Dover Priory a cell of Canterbury had a parallel with the Cistercian filial model where the responsibility for ensuring proper adherence to monastic rule lay with the mother abbey, in this case Christ Church. He would also have been aware that the Cistercians had established monasteries in England, although in keeping with their founding principles, in areas of sparse population such as Yorkshire and Wales, an achievement that an earlier reformist movement, the Cluniacs, never achieved. Having been a monk and then Abbot of Bec, Theobald would have been familiar with Cluniac principles and their replacement by the new emergent Order of Cîteaux, as the moral leaders of the

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<sup>131</sup> Denton, *Royal Chapels*, p. 135.

<sup>132</sup> Gervase, i, p. 96, '*Rex quoque Henricus dedit in dotem praefatae ecclesiae Christi capellam regiam, ecclesiam scilicet Sancti Martine de Doura cum omnibus pertinentiis et proventibus suis.*'

<sup>133</sup> Gervase, i, p. 96.

<sup>134</sup> Denton, *Royal Chapels*, p. 134.

<sup>135</sup> Gervase, ii, pp. 286-290.

monastic movement with its policy of strict adherence to the Rule of St. Benedict. Although Martin Heale observes, that ‘the monks of Cluniac houses were considered inmates of the mother house and received their profession from the abbot of Cluny alone’ and ‘the priors of daughter houses were appointed by the abbot as his deputies and were subject to his visitation’, it is not obvious from the wording of the ordinance that this is what Theobald intended.<sup>136</sup> It is more likely that Theobald was more influenced by the Cistercian model of the general chapter, although it was only ever applied to one house, Dover Priory. It was this annual meeting which required mandatory attendance that ‘preserved the spiritual cohesion and discipline of a huge organisation ... in all parts of medieval Christendom.’<sup>137</sup> I believe that it was the spiritual cohesion and discipline, inherent in the Cistercian model that Theobald wanted to apply to Dover Priory. The *ordinatio* issued while Theobald’s health was failing made him increasingly dependent on John of Salisbury, a leading clerk in his household. In Haines’ view, the date of the *ordinatio* is unknown, although he argued it must have been before Innocent II’s death, in 1143.<sup>138</sup> In this respect Haines has confused Innocent II’s ratification of Theobald’s installation of Benedictine monks at Dover Priory, dated 14 January 1140 with his later *ordinatio* making Dover Priory a cell of Canterbury. If we examine the witness list of the *ordinatio* then two witnesses, John of Salisbury and Bartholomew provide evidence for a more reliable dating. Firstly, Bartholomew is identified as the archdeacon of Exeter, whose appointment occurred in 1155.<sup>139</sup> Secondly, John of Salisbury was in Italy from November 1155 until July 1156, and we need to allow sufficient time for him to return to England. A more reliable dating for Theobald’s ordinance would therefore be between 1157 and 1161.<sup>140</sup> Given John’s intimate and exhaustive knowledge of

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<sup>136</sup> Martin Heale, *The Dependent Priors of Medieval English Monasteries*, (Boydell Press, 2004), p. 19.

<sup>137</sup> It was this model of a general chapter that was adopted at the Fourth Lateran Council [1215] and which Innocent III applied to all monasteries, see Lawrence, *Medieval Monasticism*, p. 191, for a complete discussion of the Cistercian model see, pp. 174-202 and Knowles, *Monastic Order*, pp. 208-266.

<sup>138</sup> Haines, *Dover Priory*, pp. 72-73.

<sup>139</sup> For the date of Bartholomew’s appointment as archdeacon of Exeter, see Frank Barlow, *Thomas Becket*, (Orion, 1997: paperback), p. 31.

<sup>140</sup> CCA-DCC-ChAnt/D/72 [Notification of Theobald’s ordinance making Dover Priory a cell of Christ Church: 1157x1161]; Bartholomew, John of Salisbury and Thomas Becket were all clerks of archbishop Theobald; for dates of John of Salisbury in Italy, see David Luscombe, ‘Salisbury, John of (late 1110s–1180)’, *ODNB*, [article/14849, accessed 7 Dec 2011]; for comment on Innocent’s ratification of Benedictine monks at Dover Priory, see also Saltman, *Theobald*, pp. 75-79 and Holtzmann, *Papsturkunden*, no.26, pp. 170-171 [14 April 1140: Lateran].

both civil and canon law, we can only assume that he accepted Theobald's document as valid.

As I have evidenced above, Theobald's *ordinatio* was made after he gained confirmation from both Innocent II and King Stephen to install Benedictine monks at Dover Priory. While Theobald's action may have been contrary to earlier grants, I would argue that it did not alter the status of Dover Priory as a royal chapel. Rather I would argue that the royal free chapel status of Dover Priory was removed as a direct result of Henry I's charter granting the advowson of Dover Priory to the archbishop of Canterbury and the 'Church of Canterbury'. Henry I's grant meant that Dover Priory was no longer subject to the king, that it did not have any direct royal patronage and that it was no longer exempt from episcopal jurisdiction; all criteria that defined a royal free chapel in the twelfth century. Denton asserts that Archbishop Corbeil, 'exercised rights there [Dover Priory] strictly as the donee of a royal peculiar.'<sup>141</sup> Given that a donee is the receiver of a gift and acquires the power of appointment and that gift was given in perpetuity, it surely follows that some element of royal status has been removed since it is no longer subject to the king's jurisdiction. This point was reinforced by Bracton [ca.1210-1268] in the thirteenth century when he concluded that, 'privileged chapels of the king which are subject to no church.'<sup>142</sup> Bracton's ruling may well have been responsible for the lack of any royal claim on Dover Priory until Edward I in 1284.

### 7.2.3: Did Edward I act legally over the ownership of Dover Priory's Advowson?

Inherent within this question is Dover Priory's possible status or otherwise as a royal free chapel. It is a matter of record that no royal charter or papal letter relating to the donation of Dover Priory to the archbishop of Canterbury and the 'Church of Canterbury' made any reference to a royal free chapel. As I have evidenced earlier the only reference to Dover as a '*capellam regiam*' was Gervase in 1136. It is conceivable that Gervase was referring to church of St. Martin's earlier Anglo-Saxon origins and Henry I's position before his grant in 1130.<sup>143</sup> Nevertheless, Denton states that 'there are many indications after the twelfth century that they [St. Oswald's Gloucester, Waltham, Dover and Bromfield] retained links

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<sup>141</sup> Denton, *Royal Chapels*, p. 61.

<sup>142</sup> Denton, *Royal Chapels*, p. 13.

<sup>143</sup> Gervase, i, p. 96.

with their earlier position as royal free chapels.’<sup>144</sup> It is clear that Dover Priory never appeared to have questioned archiepiscopal rights over the appointment of their prior. Issues had consistently arisen when an archbishop had died or when both the archbishop and the prior of Dover Priory had died. On either of these situations, Christ Church had exercised jurisdictional control. Dover Priory had maintained that Henry I’s charter and Innocent II’s confirmation meant that Christ Church was not allowed to interfere with their monastery. Haines had clearly seen this dispute as a struggle for jurisdictional control between Christ Church and Dover Priory; however, Denton sees this interpretation as ‘dangerous’, most notably because the archbishop was both ‘patron and prelate’.<sup>145</sup> Nonetheless, the question remains as to who owned the advowson of Dover Priory, in other words the right of appointment.

The ownership of the advowson was granted to the archbishops of Canterbury and the ‘Church of Canterbury’ by Henry I in 1130. As I discussed above, this ownership was subsequently confirmed by Stephen, Henry II, John and Henry III, on two occasions, referring back to Henry I’s original grant.<sup>146</sup> Indeed Henry II went further than the original grant by making the archbishops’ ownership permanent: ‘*in elemosinam et perpetuam possessionem Deo et ecclesiae Christi Cantuar et archiepiscopo Theobaldo et omnibus successoribus*’.<sup>147</sup> Although Theobald’s action of converting Dover Priory from Augustinian canons to the Benedictine order overturned the original intentions of Henry I and Innocent II, it did not change the ownership of the advowson which remained with the archbishop. The ownership of advowsons in the twelfth century was the subject of intense debate between secular and ecclesiastical institutions. However, in 1164 Henry II stipulated in the first clause of the Constitutions of Clarendon that, ‘If a controversy concerning advowson and presentation of churches arise between laymen, or between laymen and clerks, or between clerks, it shall be treated of and terminated in the court of the lord king.’<sup>148</sup> This was a clear attempt to extend secular jurisdiction over the church; yet despite this legislation, John Gray has argued that the relationship between secular and ecclesiastical courts remained hospitable with each court playing a part in the

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<sup>144</sup> Denton, *Royal Chapels*, p. 89 ; sadly there are no citations to support this assertion.

<sup>145</sup> Denton, *Royal Chapels*, p. 61.

<sup>146</sup> This was discussed in sections 7.1.1 to 7.1.4 of this chapter.

<sup>147</sup> *Monasticon*, iv, no. IX, p. 538.

<sup>148</sup> <http://avalon.law.yale.edu/medieval/constcla.asp>, [accessed 22 December 2011].

settlement of any advowsons dispute.<sup>149</sup> Furthermore, Joshua Tate and Anne Duggan have also pointed out that, from the 1170s, there was recognition that canon law had a part to play in any settlement. For example, if there were a delay in the reappointment to a benefice then ‘canonists settled on the explanation that the four-month limit applied to secular patrons, while the six-month limit applied to spiritual patrons.’<sup>150</sup> However, as far as can be determined from the available extant evidence, no king since Henry I’s grant had ever exercised the right of appointment at Dover Priory, until Henry III’s installed Robert de Arcubus of Reading in 1272. Henry III undoubtedly acted for three reasons: firstly, the archbishopric of Canterbury was vacant; secondly, the inference in the Patent Rolls that Christ Church was acting against his wishes and those of the papacy; and thirdly, because of the mishandling of the priory by Richard de Wencheape.<sup>151</sup> Indeed, as far as can be determined, no king since Henry II had shown any interest whatsoever in Dover Priory, despite both Henry III and Edward I’s policy of defending customary rights and also expanding royal free chapels.<sup>152</sup> Therefore it is my considered opinion that Henry III acted because he was the only person with authority other than the pope who could make a judgement and not because he thought that he owned or wanted to claim the advowson.

No further challenges were made until Edward I’s *quo warranto* plea in October 1284, for Prior Ringmere’s seizing of the advowson.<sup>153</sup> Edward may have also issued this plea as he would have been aware, as I have evidenced above, that

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<sup>149</sup> John W. Gray, ‘The Ius Praesentandi in England from the Constitutions of Clarendon to Bracton’, *EHistR*, 67 (October, 1952), 481-509.

<sup>150</sup> Joshua C. Tate, ‘The Third Lateran Council and the Ius Patronus in England’, in *Proceedings of the Thirteenth International Congress of Medieval Canon Law*, (Peter Erdö & Sz. Anzelm Szuromi eds., Monumenta Iuris Canonici, C:14, 2010), p. 13; see also Anne Duggan, ‘Conciliar Law 1123-1215: The Legislation of the Four Lateran Councils’ in Wilfred Hartmann and Kenneth Pennington, eds., *The History of Medieval Canon Law in the Classical Period, 1140-1234*, (The Catholic University of America Press, 2008), pp. 318-378.

<sup>151</sup> *CPR, Henry III, Vol. 6: 1266-1272*, p. 712 [4 November 1272]; Haines, *Dover Priory*, p. 88 and pp. 220-222, although Haines does not think too highly of Robert, p. 229; earlier in 1272 Henry III had ordered the constable of Dover Castle to protect the monks of Dover Priory from Christ Church, who were molesting them daily contrary to the king’s order and an indult from the pope, see *CPR, Henry III, Vol. 6: 1266-1272*, p. 700.

<sup>152</sup> Denton, *Royal Chapels*, p. 47.

<sup>153</sup> For a general discussion of *Quo Warranto* during Edward I’s reign, see Donald W. Sutherland, *Quo Warranto Proceedings in the Reign of Edward I 1278-1294*, (Oxford: Clarendon Press, 1963), in particular Chapter V - The Interpretation of Royal Charters where Sutherland asserts that ‘In comparison with the doubtful worth of prescriptive right, a royal charter was a defence for the liberty holder during the Quo Warranto campaign.’ Given that Henry III had confirmed, in 1271, that the advowson was held by the archbishop of Canterbury and the church of Canterbury, we must presume that Christ Church’s loss of the *quo warranto* plea was a direct result of Prior Ringmere’s ineptitude.

Pecham's commissaries at the Court of Audience had failed to reach an agreement between Christ Church and Dover Priory. Subsequently, Edward I recovered the advowson, after the Kings' Bench had found Christ Church guilty, even though they had never claimed the advowson. It is not clear how Christ Church defended their actions, but Haines argues that their only option was to use Theobald's *ordinatio* to support their claim.<sup>154</sup>

Arguably, the information that was necessary to provide additional support to Christ Church's argument that they had never claimed the advowson was contained in their institutional memory, although it may not have been easy to uncover. Had Eastry's reconstruction of Christ Church's institutional memory been completed then Henry II's original grant to Theobald, Innocent II's subsequent confirmation and Henry III's *inspeximus* dated 19 May 1237 and also an *inspeximus* dated 28 December 1271, would have been readily available.<sup>155</sup> This lack of readily available evidence may in fact have presented yet another reason for the substantial reorganisation and indexing of Christ Church's valuable muniments, begun after 1285. It is also clear that the recovery of the advowson by Edward I was heavily reliant on an artifice of Ralph de Hengham, his chief justice in December 1286. In his letter to Robert Burnell, the Chancellor of England, Hengham admits: 'Wherefore our Lord the King, wishing to provide for the advantage of that Convent as well as for the rights of the archbishop, signified to us that we should devise some method, by which the archbishop could provide a suitable Prior to that House, and as you know we did find a satisfactory way.'<sup>156</sup> Edward I with Hengham's connivance had therefore used the *quo warranto* legislation to end any claim that Christ Church had over the advowson. Edward I had also based his judgement on the fact that Theobald's *ordinatio* had not been ratified by a king, by which we can only presume he meant himself as the majority of his predecessors had issued confirmations.<sup>157</sup>

However, the *quo warranto* legislation had been controversial and Edward I was forced to make a concession to the Barons' complaints. A concession that allowed the retention of what was being sued for, if it could be shown that it was owned in the time of King John. Clearly, as I have evidenced above the advowson

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<sup>154</sup> Haines, *Dover Priory*, p. 91.

<sup>155</sup> *CChR*, 21 Henry III, p. 227 [19 May 1237] and 56 Henry III, p. 178 [28 December 1271]

<sup>156</sup> Denton, *Royal Chapels*, p. 62; for a translation of Hengham's letter, see Haines, *Dover Priory*, pp. 91-92 and for the Latin original, see *Lit. Cant.*, iii, no.36, pp. 378-379 [3 December 1286].

<sup>157</sup> Douie, *Pecham*, p. 186.

can be shown to have been continuously in the ownership of the archbishop of Canterbury since the original grant of Henry I. Furthermore it could be shown that it was still in the ownership of the archbishop not only in King John's time but also during Henry III's reign. A subsequent concession in 1290 by Edward I to *quo warranto* investigations, which in turn was based on Hengham's own assessment in 1285, allowed, 'anyone who could show continuous use of a franchise by himself and his ancestors since 1189 to have his position confirmed by means of royal letters patent.'<sup>158</sup> Prestwich argues that this would have been too time consuming and therefore only if the franchise was challenged would a royal letter-patent be issued.<sup>159</sup> Therefore I would argue that Edward I had no legal basis on which to prosecute Christ Church using *quo warranto* legislation. I make this observation for three reasons: firstly, he was fully aware of Hengham's judgement of 1285; secondly, the continuous ownership of the advowson by the archbishop was proven and a matter of public record; and thirdly, Christ Church in court had acknowledged that they had never claimed the advowson. If anyone should have prosecuted Christ Church for claiming rights over Dover Priory, it should have been Archbishop Pecham. However a letter from Pecham's monk-chaplain to Prior Eastry, in February 1289, may offer an explanation for Pecham's inaction, as the monk-chaplain observes, that, 'he is concerned over Pecham's mental health and his inconsistency of purpose.'<sup>160</sup> Overall, notwithstanding the judgement against Christ Church, Prior Eastry continued to fight for what he believed to be their rights over Dover Priory.

#### 7.2.4: Prior Eastry, Archbishop Reynolds and the Law – An Irrational Action?

As argued above, since Christ Church had generally taken action against Dover Priory at the death of an archbishop, Winchelsey's death in May 1313 prompted Prior Eastry to excommunicate the prior and convent of Dover for their refusal to profess obedience to Christ Church.<sup>161</sup> Archbishop Reynolds clearly wanted to resolve this issue and on 15 August 1315 Christ Church agreed to submit the matter for the archbishop's resolution, although they did not lift the

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<sup>158</sup> Prestwich, *Edward I*, p. 347, this was also Chief Justice Hengham's view which he reached in 1285, see p. 260; see also Michael Prestwich, Richard Britnell and Robin Frame eds., *Thirteenth Century England VI*, Proceedings of the Durham Conference 1995, (Boydell Press, 1997), pp. 87-88.

<sup>159</sup> Prestwich, *Edward I*, p. 347.

<sup>160</sup> Douie, *Pecham*, p. 322.

<sup>161</sup> Page, *VCH*, pp. 133-137.

excommunication on Dover Priory.<sup>162</sup> In a further move to resolve the situation and after the usual legal wrangling between both sets of proctors, a compromise position was reached, on 30 December 1316, when the parties agreed over judges appointed to hear the case.<sup>163</sup> Notwithstanding this compromise the situation remained unresolved and on 3 April 1320 Edward II issued a writ to Christ Church to attend the king's court in order to explain their rights regarding Dover Priory.<sup>164</sup> This move by Edward II to resolve the situation resulted in partial progress, as the advowson of Dover Priory was rightfully restored to Reynolds on 24 November 1320.<sup>165</sup> However, this did not resolve the excommunication issue and Eastry was sent a writ by Edward II, on 14 July 1321, to suspend his action. Edward's writ also attached Eastry to the king's court for his action during the *sede vacante* period following Winchelsey's death and more importantly forbade Eastry from prosecuting the case at the papal court or any other court.<sup>166</sup> This latter restriction must refer to either the Court of Arches or the Court of Audience.

Clearly Prior Eastry was testing the patience of Edward II to such an extent that he is found guilty of disobeying the king, as an entry in the Close Rolls for 28 September 1321 indicated.<sup>167</sup> The arrest of such a prominent figure as Prior Eastry would undoubtedly have caused friction between the Church and State. Although Dover Priory was of no significant interest to the king, it appears to be a matter of principle with Prior Eastry and consequently he was continuing unsuccessfully to ensure that he protected what he believed to be Christ Church's jurisdictional rights. Archbishop Reynolds was a favourite of Edward II and it was Edward who had prevailed upon Pope Clement V to appoint him as archbishop of Canterbury in 1314; Reynolds was also godfather to the future Edward III, who he had christened in November 1312.<sup>168</sup> There is no formal evidence to suggest that Reynolds did intervene on behalf of Prior Eastry, but Christ Church letters and Reynolds' register evidence that Eastry not only befriended Reynolds on his appointment, but was instrumental in advising him on the general politics of the struggle for power

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<sup>162</sup> CCA-DCc-ChAnt/D/94 [Letter to Archbishop Reynolds: 15 August 1315].

<sup>163</sup> CCA-DCc-ChAnt/D/78 [Letters of compromise: 30 December 1316].

<sup>164</sup> CCA-DCc-ChAnt/D/93 [Edward II writ: 3 April 1320].

<sup>165</sup> *CPR, Edward II, Vol. 3: 1317-1321*, p. 531.

<sup>166</sup> CCA-DCc-ChAnt/D/97 [Writ of Edward II: 14 July 1321].

<sup>167</sup> Edward II's writ confirms Eastry's guilt but suspends the sentence of imprisonment, see *CCIR, Edward II: Vol. 3, 1318-1323*, p. 402;

<sup>168</sup> J. Robert Wright, 'Reynolds, Walter (d. 1327)', *ODNB*, [article/23443, accessed 6 April 2012].

between Roger Mortimer and Queen Isabella, and Edward II.<sup>169</sup> As Robert Wright has observed, ‘They [Register L, Eastry Correspondence and *Cartae Antiquae*] demonstrate the considerable extent to which Eastry advised the primate [Reynolds], cautiously but realistically, even on important political affairs’, the extent of the relationship between Reynolds and Eastry has been discussed above when examining Eastry’s persona.<sup>170</sup> It is also inconceivable that Edward would not be aware of the Cult of St. Thomas and the impact that the imprisonment of a figure as prominent and as powerful as the prior of Christ Church would have upon his reputation. Throughout Eastry’s priorate there are numerous letters to the king which pay homage to St. Thomas and beseech him to grant whatever may have been requested.<sup>171</sup> Such allusions to Henry II’s actions against Canterbury were undoubtedly renewing the remembrance of royal guilt and placing a restraint upon any actions by the king. Finally, the political struggle surrounding Edward at this time would have also focused his mind elsewhere on more pressing matters of state.

Prior Eastry’s continuing defiance of Edward II’s orders and no doubt private council from Reynolds can only be summarized as illogical. However, there are set of individual actions that, when considered as a whole, may offer some rationale for Eastry’s defiance. On 21 December 1286 Thomas de Fyndone, abbot of St. Augustine’s, inspected a privilege from Innocent III, dated 3 April 1200, which confirmed Christ Church’s rights and privileges over Dover Priory. These rights were wide ranging and included: possession and authority over Dover Priory; that the monks of Dover Priory were only to be professed at Canterbury by the archbishop; that the priors of Dover could only be appointed by Christ Church; that the prior and monks of Dover were subject to the archbishop and Christ Church and this subjection could not be alienated; and that, Dover could not withdraw obedience from Christ Church during a vacancy of the archbishopric.<sup>172</sup> Prior Eastry, as a member of Kilwardby’s household, would have most probably been aware of Gregory X’s letter

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<sup>169</sup> For a discussion on Eastry and 13<sup>th</sup> century politics, see Chapter 6 above.

<sup>170</sup> Wright, *Church and English Crown*, p. 268; for a discussion of Reynolds and Eastry relationship, see Chapter 5, section 5.3.3 - Archbishop Reynolds.

<sup>171</sup> For example, *Lit. Cant.*, #214, p. 222 [May 1327: a royal writ acknowledging St. Thomas the martyr] and *Lit. Cant.*, #91, p. 88-89 [1322: asking king to give them an endowment to support an almonry chapel].

<sup>172</sup> CCA-DCC-ChAnt/D/66 [*Inspeximus*: 21 December 1286], is an *inspeximus* of a papal privilege from Innocent III dated 3 April 1200.

and its implication that Christ Church had allegedly made false claims to Urban IV.<sup>173</sup> He would also know that the investigations by the Court of Arches, under both Kilwardby and Winchelsey, had reached no conclusion. As a Christ Church treasurer in 1284 and then as prior in 1285, he would have witnessed Edward I's illegal prosecution of Prior Ringmere and subsequent seizing of the advowson in 1286.

Accordingly, I have argued earlier that Prior Eastry had undertaken a reconstruction of Christ Church's institutional memory in order to protect their right and privileges. An inspection of this memory would have revealed to Eastry that a number of factors surrounding Dover Priory and Christ Church's authority: firstly, Gregory X's authorization of an investigation into Dover Priory's claims never reached a conclusion and therefore Eastry would have argued that Innocent III's privilege was still relevant, as it had never been revoked; secondly, Henry III had twice ratified Theobald's ordinance making Dover a cell of Canterbury; thirdly, Edward I did not own the advowson, as it was granted forever to the archbishop of Canterbury; and fourthly, Edward I's *quo warranto* concession, in 1290, allowed continued ownership of a franchise, if ownership could be proven in King John's reign, which was clear from Henry III's letters-patent of 1237 and 1271. In my opinion it was on the basis of this complex set of factors that allowed Eastry to ignore the royal judgment and to continue the exercise of his authority over Dover Priory. Based on the evidence above, we may also conclude that Eastry believed that both secular and ecclesiastical law was on his side. There is however no extant evidence to suggest that Eastry ever tested his theory in court.

### 7.3: Conclusion

The purpose of this chapter was to re-examine the evidence of the jurisdictional dispute surrounding Dover Priory through a detailed analysis of primary sources and the available historiography. Through this analysis I have formed the opinion that Charles Haines' analysis was unbalanced and polarised against Christ Church. Additionally, he had chosen to ignore the wider political and legal implications, both secular and ecclesiastical that surrounded this dispute. As the second part of this chapter has shown this dispute was long running and complex, a complexity exacerbated by legal claim and counter claim, and petitions to both the

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<sup>173</sup> For the suggestion that Christ Church made false claims, see Haines, *Dover Priory*, p. 87

papacy and the English Crown.<sup>174</sup> We cannot question Dover Priory's motivation since they possessed charters and papal letters that made it clear that Christ Church had no jurisdictional rights even during *sede vacante* periods of both the archbishopric and Dover Priory. We can however question their whole approach to resolving the problem, as I have shown that Dover Priory had not always followed due legal procedure. Henry I's grant gave jurisdiction to the archbishop of Canterbury and therefore disputes should have been prosecuted in ecclesiastical courts. However, Christ Church tended to act in periods of voidance, thus preventing Dover Priory from appealing to their archbishop and leaving them with four alternative options. Firstly, they could have appealed to Christ Church as the holders of the spiritualities of the archbishopric *sede vacante*, although this would not have been a practical option. Secondly, they could appeal to Rome as the ultimate provider of spiritual care for Dover; an option which they followed most often. Thirdly, they could have waited for the appointment of a new archbishop and then prosecuted their case, although this again would not have been a practical option, since the time taken to appoint a new archbishop could be somewhat unpredictable. And finally, they could petition the king, an option which Dover Priory took on a number of occasions, although in my opinion this was an unlawful action. The jurisdictional issue was a spiritual matter and not one that should be handled in a secular court.

This dispute can also be classified by century: twelfth, thirteenth or fourteenth and by which legal jurisdiction, ecclesiastical or secular, reviewed petitions, heard evidence and issued judgements. The handling of the dispute in the twelfth century was largely ecclesiastical with individual petitions sent to the papal curia by the archbishop of Canterbury, Christ Church and Dover Priory. The papal decisions dealt mainly with specifying Christ Church's rights of jurisdiction over Dover Priory, both *sede plena* and *sede vacante*, although these papal decisions oscillated between Christ Church having full rights to no rights whatsoever. However, as I have evidenced above, by the end of the twelfth century Christ Church's jurisdictional rights over Dover Priory had been fully restored by Innocent III [r.1198-1216]. For much of the thirteenth century the litigation was handled by the ecclesiastical jurisdiction in England, through compromises between the archbishop of Canterbury, Christ Church and Dover Priory. However, by the 1270s

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<sup>174</sup> For a discussion on petitioning the Curia, see on Brett, *English Church*, pp. 50-57.

Dover Priory had again petitioned the papacy. Although in contrast to the twelfth century, where papal decisions had been taken in this dispute, Gregory X [r.1271-1276] delegated the case to Archbishop Kilwardby to examine Dover Priory's claims over Christ Church's jurisdictional rights and that Christ Church had made false statements to substantiate their jurisdictional claims. Neither archbishop Kilwardby nor his successor archbishop Pecham resolved Dover Priory's jurisdictional issues or the allegations of Christ Church's impropriety. The failure of these prosecutions in the ecclesiastical courts was largely due to the expert manipulation of the Romano-canonical legal process by the proctors respectively acting for Christ Church and Dover Priory. This failure in the ecclesiastical courts caused Edward I's intervention not only because he was aware of Christ Church's continued interference in Dover Priory against both royal and papal authority, but also due to the failure of the Prior of Dover Priory to maintain good order. Through an artifice developed by his chief justice, Ralph de Hengham, Edward I used his own *quo warranto* legislation to recover the advowson of Dover Priory in the secular courts and, in Hengham's own words on the advowson dispute, 'What we devised was accomplished.'<sup>175</sup> Although Denton does not specifically name a king, when he observes that 'much more than protecting his proprietary rights the king in the thirteenth century claimed that was protecting his dignity and his crown', I would argue that, when analysing the actions of the king with the Church, he most likely had Edward I in mind.<sup>176</sup>

The dispute remained in the secular courts until its final resolution by Edward III in 1356. Although Dover Priory was ultimately unhappy with the final outcome, as jurisdictional control was eventually handed back to Christ Church by archbishop Islip [r.1349-1366].<sup>177</sup> In the fourteenth century, Prior Eastry was prosecuted by Edward II and found guilty of acting in contravention of both papal and royal rulings. He was also found guilty of prosecuting Dover Priory in an ecclesiastical court contrary to Edward II's order. However, Edward II subsequently suspended Eastry's arrest and as I have evidenced above, I believe this was due to Eastry's age and the potential damage to the King's reputation for another action against Canterbury, particularly owing to the popularity of the Cult of St. Thomas. In essence this dispute had always concerned who had the right to jurisdictional control over Dover Priory,

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<sup>175</sup> *Lit. Cant.*, iii, no. 36, pp. 378-379

<sup>176</sup> Denton, *Royal Chapels*, p. 150.

<sup>177</sup> Haines, *Dover Priory*, pp. 108-109.

in other words the ownership of the advowson, although this term did not appear in any extant evidence until the late thirteenth century.

Two further relevant considerations ought to be answered in the final part of this chapter: firstly, Dover Priory as a cell of Christ Church were subject to their abbot which was *de facto* Prior Eastry, as archbishop Pecham in 1282 had acknowledged that the prior was effectively the abbot of Christ Church.<sup>178</sup> Secondly, the advowson was also given to the 'Church of Canterbury'. It is the interpretation of the meaning of this phrase that may hold the key to Christ Church's actions in this long running dispute. The ownership of the advowson of Dover Priory was established by Henry I's grant of 1130 that made the gift of St. Martin's Church, Dover [later to be Dover Priory] to the archbishop of Canterbury and the 'Church of Canterbury'.<sup>179</sup> The advowson ownership was not altered by later confirmations of Henry I's grant by subsequent kings of England or popes from 1130 to 1271. It is my considered opinion that this whole dispute, in Christ Church's eyes, rested on the meaning of the phrase the 'Church of Canterbury'. Furthermore, the phrase is open to a wider interpretation that to my knowledge has never been examined.<sup>180</sup> Henry I's dual assignment of the advowson, in particular, through the use of the phrase the 'Church of Canterbury', poses the question of how the phrase was interpreted during the late medieval period and therefore whether Christ Church had any real authority founded in law that would vindicate their actions not only in the 1130s but

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<sup>178</sup> Smith, *CCP*, p. 4 n.7 citing a 1282 entry in Archbishop Pecham's register, '*qui in absentia nostra abbatis geris officium*'.

<sup>179</sup> For the wording of Henry I and Henry II's charters, see *Monasticon*, iv, no.VII, p. 538 [Henry I] and no. IX, pp. 538-539 [Henry II]. The relevant sentence in Henry I's charter is as follows: '*Sciatis me dedisse et concessisse in elemosynam Deo et Willielmo archiepiscopo Cantuar. et ecclesiae Christi, quae est cantuariae*'; for the complete wording see *Monasticon*, iv, no.VII, p. 538 and Innocent II's confirmation reads, '*et ecclesiae Cantuar concessam et praeapte confirmatam cum omnibus quae in praesentiarum juste et legitime possidet aut in futurum*', no.VIII, p. 538. Various popes when either confirming the English king's grants or making an alteration to the original grant, following a petition from either Christ Church or Dover Priory, all made use of Innocent II's phrase, '*et ecclesiae Cantaur*'. For the wording of Pope Innocent II's confirmation, see *Monasticon*, iv, no. VIII [Innocent II], p. 538; for examples of other papal grants using the same phrase, see Holtzmann, *Papsturkunden*, no.26, pp. 170-171 [14 January 1140: Innocent II], no.89, p. 269 [16 April 1155: Adrian IV], no.110, pp. 298-299 [28 May 1163: Alexander III] and no.136, pp. 328-329 [30 April 1174: Alexander III].

<sup>180</sup> One further reason for re-examining the evidence comes from a 1295 writ to Edward I, by a group of bishops who sought clarification as to the provenance of a list of royal chapels. The key phrase, in this writ, casting doubt on Dover Priory's royal association was, 'and also, so it is said, the chapel of Dover, where there is now a priory.' Denton, *Royal Chapels*, p. 1 citing Maurice F. Powicke and Christopher R. Cheney, *Councils & Synods with other documents relating to the English Church: II A.D. 1205-1313*, Parts 1-2, (Oxford University Press, 1964), p. 1146, '*item ut dicitur capella Doverie ubi modo est prioratus eiusdem*'.

throughout the two-hundred and twenty year dispute. Joseph Sheppard argued that Henry I would have believed, when making the original grant, that the archbishop of Canterbury and Christ Church shared common interests.<sup>181</sup> This observation implies that the archbishopric and the 'Church of Canterbury' were two separate jurisdictions with the common interest being Canterbury Cathedral and what it represented both physically and spiritually. Alternatively they could be considered two separate jurisdictions with the 'Church of Canterbury' only having relevance when the archbishopric was vacant. It is undoubtedly true that both the archbishop and his Chapter shared a common interest in Canterbury Cathedral and its management both physical and spiritual. However it was Christ Church that had overall responsibility for this day-to-day management. If the 'Church of Canterbury' referred only to the physical edifice of Canterbury, then it would have been impossible for it to pay an exaction, in 1256, '*Inter quas specialiter obligavit ecclesiam Cantuariensem usque ad sexcentas marcas ... sine omni procuratoris vel scientia alicujus de conventu.*'<sup>182</sup> The only income of the Cathedral itself was oblations and papal letters strictly regulated their use. The only entity able to pay this exaction was Christ Church. This would therefore suggest that Christ Church and the 'Church of Canterbury' were seen as one and the same entity.<sup>183</sup> Therefore we may conclude that, if Christ Church and the 'Church of Canterbury', were synonymous, then they had an established right to jurisdiction over Dover Priory. It would also follow that during voidance of the archbishopric, then jurisdiction would revert to the keepers of the spiritualities of the archbishopric, in other words, Christ Church. The actions of popes, such as Adrian IV, in denying Christ Church any rights over Dover Priory especially during voidance of the archbishopric would appear to be counter intuitive, as it left them without any spiritual leadership other than the papacy. This case also demonstrates that once Christ Church was awarded any kind of jurisdictional control, it would do whatever was necessary not only to protect that jurisdiction but also to extend it. Therefore it would follow that Henry I's grant to the church of Canterbury provided Christ Church with a rare opportunity for yet further extension of control. It would seem apparent in this specific case concerning Dover Priory that Christ Church had

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<sup>181</sup> *Lit. Cant.*, i, p. xci.

<sup>182</sup> Gervase, ii, p. 205.

<sup>183</sup> Douie makes the observation that 'the church of Canterbury' meant Christ Church when stating that 'Henry II's charter had conferred the church [Dover Priory] on both archbishop and chapter', see Douie, *Pecham*, p. 186.

defined, defended and extended its jurisdiction for the 'Church of Canterbury' at a national level.

This jurisdictional dispute took place against a rise in ecclesiastical power and the establishment of central control as well as the introduction and refinement of legal procedures, namely canon law. The growth in royal power led to the refinement of a legal system in both England and Europe and the introduction of systematic legal collections.<sup>184</sup> The monastic movement in Europe was not immune from these powerful changes in society and itself underwent structural changes with the foundation of new reformed orders such as the Cistercians. Later on, the Fourth Lateran Council in 1215 imposed elements of the structure of this order, namely the chapter system of governance, on all monastic orders. However Benedictine monasteries had always been independent entities and in this respect Christ Church was no different and continued to maintain its cherished self-governance.

From the very first action of Jerimiah, in 1136, who prevented Archbishop Corbeil's designated Augustinian canons from occupying Dover Priory, through the illegal occupation by Benedictine monks from Canterbury, to the confirmed imposition of a Benedictine order by Archbishop Theobald, the most interesting aspect of this case suggested by the evidence is Christ Church's predisposition to act, at times, in defiance of ecclesiastical law and, perhaps more importantly, to get away with it. It could be argued that, until the imposition of restrictions on their ability to act in either periods of a vacant archbishopric or a vacant priory, Christ Church could pursue its own actions legitimately since Dover Priory was an acknowledged cell. Even when restrictions were applied, there appeared to be no legitimate basis for Christ Church's actions. This therefore prompts the question; on what basis did they act? Firstly, it is possible that they maintained that their right of spiritual jurisdiction

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<sup>184</sup> For elements of Gregorian reform and its impact on England, see Brett, *English Church*, pp. 35-62 and pp. 141-185; for the growth of monarchical power in England, see Warren, *Henry II* and for a newer interpretation, see Christopher Harper-Bill and Nicholas Vincent eds., *Henry II: new interpretations*, (Boydell Press, 2007); for monastic reform, see Lawrence, *Medieval Monasticism*, Henrietta Leyser, *Hermits and the New Monasticism*, (Macmillan, 1984), William J. Shiels ed., *Monks, Hermits and the Ascetic Tradition*, (Basil Blackwell, 1985) and Kathleen Edwards, *The English Secular Cathedrals in the Middle Ages*, (Manchester University Press, 1949) and for the development of legal systems, see James A. Brundage, *The Medieval Origins of the Legal Profession*, (The University of Chicago Press, 2008), Richard H. Helmholz, *The Ius Commune in England*, (Oxford University Press, 2001), Kenneth Pennington and Robert Somerville eds., *Law, Church and Society*, (University of Pennsylvania Press, 1977) and Wilfried Hartmann and Kenneth Pennington eds., *The History of Medieval Canon Law in the Classical Period 1140-1234*, (The Catholic University of America Press, 2008).

across the see of Canterbury *sede vacante* enabled them to act. But taking such action was clearly in breach of any prevailing papal prohibition clause. Secondly, it is possible that they acted as the 'Church of Canterbury', whose jurisdiction was enshrined in Henry I's original grant. A definition of the 'Church of Canterbury' had never been given nor as far as the evidence suggests ever been challenged. Neither Dover Priory's nor the Crown's prosecution of Christ Church ever referenced to the 'Church of Canterbury'.

However, in accordance with my analysis of the litigation surrounding the jurisdiction of Dover Priory there can be no doubt that the phrase the 'Church of Canterbury' was appropriated by Christ Church to exercise its jurisdictional authority in England. Such an abstract idea as the 'Church of Canterbury' was not new and had appeared in many documents associated with jurisdictional management at Christ Church especially in a national context. However, I intend to demonstrate that the 'Church of Canterbury' also possessed an international dimension that will be examined in Chapter 8 - The Wine of St Thomas – The 'Church of Canterbury's' Jurisdiction in Europe.<sup>185</sup>

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<sup>185</sup> For the discussion of the meaning of the church of Canterbury in an international context see, Chapter 8: The Wine of St Thomas – The Church of Canterbury's Jurisdiction in Europe; sections 8.2 and 8.3.

## Chapter 8. The Wine of St Thomas – The ‘Church of Canterbury’s’ Jurisdiction in Europe

It is well known that the monks of Christ Church held and managed extensive estates in England and, although the majority were located in Kent, they also held land in other counties including Essex, Suffolk, Surrey, Buckinghamshire, Oxfordshire, Norfolk, Sussex, Devon and small parcels of land in Ireland.<sup>1</sup> These estates, administered directly by the priory or through local agents in the case of the more remote holdings, formed the basis of their wealth. However, while the demographic repercussions of the Black Death [1348-1350], and subsequent plagues and pestilences in the late fourteenth century changed the management of these estates to a *rentier* economy, it did not change the basic wealth generation.<sup>2</sup>

In the previous case study, concerning Dover Priory, I argued a case for the definition of the jurisdiction for the ‘Church of Canterbury’ in England.<sup>3</sup> Given the long history of Canterbury and its close association with continental Europe, it would naturally follow to determine how French possessions help to define the jurisdiction of the ‘Church of Canterbury’. France is the most obvious candidate as it was the nearest overseas landfall to Kent and most often favoured when either the monks of Canterbury or the archbishop of Canterbury or both sought sanctuary during times of strife with the King of England. Indeed one could further argue that regular visits to Rome or later Avignon, to prosecute cases at the curia or in the case of the archbishop, to collect the *pallium*, would have necessitated travel through the ports of northern France and Flanders.

Since the late nineteenth century, very little research has been undertaken to determine if English monasteries held any temporalities or spiritualities in continental Europe. Joseph Sheppard gave the first reference to any kind of possession by Christ Church overseas, when he discussed a grant of wine given in August 1179 by Louis VII of France, when on pilgrimage to Canterbury to visit the shrine of St. Thomas

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<sup>1</sup> *CCP*; for a complete list of Christ Church estates and manors until the Dissolution [1540], see *Canterbury Cathedral*, Appendix 2 [Estates], pp. 566-569; specifically for East Anglian, see John F. Nichols, ‘Custodia essexae: a study of the conventual property held by the Priory of Christ Church, Canterbury, in the counties of Essex, Suffolk and Norfolk’, unpublished PhD thesis, (University of London, 1930).

<sup>2</sup> For example, see Mavis Mate, ‘The Agrarian Economy after the Black Death: The Manors of Canterbury Cathedral Priory, 1348-91’, *EconHR*, New Series, Vol. 37, No. 3 (August, 1984), 341-354.

<sup>3</sup> See Chapter 7 - Dover Priory – An Ecclesiastical and Civil Jurisdictional Conflict.

Becket.<sup>4</sup> In 1887, Sheppard provided a brief description of the grant, identified a number of issues with its collection and discussed the steps taken for its reconfirmation following the Hundred Years' War with France. Furthermore, although providing transcriptions and translations of correspondence related to this grant, he did not discuss the complex issues surrounding its jurisdictional management. Indeed Sheppard did not address Louis VII's grant or other grants from French secular and ecclesiastical nobility in the context of the Cult of St. Thomas. Accordingly, in the 1940s, Reginald Smith wrote his now seminal work on the management of Christ Church, focussing on economic and agrarian aspects, particularly in Kent and hence making no mention of land and other grants held overseas, especially in northern France and Flanders. His only brief reference to overseas grants is a mention of the Wine of St. Thomas when discussing Christ Church household expenditure.<sup>5</sup>

In 2010, I published an article, which to the best of my knowledge was the first to discuss any aspect of Christ Church's possessions in France and Flanders. The article focused on the grants of toll exemption through the ports of Wissant, Niwene, Boulogne and Flanders by the counts of Boulogne and of the counts of Flanders and discussed the context in which they were given.<sup>6</sup> Similarly, in 2011, Nicholas Vincent published an article which discussed the possessions of English monasteries in France. As Professor Vincent points out, 'Less familiar than this French acquisition of English lands is the reverse process by which English monasteries came to possess lands in Normandy or elsewhere across the Channel.' Professor Vincent therefore provided a comprehensive summary including the grants

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<sup>4</sup> For a discussion of Louis VII's wine grant, see *Lit. Cant.*, vol. i, pp. lxxvi-lxxxiii and vol. iii, pp. xix-xxiv; for date of Louis VII's visit, see Ronald C. Finucane, *Miracles and Pilgrims*, (J. M. Dent & Sons Ltd., 1977), p. 124.

<sup>5</sup> *CCP*, p. 43, n. 4.

<sup>6</sup> For a general discussion of Christ Church temporal and spiritual connections with Europe and in particular a discussion and interpretation of the grants of the counts and countesses of Boulogne and of the counts of Flanders, see John O. Moon, 'The European Connection – Aspects of Canterbury Cathedral Priory's Temporalities Overseas' in *Canterbury: A Medieval City*, ed. by Catherine Royer-Hemet, (Cambridge Scholars Publishing, 2010), pp. 177-193. By temporalities I mean land and by spiritualities I mean tithes, oblations and income from glebe-lands, see Jeffery H. Denton, *Robert Winchelsey and the Crown 1294-1313*, (Cambridge University Press, 1980: paperback, 2002), pp. 55-57. My article referred to the grants as temporalities but on the basis of the above definitions I have revised my earlier view and I now consider them to be spiritualities as they were religious offerings.

held by Christ Church.<sup>7</sup> He further commented that the lack of written material is especially true for Christ Church where very little had been written regarding overseas charters and grants that were held until the late fifteenth century. Christ Church's strong connections with France stem, in many ways, from Canterbury's close geographic proximity to the continent and connections forged through the appointment of three archbishops originating from France, namely, Lanfranc [1070-1090], Anselm [1093-1109] and Theobald [1139-1161]. From the aftermath of Thomas Becket's murder [December 1170] and the subsequent rise of the Cult of St. Thomas, pilgrimages, gifts, grants and oblations from French nobility had also contributed to the overseas connection. It is undoubtedly true that Becket's martyrdom made a significant contribution to the French possessions of Christ Church, possessions that included gifts of wine, rents, exemption from transport tolls and land. While the various grants have been summarised by Vincent and Sheppard, no detailed analysis has discussed the extension of Christ Church's jurisdiction to continental Europe and how it was managed.<sup>8</sup> As Barrie Dobson observed 'as the occasion for one of the longest and best documented conflicts in Anglo-French relations during the Middle Ages, the complex history of the Wine of St. Thomas deserves more attention than it received over a century ago in *Litterae Cantuariensis*, i, pp. lxxvi-lxxxiii, iii, pp. xix-xxiv.'<sup>9</sup>

I propose to redress this deficiency with this case study which examines all grants from the French kings, French and Flemish nobility and French religious. In particular, the main focus of the study will be the Wine of St. Thomas, as the story surrounding the wine is complex and spans over three hundred and fifty years from the original grant in 1179. A detailed analysis of the grants and letters will provide an insight into the complex social infrastructure existing in France from eleventh to mid-fourteenth centuries. Accordingly, the significant quantity of extant letters will reveal the interaction between overlapping jurisdictions of the Church of Canterbury and the courts of the kings of England and of France. Before the late twelfth century Canterbury had been associated with pilgrimages to saints' tombs, such as St.

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<sup>7</sup> Nicholas Vincent, 'The English Monasteries and their French Possessions', in Paul Dalton, Charles Insley, & Louise J. Wilkinson, eds., *Cathedrals, Communities and Conflict in the Anglo-Norman World*, (Boydell Press, 2011), 221-239 [221].

<sup>8</sup> For a discussion of land owned, by Christ Church, in the archbishopric of Lyons and French property owned by Archbishop Boniface of Savoy, see Vincent, 'French Possessions', pp. 230-236.

<sup>9</sup> Barrie Dobson, 'Canterbury in the Later Middle Ages', in *Canterbury Cathedral*, p. 142, n. 357.

Dunstan and St. Alphege; however the Cult of St. Thomas was of significant importance to both Canterbury and Christ Church in the late thirteenth and early fourteenth centuries and played an vital role in the expansion of the 'Church of Canterbury's' jurisdiction.<sup>10</sup>

Although the letters and grants surrounding the Wine of St. Thomas provide the main focus of this chapter there were a number of other grants that provided revenue for Christ Church through the provision of rents or portions of vineyards. Other grants exempted or partially exempted Christ Church from tolls along the River Seine from Paris to Rouen. Each of the grants will be briefly evaluated and the section will conclude with an interpretation of their meaning. An interpretation which will provide valuable clues to assist with answering two questions: firstly, how did twelfth and thirteenth-century society react to the spread of St. Thomas's cult throughout the Latin Church; and secondly, were these additional grants related to Louis VII's original grant. This preliminary analysis together with my findings from the evaluation of the Wine of St. Thomas will be combined in the conclusion to the chapter to provide a comprehensive answer to the questions posed above.

### 8.1: Grants to Christ Church by Lay French Nobility and Religious

Extant grants to Christ Church, discussed and evaluated in this chapter, cover a time period from c.1096 to 1322 and were given by French kings, lay French nobility and French Religious. The grants given by lay French nobility and French religious will be discussed in three categories: firstly, exemption from pedage, tolls and customs; secondly, provision of rents; and thirdly, provision of portions of vineyards. Within each category the grants will be assessed chronologically. One of the interesting observations about the majority of these grants is that they make reference to St. Thomas the Martyr and in one instance actually refer to Christ Church as the monks of St. Thomas. References that must reflect the enthusiasm for the Cult of St. Thomas in France during the thirteenth and fourteenth centuries; a factor that will be discussed later in this chapter. This section will not discuss the

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<sup>10</sup> Eastry had been perceptive in spotting the opportunity to increase Christ Church revenues as, 'He preferred to spend his money on the acquisition of houses, shops, and mills and their constant rebuilding or expansion. This policy was a great success within the city of Canterbury, where the continued influx of pilgrims throughout the fourteenth century made it easy to find tenants for houses and shops and allowed the rent-roll to rise', see Mavis Mate, 'Property Investment by Canterbury Cathedral Priory 1250-1400', *The Journal of British Studies*, 23 (Spring, 1984), 1-21 [15].

extant grants of the counts and countesses of Boulogne and the counts of Flanders, which as noted above have been discussed in detail elsewhere.<sup>11</sup> However, the summary findings from this earlier analysis will be combined with this present evaluation to provide an overall assessment of French grants from lay French nobility and religious. Grants given by French kings will be discussed in a subsequent section of this chapter.

### 8.1.1 Grants of Exemption from pedage, tolls and customs at Ports, Rivers or in Transit

The exaction of tolls at ports, along rivers or in transit through comital lands, made a vital contribution to local finances, although exactions had a direct impact on trade.<sup>12</sup> There were a total of twenty-two grants providing either total or partial exemption from tolls to Christ Church in France or Flanders. Of these twenty-two, the counts and countesses of Boulogne and the counts of Flanders gave twelve. The remaining ten grants made to Christ Church will be discussed in two categories: total exemption and partial exemption from tolls at northern French ports, along the River Seine and through French comital lands. Grants of total exemption were firstly made by the counts of Meulan [Yvelines: Île-de-France], Bernard de Saint-Valery [Somme: Haute-Normandie], the count of Ponthieu [Picardy], the counts of Guînes [Pas-de-Calais] and the archbishop of Rouen [Haute-Normandie]. Two successive grants from the counts of Meulan appear in the form of notifications to their bailiffs and are undated: one is from Robert [d. c.1207] and the second from his son, Waleran.<sup>13</sup> For comparative purposes the grants are identical providing freedom from toll for wine and all other goods of the monks of Holy Trinity, Canterbury [another title attributed to Christ Church in the Anglo-Norman period] and given for the love

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<sup>11</sup> John O. Moon, 'The European Connection – Aspects of Canterbury Cathedral Priory's Temporalities Overseas' in *Canterbury: A Medieval City*, ed. by Catherine Royer-Hemet, (Cambridge Scholars Publishing, 2010), pp. 177-193.

<sup>12</sup> For a general discussion on tolls, see Roy C. Cave and Herbert H. Coulson, eds., *A Source Book for Medieval Economic History*, (Biblo & Tannen Booksellers & Publishers Incorporated, 1936), pp. 398-421.

<sup>13</sup> George C. Cokayne, *The Complete Peerage of England, Scotland, Ireland, Great Britain and the UK*, Vol. 6, (Alan Sutton, 1987), XII/2, nos. 837 and 838 and Vol. 3, VII/Appendix I, pp. 737-741; for a discussion of the counts of Meulan and earlier relations with English nobility, see David Crouch, *The Beaumont Twins: The Roots and Branches of Power in the Twelfth Century*, (Cambridge University Press, 1986).

of God and St. Thomas the Martyr, and for the soul of his father and ancestors.<sup>14</sup> Robert's grant may have originated following the curing of his scribe through the intervention of St. Thomas.<sup>15</sup> In a similar manner, the grant from the honour of St. Valery, by Bernard de Sancto Walerico was addressed to all his knights and ministers advising them of the exemption of the monks of Holy Trinity, '*priori sancte Trinitatis Cantaur' et omnibus eiusdem ecclesie monachis*'.<sup>16</sup> Bernard's grant was a pious gesture as indicated by the use of the phrase, '*pro animabus*'. More interestingly Bernard requested that St. Thomas was to be his helper at the last judgment, '*Has libertates specialiter concessi eis propter amorem sancti martyris Thome quem in meis necessitatibus apud iustum iudicem adiutorem habere desidero*.' The Last Judgement is referenced in the Bible and its meaning was very well understood by medieval men and women especially the coming of the Judge.<sup>17</sup> It is clear from Scripture that the Judge is Christ but also aided by the Apostles and possibly other venerated religious. Whether the venerated religious would have included saints is not clear but certainly in the opinion of Bernard, if the saints and in particular St. Thomas of Canterbury were part of the Judgement, then they would have been able to speak on behalf of those being judged.

Another grant similar to that of Saint-Valery comes from the small county of Ponthieu. Ponthieu like Saint-Valery, is situated at the mouth of the River Somme and in the early twelfth century was a small strategic comital domain sharing borders with Montreuil, St Pol, Boulogne, Flanders, Eu, Normandy and Vermandois. At the latter part of the twelfth century it was a gap in the defensive alliances of Richard I

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<sup>14</sup> CCA-DCc-ChAnt/F/124 [Notification of Robert: 1173-1207], see also CCA-DCc-Register/E fo.36r-v and CCA-DCc-Register/A fo.341v and CCA-DCc-ChAnt/F/111 [Copies of charters]; and CCA-DCc-ChAnt/F/139 [Notification of Waleran: early 13<sup>th</sup> century], CCA-DCc-Register/E fo.36v and CCA-DCc-Register/A fo.341v and CCA-DCc-ChAnt/F/111 [Copies of charters]; for the counts of Meulan genealogy, see the Medlands Project, [http://fmg.ac/Projects/MedLands/NORMAN\\_NOBILITY.htm - \\_Toc287693403](http://fmg.ac/Projects/MedLands/NORMAN_NOBILITY.htm_-_Toc287693403), accessed 16 January 2012.

<sup>15</sup> *Materials for the History of Thomas Becket, Archbishop of Canterbury*, James C. Robertson, ed., 7 vols., Rolls Series 67, (London, 1875-1885), i, p. 337.

<sup>16</sup> CCA-DCc-ChAnt/F/116 [Grant in triplicate: late 12<sup>th</sup> century], CCA-DCc-ChAnt/F/119 [Grant in triplicate: late 12<sup>th</sup> century], CCA-DCc-ChAnt/F/140 [Grant in triplicate: late 12<sup>th</sup> century]; for a copy of Bernard's grant see an *inspeximus* from William Chibout, keeper of the provost of Paris, CCA-DCc-ChAnt/C/1277 [*Inspeximus*: 11 October 1300]; CCA-DCc-Register/E fo.36v and CCA-DCc-Register/A fo.341v; see also CCA-DCc-ChAnt/F/111 [Copies of grants: late 14<sup>th</sup> century]; for a general discussion on the honour of St. Valery, see Nicholas Davenport, *Honour of St. Valery: The Story of an English Manor House*, (Scolar Press, 1978); for the date of Bernard's death see, Ivor J. Sanders, *English Baronies: a study of their origin and descent, 1086-1327*, (Clarendon Press, 1960), p. 10; on the basis of Sanders' work, Bernard's exemption can be dated more closely to 1173x1191.

<sup>17</sup> For example, see *The Gospel According to St Matthew*, Chapter 25, verses: 31-36, 40-43 and 45-46, (New Revised Standard Version, 1989).

[r. 1157-1199] as the count had married Alice, the sister of Philip Augustus, king of France. As a consequence of this alliance it is entirely possible that grants from Ponthieu were related to the Cult of St. Thomas which was prevalent throughout Capetian France.<sup>18</sup> Like much of the nobility of northern France, the counts of Ponthieu would wage war with their neighbours or form alliances through marriage, to acquire or reacquire land lost by their forefathers.<sup>19</sup> For example, John of Ponthieu, count of Ponthieu [1147-1191] attacked Boulogne in 1148 after participating in the Second Crusade, and, although unsuccessful against the strength of the counts of Boulogne, he managed to recover the Amienois lands immediately afterwards.<sup>20</sup> The only extant document remaining, from the counts of Ponthieu, is that of John [1147-1191] granting exemption from pedage and toll to the priory of Holy Trinity, in his lands. John also notified his barons, knights and ministers that Christ Church should not be threatened in any way, '*et prohibeo ne aliquis eos vel homines suos in tota terra mea in aliquot vexare presumat.*'<sup>21</sup> There are two key aspects to John's grant: firstly, it was given in the Chapter House of Christ Church, '*in capitulo predicte ecclesie*'; and secondly, Christ Church, seemingly in return, conferred fellowship and benefits to John, '*quando conventus michi concessit societatem suam et eiusdem ecclesie beneficium.*' The conferring of fellowship or fraternity by the monks of Canterbury was not common and would have been a significant privilege for the recipient, although there is no extant evidence to suggest why John was given this privilege. I have been unable to find any similar grants of fellowship conferred on the nobility of northern France or Flanders. However, John's reason for being at Canterbury and undoubtedly paying homage at the tomb of St. Thomas may lie in the fact that William of Canterbury records miracles of St. Thomas concerning the men

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<sup>18</sup> Heather J. Tanner, *Families, Friends, and Allies: Boulogne and politics in northern France and England, c.879-1160*, (Brill, 2004), p. xix – map of France in early 12<sup>th</sup> century; Austin L. Poole, *Domesday Book to Magna Carta 1087-1216*, (Oxford University Press, 1955, 2<sup>nd</sup> ed.), p. 377; Anne Duggan, *Thomas Becket: Friends, Networks, Texts and Cult*, (Ashgate, 2007), IX, p. 28.

<sup>19</sup> Tanner, *Families*, p. 291, 294-5, 299, 306 and 311.

<sup>20</sup> Tanner, *Families*, p. 241 and *en passim*; for a discussion of Ponthieu in the late 13<sup>th</sup> century, see Hilda Johnstone, 'The County of Ponthieu, 1279-1307', *EHistR*, 29(July, 1914), 435-452.

<sup>21</sup> CCA-DCc-ChAnt/F/131 [Grant: late 12<sup>th</sup> to early 13<sup>th</sup> century], CCA-DCc-ChAnt/F/121 [Grant: late 12<sup>th</sup> to early 13<sup>th</sup> century], CCA-DCc-Register/E fo.36v and CCA-DCc-Register/A fo.341v-342r and CCA-DCc-ChAnt/F/111 [Copies of charters: late 14<sup>th</sup> century]; the date of John's grant is undated but must be after 1173, the canonization of Becket and before 1191, when John died; for John's death see, [[http://fmg.ac/Projects/MedLands/NORTHERN%20FRANCE.htm#\\_Toc276540441](http://fmg.ac/Projects/MedLands/NORTHERN%20FRANCE.htm#_Toc276540441), accessed 17 January 2012].

of Ponthieu, although William ascribes no date.<sup>22</sup> However, William did not begin work on collating miracles until July 1172, so the grant may be dated in the late twelfth century, between 1172 and 1191, when John died.<sup>23</sup>

The last two grants from French lay nobility were given by the counts of Guînes. Guînes was a small area of land, in northern France, centred on an eleventh-century castle, lying within the Boulonnais lands.<sup>24</sup> The first grant from Baldwin II of Guînes is similar to all those discussed in this section, that is, it exempts the monks of Christ Church from transit tolls and customs and is a pious grant for the honour of God and love of St. Thomas.<sup>25</sup> There are two significant aspects of this exemption firstly, Baldwin's refers to the monks of Christ Church as his brothers, '*et heredum meorum perdonavi fratribus meis monachis scilicet conventui ecclesie Christi Cantuarie*'. Baldwin clearly felt a close affinity with Becket and hence with the monks of Canterbury possibly as Baldwin II had been knighted by Becket, when Chancellor of England. Baldwin repaid the debt, when Becket passed through Guînes in 1170 on his return to England.<sup>26</sup> Secondly, the grant prohibited Baldwin's men and officials from causing distress to the monks, '*et prohibeo ut nullus hominum vel ministrorum meorum eos pro hac re vexare presumat*.' The remaining exemption is from Baldwin III, who inherited the title when his father Arnold II died in 1220. The exemption, although expressed in slightly different language had exactly the same intent as that of Baldwin II's earlier twelfth-century grant. Baldwin III's grant was dated February 1233, which may indicate that he actually made the donation at Canterbury, as he was in England during this period on business for Henry III.<sup>27</sup>

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<sup>22</sup> *Materials*, i, 282, '*De equo amisso*', Guy a knight recovers a horse lost in the forest between Ponthieu and river Ternois (?) through a miracle of St. Thomas and ii, 201, no. XXIII – the cure of three men from the borders of Terouanne and Ponthieu, through a miracle of St. Thomas.

<sup>23</sup> Frank Barlow, *Thomas Becket*, (Orion Books, 1997: paperback), p. 267.

<sup>24</sup> For a complete history of the counts of Guînes, see Lambert of Ardres, *The History of the Counts of Guînes and Lords of Ardres*, ed. and trans., Leah Shopkow, (Philadelphia, 2001).

<sup>25</sup> CCA-DCc-ChAnt/F/133 [Grant: late 12<sup>th</sup> to early 13<sup>th</sup> century], CCA-DCc-ChAnt/F/137 [Duplicate grant: late 12<sup>th</sup> to early 13<sup>th</sup> century], CCA-DCc-Register/E fo.37r and CCA-DCc-Register/A fo.342r, see also CCA-DCc-ChAnt/F/111 [Copies of charters: late 15<sup>th</sup> century]; Baldwin's grant can be more precisely dated between 1173x1206, Becket's canonisation to Baldwin's death; influence over Guînes had fluctuated between Flanders and Boulogne but by the time of Baldwin II's grant, the allegiance of the county of Guînes had reverted to the counts of Flanders, see Tanner, *Families*, p. 243 and *en passim*.

<sup>26</sup> Barlow, *Thomas Becket*, p. 223.

<sup>27</sup> CCA-DCc-ChAnt/F/111 [Copies of charters: late 15<sup>th</sup> century], CCA-DCc-Register/E fo.37r and CCA-DCc-Register/A fo.342r; for confirmation of Baldwin being in England in 1233, see *CPR, Henry III, Vol. III: 1232-1247*, p. 2 [11 November 1232: grants safe conduct until Epiphany for B. count of Gisnes [Guînes] and p. 25 [29 August 1233: refers to W. son of Warin to custody of castle of Glasbiry; and mandate to Baldwin de Gisnes to deliver it.]; Philip III of France bought Guînes in

There appeared to be only one grant from any ecclesiastic lord in this whole series and that was made by Walter of Coutances, archbishop of Rouen [r. March 1185-1207]. Walter's manor at Les Andelys [Les Andelys: Haute-Normandie] was strategically situated above Rouen on the River Seine. Walter made the grant for his lifetime out of devotion to St. Thomas, '*et ob deuotionem et reuerentiam quam habimus et habemus erga beatum Thomam matrem*'.<sup>28</sup> Walter held a number of royal appointments in Henry II's court, including vice-Chancellor and in 1189 was part of a papal team arbitrating a settlement between Henry II and Philip of France. Christ Church had also appealed to Walter, in 1187, for his assistance in settling their dispute with Archbishop Baldwin. Walter's grant made out of devotion to St. Thomas may well have been the result of his conscience, as he was part of Henry II's court when Becket was murdered.<sup>29</sup> The grant had broad dating based on Walter's consecration as archbishop of Rouen [March 1185] and a witness, John archdeacon of Oxford, who was made bishop of Worcester in October 1196. The dating could possibly be narrowed to 1188, when John was made dean of Rouen through the influence of his uncle Walter.<sup>30</sup>

There are three grants of partial exemption, each of which attaches a clause or clauses setting a restriction on the grant. These grants were from Gazo of Poissy, Guy Mauvoisin and Thomas de Sancto Walerico [Saint-Valery]. The first grant from Gazo de Poissy is undated, but in all probability was made after Louis VII's grant in August 1179, given that it related to wine.<sup>31</sup> The grant, given for the love of God, the Virgin Mary and St Thomas and for the souls of himself, his wife and sons, provided freedom from toll at *Maante* [Mante: Yvelines: Île-de-France] and *Maisuns* [Maisons-sur-Seine: Yvelines: Île-de-France]. As far as can be determined, Gazo's

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1281, see Elizabeth M. Hallam and Judith Everard, *Capetian France 987-1328*, (Longman, 2001, 2<sup>nd</sup> Edition), p. 384.

<sup>28</sup> CCA-DCC-ChAnt/F/134 [Grant: 1184x1196], CCA-DCC-ChAnt/F/122 [Grant: 1184x1196], CCA-DCC-Register/E fos.36v-37r and CCA-DCC-Register/A fo.342r, also noted in *HMC 5<sup>th</sup> Report, Appendix*, p. 461.

<sup>29</sup> For Walter's life, see Ralph V. Turner, 'Coutances, Walter de (d. 1207)', *ODNB*, [article/6467, accessed 16 Jan 2012].

<sup>30</sup> Philippa Hoskin, 'Coutances, John de (d. 1198)', *ODNB*, [article/95187, accessed 16 Jan 2012].

<sup>31</sup> This grant in triplicate, see CCA-DCC-ChAnt/F/115 [Notification: early 13<sup>th</sup> century hand], CCA-DCC-ChAnt/F/120 [Notification: early 13<sup>th</sup> century hand] and CCA-DCC-ChAnt/F/136 [Notification: early 13<sup>th</sup> century hand]; see also CCA-DCC-Register/E fo.36r and CCA-DCC-Register/A fo.341r. It is also copied in CCA-DCC-ChAnt/F/111. It should also be noted that notifications are different although the overall sentiment is the same, for example, in CCA-DCC-ChAnt/F/115 '*elemosinam*' is specified whereas in CCA-DCC-ChAnt/F/120 it is '*elemosinam perpetuam*' and in CCA-DCC-ChAnt/F/136 it is '*perpetuam elemosinam*'.

grant is valid, although Gazo, who was described as ‘one of two of the chief lords of the Seine valley’, had been forced to relinquish claims in front of Louis VII for illegally claiming tolls from the monks of Saint-Wadrille at Mantes on behalf of the count of Meulan.<sup>32</sup> Gazo however placed restrictive conditions on the grant by reserving the tithes payable to the monks of the abbey of Notre-Dame de Coulombs, ‘*ad me pertinet preter decimam monachorum sancte Marie de Columps.*’ Additionally, Gazo stipulated that a knife without silver or gold was payable to both his bailiff at Mantes and Maisons-sur-Seine, ‘*dabit unum cniplum sine auro et argento bailiuo meo de Maanthe et alium cniplum sine auro et argento dabit bailiuo meo de Maisuns*’. The giving of a knife was clearly a symbolic gesture and possibly part of a ritual conducted during the collection of the tolls that were due from the monks of Christ Church for passage along the Seine.<sup>33</sup> Michael Clanchy argues that knives were common gifts and had an important symbolic nature in the Anglo-Norman period, often being attached to charters by a strip of parchment. He further argues that knives had been traditional symbols of conveyance of gift before the use of seals.<sup>34</sup> It is clear that a knife is difficult to break and therefore providing a knife in return for freedom from toll would undoubtedly signify a degree of permanence to both parties. The final interesting phrase, in this grant, refers to the monks’ boat as being named St. Thomas, ‘*et recognitionem prefate quietantie memorate nauis sancti Thome.*’ It may well be that the ship was called St. Thomas, however it is likely to be a more direct and symbolic reference to the Cult of St. Thomas itself. Guy Mauvoisin, who was lord of Rosny [Yvelines: Île-de-France] near Mantes, similarly placed a restriction on his grant, which was made to God, the Blessed Mary, St. Thomas and the monks of Christ Church.<sup>35</sup> His grant did not free the monks completely from paying tolls but reduced it by ten *sous-parisis* each year, which he paid from rents at Rosny-sur-Seine and Mantes.<sup>36</sup> The grant, like the other

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<sup>32</sup> The names of the towns are derived from Daniel Power, *The Norman frontier in the twelfth and early thirteenth centuries*, (Cambridge University Press, 2004), p. 96 and for the Poissy family lineage, see p. 512.

<sup>33</sup> For a general discussion of medieval symbolism during the 10<sup>th</sup> – 12<sup>th</sup> centuries, see Andrew Cowell, *The medieval warrior aristocracy: gifts, violence, performance and the sacred*, (D. S. Brewer, 2007), p. 9;

<sup>34</sup> Michael Clanchy, *From Memory to Written Record, England 1066-1307*, 2nd edition, (Blackwell, 1993), pp. 39-40 and 258-259.

<sup>35</sup> Power, *Norman Frontier*, p. 254, also notes that Guy was a witness to a charter granting exemption for ships of the Abbey of Bonport at Rosny and Mantes [p. 255].

<sup>36</sup> CCA-DCc-ChAnt/F/135 [Grant, in pure alms: late 12<sup>th</sup> century], CCA-DCc-Register/E fo.36r and CCA-DCc-Register/A fo.341r-v.

grants, is a pious one, being made for Guy's father [William] and his ancestors as well as his mother and brothers. The most illuminating aspect of this grant is that it was made by Guy in person at the tomb of St. Thomas on the anniversary of his murder [29 December]: '*et hoc donum super tumbam beati Thome martyris in die passionis sue obtuli*'. It came together with a warning to all those that may infringe the grant: '*hanc donationem meam aut cartam istam infringere voluerit, in eadem dampnatione cum Iuda traditore qui Cristum tradidit deputatus sit.*'

As has been identified, all these grants were of a pious nature and granting exemption or partial exemption of passage, along the River Seine, from Paris to Rouen. More importantly perhaps they were all given for the love of St. Thomas, a clear indication of the early spread of the Cult of Becket, as they were all given within ten years of his canonisation [March 1173]. However, these were not the only pious grants made in memory, love or honour of St. Thomas, as other individuals in France made grants of rents. Thomas de Sancto Walerico's grant, unlike that of his father, placed a restriction on the monks of Christ Church. Nevertheless the grant was similar to that of his father, in that it was a pious grant and made out of reverence for St. Thomas.<sup>37</sup> Thomas did identify Saint-Valery as a port ('*in portum meum de Sancto Walerico*'). However, the identification of the exact location of the port of Saint-Valery is somewhat problematic as there are two possible contenders, Saint-Valery-sur-Somme and Saint-Valery-en-Caux. Sir Frank Stenton identified St. Valery-sur-Somme, a port at the mouth of the River Somme, as the point from which William the Conqueror set sail for his invasion of England.<sup>38</sup> Stenton's identification is further reinforced by Alan Murray's argument that Walter and Bernard de Domart are probably identical with '*Gualterius de Sancto Gualterico et Bernadus filius eius,*' citing Orderic Vitalis as identifying Walter as lord of Saint Valery-sur-Somme.<sup>39</sup> A second phrase placed restrictions on when Christ Church could receive the

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<sup>37</sup> CCA-DCC-ChAnt/F/117 [Grant: early 13<sup>th</sup> century], CCA-DCC-Register/E fo.36v and CCA-DCC-Register/A fo.341v, see also CCA-DCC-ChAnt/F/111 [Copies of charters: late 14<sup>th</sup> century]; for the death of Bernard [1205] and Thomas [1219], see Wolverton and District Archaeological and Historical Society [<http://www.mkheritage.co.uk/wdahs/thornton/docs/owners.html>, accessed 17 January 2012]; for Thomas's relationships with the English Crown, see Power, *Norman Frontier*, pp. 454-455 and for a summary of the demise of the honour of St. Valery see, Fine of the Month: January 2009, [<http://www.finerollshenry3.org.uk/content/month/fm-01-2009.html>, accessed 17 January 2012].

<sup>38</sup> Sir Frank Stenton, *Anglo-Saxon England*, The Oxford History of England, 3<sup>rd</sup> edition, (Oxford: Clarendon Press, 1971), p. 591.

<sup>39</sup> Alan V. Murray, *The Crusader Kingdom of Jerusalem: A dynastic history 1099-1125*, (Oxford: Prosopographica et Genealogica, 2000), p. 233.

exemption, namely when they were not acting as merchants: '*Si tamen predicti monachi vel seruientes eorum more mercatorum aliquod attulerint de partibus transmarinis reddant aliorum consuetudines mercatorum.*' If Christ Church traded as merchants, then they had to pay the same merchant dues as any other trader.

Thomas's implication was that Christ Church were also, at times, merchant traders, although it is unclear what they may have been trading. The most obvious possibilities were wool and stone; wool, however, was in all probability supplied to Flanders through Wissant, while stone would have been supplied via Caen, neither of which would have used Saint-Valery-sur-Somme. What the monks of Christ Church traded through the port of Saint-Valery remains elusive, although it is possible that no trading ever took place and Thomas was merely ensuring that his grant was unambiguous.

In addition to these valuable exemptions or partial exemptions from tolls, other French lay nobility chose to provide Christ Church with income on an annual basis. This income was provided through a grant of rents, both for land owned in France and England, as it will be shown below.

### 8.1.2: Grants of Rents

There are four further grants from French nobility in this category, all which can be dated later than 1179 and which can be considered to be of a pious nature as they include the words, '*pro anima*' or '*pro amore*'; additionally they were all made to St. Thomas, '*et beato martiri Thome*'. The first two grants are complementary and make reference to the monks of Canterbury visiting Poissy to collect wine. The first is from Adam de l'Isle-Adam [Val-d'Oise: Île-de-France], '*pro anima patris mei et matris ...*', giving an annual rent of ten *sous parisii*. Adam further specified that the money was payable at Michaelmas and that he and his brother, Manasser, would pay five *sous* each.<sup>40</sup> The second grant is that of Manasser confirming his payment of five *sous*, although he specified a different payment day, '*accipiendos singulis annis in octauis sancti Dionisii*' [the octave of the feast of St. Denis: 16 October], adding that the grant was confirmed by his brother Adam and with the assent of Manasser's son, Anseau: '*Cui donationi frater meus Adam de Insula consensit et filius eius Anselinus*

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<sup>40</sup> CCA-DCc-ChAnt/C/210 [Grant from Adam: early 13<sup>th</sup> century], CCA-DCc-Register/E fo.36r and Reg./A fo.341r; CCA-DCc-ChAnt/C/174 [Grant from Manasser: early 13<sup>th</sup> century], CCA-DCc-Register/E fo.36r and Reg./A fo.341r.

*presens assensum prebuit*'. Although the grant is undated, it is possible that it was made before Adam went on the Third Crusade [1189-1192].<sup>41</sup>

Likewise, two further grants are complementary and relate to the count of Évreux [Eure: Haut-Normandie]. The first was from Amaury, count of Évreux that granted one mark annual rent to the monks of Christ Church to participate in the benefits of the church: '*quam mittam eis per seruientem meum pro eiusdem ecclesie beneficiorum*'. It was payable within the octaves of St. Andrew [by the 7 December], '*infra octabas sancti Andree*'.<sup>42</sup> There is no dating on this grant, although it must be later than 1173, the canonisation of Becket, and before 1193, when Amaury III died during the Third Crusade.<sup>43</sup> The second element of the grant was from Mabel, countess of Évreux and her son Amaury of an annual rent of one mark from their mill at Goseham at Marlow; the grant was to pay for a candle at St. Thomas's tomb, '*et ut hec nostra donacione rata in posterum et stabilis permaneat*'.<sup>44</sup>

All of the grants discussed above had granted exemption from pedage [*pedagium*] and other customs [*consuetudines*] through the ports or lands of a wide cross-section of French comital families, although in some cases minor conditions meant that some payment was required from Christ Church. The comital lands covered the northern French coast from the mouth of the River Seine, at Rouen, to the lands of the counts of Flanders. Furthermore, other French comital families, holding land in the hinterland of the French ports and surrounding the French kings' lands at the Île-de-France, also granted exemptions when crossing their lands. Finally, there was a group of French comital families and a clergyman that granted exemptions along the important trading route of the River Seine. The last general grant made to the Christ Church monks was a grant of wine from French lay nobility of a portion of their vineyards lying just north of Paris, although not of the quantity associated with that of the French king. Nevertheless it was yet another valuable source of income from French possessions.

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<sup>41</sup> Which mentions that Adam departed for the Fourth Crusade in 1189, which is incorrect and must refer to the Third Crusade, [http://fmg.ac/Projects/MedLands/PARIS%20REGION%20NOBILITY.htm#\\_Toc309578902](http://fmg.ac/Projects/MedLands/PARIS%20REGION%20NOBILITY.htm#_Toc309578902), accessed 16 January 2012.

<sup>42</sup> CCA-DCc-ChAnt/C/172 [Grant: late 12<sup>th</sup> to early 13<sup>th</sup> century]

<sup>43</sup> Power, *Norman Frontier*, pp. 63-4 and pp. 228-231.

<sup>44</sup> CCA-DCc-ChAnt/M/261 [Grant in free and perpetual alms: late 12<sup>th</sup> century], although this grant is undated it must be between 1187 and 1199 based on the following evidence, see Power, *Norman Frontier*, pp. 63-4 and p. 230, which notes that Amaury III died during the Third Crusade and Amaury IV, her son, was a minor until Evreux fell to the French in 1199.

### 8.1.3: Wine of Richoldis de Grootai

Richoldis de Grootai made a grant of wine in March 1212 through a notification from Peter de Nemours, bishop of Paris [r. 1208-1219]. This grant was made in pure and perpetual alms, and directly at Richoldis's request. Christ Church had been given five-quarters of wine '*quinque quarterios vine sitos apud Sanctum Bricum*', at Saint-Brice-sous-Forêt [Val-d'Oise: Île-de-France]. The grant was made for Richoldis's soul and the soul of her late husband, Guy, '*pro anima sua et quondam mariti sui Guidonis dedit and concessit in puram et perpetuam elemosinam*'.<sup>45</sup> Although grants, notifications or indeed any other document would normally refer to Christ Church, Peter de Nemours's notification actually specified the monks of St Thomas of Canterbury '*monachis sancti Thome Cantuariensis*'. The only extant documents relating to this grant are the originals from Peter de Nemours and there is no evidence that Christ Church ever sought reinstatement of this grant. However, despite this lack of extant evidence, letters from Christ Church's agent in France demonstrated that Richoldis's grant was still being collected in the 1320s. However, Richoldis's grant would undoubtedly have disappeared, in a similar manner to those of the kings of France, when the vineyards of this region, the Île-de-France, were devastated during the Hundred Years' War in the fourteenth century. At one level these grants to Christ Church simply convey nothing out of the ordinary in that they are given in general by lay nobility and are made to a religious institution. However, a more detailed analysis of the meaning and sentiment conveyed by the wording of the individual grants provides a deeper insight into their complexities.

### 8.1.4: Interpreting the French Charters of Christ Church

The earliest French or Flemish grant to Christ Church was made by Eustace, count of Boulogne and dates from c.1096.<sup>46</sup> These grants were subsequently reconfirmed by later counts of Boulogne, the last extant grant being dated to 1317.

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<sup>45</sup> CCA-DCc-ChAnt/F/96 [Notification of grant: March 1212] – this grant is endorsed in a late 13<sup>th</sup> century hand '*cart' Petri episcopi Parisiens' de dono Richoldis de Groeles de quinque quart' vinee*', CCA-DCc-ChAnt/F/97 [Duplicate: March 1212] – this notification has a similar endorsement although not mentioning Peter by name; see also CCA-DCc-Register/E fo.36r, no. 14 and CCA-DCc-Register/A fo.341r, no. 14, *HMC 5<sup>th</sup> Report*, Appendix, p. 461 and Thomas Madox, *Formulare anglicanum: or, a collection of ancient charters and instruments of divers kinds, taken from the Originals ... and deduced from the Norman conquest, to the end of the reign of King Henry the VIII*, (London, 1702), no. 9, p. 4.

<sup>46</sup> For Eustace's grant, see CCA-DCc-ChAnt/F/130 [Grant: 1096x1100]; to my knowledge there are no extant grants or letters securing either land or exemption from tolls for Christ Church and granted by French or Flemish comital families before the last decade of the eleventh century.

All of these grants together with the grants discussed in the preceding sections have a number of similarities, however, only the exemptions of the counts of Boulogne and of the counts of Flanders share the same four ports: Wissant, Boulogne, Niwene [or Niewene] and Calais. Eustace's original grant, for example, only specified Wissant which is unsurprising as Wissant was the nearest sea-port to England and Christ Church's home sea-port of Sandwich; it was an ancient port existing in the tenth century and mentioned in an itinerary of Sigeric, archbishop of Canterbury [990-994].<sup>47</sup> The ports appear in grants at different times: Wissant [c.1086], Boulogne [1173x1180], Niwene [1171x1173] and Calais [1191x1214]. Boulogne, Calais and Wissant are well known today, however, the exact location of Niwene, as far as I have been able to determine, is unknown.<sup>48</sup> Niwene first appears in Matthew of Boulogne's grant dated between 1171 and 1173, together with Wissant and Boulogne.<sup>49</sup> The inference being that Niwene was developing as a new and additional landing point, on the northern French coast. Is there a possibility that Niwene formed part of an early port, which we know today as Calais? Modern Calais exists in two parts, the oldest St-Pierre-de-Calais which is surrounded by canals and dykes, which implies some form of draining to facilitate the construction of a town. Calais was added to exemption grants, by the late twelfth century, with Reginald of Boulogne's grant dated between 1191 and 1214; possibly as a direct result of the major port of Wissant becoming unusable through a silting-up process.<sup>50</sup> However, another intriguing possibility is presented by a map of Boulogne and the Boulonnais lands, between the late ninth and mid-twelfth centuries, which identified a town, Neuenna, situated close to the coast.<sup>51</sup> Neuenna and Niwene may have been one and the same town, although neither name appears on a modern map of the Pas-de-Calais region. Another possible but different location, for Neuenna, is suggested by an analysis of

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<sup>47</sup> Philip Grierson, 'The Relations between England and Flanders before the Norman Conquest', *TRHS*, Fourth Series, Vol. 23 (1941), 71-112 [80]; for example, Archbishop Eadsige [r. 1038-1050] who journeyed to Rome to receive his pallium, see William Hunt, 'Eadsige (d. 1050)', rev. Mary Frances Smith, *ODNB*, [article/8385, accessed 12 Jan 2012].

<sup>48</sup> Grierson, 'Relations', 71-112 [70]; Julius Caesar launched his expedition to England from Boulogne in 55AD, see Alain Lottain, *Histoire de Boulogne-Sur-Mer*, (University of Lille Press, 1983), p. 14.

<sup>49</sup> CCA-DCc-ChAnt/F/132 [Grant: late 12<sup>th</sup> to early 13<sup>th</sup> century] and CCA-DCc-Register/E fo.38v.  
<sup>50</sup> CCA-DCc-ChAnt/F/102 [Inspeximus: 25 Mar 1264x24 Mar 1265], CCA-DCc-Register/E fo.37v, CCA-DCc-Register/A fo.342v-343r and CCA-DCc-ChAnt/F/111 [Copies of charters: late 15<sup>th</sup> century]; for the development of Calais as a major port, see Grierson, 'Relations', 71-112 [81].

<sup>51</sup> Tanner, *Families*, p. xvi.

the medieval charters given to the abbey of Samer.<sup>52</sup> This analysis identified several names including Niueniel, Neuenna, Nieueneel and Nieniel, and all dated in the twelfth century. The analysis further suggests that these names derive from the vicinity of the river Nieulet near Marck [Pas-de-Calais], only six kilometres from modern day Calais; however this location would be different from that suggested by Tanner's map. Despite the contradictory evidence for the location of Neuenna or Niwene location, their inclusion in late-twelfth grants provides a clear indication of an increase in trade and possibly pilgrim traffic between northern Europe and England.<sup>53</sup>

I would further argue that the initial grants of toll exemption were made by the nobility of Boulogne and Flanders, some seventy-five years before Louis's grant of wine in 1179. Given that these grants only differ from the original with the addition of '*pro anima*' clauses and dedications to St. Thomas, one could argue that these subsequent grants were merely perpetuating the original grant rather than making a grant associated with wine. It may follow therefore that the grants of the Boulonnais and Flemish nobility were made for the benefit of Christ Church monks and the archbishop of Canterbury travelling on religious business to the papal court rather than trade. On the other hand, the grant may have been made to allow the monks to visit the Abbey of Saint Bertin [St. Omer: Pas-de-Calais] with whom they had a confraternity.<sup>54</sup> It is feasible that the origins of free movement through the ports may go back to the Anglo-Saxon period, since Saint Bertin was established in the eighth century to bring Christianity to the Franks. This may merely be a coincidence as Queen Bertha, a Frankish princess, is thought to have been instrumental in establishing Christianity in Kent when St. Augustine arrived in 597.

In addition to the common use of port names in the grants of the counts or countesses of Boulogne and of the counts of Flanders, there are four other areas of similarity, applying to the same grants, which I have analysed and interpreted elsewhere.<sup>55</sup> In summary these similarities are: firstly, after the canonisation of

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<sup>52</sup> M. l'abbé D. Haigneré, 'Quelques Chartres de l'abbaye de Samer', *Mémoires de la Société académique de l'arrondissement de Boulogne-sur-Mer*, 12 (1880), 89-252 [201-202].

<sup>53</sup> Tanner, *Families*, p. 17.

<sup>54</sup> Although some documents remain, the bulk of the archive of St. Bertin did not survive the French Revolution see, Patrick N. R. Zutshi, *Original papal letters in England 1305-1415*, (Rome: Vatican Library, 1990), p. xvi; for reference to the confraternity between Christ Church and St. Bertin, see CCA-DCc-ChAnt/B/390 [Letters: 1190x1225] and CCA-DCc-ChChLet/II/6 [Letter: 1191x1213].

<sup>55</sup> Moon, 'The European Connection', pp. 177-193.

Becket, in 1173, all grants were dedicated to the love or honour of St. Thomas the Martyr, an obvious reference to the Cult of St. Thomas. As part of my analysis of the Wine of St. Thomas, I will therefore discuss below the Cult of St. Thomas and its impact on Christ Church and the consequent jurisdictional issues that arose during the priorate of Henry of Eastry [1285-1331]. Secondly, dedications were made to the souls of the grantor and the souls of their ancestors. Clauses using the words '*pro anima*' were common when a pious grant was made.<sup>56</sup> Thirdly, the grants were to be maintained despite disagreements with the English Crown, phrases that appeared in the grants of Eustace and Stephen, counts of Boulogne. In the case of Stephen of Blois, it refers to his disagreement with his uncle, Henry I of England.<sup>57</sup> Fourthly, they forbade violence against the monks and their property. The question of violence was rife within French society, particularly from a class of warrior knights, to such an extent that in the early eleventh century French religious in the southern provinces of the French kingdom led a reforming movement for peace within society. This movement was essentially a reform of moral values that not only led to a clear distinction between warrior knights and the peasantry but also led to the Gregorian reform and ultimately the Crusades in the late eleventh century. Like all reform movements the process was not rapid but eventually reached all parts of the French kingdom by the end of the eleventh century as Georges Duby aptly observes, 'The *reformatio pacis* had been made necessary by the growth of a society in which warlike behaviour had become a privilege of a well defined class.'<sup>58</sup> The result of this movement was the bringing together of spiritual and temporal power to protect the weak of society, a part of which was the church. This process that led to a redefinition within society was referred to as the Movement of the Peace of God.<sup>59</sup> However, Kathleen Cushing disagrees with the views of Richard Landes and Thomas Head that the movement was simultaneously both the cause of and an explanation for change and sees the peace movement not only contributing to later papal reform but,

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<sup>56</sup> David Knowles argues that the use of a Latin sub-clause beginning *pro anima* is indicative of a pious grant, see David Knowles, Christopher N. L. Brooke, and Vera C. London eds., *The Heads of Religious Houses in England and Wales, 940-1216*, (Cambridge University Press, 1972), p. 10.

<sup>57</sup> Tanner, *Families*, p. 242.

<sup>58</sup> Georges Duby, 'Laity and the Peace of God', in *The Chivalrous Society*, trans. by Cynthia Postan, (Edward Arnold, 1977), p. 132.

<sup>59</sup> For a discussion of the Peace and Truce of God evolving to a peace of the Count and a Peace of the King, see Richard W. Kaeuper, *Chivalry and Violence in Medieval Europe*, (Oxford University Press, 2001), see also Herbert E. J. Cowdrey, 'The Peace and the Truce of God in the Eleventh Century', *Past and Present*, 46 (1970), 42-67; and Thomas Head and Richard Landes, eds., *The Peace of God: Social Violence and Religious Response in France around 1000*, (Cornell University Press, 1995).

'rather a complicated socio-political realignment'.<sup>60</sup> Therefore it is my opinion the references in the grants of the counts of Boulogne and of Flanders was a direct reminder to the people of their lands that they took their responsibilities to protect the weak of society very seriously.

All of the French grants discussed above, with the exception of those which gave rents or portions of vineyards to Christ Church, share three similarities with the grants given by the counts and countesses of Boulogne and the counts of Flanders: firstly they made dedications to St. Thomas or to the monks of St. Thomas at Canterbury; secondly they are made for the souls of themselves and their parents, in other words they are all pious grants; and thirdly, made reference to the Movement of the Peace of God. Clearly references to St. Thomas were associated with the Cult of St. Thomas given that John of Salisbury, who was by this time Bishop of Chartres, had reported miracles, in France, from as early as 1177.<sup>61</sup> References to Christ Church as the monks of St. Thomas may have been deliberate especially in those grants where the benefits of the church were concerned. Making a pious grant in return for prayers had always been part of medieval life but perhaps prayers from the monks of St. Thomas might be considered to carry more weight. The last important aspect of these grants were references not to cause harm to the monks of Canterbury, as I have argued above, was initially part of the Movement of the Peace of God, but twelfth century and later references, as Kauper has argued, would suggest that protecting the weak was now an inherent part of the fabric of French society.

Finally, Eastry's private register reveals an interesting aspect of Christ Church's international jurisdictional management relating to the renewal of the grant from the counts of Boulogne, between 1277 and 1325.<sup>62</sup> It was not however until 11 May 1306 that Christ Church appointed Thomas Vacherie of Witsand, as their proctor, to act in this matter.<sup>63</sup> His brief was to maintain liberties in the port of

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<sup>60</sup> Kathleen G. Cushing, *Reform and the Papacy in the Eleventh Century*, (Manchester University Press, 2005), pp. 39-54 [52]; see also 'Reforming' the papacy, pp. 55-90 and Reform in practice, pp. 91-110; for a discussion of ideas of age and behaviour in the eleventh century and their contribution towards reform, see Kathleen G. Cushing, 'Pueri, Iuvenes, and Viri: Age and Utility in the Gregorian Reform', *The Catholic Historical Review*, 94 (July, 2008), 435-449.

<sup>61</sup> Ronald C. Finucane, *Miracles and Pilgrims: Popular Beliefs in Medieval England*, (J.M. Dent & Sons Ltd., 1977), p. 160, p. 166, where William of Canterbury's later additions show a distinct shift towards a greater European interest in the cult and p. 163 which lists a wide range of French towns from which lay nobility are known to have visited St. Thomas's shrine at Canterbury.

<sup>62</sup> CCA-DCC-ChAnt/F/142 [Grant: 6 December 1314]

<sup>63</sup> CUL Eastry fo.104r; Vacherie was confirmed, as Christ Church proctor, at regular intervals until 1324 and referred to his original appointment in May 1306. For these appointments, see CUL Eastry

Wissant [Witsand] and elsewhere in the realm of France. The appointment may have been prompted by the charge of forty marks levied on Archbishop Winchelsey by the officials of the count of Boulogne, dated at Wissant on 13 April 1306, when Winchelsey fled to France in exile.<sup>64</sup> Such a charge, as far as I can determine, had never been made before on an archbishop of Canterbury, although Decima Douie pointed out that Archbishop Pecham, on his return from France in 1279, had tried to negotiate with the count of Boulogne, although this concerned a completely different charge. Douie further points out that Archbishop Kilwardby had his goods seized rather than pay the charge; however, Winchelsey decided to avoid the charge by taking a different route to Canterbury when returning with his *pallium*.<sup>65</sup> Given that this charge only appeared to have been levied on the archbishop of Canterbury, it is more likely that Eastry's appointment of Vacherie was related to preserving the long held rights of Christ Church alone. Vacherie was supported by Alexander of Sandwich, a Christ Church monk, who was introduced to the count of Boulogne in a letter of credence to act as a negotiator for the rights that had been granted since c.1096.<sup>66</sup> Late thirteenth- and early fourteenth-century extant letters from Christ Church always made reference to the potential grantor to renew a grant for the love and honour of St. Thomas. Such a reference was undoubtedly designed to remind the potential grantor of their spiritual obligations and exert moral pressure. Vacherie and Alexander of Sandwich appealed to the count of Boulogne that Christ Church's rights should be reconfirmed for the love and honour of St. Thomas. This appeal was successful as a Christ Church letter of c.1314 referred to the spiritual benefits that the count received for renewing the grant.<sup>67</sup> The same negotiation ploy was successfully used three years later as a Christ Church letter, dated 8 September 1317, again referred to the spiritual benefits the count of Boulogne received for his renewal of the

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fo.111v [14 August 1309], fo.113v [1 July 1310], fo.116v [16 June 1311], fo.118v [1 June 1312], fo.125v [c. 24 June 1313], fo.168v [1 July 1316], fo.176v [7 July 1317], fo.193r [7 July 1318], fo.205v [7 July 1319], fo.223r [7 July 1321], fo.226v [7 July 1322], fo.229v [15 July 1323], fo.238r [7 July 1324], the appointment of 1324 did not make any reference to earlier appointments.

<sup>64</sup> *Lit. Cant.*, iii, no.50, pp. 387-388 [Receipt of 40 marks given to Archbishop Winchelsey by officials of the port of Wissant: 13 April 1306].

<sup>65</sup> Decima Douie, *Archbishop Pecham*, (Oxford University Press, 1952), pp. 52-53, see also Jeffery H. Denton, *Robert Winchelsey and the Crown*, (Oxford University Press, 1980: paperback 2002), p. 234 and William P. Blore, 'Concerning the Customary Payment That the Count of Boulogne demands from the Archbishop or the Elect of Canterbury, if confirmed, on his first arrival at Wissant', *Canterbury Cathedral Chronicle*, October 1937.

<sup>66</sup> CUL *Eastry* fo.154v [14 November 1314]; Alexander de Sandwyco.

<sup>67</sup> CCA-DCC-ChAnt/F/142 [Grant: 6 December 1314] and CCA-DCC-Register/E fo.35v, for the letter to the count of Boulogne regarding spiritual benefits, see CUL *Eastry* fo.155r [c.1314].

grant.<sup>68</sup> There are no other extant records that show a count of Boulogne attempting to exact payments from archbishops of Canterbury or Christ Church monks following Vacherie's successful and final appeal in 1317. Robert III was the last count of Boulogne and of Auvergne to renew the grant and following his death in 1322 there is no extant evidence of Christ Church requesting any renewal of the grant. This may suggest that these records have been lost but most likely Christ Church had decided to sell the Wine of St Thomas in Paris, obviating the need for free passage through the Boulonnais ports. In any event, the onset of the Hundred Years War in 1337 meant that Christ Church did not receive any Wine of St Thomas until they made a new appeal for its restitution at the conclusion of the war in 1453.

One other facet of these grants requiring analysis refers to toll exemptions allowing free movement of wine. In 1877 Sheppard had argued that majority of grants made after Louis VII's original grant of wine to Christ Church, 'was ratified by all the Counts through whose counties the wine would have to pass on its way to its destination'.<sup>69</sup>

#### 8.1.5: Does the evidence support the Boulonnais ports as points of embarkation for Wine?

Sheppard's observation implied that the wine, if it was transported, would travel from the vineyards near Paris across French comital lands to the Boulonnais ports for shipment to Sandwich and thence to Canterbury. However, a detailed examination of all grants that provided exemption or partial exemption from tolls, pedage or customs may suggest another interpretation. An interpretation that takes into consideration not only the quality of white wine from the Parisian environs but also considers the options available for transporting large and weighty goods using the general transportation conditions prevailing in the Late Middle Ages. In my opinion, Sheppard's hypothesis that the Wine was shipped through Boulonnais ports rests solely on the fact that northern French nobility owed fealty to Louis VII and hence followed his lead and granted free transport rights. If the wine travelled by road from the environs of Paris to the Boulonnais ports, then his hypothesis would

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<sup>68</sup> For the grant, see CCA-DCC-ChAnt/F/103 (3) [Copy of grant: 8 September 1317], for letter see, CUL *Eastry* fo.178v [8 September 1317], the grant of 8 September 1317 was made by Robert III, count of Boulogne who was also Robert VII, count of Auvergne.

<sup>69</sup> *Lit. Cant.*, i, p. lxxviii.

hold true. However, Sheppard himself provided an alternative answer for not using the Boulonnais ports to ship wine to England when he argued: 'The monks knowing that so small a wine would not travel, as the wine-merchants say, always sold it on the spot and no record remains to show that the wine itself ever once came to England.'<sup>70</sup> The reference to an inferior vintage not travelling well was reinforced by a letter from Richard de Clyve, a student at Paris and probably written before 1291, who informed Prior Eastry that the latest wine vintage was of an inferior quality and recommended that it was sold immediately.<sup>71</sup>

However, I am of the opinion that there are three other reasons why the wine would not have been shipped via Boulonnais ports. Firstly, the vineyards from which the wine was granted by Louis VII and Richoldis de Groolai were located around Paris and close to the River Seine. Secondly, the quantity of wine to be shipped was '*centum modis*', which Sheppard argued was approximately 1600 gallons.<sup>72</sup> Given

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<sup>70</sup> *Lit. Cant.*, i, p. lxxxii.

<sup>71</sup> CCA-DCc-EC/III/18 [Letter: 1285x1331], letter from Richard de Clyve, a student in Paris, reporting that wine vintage would not keep. The date of this letter can be narrowed to 1285x1291 on the basis that Richard de Clyve is mentioned in a 1286 letter appointing the French Wine Agent, the implication being that Richard was in Paris at that time, see CCA-DCc-EC/II/49 [Letter of Appointment: 23 December 1286], Richard is next referenced in 1291 as the commissary of Canterbury *sede vacante*, see CCA-DCc-ChAnt/H/88A [Letters of proxy and articles: 1292x1294] but refers to articles issued by Richard on 19 June 1291. After this date Richard is always mentioned as either a proctor or commissary for Canterbury.

<sup>72</sup> The measure of wine was the 'muid de Paris', which equated to 16 gallons, a figure based on a Christ Church Treasurer's calculation engrossed in CCA-DCc-Register/J and reproduced in *Lit. Cant.*, i, p. lxxxii-lxxxiii. However, in 1590 Henry IV of France mandated that the 'muid de Paris' should be 288 'pintes de Paris' or 59 gallons, a figure significantly different from Christ Church's early 14th century calculation.

Support for the early 14th century figure of 16 gallons is as follows: firstly, the Christ Church Treasurer's accounts, for the late 13th and early 14th century, show that the average clear profit from the sale of The Wine of St. Thomas was £7 8s 2d [*Lit. Cant.*, i, lxxxii]. Secondly, a 1317 letter to Prior Eastry [*Lit. Cant.*, i, lxxxii] indicated that wine sold for 1½d per gallon, in Paris; if the 'muid de Paris' was 16 gallons then the gross sale price would have been £10 and therefore consistent with the Treasurer's accounts; however, if the 'muid de Paris' was 59 gallons then the gross sale price would have been approximately £376 and therefore inconsistent with the Treasurer's accounts. On the basis that the average net profit in the Christ Church accounts was less than £10 per annum and the sale price of wine from the 1317 letter, then it is not unreasonable to conclude that, in the early 14th century, the 'muid de Paris' was 16 gallons. Secondly, an entry in CCA-DCc-Register/A fo. 272v [reproduced in Sheppard, *Archaeological Journal*, p. 161] indicated a yield of 6 to 10 'muids de Paris' from Christ Church's arpent of vineyard at St. Brice-en-Forêt. Given that an arpent was roughly equivalent to an acre and in modern small vineyards an acre yields approximately 155 gallons of wine, then 6 to 10 'muids de Paris' equates to 15.5 to 26 gallons per muid. However modern methods of wine production would produce higher yields and therefore it could be argued that the early 14th century 'muid de Paris' was nearer to 16 gallons rather than 59 gallons. For a summary yields of in a modern small vineyard, see [[http://www.dhviticulture.com/files/how\\_much\\_wine.pdf](http://www.dhviticulture.com/files/how_much_wine.pdf), accessed 13 September 2012].

that the specific gravity of wine approximates to that of water and a gallon of water weighs approximately 10 pounds, then Louis's grant approximates to about seven tons in weight. Although there was a road from Paris to Boulogne, in all probability based on the old Roman road, transporting such a large and weighty quantity of wine would have been both cumbersome and time consuming, given the generally accepted condition of medieval roads.<sup>73</sup> A more natural route, I would suggest, would have been to transport the wine via boats along the Seine to Rouen. I would further argue that shipment via river is further supported by the grants of landowners along the River Seine, and close to the vineyards at Triel and Poissy, together with the grant at Rouen allowing access to the English Channel. Thirdly, an account from Robert de Cherring, dated between 1300 and 1350, provided details of purchases, transports and pilots for the shipment of wine, millstones and plaster bought at Triel and shipped from Rouen to Sandwich.<sup>74</sup>

## 8.2: The Cult of St. Thomas

All of the grants discussed above made reference to the love or honour of St. Thomas the Martyr in their dedications and therefore can only have been given as part of the Cult of St. Thomas. The details of Archbishop Becket's murder are well known and documented and it not necessary as part of this discussion to comment further on these events. The reporting of miracles associated with Becket, are similarly well known, but suffice to say that they are reported as occurring within

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Some evidence for a 'muid de Paris' being 59 gallons may be derived from extant late 15th century Christ Church documents relating to requests for the Wine of St. Thomas following the cessation of the Hundred Years War in 1453. The original vineyards, around Paris, providing the wine for Christ Church had been decimated and after 1453 The Wine of St Thomas was granted from vineyards in Bordeaux and Gascony [CCA-DCc-ChAnt/F/114: 1495x1498]. A grant from Edward IV [CCA-DCc-ChAnt/F/148: 21 October 1482] allowed The Wine of St. Thomas to be landed in England from Bordeaux and Gascony free of customs. The same grant mentions the quantity as 33 tuns, which equates to 8316 gallons. While this figure is higher than the 16th century 'muid de Paris', it is much closer than the earlier 14th century measure in the Christ Church records.

<sup>73</sup> Robert S. Lopez, 'The Evolution of Land Transport in the Middle Ages', *Past and Present*, 9, (April, 1956), pp. 17-19; John Haldon, 'Roads and communications in the Byzantine Empire: wagons, horses, and supplies' in John H. Pryor, *Logistics of Warfare in the Age of the Crusades*, (Ashgate, 2006) provides corroborative evidence for the condition of transport routes in the Eastern part of the old Roman Empire; for English roads see Christopher Taylor, *Roads and Tracks of Britain*, (J. M. Dent and Sons Ltd., 1982); for pilgrim routes see Diana Webb, *Pilgrimage in Medieval England*, (The Hambledon Press, 2000), pp. 221-232.

<sup>74</sup> CCA-DCc-DE/150 [Account: 1300x1350]; given the onset of the Hundred Years' War, I would argue that this date could be narrowed to 1300x1337; also Robert was appointed a receiver of wine in France in 1301, 1302 and 1303 see CUL *Eastry* fo.86v [Letter of appointment: 16 August 1301], fo.91r [Letter of appointment: 26 September 1302], and fo.92v [Letter of appointment: 14 September 1303].

days of his murder and certainly by April 1171; the reports were widespread in southern England and as far afield as West Yorkshire.<sup>75</sup> Royal officials, however, had decreed that Becket should not be viewed as a martyr and, consequently, Christ Church were placed on the back foot and closed the church. It transpired that the reporting of miracles was increasing and Christ Church recognising the financial benefit reopened the church. Finally, in July 1172, Benedict of Canterbury was assigned to assist William of Canterbury at the shrine of Becket due to the volume of pilgrims and the work involved in collecting Becket's miracles. The elevation to sainthood was propelled by a groundswell of support from England and France, while John of Salisbury and Herbert of Bosham, two of Becket's clerks, are reputed to have written to Alexander III on the subject. Alexander conducted due diligence through two of his legates, Albert and Theodwin, whose investigations were favourable, although possibly based on hearsay. Yet despite this, Becket was canonised in March 1173, a canonisation that Cardinal Boso considered, 'at the request of the clergy and people of France because of miracles.'<sup>76</sup> However, it is also clear that Becket had, for some considerable period, been protected by a network of Italian friends during a decade of argument between Henry II and the papacy; an argument that required Becket to be forced to accept royal customs. It is possible that the pressure from France together with Henry II's known regret for Becket's murder and Becket's Italian friends contributed to Alexander III's decision to canonize the archbishop.<sup>77</sup> The success of the cult was assured when Henry II made his famed pilgrimage to Canterbury in July 1174.<sup>78</sup> In the following years many nobles from France and Flanders had made a pilgrimage to the shrine of Becket at Canterbury, including Philip of Flanders [1177] and Louis VII [1179]; additionally, Henry II of England repeated his pilgrimage to Canterbury every time he returned to England, while Richard I made a pilgrimage before going on crusade in 1190 and Hubert

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<sup>75</sup> Barlow, *Thomas Becket*, pp. 264-270.

<sup>76</sup> Barlow, *Thomas Becket*, p. 269.

<sup>77</sup> For a wider discussion on the complex network of relationships that kept Becket in power before his murder, see Anne J. Duggan, 'Thomas Becket's Italian Network' in Frances Andrews, Christopher Egger and Constance M. Rousseau eds. *Pope, Church and City: Essays in Honour of Brenda M. Bolton*, (Brill, 2004), pp. 175-201.

<sup>78</sup> Webb, *Pilgrimage*, pp.49-51 and Gervase, i, pp. 248-249.

Walter, later archbishop of Canterbury, led a troop of soldiers under the banner of St. Thomas at Acre in 1191.<sup>79</sup>

Anne Duggan argues that the success of the cult was not only encouraged by Henry's famed pilgrimage but was much enhanced through a liturgical office written by Benedict of Canterbury and first read at Canterbury Matins in 1173; copies of it were taken 'to Iceland and Scandinavia to Italy and Sicily.'<sup>80</sup> However, I consider that two other factors were important. Firstly, Alexander III's announcement of Becket's canonisation, which was not confined to England, but spread through his letters to prelates throughout the whole Latin Church, although André Vauchez has argued that Alexander III may have overstepped his authority in promulgating the canonisation in such a widespread fashion.<sup>81</sup> Nonetheless without Alexander III's action I do not believe that the Cult would have had such an impact across the Latin Church. Secondly, as so eloquently expressed by Anne Duggan, twelfth-century Europe 'shared a common religious culture and remarkably effective network of communications ... not only the Latin Church itself, with its international religious orders and a lively traffic between the papal Curia ... but commercial networks embracing Scandinavia, Germany and the Baltic, France, Spain, Italy and the Mediterranean bound the Latin West together'. Indeed as early as the late 1180s an image of St. Thomas was on display at Monreale in northern Sicily.<sup>82</sup> Becket was not just pertinent to Canterbury but after his translation, in 1220, became not only England's most popular saint but was also venerated throughout the Latin Church.<sup>83</sup> However, as I have argued above, the Cult of Becket had found favour in France that resulted in many grants benefitting Christ Church. Perhaps the most famous of these

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<sup>79</sup> Anne J. Duggan, *Thomas Becket*, (Arnold, 2004), pp.224-236 [235]; see also Anne J. Duggan, 'Canterbury: The Becket Effect' in *Canterbury: A Medieval City*, ed. by Catherine Royer-Hemet, (Cambridge Scholars Publishing, 2010, 67-91.

<sup>80</sup> Duggan, *Becket*, p. 230

<sup>81</sup> André Vauchez, *Sainthood in the later Middle Ages*, trans. by Jean Birrell, (Cambridge University Press, 2005), pp. 25-26.

<sup>82</sup> Duggan, *Becket*, p. 225 and p. 232; see also Anne J. Duggan, 'The Cult of St Thomas Becket' in Anne J. Duggan, *Thomas Becket: Friends, Networks, Text and Cult*, Variorum, (Ashgate, 2007), 21-44.

<sup>83</sup> For a discussion of the impact on the City of Canterbury, see Marie-Pierre Gelin, 'The Citizens of Canterbury and the Cult of St Thomas Becket' [93-118] and for a discussion of reliquary's associated with St. Thomas see, Martine Yvernault, 'Reading History in Enamel: The Journey of Thomas Becket's Experience from Canterbury to Limoges', in *Canterbury: A Medieval City*, ed. by Catherine Royer-Hemet, (Cambridge Scholars Publishing, 2010, 137-159; for a discussion on the relationship between Canterbury Cathedral and Becket, see Millard F. Hearn, 'Canterbury Cathedral and the Cult of Becket', *The Art Bulletin*, 76 (March, 1994), 19-52, for a reference to Icelandic pilgrims visiting Becket's tomb in 1415, see James C. Robertson, 'Icelandic Pilgrims to the Tomb of Becket', *Arch Cant.*, 13 (1880), 404-407.

grants, which Christ Church enjoyed for over two hundred years, was that of wine made by Louis VII of France in 1179. The following sections will discuss the original grant and its subsequent renewals by later French kings and address how Christ Church managed the grant through proctors and local French agents.

### 8.2.1: The Royal French Charters of the Wine of St. Thomas 1179-1331

The Wine of St. Thomas was a spiritual grant highly valued by Christ Church. The grant was not always continuous and was interrupted by two events: firstly, the death of a French king; and secondly, at times of hostility between England and France or between France and Flanders.<sup>84</sup> Before discussing how Christ Church managed this grant, I will briefly summarise the various charters granted and subsequently renewed by the kings of France. Louis VII of France made the original grant at Canterbury, just nine years after Archbishop Becket's murder and six years after his canonisation in 1173. Louis VII came to Canterbury, accompanied by Henry II, to pray at the tomb of St. Thomas for the salvation of his soul and in return Christ Church granted Louis 'a share of the spiritual benefits of the church of Canterbury', sometime between 24 and 26 August 1179.<sup>85</sup> Louis granted the monks of Holy Trinity, Canterbury, one-hundred measures 'modios' of wine annually, together with free transport of the wine and all other food and drink of the monks.<sup>86</sup> After Louis's departure for France, Henry II granted Christ Church free customs on the transport of Louis's wine; Henry's grant was probably made before April 1180, when he is known to have been in France.<sup>87</sup>

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<sup>84</sup> A list of references is provided under the heading, 'Wine given by Kings of France', *HMC 5<sup>h</sup> Report, Appendix*, pp. 460-461.

<sup>85</sup> A date based on Louis's embarkation at Dover on 26 August, see *English Episcopal Acta II Canterbury 1162-1190*, ed. by Christopher R. Cheney and Bridgette E. A. Jones, (Oxford University Press, 1986), no. 164, p. 136; the entry also notes there would be 'a special office on the anniversary of the king's death and the details were to be entered in the martyrology and recited annually.'

<sup>86</sup> CCA-DCc-ChAnt/F/90 [Grant: 23/24 August 1179]; the grant was confirmed by Innocent III, see CCA-DCc-Register/A fo.343v and Gervase, i, p. 293; see also *Lit. Cant.*, ii, no. 926, pp. 480-481, CCA-DCc-Register/E fo.34r, no. 14, and CCA-DCc-Register/A fo.339r. The grant was also copied on numerous occasions, see CCA-DCc-ChAnt/F/108, CCA-DCc-ChAnt/F/109, CCA-DCc-ChAnt/F/110, CCA-DCc-ChAnt/F/112, CCA-DCc-ChAnt/F/113 and CCA-DCc-ChAnt/F/149 [Inspeximus: 15 September 1514] and Gervase, i, p. 293; for Henry II at Canterbury, see Reverend Robert W. Eyton, *Court, Household, and Itinerary of King Henry II*, (London, 1878), p. 228.

<sup>87</sup> CCA-DCc-ChAnt/F/138 [Notification: 1179x1181 – however Professor Vincent believes this date is before Henry II went to France in April 1180], see also CCA-DCc-Register/E fo.38r, no. 33 and CCA-DCc-ChAnt/F/111 [copies of various charters and grants: late 14<sup>th</sup> century]; see also Eyton, *Henry II Itinerary*, p. 232 – Henry II landing in Normandy c. April 16 1180; free transport of wine was also confirmed by Richard I on 17 September 1189, see CCA-DCc-ChAnt/F/93 [Grant: 17 September 1189], CCA-DCc-Register/E fo.38r and CCA-DCc-ChAnt/F/111 [copies of grants: late

Louis's grant was confirmed by his son, Philip II of France, in 1180, and, although the confirmation specified the year, it did not specify a month. However it could not have been any earlier than 18 September 1180, the date of Louis's death and when Philip first described himself as the king of France.<sup>88</sup> In March 1190, Philip II notified to his provost at Poissy his grant of wine to Christ Church and ordered him to hand over the wine, for the next three years, unless he returned from pilgrimage in the meantime.<sup>89</sup> Here Philip was referring to the Third Crusade [1189-1192] which he undertook from Marseille together with Richard I of England in July 1190.<sup>90</sup> Philip also appeared to have added an important addition with the inclusion in his notification of rents from Triel, another royal vineyard near the river Seine, northwest of Saint-Germain-en-Laye. To some extent Louis's grant of wine to St. Thomas was chronologically connected to the documentation concerning the building of the collegiate church of Hackington and the struggle between Christ Church and Archbishop Baldwin from 1185 to 1189. This series of extant twelfth-century letters is evidence that Christ Church employed a broad spectrum of both secular and ecclesiastical people, in England and France, to intercede on their behalf. The four year struggle concerned the building of a collegiate church at Hackington [Canterbury] to be dedicated to St. Thomas but funded by revenues from Becket's shrine. This considerable loss of revenue appeared to be the main reason for Christ

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14<sup>th</sup> century], Pope Innocent III on 3 May 1200, see CCA-DCc-Register/A, fo.343v; [Confirmation of the late King Louis's grant to Christ Church: 3 May 1200] and John on 21 October 1201, see CCA-DCc-ChAnt/F/95 [Grant: 21 October 1201], CCA-DCc-Register/E fo.38r-v and CCA-DCc-ChAnt/F/111 [copies of grants: late 14<sup>th</sup> century].

<sup>88</sup> CCA-DCc-ChAnt/F/92 [Confirmation: 1180 – no month]; see also CCA-DCc-Register/E fo.34r and CCA-DCc-Register/A fo.339r; see also L. B. Larking, 'Charter of Philip Augustus, King of France, 1180', *Arch. Cant.*, iv (1861), 127-130 and *Lit. Cant.*, ii, no. 927, pp. 481-482. The confirmation was also copied on numerous occasions, see CCA-DCc-ChAnt/F/108, CCA-DCc-ChAnt/F/109, CCA-DCc-ChAnt/F/110, CCA-DCc-ChAnt/F/112, CCA-DCc-ChAnt/F/149 [Inspeximus: 15 September 1514] and CCA-DCc-ChAnt/F/113 [copies: late 15<sup>th</sup> century based on last charter in list being Louis XI – April 1478].

<sup>89</sup> CCA-DCc-ChAnt/F/94 [Notification: March 1190], see also CCA-DCc-Register/E fo.34r, CCA-DCc-Register/A fo.339r, CCA-DCc-ChAnt/F/112 [Copies of grants: late 14<sup>th</sup> century] and CCA-DCc-ChAnt/F/149 [Inspeximus: 15 September 1514]; also listed although not copied in CCA-DCc-ChAnt/F/108, CCA-DCc-ChAnt/F/109, CCA-DCc-ChAnt/F/110 and CCA-DCc-ChAnt/F/113; to grant freedom from taxes for wine was indeed a significant grant as Philip in 1183 allowed French merchants in Paris to levy tolls on wine, salt and grain. This was extended in 1214 to allow the expansion of Parisian port facilities, see Elizabeth M. Hallam and Judith Everard, *Capetian France 987-1328*, (Longman, 2001, 2<sup>nd</sup> Edition), p. 207.

<sup>90</sup> For a description of Philip II and Richard I leaving for the Third Crusade, see Geoffrey Reagan, *Lionhearts: Saladin and Richard I*, (Constable, 1998), pp. 135-145.

Church's international pleas.<sup>91</sup> These people included Henry II, the earls of Essex and Surrey, Theobald of Blois, the archbishop of Rouen, the abbot of St. Denis [Paris] and Philip II of France. For example, in December 1187, they petitioned Philip to intercede with the pope to overcome Baldwin's oppression of his cathedral chapter, part of their plea used St. Thomas as their spiritual lever: '*Si ergo placet excellentiae vestrae nos pro Dei et beati martyris amore, pro liberalitate vestra et salute exaudire, facite ut intelligat dominus papa petitionem quam pro nobis facietis ex affecto procedure.*'<sup>92</sup> Furthermore, in this letter there is a reference to drinking from the chalice of Philip's father [Louis VII], '*ut videlicet filii quamvis degeneres et indigni, de calice bibamus partum nostrorum.*' Given that Philip had renewed his father's grant in 1180, it is somewhat surprising inclusion in the letter which requested Philip's help to overthrow Baldwin's oppression.

There is a break in the sequence of petitions and grants from the death of Philip II in July 1223 and his successor Louis IX [r.1226-1270]. Although here again there is no extant evidence to suggest that Christ Church did not receive the wine or that they did not petition Louis IX on Louis VIII's death [November 1226]. However in 1235 Louis IX issued a notification in confirmation of Philip II's grant of wine making three additions: firstly, that the wine should come from Triel and Chanteloup-les-Vingès, '*residuum in clause nostro apud Trelium et in vineis Cantus Lupi*'; secondly, that the red wine should be reserved for the king himself, '*salvo nobis vino rubeo de clause nostro de Trelium*', thus indicating that Christ Church was only to receive white wine from the region; and thirdly that, if there was insufficient wine from these vineyards, then the grant was to be completed with wine from Poissy, '*si aliquid de dictis centum modis vini in locis determinatis deficeret, volumus quod residuum in castellania Pissiac*'.<sup>93</sup> The production of two *inspeximus*

<sup>91</sup> Christopher Holdsworth, 'Baldwin (c. 1125–1190)', *ODNB*, [article/1164, accessed 6 March 2012] and Shelia Sweetinburgh, 'Caught in the Cross-Fire: Patronage and Institutional Politics in Late Twelfth-Century Canterbury', in *Cathedrals, Communities and Conflict*, pp. 192-197.

<sup>92</sup> *EpisCant.* for the initial complaints and petitions, see pp. 83-85, nos. 98-103; for Philip's letters, see p. 10, no. 10 [December 1186], p. 86, nos. 104 & 105 [August 1187], p. 146, no. 169 [January or February 1188], pp. 155-156, no.177 [April 1188], pp. 222-223, no. 241 [June 1188], pp. 305-306, nos.320 & 321 and pp. 351-354, nos.382-385 [December 1191: where Philip asks for help from Christ Church to support his nomination for the new archbishop of Canterbury [no. 382], the remaining letters are Christ Church's support [nos. 383-385].

<sup>93</sup> CCA-DCc-ChAnt/F/99 [Notification: 1235], see also CCA-DCc-Register/E fo.34r and CCA-DCc-Register/A fo.339r-v; Louis's grant is also recited in other confirmations, see CCA-DCc-ChAnt/F/100 [*Inspeximus*: 24 August 1244], CCA-DCc-ChAnt/F/101 [*Inspeximus*: May 1263] and CCA-DCc-ChAnt/F/149 [Notarial exemplification: 15 September 1514]; it is also listed in the following copies,

may well have been raised as a result in the lapse of the wine grant. It would appear that the second *inspeximus*, dated May 1263, prompted Louis into action with a resulting notification, in January 1264 at Amiens, which confirmed the grant made by Louis VII and Philip II; the notification also renewed Christ Church's freedom of transport.<sup>94</sup> The date of January 1264 and the signing of the Mise of Amiens could have been significant in English history as it represented Louis IX's settlement that was meant to have resolved the conflict between Henry III and the English barons, led by Simon de Montfort.<sup>95</sup> Although in reality this settlement turned out to be somewhat of a false dawn as hostilities were soon renewed by Simon, who was subsequently victorious at the Battle of Lewes [May 1264], this in itself was short-lived as Simon was killed at the Battle of Evesham in August 1265.<sup>96</sup> Given the coincidence of dates it would not be unreasonable to assume that Louis IX issued his notification to Christ Church at the same time.

Following Louis IX's death, in August 1270, I have been unable to uncover any records of petitions for the renewal of the wine grant to either Philip III or Philip IV. However, given the thoroughness with which the grant was managed by Christ Church, I would suggest that petitions did exist but have subsequently been lost. Unless Philip IV was unduly diligent in examining his father's previous commitments, it seems unlikely that his notification of the renewal of the wine grant, in August 1286, would not have been issued without some form of intervention by Christ Church, either a petition or an *inspeximus*.<sup>97</sup> Similarly, there are no petitions or grants between Philip IV's death, in November 1314, and a Christ Church petition from Prior Eastry to Charles IV of France in 1322.<sup>98</sup> This successful petition produced Charles IV notification of June 1322 that included Philip IV's confirmation

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CCA-DCc-ChAnt/F/108, CCA-DCc-ChAnt/F/109, CCA-DCc-ChAnt/F/110 and CCA-DCc-ChAnt/F/113.

<sup>94</sup> CCA-DCc-Register/E fo.34v and CCA-DCc-Register/A fos.339v-340r; it is also copied in CCA-DCc-ChAnt/F/112 and CCA-DCc-ChAnt/F/149 [Notarial exemplification: 15 September 1514]; also listed in CCA-DCc-ChAnt/F/108, CCA-DCc-ChAnt/F/109, CCA-DCc-ChAnt/F/110 and CCA-DCc-ChAnt/F/113.

<sup>95</sup> For the Mise of Amiens, see Powicke, *Thirteenth Century*, pp. 182-184 and Carpenter, *The Reign of Henry III*, (Hambledon Press, 2006), p. 261, 268, 273, 294 and 311.

<sup>96</sup> For Simon de Montfort's death, see Powicke, *Thirteenth Century*, pp. 201-203 and Carpenter, *Henry III*, p. 220, 298 and 305.

<sup>97</sup> CCA-DCc-Register/E fos.34v-35r and CCA-DCc-Register/A fo.340r; it is also recorded in a copy of charters, see CCA-DCc-ChAnt/F/112, CCA-DCc-ChAnt/F/149 [Inspeximus: 15 September 1514] and listed in CCA-DCc-ChAnt/F/108, CCA-DCc-ChAnt/F/109, CCA-DCc-ChAnt/F/110 and CCA-DCc-ChAnt/F/113.

<sup>98</sup> *Lit. Cant.*, i, nos. 62-71, pp. 62-67.

of August 1286.<sup>99</sup> Despite the lack of petitions or renewal of the wine grant by either Louis X, Philip V, Charles IV or Philip VI, extant letters that will be discussed later, when analysing Christ Church's jurisdictional management of the Wine of St. Thomas, indicate that they were receiving the grant as late as April 1334. However, the events preceding the Hundred Years' War were taking effect, having a dramatic impact of Christ Church's long held grant of wine from the French kings. The Hundred Years' War was, in reality, a series of wars between 1337 and 1453, which inevitably brought the provision of the Wine of St. Thomas to a temporary cessation. It was not until 1478 that Christ Church was successful in re-establishing the grant. Extant documents remain in the Christ Church Archives that attest to the struggle to regain the grant of wine; however these will not be discussed as this thesis is focused on the priorate of Henry of Eastry [1285-1331].<sup>100</sup>

### 8.2.2: Jurisdictional Management of the Wine of St. Thomas

It would not be unnatural to assume that a spiritual grant made by the King of France and subsequently reaffirmed for over one-hundred years would not have required any management. However the reality of the management of medieval grants was far from simple and straightforward. It was through the reconstruction of Christ Church's institutional memory, by Prior Eastry, that there is a rich vein of documents that enable a more thorough understanding of how this medieval grant was managed. One of these important sources was a private register commissioned by Prior Eastry that consisted of letters-close sent by him on a wide variety of topics that has been mentioned above in Chapter 4. As will be demonstrated it is an

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<sup>99</sup> CCA-DCc-Register/E fo.35r and CCA-DCc-Register/A fo.343r-v; it is also copied in CCA-DCc-ChAnt/F/112, CCA-DCc-ChAnt/F/149 [*Inspeximus*: 15 September 1514] and listed in CCA-DCc-ChAnt/F/108, CCA-DCc-ChAnt/F/109, CCA-DCc-ChAnt/F/110 and CCA-DCc-ChAnt/F/113.

<sup>100</sup> For details of the renewal of the Wine of St. Thomas from 1478, see CCA-DCc-ChAnt/F/145/1 [Mandate: 9 April 1478]; Louis's mandate is confirmed in a charter, see CCA-DCc-ChAnt/F/146 [Grant: 14 April 1478], this grant is addressed to the Prior and Convent of St. Thomas in England; for a partial transcription of this grant, see *Lit. Cant.*, iii, pp. xx-xxi; it is also copied in CCA-DCc-ChAnt/F/108, CCA-DCc-ChAnt/F/109, CCA-DCc-ChAnt/F/110 and CCA-DCc-ChAnt/F/113; see also CCA-DCc-ChAnt/F/127 [2 copies: 14 April 1478], CCA-DCc-ChAnt/F/147 [copy: late 15<sup>th</sup> century] and CCA-DCc-ChAnt/F/149 [Notarial exemplification: 15 September 1514]; CCA-DCc-ChAnt/F/145/2 [Letter from king's treasurers acknowledging Louis's mandate: 24 April 1478]; CCA-DCc-ChAnt/F/145/3 [Letter from Louis ordering treasurers and financial counselors to execute his mandate of 9 April 1478: 9 July 1480], CCA-DCc-ChAnt/F/125 [*inspeximus*: 31 August 1478], CCA-DCc-ChAnt/F/156 [duplicate *inspeximus* with same date] and CCA-DCc-ChAnt/F/126 [*inspeximus*: 1 May 1479]; CCA-DCc-ChAnt/F/145/4 and CCA-DCc-ChAnt/F/145/5 [Letters from treasurers and financial counselors, respectively, acknowledging king's letter and consenting to grant: 10 July 1480]; CCA-DCc-ChAnt/F/128 [Copy of petition from Prior Goldstone (1495-1517) to Charles VIII of France: c.1495].

invaluable resource when understanding the management of the Wine of St. Thomas.<sup>101</sup> The management of a grant may well have been easier had it been confined to England but this grant was not; because of the location of wines, Triel, Poissy and Saint-Brice-sous-Forêt, all close to Paris, it was necessary to employ local overseas agents. These agents were effectively employees of Christ Church but, as I intend to show, this did not make the management of the wine grant any easier.<sup>102</sup> A foretaste of what was to come for Prior Eastry in managing the grant was indicated by two late thirteenth-century letters. Firstly, in c.1281, Robert the Englishman [Robert len Englois], a burgher of Pontoise [Val-d'Oise: Île-de-France], wrote to the Prior of Christ Church [Thomas de Ringmere] reporting that an embargo had been placed on the Wine of St. Thomas, at Triel. Robert further advised Prior Ringmere that he should ask Edward I or his mother Eleanor of Provence, to write to the king or queen of France concerning the embargo.<sup>103</sup> Secondly, as mentioned above, Richard de Clyve [1285x1331], who was a student at Paris, sent to Prior Eastry a letter advising him that Robert the Englishman had recommended selling the Poissy wine as it was of inferior quality.<sup>104</sup>

From the beginning of Eastry's priorate in 1285 until the end of the thirteenth century, there are very few letters between Christ Church and their agents in France with regard to the management of the wine, although there is a hint that the earlier letter to Ringmere, regarding the embargo on the wine, may not have been resolved. Therefore Eastry wrote, on 15 August 1285, to Philip III of France regarding the continuance of the gift of wine and on the same day also wrote to the Abbot of St. Denis and asked him to use his influence with Philip for the restoration of the grant;

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<sup>101</sup> *CUL Eastry* [contains entries from 1285 to 1327] and for a discussion on the value of institutional memory, see above Chapter 4 – The Creation of Christ Church's Institutional Memory: 1285-1331.

<sup>102</sup> For a general discussion of the Wine of St. Thomas, see *Lit. Cant.*, i, pp. lxxvi-lxxxiii and Vincent, 'English Possessions', p. 228.

<sup>103</sup> CCA-DCc-EC/III/38 [Letter: c.1281]; Eastry at this time was a Treasurer at Christ Church and therefore aware of the monies that would be due from the sale of wine in France.

<sup>104</sup> CCA-DCc-EC/III/18 [Letter: 1285x1331]; Richard de Clyve is mentioned in letters of appointment, of 1286, from Eastry to Robert the Englishman [CCA-DCc-EC/III/49: 23 December 1286], which therefore presumes that Richard was in Paris at this time; Richard is also mentioned as a student in Paris in c.1288 [CCA-DCc-EC/III/19: c.1288], the next mention of Richard is when is identified as the commissary for Canterbury, *sede vacante*, in 1291 [CCA-DCc-ChAnt/II/88A: 19 June 1291]; thus Richard's letter can be narrowed from 1285x1331 to 23 December 1286x19 June 1291; Richard was probably studying canon law at the University of Paris with his subsequent appointment as commissary, *sede vacante*, see also *CUL Eastry*, fo.12r [10 January 1286: appointing Robert as custodian of French wine].

both letters mentioned St. Thomas and Louis VII's original grant.<sup>105</sup> There is an additional undated letter that may be related, from Robert the Englishman and Hamo Dod, which asked Eastry to provide details of his house in Triel; on the basis of Dod's appointment in France, this letter could be dated between 1285 and 1290.<sup>106</sup> This is a somewhat strange request, since, as far as I can determine, neither Christ Church nor Eastry owned property in Triel; apart from property owned by Archbishop Boniface of Savoy, Christ Church's only property in France was in the archbishopric of Lyons.<sup>107</sup> The remaining letters of this period, are letters of procedure concerning the appointment of Christ Church's receivers of wine in France [1299], and letters of protocol to the Queen of France [1286-1300].<sup>108</sup>

In the following decade, from 1300-1310, due procedure was followed and letters of appointment were issued for the Christ Church receivers of wine in France that included: John de Capella, Robert de Cherryngge, Robert de Pontoyse and John Gernoun. An appointment letter for the appointment of Christ Church's permanent agent in France, Roberta de Longemel was also issued.<sup>109</sup> The letters of appointment of Christ Church's receivers of wine in France all include a clause referring to the original granting of the wine by Louis VII, '*ex largicione bone memorie Lodowici quod Regi Francie*'. Another procedural document detailed how the Christ Church

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<sup>105</sup> For Eastry's letter to the king of France, see CUL *Eastry*, fo.21v [Letter: 15 August 1285] and to the abbot of St. Denis, see CUL *Eastry* fo.23r [Letter: 15 August 1285].

<sup>106</sup> Hamo Dod was appointed to handle wine in France c. 15 August 1285, 1288, 1289 and 1290, see CUL *Eastry*, fo.10v, fo.13v, fo.14r and fo.14v respectively; Hamo Dod was a witness to a lease at Canterbury in September 1290, see CCA-DCC-ChAnt/E/26 [Lease: c.29 September 1290], which may suggest he had returned from duties in France.

<sup>107</sup> CCA-DCC-EC/IV/4 [Letter: 1285x1331], this date can be narrowed to 1285x1310, when Robert de Jongemeau was appointed Christ Church's agent in France; for property in the archbishopric of Lyons and property owned by archbishop Boniface of Savoy, see Vincent, 'English Possessions', pp. 230-236.

<sup>108</sup> For a letter of procedure, see CUL *Eastry*, fo.81r [Appointment of R Pontson and G de Chileham as receivers of wine in France: 30 October 1299]; for letters of protocol from 1286-1300, see CUL *Eastry*, fo.24v [Memorandum of thanks: 1286]; fo.28r [Letter: 14 June 1287]; fo.28r [Letter and Memorandum of thanks: 28 September 1287], the escheatol of this letter refers to the Queen having a long life, '*valeat excellenora vestra per tempora longiora*'; fo.33r [Letter: 25 July 1291], this letter also mentions Robert the Englishman and Prior Eastry referring to himself as the Prior of the Church of Canterbury and fo.46v [Letter: 12 July 1293]. This last letter refers to Margaret as Queen of France although Joan of Navarre was still queen. This must refer to Philip III's daughter who married Edward I, but not until 1299.

<sup>109</sup> For letters of appointment as receivers of wine in France, see CUL *Eastry*, fo.86v [16 August 1301: appointment of John de Capella and Robert de Cherryngge]; fo.92v [14 September 1303: substituting Robert de Pontoyse and Robert de Cherryngge; note this is correction to an earlier entry in the register]; fo.104v [15 August 1306: appointment of John de Capella and John Gernoun]; fo.109r [11 September 1308 – appointment of Johannis de Capella and Johannis Gernonn]; for the appointment of Christ Church's agent in France, see CUL *Eastry*, fo.114r [January 25 1310: appointment of Roberta de Longemel (Longjumeau)].

monks received their rent or assessed measures of wine from Triel and Chanteloup-les-Vignes [Yvelines: Île-de-France], '*certum redditum sive censum videlicet certam mensuram vini*'.<sup>110</sup> The memorandum went on to state that any discrepancies must be submitted in writing to the bailiff at Poissy, '*tunc procurator conventus nomina ipsorum scire faciet in scriptis ballivo regis Francie apud Pesciat*' [Poissy]. The memorandum continued with a reference to the king of France's holding at Triel ('*apud Triel rex habet unum claustrum vine et continent quatuor arpent*'), and to Christ Church receiving only white wine while the king of France retained the red wine ('*procuratori conventus ecclesie Cristi Cantuar' medietatem totius albi vini eiusdem vine*'). Also noted in this clause was reference to a woman at Poissy, who managed wine for the king at Triel. She was bound to deliver half of the red wine to the king of France and half of the white wine to Christ Church, while the remainder of the wine was reserved for use in preparing later vintages. The procedure for Triel and Chanteloup-les-Vignes ended by stating that the proctor of Christ Church had to swear on oath to the bailiff at Poissy how much wine he had received and how much this quantity was short of the one-hundred measures due. The bailiff was then to release wine from the cellars of Poissy to fulfil the original grant: '*procurator conventus ecclesie Cristi Cantuar' ibit ad ballivum de Pesciaco et iurabit quantum recepit de vino ... et quantum defuerit de centum modiis vini, idem ballivus statim liberabit dicto procuratori de celario regis apud Pesciacum.*' The memorandum continued by specifying the amount of land that Christ Church owned at Saint-Brice-sous-Forêt and that they put this land to farm, '*singulis annis ad firmam*', also pointing out that grapes must be pressed under the supervision of the proctor of Christ Church, so that they could not be adulterated with water ('*non debent fullare vina sua nisi per visum procuratoris conventus ne forte apponerent aquam vel facerent deteris vinum*'). The final part of the memorandum indicated the yield from a measure of land, which could vary between six and ten measures: '*quod una arpenta vini quando vinum communiter se habet respondebit de octo modiis vini et aliquando de sex et aliquando de decem.*' The memorandum finished with a reference to the war between England and France for land in Gascony [1294-1300],

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<sup>110</sup> CCA-DCC-Register/A fo.344v, note that this entry in the register has a heading, '*diversa memoranda et alia munimenta de vinis Francie reperta in registris ecclesie Cantuar*'; this is dated to c.1300 based on the reference to compensation by the French king [Philip IV]; see also Joseph B. Sheppard, 'A Notice of some MSS selected from the Archives of the Dean and Chapter of Canterbury', *The Archaeological Journal*, 33 (1876), 154-167 [160-161].

the seizure by the king of France of all English possessions and the restoration of wines together with compensation that he made in the presence of Henry of Eastry: *'orta guerra inter regem Anglie et Francie pro terra Vascon' rex Francie cepit in manu sua omnia vina nostra ac etiam omnia bona omnium Anglicorum que habebant in regno Francie ... rex Francie restituit conventui omnia vina et alia bona sua que prius ceperat in manum suam et dedit conventui cc. libras Turonenses pro dampnis et arreragiis suis ... Henrico de Estria priore ecclesie Cristi Cantuar' tunc in Francia coram rege presente.*<sup>111</sup>

Supporting this memorandum was a series of mandates from Philip IV. Firstly, he ordered his officials to pay Christ Church two hundred livres tournois for four years arrears at Poissy, Triel and Saint-Brice-sous-Forêt, *'eorum mandato ducentas libras Turonenes pro arreragiis vinorum que apud Pesciacum, Trielum at apud Sanctum Bricium ... et percipere consueverunt de quatuor annis ultimo preteritis solvates de nostro'*.<sup>112</sup> Secondly, he asked them to restore all wines owed at Poissy and Triel, and to reinstate all land at Saint-Brice-sous-Forêt; this referred back to a grant of 1212 from Richoldis de Grootai, which was discussed above.<sup>113</sup> Thirdly, a notification from William Thibout, to the bailiff at Poissy, confirmed that he had received the King's orders and that the bailiff was to carry out the King's instructions. And fourthly, he granted safe conduct through his ports and lands for Henry of Eastry returning to England with his household, horses, silver and other possessions: *'et vestrum cuilibet quatinus prior ecclesie Cristi Cantuar' ad partes Anglie proficient cum familia equis vessalamentis argenti et aliis rebus suis per loca ... nullum ei impedimentum quomodolibet inferentes.*<sup>114</sup> Interestingly according to Sheppard's analysis of the registers, Philip's restoration was made in 1302 as he noted that Prior Eastry had been in France with the court of Edward I.<sup>115</sup> However, there is no evidence to support Edward I's presence in France in either July 1300 or July

<sup>111</sup> CCA-DCC-Register/A fo.344v.

<sup>112</sup> CCA-DCC-Register/A fo.345r [Mandate to treasurers at Paris: 13 July 1300 at Arrabloy (Loiret)], Jean d'Arrabloy had a chateau at Arrabloy and enjoyed a significant career in the service of Philip IV, see Joseph R. Strayer, 'Viscounts and Viguiers under Philip the Fair', *Speculum*, 38 (April, 1963), 242-255 [247].

<sup>113</sup> CCA-DCC-Register/A fo.345r [Mandate to prévôté of Paris: 14 July 1300 at Sanctum Agilum].

<sup>114</sup> CCA-DCC-Register/A fo.345r [Notification from William Thibout: 18 July 1300] and CCA-DCC-Register/A fo.345r [Mandate to keepers of lands and ports: 13 July 1300 at Arrabloy (Loiret)].

<sup>115</sup> Sheppard, 'MSS selected from the Archives', 154-167 [161]; Sheppard also notes that Philip suspended the export ban on gold and silver coin to allow Prior Eastry to take money to England. The ban had been imposed in 1295 to protect the French economy, see Hallam and Everard, *Capetian France*, p. 380.

1302 and therefore we should assume that Sheppard's reading of the registers is incorrect.<sup>116</sup>

It is during the next decade, 1311 to 1320, that there is a significant amount of correspondence associated with the Wine of St. Thomas, particularly the actions of Christ Church's agent in France, Robert de Longjumeau [he was also named as Longe, Longemel or Longo-Jumello in correspondence]. Longjumeau was first appointed on 25 January 1310, in all probability to replace Robert of Pontoise who no longer appeared in any correspondence. Longjumeau was subsequently reappointed as Christ Church's agent, on an annual basis throughout the decade, with the exception of 1317, for which there is no entry in Eastry's letters-close register, although subsequent correspondence clearly indicated that he was acting for Christ Church.<sup>117</sup> Throughout the decade, Longjumeau provided accounts, which included amounts for receipts of wine, rents at Triel, income from wines at Saint-Brice-sous-Forêt and expenses; Longjumeau would have deducted his commission, for acting as Christ Church's agent in France, before remitting totals in Parisian pounds and pounds Sterling.<sup>118</sup>

From a detailed evaluation of the correspondence between Christ Church and various parties acting on their behalf in France, it is clear that Prior Eastry questioned the returns being made for monies collected by Longjumeau. Eastry's concern arose perhaps from a letter that Longjumeau had written in c.1316, in which he alleged that Thomas de Wilton had defamed him for trading with Christ Church's money; he therefore enclosed accounts for the period 1313-1316, adding that the prior should

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<sup>116</sup> Henry Gough, ed., *Itinerary of King Edward the First*, vol. II, 1286-1307, (Paisley: Alexander Gardner, 1900), for July 1300, see p. 191 and for July 1302, see p. 215.

<sup>117</sup> All of the following letters referred back to Longjumeau's original appointment in 1310, CUL *Eastry* fo.116v [6 August 1311], fo.119r [4 September 1312], fo.139v [29 December 1313], fo.155r [29 December 1314], fo.162r [1 February 1315], fo.170v [29 September 1316], fo.191r [3 May 1318] and fo.214r [1 May 1319].

<sup>118</sup> CCA-DCC-MSSB/C/227 [French Wine Account: 1312x1313]; for wine accounts for 1313-1314, see CCA-DCC-ChAnt/F/141/1 [Letter and account: c.1314], this letter also details monies Robert had given to John de Maleville, John de Winchelsea and Thomas of Wilton; for wine accounts for 1313-1316, see CCA-DCC-ChAnt/F/159 [Letter and account: c.1316]; on occasions however Robert provided just details of his expense, for example, see CCA-DCC-ChAnt/F/141/8 [Letter: c.1314]; Robert's wine accounts were summarised and bore no relation to earlier examples from the late 13th century that provided details of individual vineyard contributions. For examples of these detailed lists see, CCA-DCC-ChAnt/F/104 [Taxation list: 1280], CCA-DCC-ChAnt/F/105 [Taxation list: 1288], CCA-DCC-ChAnt/F/106 [Taxation list: 1289] and CCA-DCC-ChAnt/F/107 [Taxation list: 1300]; the annual profit from this wine, between 1277 and 1383 was £7 8s 2d, see *Lit. Cant.*, i, p. lxxxi.

not believe the defamatory statements being made against him.<sup>119</sup> The letter also provided details of the wine at Saint-Brice-sous-Forêt and Triel together with other monetary details, such as the money that John de Winchelsea owed Christ Church and the money that Thomas de Wilton had received for arrears from the king of France. Longjumeau also made a payment to John Daverenchis, for which he requested a letter of quittance. Intriguingly, there was a draft letter in c.1316 sent from Prior Eastry to Thomas de Wilton that related to Longjumeau's accounts for 1315 and 1316. The information that Eastry requested was: firstly, the quantity of wine received at Saint-Brice-sous-Forêt and Triel, and the price paid; and secondly, the details of payments made by Robert de Averanches on behalf of John de Winchelsea, which were omitted from Longjumeau's account for 1316.<sup>120</sup> There is no extant evidence, at Christ Church or in Eastry's private register, that this letter was ever sent to Wilton; however on the basis of Eastry's two periods as a Christ Church treasurer, it is quite plausible that it would be the kind of inquisitive letter needed to resolve the situation. If it was not sent, Eastry's intent was at least known and also confirmed his suspicion that there were some discrepancies in the wine accounts. It is also possible that Longjumeau had become aware of his employers' concerns, as his letter of c.1316 to Eastry made in several points. He firstly compared the wine measures used at Paris with those of Triel and Poissy. Secondly, he commented on the Saint-Brice-sous-Forêt wine measure and their smallholding of one arpent. Thirdly, he detailed a payment made to John Daverenchis on behalf of John de Winchelsea and money received from Mestre Thomas de Wilton. And fourthly, he made an allegation that Mestre Robert of Colchester had made false statements about him and was not to be believed.<sup>121</sup> There are also two other draft letters from Eastry to Longjumeau that requested more information on the accounts for 1315 and 1316; the same letter also informed Longjumeau that he had to give money that he had received previously to Mestre Thomas de Wilton in the name of John de Winchelsea.<sup>122</sup> The second draft letter of 22 August 1317 appeared to question Longjumeau's credibility, since Eastry asked for more details of the wine received,

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<sup>119</sup> CCA-DCC-ChAnt/F/159 [Letter and accounts: c.1316], CCA-DCC-ChAnt/F/161 [Copy of account: 1316], from the first two lines: '*ces est la copie de la conte Robert de Longemel des vyns Saint Thomas de Canterbire a Triel cest assauer de lan de grace m ccc xvj*'.

<sup>120</sup> CCA-DCC-ChAnt/F/141/6 [Draft Letter: c.1316].

<sup>121</sup> CCA-DCC-ChAnt/F/143/5 [Letter: c.1316].

<sup>122</sup> CCA-DCC-ChAnt/F/141/5 [Draft letter: c.1316].

including how much was received from its sale. The letter further asked that Longjumeau provided the letters that he had received from John de Winchelsea and Thomas de Wilton, for the money that he had paid them. The letter was apparently sent under Eastry's private seal and carried by hand by his cousin, Michael de Barham. The fact that the letter was carried by hand and by someone who was wholly trustworthy would support the idea that Eastry had serious doubts about Longjumeau; it would be easy to ignore that no earlier letter had been carried by a personal emissary of Eastry.<sup>123</sup> Among the replies from Longjumeau was an undated letter, sent between c.1315 and 1317, which provided details of the accounts for 1313 and 1314, and money that Longjumeau had given to John de Winchelsea and Robert de Maleville. In the same letter, Longjumeau asked for a letter from Christ Church to Charles de Valois.<sup>124</sup> This letter may well have been the result of a similarly undated letter, possibly from c.1314-1317, where Longjumeau mentioned a conversation with Charles de Valois, Louis de France and a Monsieur de Saint Pol, which perhaps related to the payment of arrears by the French king.<sup>125</sup> Given that any arrears were the ultimate responsibility of the French king, then the Charles de Valois [1270-1325] mentioned in the letter was most probably Philip IV's brother and uncle to the future, but short-lived Louis X of France [r. November 1314-June 1316]. Charles de Valois had influence with his brother Philip but was purported to have dominated his nephew, Louis X.<sup>126</sup> Since Longjumeau referred to Louis de France rather than Prince Louis, it may follow that he was referring to Louis X and therefore the letter must be later than November 1314, when Louis X became king of France. The arrears that arose may be the result of the seizure of wine by Louis X to send to Flanders.<sup>127</sup> The French war with Flanders, begun in 1302 by Philip IV, was not resolved until 1315, partly because of Count Robert of Flanders's refusal to render homage to the French

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<sup>123</sup> CCA-DCC-ChAnt/F/141/4 [Draft letter: 22 August 1317]; the letter also mentions that Michael de Barham was carrying cloth for Longjumeau's robe, he was accorded the rank of gentleman and therefore was entitled to an annual award of cloth, see *Lit. Cant.*, i, p. lxxx.

<sup>124</sup> CCA-DCC-ChAnt/F/141/7 [Letter: c.1315-1317], the letter also asks for a garment to be given to John Gernon, Christ Church's serjeant at Triel.

<sup>125</sup> CCA-DCC-ChAnt/F/141/2 [Letter: c.1314-1317], this letter also asks for a new power of attorney; for a further letter from Robert regarding arrears from the king of France, see CCA-DCC-ChAnt/F/141/3 [c.1314x1317], the letter also acknowledges cloth sent to Robert for a robe, an explanation as to why he has not obeyed Christ Church's instructions to buy silk and details of money received by Thomas de Wilton.

<sup>126</sup> Hallam and Everard, *Capetian France*, p. 362 and p. 382; for genealogy of Philip IV, Charles de Valois and Louis X, see p. 320.

<sup>127</sup> CCA-DCC-ChAnt/F/160 [Letter: c.1315]

king, having previously agreed in an earlier peace settlement.<sup>128</sup> It is not clear why Louis X seized the wine, although one possible explanation could be the prolonged famine in Europe between 1315 and 1317, when bad harvests occurred in the Île-de-France and severe flooding occurred in Flanders.<sup>129</sup> This prolonged period of famine may also explain some of the discrepancies in Longjumeau's accounts and his efforts to explain yield and wine measurement differences between Poissy, Triel and Saint-Brice-sous-Forêt. However, the famine was just as severe in England and Eastry, renowned as a high farmer, would have been well aware of the consequences of poor harvests. All in all, I am still of the opinion that Prior Eastry suspected that Longjumeau, his agent in France, was being economical with the truth.

The final and most interesting letter of the decade dated 18 June 1320 and was written by Eastry to Queen Isabella regarding the reinstatement of French wine, following the end of the French war with Flanders. Philip V of France finally resolved the war in 1320, after another failed campaign in 1319.<sup>130</sup> The interest does not come from the request for reinstatement, as this was a normal part of Christ Church's jurisdictional management, but being addressed to Queen Isabella, who was the daughter of Philip IV and wife of Edward II. Eastry must have believed that Isabella held some sway at the French court, although in later years she was not too popular with her French cousins.<sup>131</sup>

The following decade, 1321 to 1330, can be characterised by three factors: firstly, procedural reappointments, such as Longjumeau and Christ Church's receivers of wine in France; secondly, requests to the French king for the reinstatement of Louis VII's original grant; and thirdly, payments of arrears. During this decade, Christ Church made concurrent appointments for as many as three agents to act on their behalf in France, from which we might infer that Eastry was still uncertain about Longjumeau's propriety hence another person working with

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<sup>128</sup> Hallam and Everard, *Capetian France*, pp. 360-364.

<sup>129</sup> Henry S. Lucas, 'The Great European Famine of 1315, 1316 and 1317', *Speculum*, 5 (October, 1930), 343-377.

<sup>130</sup> For letter to Isabella, see CUL *Eastry* fo.214r [Letter: 18 June 1320], the letter also refers to Robert de Longjumeau; for Philip V's end to the French war with Flanders, see Hallam and Everard, *Capetian France*, p. 365; there were also early indications during this period of antagonism between Philip and Edward II concerning land in Aquitaine and a monastery at Saint Sardos, see Pierre Chaplais, *The War of Saint-Sardos (1323-1325): Gascon Correspondence and Diplomatic Documents*, Camden Society, 3rd Series, 87 (Royal Historical Society, 1954).

<sup>131</sup> Hallam and Everard, *Capetian France*, p. 422, implies that the French magnates had a hatred for Isabella.

Longjumeau might improve Christ Church's fortunes.<sup>132</sup> Protecting the continuance of Louis VII's wine grant was always a key element in Christ Church's jurisdictional management and the 1320s proved no different in this respect. In 1319, Prior Eastry had written to Queen Isabella seeking her support for the payment of arrears of the wine grant, but it is not until over a year later, on 17 September 1321, that an envoy and proctor for French wine, Thomas Millane [or Mellane], was sent with a series of letters from both Prior Eastry and Queen Isabella to the French Crown and members of the French nobility, regarding arrears of wine at Poissy.<sup>133</sup> The French nobility included: Miles de Noyers and Henry of Sully, who were influential in the French court, and John Gailard, the Grand Treasurer of France.<sup>134</sup> It would appear from subsequent letters that the appeal was unsuccessful since Prior Eastry wrote two separate letters, on 1 June 1322, one to King Charles IV of France and the other to Charles de Valois, the king's uncle, appealing for the restoration of the wine grant. Crucially, whenever seeking a benefit, such as the restoration of the wine grant and the payment of six years arrears, Prior Eastry always made reference to St. Thomas the Martyr, '*Quocirca serenitati regiae humiliter supplicamus ut pro honore et amore gloriosi martiris Thomae predicti ... quod hujusmodi arreragia et defectus munificente regalis de sex annis proxime*'.<sup>135</sup> This mass petitioning by Christ Church was effective and, as discussed above, Charles IV restored the wine grant through his confirmation of Philip IV's grant of 1286, although it is unclear as to whether he

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<sup>132</sup> For appointments of French agents between 1321 and 1330, see *CUL Eastry* fo.223r [Appointment of Robert de Longjumeau and Thomas Millane: 16 September 1321], fo.226r [Appointment of Johannes Lange militis, Johannis dicti Anglicum and Robert de Longjumeau: 1 June 1322], for the same appointment, see *Lit. Cant.*, i, no.69, pp.65; fo.228v [Appointment of Robert de Longjumeau: 27 May 1323], fo.238v [Appointment of Johannis de Launge, Johannis dicti Anglicum and Petrum de Caleys: 13 November 1324], fo.244v [Appointment of Johannis de Launge: 1 August 1325]; *Lit. Cant.*, i, no.206, pp. 208-211 [New power of attorney for Johan Lange: 12 March 1327]; for a letter from John Lange to Prior Eastry asking to act as agent of Christ Church in France, see CCA-DCC-ChAnt/F/143/3 [Letter: c.1324], the previous entries attest to John's request being granted.

<sup>133</sup> *Lit. Cant.*, i, no.58, pp. 54-55 and *CUL Eastry* fo.223r [Letter to Philip, king of France: 17 September 1321], the letter to Philip mentions the appointment of Robert de Longjumeau and Thomas Millane [16 September 1321].

<sup>134</sup> Hallam and Everard, *Capetian France*, pp. 383-384, Miles de Noyers was a Burgundian nobleman and key member of the *chambre des comptes* (Treasurers) in the reign of Philip V, although falling from favour in the initial years of Charles IV's reign, he was restored to restore much needed revenues for the French King

<sup>135</sup> *CUL Eastry* fo.225v [Letter to Charles, king of France: 1 June 1322], see also *Lit. Cant.*, i, no.68, p. 64; *CUL Eastry* fo.225v-226r [Letter to Charles de Valois: 1 June 1322], see also *Lit. Cant.*, i, no.67, pp. 62-63, here Sheppard points out that the engrossed letter is incorrect, addressing Charles as the son of Charles IV, when in fact he was his uncle; for a similar and private letter asking assistance from Johan Langlois, a burgher of Paris, otherwise known as John the Englishman, see *Lit. Cant.*, i, no.70, pp. 64-67 and a private letter to Robert de Longjumeau seeking his assistance and asking him to speak to John the Englishman, see *Lit. Cant.*, i, no.71, pp. 66-67.

made reparation for the six years of arrears. The questioning of accounts and the collection of arrears was always a preoccupation of Christ Church and by 1325 Christ Church had become aware that the king of France, Charles IV, had issued letters patent to Longjumeau that allowed the recovery of arrears from Poissy for 1325.<sup>136</sup> We infer this from a letter sent from Eastry to John de Dene stating that James de Bourne had obtained the letters-patent and given them to Longjumeau. Since the latter had since died, Eastry urged John to recover the letters, to recuperate the arrears from the king's Provost and to sell the wines at Triel and Saint-Brice-sous-Forêt for the best price. The remainder of the letter informs us that Eastry wanted a new agent in Paris, as John the Englishman was too busy and Peter Galais was inefficient.

Despite the apparent granting of arrears by Charles IV, Eastry wrote to John Launge, on 13 November 1324, to express his concern about the lack of money being returned to Christ Church.<sup>137</sup> It is plausible that a letter dated 15 December 1324 sent from Thomas de Wilton, described as a student of Paris, to Eastry and relating to monies received from Christ Church proctors in France and the French treasurers, went some way to allay Eastry's concerns, although another letter to Launge, dated 1 August 1325, again expressing concern of lack of money for Christ Church might suggest otherwise.<sup>138</sup> However, having received letters from Launge, Eastry wrote to him on 12 March 1327, instructing him that the monies owed to Christ Church less Launge's costs should be changed into gold florins and sent back to England with Simon de Claxbi, the clerk to the bishop of Norwich.<sup>139</sup> The same letter also included the following: a vote of thanks for Launge's work on behalf of Christ Church; the renewal of his power of attorney; a receipt for Peter Galais and a request to know how much he had paid Gawein le Cordier together with a receipt. Again as was normal for Eastry, the letter included a reference to St. Thomas, '*et a nostre Eglise*

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<sup>136</sup> *Lit. Cant.*, i, no.161, pp. 158-159 [1325] and no.162, pp 158-160 [1325], this letter asks John Launge to provide assistance to John de Dene the newly appointed Christ Church proctor in France; see also CCA-DCC-ChAnt/F/143/1 [Account of Peter Galais and John de Dene for 1324: c.1324], this letter includes details of monies given to Christ Church treasurers calculated in both Parisian and English currency; CCA-DCC-ChAnt/F/143/2 [Letter from Peter Galais, a burgher of Paris: c.1324], this letter includes details of payments to and receipts from the wife (widow) of Robert de Longjumeau and a payment to John Adeyne, an usher for Queen Isabella, CCA-DCC-ChAnt/F/162 [Copy of account from Peter Galais relating to 1324: 1326].

<sup>137</sup> CUL *Eastry* fo.238v [Letter to John Launge: 13 November 1324].

<sup>138</sup> CCA-DCC-ChAnt/F/143/4 [Letter of monies received: c.15 December 1324] and CUL *Eastry* fo.244v [Letter to John Launge: 1 August 1325].

<sup>139</sup> *Lit. Cant.*, i, no.206, pp. 208-211 [12 March 1327].

*pur lamour Saint Thomas nous vous mercioms moult*'. However, by November 1328, Eastry had devised another method by which Christ Church could receive monies for French wines. He wrote to Launge, asking him to pay Peter Galais, a merchant of Paris, the money that he had received for 1327.<sup>140</sup> He further instructed Launge not only to send details of the money that he had paid Galais, but also to send Galais's bill to Canterbury. Launge was also instructed to take a bill of exchange to Galais's business partners in Paris. These business partners were described as London merchants who would be able to pay Christ Church the monies owed. The partners are not named but given the locations, Paris and London, they were likely to be the Bardi, who were Christ Church's merchants and bankers in London.<sup>141</sup> A letter from Eastry to Launge, dated 24 February 1329, implies that the wine account for 1327 remained outstanding.<sup>142</sup> Launge had apparently sent letters to both Eastry and Master Thebaud, Queen Isabella's physician, asking that Thebaud paid the debt of £30 from Launge's London rents. Thebaud denied that he had any money belonging to Launge and consequently refused to pay Christ Church. Eastry in a conciliatory tone (*'Et pur ceo nous vous prioms come nostre fiable amy qe vous plese purver'*) requested Launge to pay the debt either through the Bardi or by some other means and to advise Christ Church accordingly. Such a polite request appeared to fall on deaf ears as Eastry wrote to Sir Roger Mortimer on 15 August 1329, since now two years of wine arrears were outstanding.<sup>143</sup> Launge, who was a knight of Queen Isabella's household, had sent two messengers to transact important business with Queen Isabella and her son, Edward III. Eastry made a subtle plea for Mortimer's assistance to ensure that the business was transacted speedily and satisfactorily, since it would be to the profit to monastery and their Church: *'qe il soyent convenablement esploytez de meisme les busoignes sicome il moustrent a vous ... sil soyent bien esploytes serront a grant profist de nous et de nostre Eglise'*. Eastry further pointed out that Launge's business related to the arrears due to Christ Church for the Wine of

<sup>140</sup> *Lit. Cant.*, i, no.259, pp. 270-271 [November 1328].

<sup>141</sup> For a discussion on Florentine Bankers, see Edwin S. Hunt and James M. Murray, *A History of Business in Medieval Europe, 1200 -1550*, (Cambridge University Press, 1999), particularly Chapter 5. Business gets bigger: The super company phenomenon; for the ultimate demise of the Bardi see, Edwin S. Hunt, 'A New Look at the Dealings of the Bardi and Peruzzi with Edward III', *The Journal of Economic History*, 50 (March, 1990), 149-162; the Bardi also became bankers for Edward II, see Mark Buck, *Politics, Finance and the Church in the Reign of Edward II*, (Cambridge University Press, 1983), in particular Chapter 8. The Exchequer, pp. 163-197 [193].

<sup>142</sup> *Lit. Cant.*, i, no.272, pp. 284-286 [24 February 1329].

<sup>143</sup> *Lit. Cant.*, i, no.281, pp. 292-294 [15 August 1329].

St. Thomas: *'pur noz arrerages des ditz vins Seint Thomas qe le dit Sire Johan ad receu de ij. anz passez.'* Eastry again titles himself, Prior of the Church of Canterbury, *'Henri Priour del Eglise de Canterbire'*, and it is not difficult to imagine that he was not best pleased with the actions of a person from Queen Isabella's household. Launge had been at one time a trusted member of Edward II's household; for example, he was appointed, in December 1322, as one of the king's attorneys in the county of Ponthieu and Montreuil, with authority to act in the king's name.<sup>144</sup> Edward II had awarded also Launge an annual pension in perpetuity, to be paid from the farm of the City of London, for delivering news of the birth of his son, the future Edward III.<sup>145</sup> However, the Close Rolls, for November 1322, indicate that Launge rarely received this money.<sup>146</sup> As noted above, Launge had asked and was granted authority, in November 1324, to act as Christ Church's agent in France for the collection of rents and for the sale of wine. If Launge was falling on hard times, partially due to the lack of the lifetime grant from Edward II and the upheaval at the Royal court, which possibly compromised his position there, then it is possible that Launge saw a way of gaining some steady income. From the correspondence it is possible to infer that he was not content with the commission that he took for acting on Christ Church's behalf and began to behave unscrupulously. Five months later, on 22 April 1330, Eastry again wrote to Launge complaining that the arrears of £30, for 1327 and 1328, had not been paid.<sup>147</sup> Eastry concluded his letter by giving Launge two options: firstly, that he could send the money, at Christ Church's expense, by his agent adding that his agent would be rewarded for his efforts; or otherwise, that he was to hand the money to the Bardi and provide their letters patent, confirming that they had received the money and that it was payable to Christ Church in London. This letter was blunt and to the point and did not use the usual pleasantries associated with Christ Church letters, (*'Saluz. Endroit de ceo qe vous nous mandastes naderes*

<sup>144</sup> *CPR, Edward II, Vol. 4: 1321-1324*, p. 231 [30 December 1322]; John Launge is identified as member of Queen Isabella's household, see Seymour Phillips, *Edward II*, (Yale University Press, 2011), p. 204.

<sup>145</sup> *CCIR, Edward II, Vol. 2: 1313-1318*, p. 54 [27 April 1314], Edward II's order to the Sheriffs of London to pay John £80 annually from their farm for bringing news of the birth of his son [the future Edward III], apparently an earlier order based on Edward's original grant had not been executed; p. 254 [17 October 1318], order to constable of Rochester Castle, to release Joan Launge and restore her goods and chattels. Edward II had Joan arrested when going overseas without authority.

<sup>146</sup> *CClr, Edward II, Vol. 3: 1313-1318*, pp. 611 [24 November 1322], order to Sheriffs of London to pay John arrears he has not been paid. It appeared that John and his wife, Joan, had never been paid since Edward II's original grant.

<sup>147</sup> *Lit. Cant.*, i, no.302, pp. 310-311 [22 April 1330].

*par voz lettres*'), a clear indication that Launge's lack of action was frustrating Eastry. Nevertheless when giving Launge the options to pay, Eastry implied that he was confident that the issue would be resolved, '*Pur quey nous vous prioms chèrement et fiablement*'.

Probably the last act of Prior Eastry was to write a threatening letter to Launge for payment of wine arrears, where the threat took two forms. Firstly, by thanking him for his devotion to St. Thomas for managing the wines in France. In my opinion, Eastry implied that St. Thomas might intercede on judgment day if the arrears were not paid, which would be to Launge's detriment. Secondly, Eastry had sealed letters from Edward III, Queen Philippa of Hainault and Isabella all addressed to the King of France Philip VI asking him to have the wine arrears paid; however, Christ Church would withhold these letters until Launge advised them of how he wished to proceed: '*mes nous retendrons les lettres devers nous tantque nous saveroms vostre volonte endroit de cestes choses*.'<sup>148</sup> Not even Eastry's appeal to Launge for his devotion to St. Thomas produced any recompense for Christ Church's wine arrears, since the new prior, Richard Oxenden [1331-1138], wrote again on 24 July 1331, asking how Launge wished to proceed and pointing out that, having spoken to Master Thebaud, Queen Isabella's physician, there was no hope that Christ Church could obtain their arrears from Launge's rents in London.<sup>149</sup> Oxenden also stated that Christ Church still retained the sealed letters referred to in Eastry's earlier document of March 1331, and again reiterated that Launge should advise Christ Church as to his intended action. The action of Prior Eastry and Prior Oxenden during 1331 ended with a partial payment from Launge, who had remitted money to Christ Church for some of the arrears for the wine account: '*pro eo quod scriptisistis quod Dominus Johannes Launge procurator et receptor redditus pro vinis nostris in Francia satisfecit nobis in partem pro arreragiis redditus praedicti, se promittens nobis pro residuo plenarie satisfacturum*.'<sup>150</sup>

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<sup>148</sup> *Lit. Cant.*, i, no.338, pp. 350-353 [10 March 1331], the transcription of this letter is dated 10 March 1330 although the margin entry is 10 March 1331. On the basis that this letter and Oxenden's letter of July 1331 both reference sealed letters being retained by Christ Church, I believe that the date of 10 March 1330 is a transcription error as it is highly unlikely that sealed letters would have been retained for over a year without any action being taken.

<sup>149</sup> *Lit. Cant.*, i, no.367, pp. 378-379 [24 July 1331].

<sup>150</sup> *Lit. Cant.*, i, no.386, pp. 401-402 [October 1331].

Unfortunately for Christ Church the jurisdictional management of the Wine of St. Thomas proved problematic during the last two decades of Eastry's life. It must have been disquieting for him that a person who had been employed by both Edward II and Queen Isabella could have acted in such an ungentlemanly manner. Given the undoubted reverence in which St. Thomas was held both in England and throughout the Latin Church, Eastry must have been much distressed that a person acting on behalf of Christ Church to collect wines granted in St. Thomas's name could retain money for his own personal use. The recovery of arrears from Launge was to drag on for several more years without a satisfactory resolution, with more false statements being made by Launge regarding payments to Christ Church. Even the involvement of the Bardi did not produce any real success, although partial recovery of arrears was forthcoming. A situation, in the final analysis, that was overtaken by the events of the Hundred Years' War.<sup>151</sup>

### 8.3: Conclusion

To assist with the contextual analysis of the Wine of St. Thomas, I posed two questions. Firstly, 'how did contemporary society react to the spread of St. Thomas's cult among the nobility and the clergy of France and Flanders, including the clergy?

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<sup>151</sup> For the remaining correspondence in the jurisdictional management of the Wine of St. Thomas from October 1331 - April 1334, see *Lit. Cant.*, i, no.388, pp. 402-404 [The Bardi are asked to help in recovering debt: 31 October 1331], no.407, pp. 424-425 [Prior acknowledges receipt of £68, for arrears, through London office of Bardi: 7 January 1332], no.408, pp. 424-426 [The Bardi are thanked for their part in recovering arrears: 11 January 1332], no.431, pp. 452-454 [Launge had agreed to pay all arrears through Royal Exchequer but they have no money and therefore Prior asked Launge to find another method of payment: 10 April 1332], no.432, pp. 453-454 [New power of attorney for Launge and a reiteration of letter of 10 April 1332 regarding alternative method of payment of arrears: April 1332], no.439, pp. 460-463 [Letter to the Bardi asking them to collect money from Launge but in meantime to lend that sum to Christ Church, they also offer the Bardi goods on favourable terms – most likely wool: 18 May 1332], no.440, pp. 464-465 [King's Treasurer is asked to pay £100 to the Bardi due from Launge who holds the King's note for £300: 21 May 1332], no.447, p. 470-472 [The Bardi are asked what hope they have that the King's treasury will pay the £50 due to them for wine arrears: 17 June 1332], *Lit. Cant.*, ii, no.502, p. 7 [This appears to be a false receipt for £100: 22 Jan 1333], no.507, p. 12-13 [Letter to Countess of Hainault, Philip VI of France's sister asking her to intercede with Philip to obtain recovery of Launge's six year debt for Wine of St. Thomas: 22 January 1333], no.508, p. 12-15 [Letter to Launge pointing out that both the King of England and the Bardi say that Christ Church should not be acting in this manner and that Launge should settle his debt, implying he should do so as a gentleman and out of love and devotion to St. Thomas: 22 January 1333], no.506, p. 11-12 [Letter to Philip VI of France complaining that Launge is six years in arrears and asking him to intervene: 28 January 1333], no.535, pp. 50-52 [Letter to Launge who had acknowledged and agreed to pay all arrears of wine account: 22 March 1333], no.516, pp. 24-25 [Acknowledgement to Gawain Cordier that Christ Church have received £50 from Launge: 20 April 1333], no.517, pp. 24-26 [A receipt sent to Launge for all his past payments: 9 September 1333], no.534, p. 48-51 [Instructions to Gawain Cordier to assist Christ Church in recovery of arrears from Launge: 22 March 1334], no. 540, p. 57 [Gawain Cordier has paid Christ Church £50 from Launge in part payment of the arrears; 19 April 1334].

Through detailed analysis of the extant charters I have established that, from the canonisation of Becket in 1173, many of the grants were made for the love and honour of St. Thomas the glorious martyr. As I have evidenced above, there was a deep interest in the Cult of St. Thomas in France particularly during the thirteenth century and therefore the grants of the French nobility were at least in part given as a response to the Cult. My second question asked, 'if these additional grants were related to Louis VII's original grant of 1179'. My analysis concluded that from the late eleventh century a combination of the physical weight of the wine and the state of medieval road systems made it unlikely that the wine could have been shipped by land; therefore grants from the Boulonnais lands and Flanders were part of a long tradition of granting privileges to the monks of Christ Church begun before Louis VII's grant. Furthermore, those grants made in Paris and along the Seine would have lost the local nobility financial gain from tolls. On the basis of these two factors I have concluded that the additional grants were unrelated to Louis VII's original grant.

In the period between c.1086 and 1317, the nobility of northern France and Flanders, and French religious granted the monks of Christ Church either total or partial exemption from tolls, pedage and other customary payments. These grants, particularly those of the counts of Boulogne and of the counts of Flanders, also issued warnings to the men of their various comital domains not to cause harassment or distress to the monks when travelling through their lands, a warning that I believe stems from the origins of the eleventh century, Peace of God movement. A movement that brought together French lay nobility and French religious to enforce the moral values of protecting the weak and the unarmed, which clearly applied to the monks of Christ Church. Additionally, in certain instances, the grants were to be enforced irrespective of whether the nobility were in dispute with the English crown. These grants were, as far as can be assessed from extant documents, unique to Christ Church since no other English monastic house was granted trading privileges anywhere in France or Flanders and only very few were granted any temporalities or spiritualities on the Continent. Where such grants were made, Professor Vincent has shown that with the exception of Christ Church all English monastic holdings in France had all but disappeared by the time King John lost Normandy in 1204.<sup>152</sup> The

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<sup>152</sup> Vincent, 'French Possessions', p. 237.

grants specific to Christ Church are all associated with the grant of wine made to Christ Church by Louis VII of France in 1179, while the first extant grants of c.1096 in all probability are related to the First Crusade. The grants, in general, had a familial dedication that was characteristic of a pious act. In the first section of this chapter I looked at a number of ancillary grants that were associated with Louis VII's major grant of wine to Christ Church.

Finally, my analysis of the grants and close-letters of Prior Eastry clearly demonstrate, in my opinion, that not only were there two possible routes for the wine to be delivered from Paris to Canterbury but also that there could be another reason why exemption was granted at the Boulonnais ports. Consequently, although Sheppard argued that the toll exemption grants were made to allow free passage of the Wine of St. Thomas, I have maintained above that because of the quantity of wine shipped, in the order of seven tons by weight, the probable poor condition of medieval roads, the inherent poor quality of the wine, the positioning of the French vineyards in close proximity to Paris and the River Seine, together with exemptions along the River Seine to Rouen would strongly indicate shipping via river and sea, from Paris via Rouen to Sandwich.<sup>153</sup> This assumption is made with the proviso that the wine was always shipped to Canterbury, although there are strong indications certainly during the early 1300s that the wine was sold in Paris. I do however think that the exemptions from tolls at the northern French ports of Boulogne, Wissant, Niwene and Calais are more likely associated with monastic travel to and from the papal court.

Louis VII's grant and its spiritual dedication to St. Thomas of the Martyr was clearly a prestigious grant and was connected very closely to the Cult of Becket. Becket's canonisation in 1173 was by any measure a very rapid elevation to saintly status; moreover its promulgation by papal letter throughout western Christendom did much to boost the fortunes of Christ Church and the City of Canterbury, and to promote Canterbury as one of the major pilgrimage sites of the Later Middle Ages. It was a stroke of genius by Christ Church to translate the shrine of St. Thomas from the crypt to the main Cathedral area, in July 1220, which coincided with the fiftieth anniversary of Becket's murder.<sup>154</sup> Not only did this make access easier for pilgrims, by moving the date to July it allowed pilgrims easier travel. As Woodruff, Webb and

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<sup>153</sup> *Lit. Cant.*, i, p. lxxviii.

<sup>154</sup> Finucane, *Miracles & Pilgrims*, p. 124.

Duggan have all shown the prestige of Canterbury as a pilgrimage site and the impact of Becket's martyrdom are reflected in the oblations received at the pilgrimage site especially after the translation of Becket in 1220. For example, in 1220, a total of £795 11s 6d was received from pilgrims to Canterbury, this amount was more than double that received before the new tomb was erected.<sup>155</sup>

Arguably, this case study makes a further contribution to the clarification of the use and interpretation of primary sources. All the grants and much of the late thirteenth- and fourteenth-century correspondence that related to the management of the wine grant were copied into one or more of the great registers of Christ Church, forming along with many other examples in the registers, a compendium of their rights and privileges. The value of this compendium to the overall development of a revitalised institutional memory with a legal focus has been discussed above in Chapter 4 and 5 concerning the importance of memory to a monastic institution such as Christ Church. Accordingly, the same point concerning the importance for the management of Christ Church's institutional memory and jurisdiction has been raised in the previous chapter dealing with the legal case surrounding Dover Priory. One of the consistencies that become apparent from the study of Christ Church's institutional and legal memory is the care, commitment and tenacity that was taken to manage a grant, irrespective of whether it was temporal or spiritual. Louis VII's grant of wine and how Christ Church ensured that the full benefit was received provides a good example of jurisdictional management of the 'Church of Canterbury'. However, what is clear from the foregoing analysis is that the management process was complex and often tortuous, especially in the case of the recovery of monies due to Christ Church from their appointed agents, Robert de Longjumeau and later John Launge. As it has been shown, recovering arrears from John Launge, who was a member of Queen Isabella's household and a one-time agent in France for Edward II, who did not act in the manner expected of a gentleman, was particularly problematic. Christ Church had to use various means at their disposal to recuperate their arrears and this involved a number of different national and international agents and administrators as well as a complex set of relationships, which included the English and French royal courts, the Exchequer of the English king, their own proctors appointed to receive the wines in

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<sup>155</sup> For a more detailed discussion of the financial impact of Becket's martyrdom see, C. Eversley Woodruff, 'The Financial Aspect of the Cult of St. Thomas of Canterbury', *Arch Cant.*, 44 (1932); see also Webb, *Pilgrimage*, pp. 44-61.

France, members of the French religious and Christ Church monks, who were described as students in Paris.<sup>156</sup> However, my analysis of the correspondence surrounding the Wine of St Thomas demonstrates that Prior Eastry always referred to himself as the Prior of the Church of Canterbury.<sup>157</sup> Hence I would argue that Eastry had used his appropriated authority derived from the 'Church of Canterbury' in England and extended it to an international level in an attempt to obtain satisfaction from his various French agents.

Arguably, the Cult of St. Thomas, as Anne Duggan has pointed out, gave the 'Church of Canterbury' an international dimension in contrast to the largely national dimension provided by previous Canterbury saints such as Dunstan.<sup>158</sup> As argued above, the Cult of St. Thomas was regarded with reverence and respect that demanded a duty of care. We could therefore interpret Christ Church's promotion of their saints' cult as reinforcing this duty of care through a moral and spiritual obligation that resulted in grants and oblations in Becket's memory. In other words, this duty of care could also be interpreted as a spiritual jurisdiction but not one that needed overt management, as in the sense of a traditional spiritual grant, such as the advowson of Dover Priory. However, when placed alongside the complex and multi-dimensional characteristics of managing a real spiritual grant, the Wine of St. Thomas raised the 'Church of Canterbury's' spiritual jurisdiction to an international level.

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<sup>156</sup> For example, see CCA-DCc-EC/III/19 [Letter: c.1288], this is a letter from Richard de Clyve who references his studies in Paris, which infers he was either studying theology or canon law, given that Richard was later appointed as a commissary for Canterbury *sede vacante* may imply legal studies.

<sup>157</sup> *Lit. Cant.*, i, *en passim*; either as 'Henri Priour del Eglise de Canterbire' or 'Henrico Priori Ecclesiae Christi Cantuariensis'

<sup>158</sup> Duggan, 'The Becket Effect', p. 79.

## Chapter 9: The Spiritual Jurisdictional Policies of Henry of Eastry: 1285-1331

The purpose of this thesis was to explore the management of Christ Church in the late thirteenth and early fourteenth centuries, particularly during the rule of Prior Henry of Eastry [1285-1331]. As pointed out in the introduction to this thesis, a modern definition of management can be both broad and far reaching, encompassing such topics as business strategy, process management, policy management, business administration, human resources, financial administration and innumerable other sub-divisions. The majority of these terms would have little resonance with medieval monastic society. However, a monastic institution such as Christ Church would have inherently understood 'management' through their knowledge of and adherence to the Rule of St. Benedict and Archbishop Lanfranc's *Constitutions*. This framework, which today we might label a set of policies, was the mechanism that governed the institution. Outside of this framework Christ Church was also subject to both secular and ecclesiastical law. However individual monks, unless assigned a specific office within the monastic community would not necessarily have been aware of how the prior and his senior obedientiaries actually ensured that Christ Church was successful in navigating their journey through the myriad of external pressures.

My study was prompted by two distinct questions. Firstly the awareness of the gap in the historiographical debate concerning the institutional development of Canterbury Cathedral Priory [Christ Church in the thirteenth and fourteenth centuries]. Arguably, the initial detailed review of secondary sources that included sixteenth-century antiquarians, the Victorian revisionists and the twentieth-century post modernist, yielded three important observations: firstly, it assessed that the existing literature is centred on Canterbury Cathedral and the City of Canterbury; secondly, it highlighted the failure of the historiography in considering events within the context of the wider social, economic and political environment; and thirdly, it stressed that, where Christ Church was the central theme consideration was only given to financial and agrarian management, particularly within Kent. The only exception is the *sede vacante* dispute between Christ Church and the Archdeacon of Canterbury concerning the jurisdiction of the see of Canterbury, which has been dealt with only in a few articles and unpublished PhD theses. Overall, the existing literature has therefore focused on temporal aspects of Christ Church and little has

been done to understand Christ Church's spiritual jurisdiction and how it was managed.

The second question that has started off my research concerns how Medieval ecclesiastical institutions reconstructed their memory to define their jurisdictional framework. In this respect, Christ Church provides an excellent example, since its surviving archives contain letters, episcopal *acta*, chronicles, library catalogues and registers, including those that were the private possessions of Prior Eastry and those which belonged to the wider muniments of Christ Church. Part of the analysis of this material has involved a classification process, where letters in particular were divided into classes such as political, financial, legal or procedural. Registers have been analysed to determine if it were possible to understand how they were produced and over what time-span. The extant material was used to determine what it revealed rather than searching for facts to support pre-conceived ideas. More specifically, there are elements of Christ Church's day-to-day operations, such as the control and management of tithes, ecclesiastical fines, pious gifts, advowsons, monastic discipline, the election of the archbishop of Canterbury, the protection of their rights and privileges, and the spiritual control of the see of Canterbury during a vacant archbishopric, in other words its spiritual jurisdiction. Both Karen Ugé and Patrick Geary have shown that during the ninth and tenth centuries monastic institutions were re-inventing themselves through a reinterpretation of foundation charters often supplemented by forgeries to establish a new and alternate institutional memory.<sup>1</sup> Christ Church too used forgery to attempt to reconstruct an alternative past, which in the case of the so-called *Magna Carta Beati Thome*, was to endow itself with a significant range of privileges. Although as shown in Chapter 3 Theories of Memory, this document was initially ridiculed in the 1230s, it was accepted some forty years later following ratification through an *inspeximus* of the prior of St. Gregory's, Canterbury, dated 30 January 1276.<sup>2</sup> Arguably, the major overhaul of Christ Church muniments undertaken by Prior Eastry resulted in a new institutional memory that had two 'sub-memories' with a legal focus, one temporal and the other spiritual.

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<sup>1</sup> Karen Ugé, *Recreating the Monastic Past in Medieval Flanders*, (Boydell Press, 2005) and Patrick J. Geary, *Phantoms of Remembrance*, (Princeton University Press, 1996).

<sup>2</sup> The original no longer survives and its existence is known through an entry in a register of Archbishop William Courtenay [1381-1396], see Christopher R. Cheney, 'Magna Carta Beati Thome: another Canterbury Forgery', *Bulletin of the Institute of Historical Research*, 36 (May, 1963), p. 1.

During the priorate of Henry of Eastry [1285-1331], work focused on the analysis of existing muniments and the construction of a new archive that reflected the contemporary needs of Christ Church. The amount of work needed to construct this new archive was considerable, as the evaluation of the extant registers and documents has testified. The more important documents were transcribed into registers thus providing what may be called a new or revised institutional memory that reflected the needs of both temporal and spiritual jurisdictions.

The critical chronicle source for Christ Church, in the twelfth to early fourteenth centuries, is Gervase of Canterbury, which was written in two separate parts: one, written by Gervase, which focused on the jurisdictional conflict between archbishops Baldwin and Walter, and Christ Church; in essence an argument over sovereignty and supremacy, and ultimately an argument that Christ Church won through its good connections at the papal curia and in England. The second part is a more traditional monastic chronicle, referred to as the *Gesta Regum Continuata*, which chronicled the period from c.1210 to consecration of Archbishop Meopham on 5 June 1328. It was compiled by an unknown Christ Church monk.

Further, I would argue that the wealth of extant evidence supports an institutional memory with a legal agenda, a construct which in turn supports the concept of Christ Church having developed a set of attitudes and behaviour that focused on maintaining their supremacy. In other words the attitudes and beliefs were ingrained in Christ Church's corporate memory or to use the phrase I used in the introduction, 'it is the way we do things around here'. It is my belief that these attitudes and beliefs had perhaps developed from the time of Lanfranc together with the arguments for Canterbury's supremacy. I believe that this combination of beliefs had been indelibly imprinted on the social memory of Christ Church monks, namely by talking about it amongst themselves and therefore passed between each new generation of monks.

The litigation surrounding Dover Priory, addressed in Chapter 7, always concerned the right of jurisdictional control, an important facet of medieval secular and ecclesiastical rule. This case also demonstrated that once Christ Church was awarded any kind of jurisdictional control, it would do whatever was necessary not only to protect that jurisdiction, but also to extend it. Indeed, as pointed out, the historiography has so far addressed the question of Christ Church's spiritual

jurisdiction only from a local perspective. My research has instead aimed at national and international dimension within Christ Church's spiritual jurisdiction developed during the thirteenth century with a view to demonstrating the context within which Christ Church acted and its relationships with external agencies such as the papacy, the Crown and the archbishop of Canterbury. I have addressed this framework in Chapters 5 and 6 where I have argued that, in the case of Christ Church, Prior Eastry appropriated this spiritual jurisdiction beyond its legal basis in canon and civil law to a higher ideological level, which applied jurisdictional management through spiritual and moral pressure on individuals, thanks to the association with the Cult of St. Thomas and 'the Church of Canterbury'.

Throughout this thesis, my overall investigative approach used detailed historical analysis to investigate social and political relationships between notable persons, to support contextual arguments. The use of this methodology has illuminated a number of discrete agencies who interacted with Christ Church; at local, national and international level, and has offered a new perspective and approach to our understanding of how Christ Church managed its jurisdictions through careful attention to social, economic and political relationships. The use of two case studies in the second part of my thesis has been fundamental to the understanding of these relationships.

The question remains as to how this extension to Christ Church's jurisdiction occurred. To answer the question it is necessary to look beyond the ideologies that controlled medieval Benedictine monasteries and examine the persona of the individual charged with managing the organisation; in other words the prior. Managing the monastic institution was not just a matter of ensuring that the various ideologies were enforced but involved navigating a safe route through the sociological, economic and political complexities of the day. In the period leading up to and including the priorate of Henry of Eastry, significant changes occurred to royal and ecclesiastical government which had far reaching effects on Christ Church, other monastic institutions and society in general. Many of these changes were legalistic, partly designed to exercise a degree of control over both secular and ecclesiastical society but also designed to clarify earlier legal structures that had not kept pace with a developing society. Part of this enhanced legal structure was canon law which by 1285 was represented by the widespread use of the Gregory IX's *Liber*

*Extra* [1234], which itself represented a major enhancement to Gratian's *Decretum* [c.1140]. The growth, development and complexity of both secular and canon law engendered the development of a legal profession with experts in canon law, common law and the emergent statutory law under Edward I and Edward II. Maintaining good relationships, both in England and at the Roman curia, with the people who made judgements, was of fundamental importance to the management of a spiritual jurisdiction. Of equal importance was the employment of experts who understood how these judicial systems worked and decided how the case should be managed. It is my contention that the complexity and interrelationships between these governmental changes and Prior Eastry's persona, which drove the all pervasive restructuring of Christ Church's invaluable muniments. As I have evidenced above, historians such as Nigel Ramsay have argued that Prior Eastry's reorganisation of the archives was merely a natural step for his administrative zeal. In my opinion this is too simplistic an explanation for a number of reasons including: the volume of muniments and the time to scrutinise each one; the cost in manpower and raw materials; and the time involved to produce a definitive copy in a late thirteenth-century book-hand [Register E]. I also do not maintain that the existence of Eastry's private registers, namely the *Memorandum Book* and *CUL Eastry*, and his private library that included civil and canon law books can be adequately explained by administrative necessity. It is my considered opinion that Prior Eastry undertook this significant task because he understood only too well the ramifications of the changing legislative environment, more specifically, the potential impact of this legislation on the administration and wealth of Christ Church. The legislation and royal investigations included but were not limited to, Henry II's Constitutions of Clarendon, the Hundred Rolls [Royal privileges in 1255 and liberties and land ownership from 1274-1275 and 1279-1280] and the *Quo warranto* proceedings [1278-1294]. The Hundred Rolls and *Quo warranto* specifically shifted the burden of proof from customary acceptance to authenticated and proven documents. The consequences of these events dictated that Prior Eastry needed to take action, to prevent Edward I from impacting Christ Church's revenues and jurisdiction; in other words he needed to ensure that no precedents were set against Christ Church.

Part of Edward's drive for control involved wars that required significant funding. The Church was among the largest landowners in England and it must have been apparent to Eastry that monasteries such as Christ Church would be targeted. Archbishop Pecham, in 1281, instigated a major reform of Christ Church's financial administration, of which Eastry was undoubtedly a significant part; however the richness of land deeds, rents and other documents in the archives that proved Christ Church's rights reflects a need to defend the Church against Edward's demands. The maintenance of temporal and spiritual revenues would have been essential to ensure that property ownership, leases and rentals were all in order and that Christ Church's ownership could be proven beyond doubt with legitimate documentation. Furthermore, certain evidence of how land was gifted to Christ Church would prove critical in determining whether it was a taxable asset. The level of detail and the duplication of such documentation in the Christ Church registers is testament to the foresight of Prior Eastry in establishing a legitimate claim to Christ Church's rights and privileges. Furthermore, such records would have allowed not only Eastry to brief any of his legal representatives but also enabled him to quickly and unequivocally assert his authority and legitimate claim.<sup>3</sup>

Prior Eastry's reconstruction of a new and legally based institutional memory, for Christ Church, proved an invaluable asset for examining these two distinct jurisdictions. I therefore chose two case studies: Dover Priory that examined the definition of Christ Church's jurisdiction in England and the Wine of St. Thomas that examined the priory's international jurisdiction. Both of the case studies examined jurisdictional disputes through a detailed re-examination of available evidence from both primary and secondary sources. One such attempt to extend this jurisdiction is embodied in the long history of the struggle for Dover Priory, a struggle that was not resolved in favour of Christ Church until 1356. The availability of all essential documentary proof, in one easily accessible and well-organised repository, had proved invaluable when managing spiritual jurisdiction control. The Dover Priory case was not simply a single jurisdictional dispute since it depended on who was

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<sup>3</sup> For example Prior Eastry challenged Edward III over his right to seize Christ Church temporalities during a priory vacancy, arguing undoubtedly that it was a customary right. A subsequent investigation by the king's escheator showed that the priory's temporalities had never been seized by any of Edward's predecessors consequently Edward issued a writ that no escheator could seize Christ Church's temporalities during a priory vacancy, see *Lit. Cant.*, i, no.279, pp. 292-293 and no.280, p. 293.

prosecuting the case at any particular point in time, for example, Christ Church, Dover Priory, the archbishop of Canterbury or the king. The whole question of jurisdiction over Dover Priory was clouded by its origins as an Anglo-Saxon royal chapel although it appeared that this factor did not feature in the litigation. Setting aside the question of any royal association with Dover Priory, we can argue that there were three factors that caused the arguments over jurisdiction. Firstly, Archbishop Theobald's ordinance, dated between 1157 and 1161, making Dover Priory a cell of Christ Church which altered the meaning of Henry I's grant although I do not believe that it altered the intent, which was to bring a disorderly house under the formal control of a monastic order; secondly, who owned the advowson of Dover Priory; and thirdly, the double grant of Dover Priory, by Henry I, to the archbishop of Canterbury and 'the Church of Canterbury'. One surprising outcome of the case study was the emergence of a definition for 'the Church of Canterbury' that partially transcended the spiritual jurisdiction defined by canon law.

Arguably, Theobald's initial confirmation of Benedictine monks at Dover Priory and his subsequent ordinance achieved two changes: firstly, it changed the monastic order, from Augustinian rule to Benedictine rule; and secondly, it made Dover Priory a cell of Christ Church. These changes were ratified by a succession of popes although the papacy, under Gregory X [r.1271-1276] ultimately altered the jurisdictional control to such an extent that Christ Church had no authority either *sede plena* or *sede vacante*. Despite these legal changes Christ Church continued to act in defiance of both papal and royal authority. It was Edward I who changed the focus of this dispute by raising the ownership of the advowson of Dover Priory through a *quo warranto* plea in 1284. The cornerstone of the Crown's prosecution rested on two facts: firstly, that the Crown had not ratified Theobald's ordinance; and secondly, that Christ Church had claimed the advowson. On both counts Edward I was wrong and in my opinion acted illegally. Although Edward I had not ratified Theobald's ordinance, it had been ratified by King Stephen [between 1141 and 1154] and twice by Henry III [in 1237 and 1271] but more importantly perhaps it was ratified by King John [between 1199 and 1216]. It was John's ratification, under a *quo warranto* legislative amendment, which meant ownership was rightfully established, in other words it belonged to the archbishop of Canterbury. It was Archbishop Reynolds in 1320, who successfully proved his rightful ownership of

Dover Priory's advowson with the Crown having to concede that the archbishop had always held the advowson. The final aspect of this case was Henry I's double grant and in particular by what authority did Christ Church act given that both papal and royal legislation prevented any jurisdictional control, despite Theobald's ordinance. In the first instance it is conceivable that Christ Church acted in their capacity as keeper of the spiritualities of the see of Canterbury *sede vacante*. Since the archbishop rightfully owned the advowson then it would follow, in a vacancy of the archbishopric that Christ Church had legitimate authority to act. Although in theory the ownership of the advowson could return to its ultimate owner, the Crown, no king until Henry III, in 1271, ever exercised any authority over Dover Priory. Moreover as I have evidenced above, Henry III most likely acted because of petitions from Dover Priory rather than truly exercising advowson ownership. While it is possible that Christ Church did justify their actions in this manner, the intriguing possibility is that they made use of the phrase, 'the Church of Canterbury', which was already mentioned, a jurisdiction enshrined in Henry I's original grant. A definition of 'the Church of Canterbury' had never been defined nor as far as the evidence suggests ever been challenged. As far as I have been able to determine no prosecution of Christ Church's jurisdictional rights ever referenced 'the Church of Canterbury'. It would seem apparent that Christ Church had, defined, defended and extended a jurisdiction for 'the Church of Canterbury' in England. Such an abstracted idea as 'the Church of Canterbury' was not new and had appeared in many documents associated with jurisdictional issues at Christ Church, none more so that those issues related to Louis VII's grant of wine to Christ Church, the so-called Wine of St. Thomas.

This second element of Christ Church's spiritual jurisdiction concerned grants made by the kings of France, by French and Flemish nobility, and by French clergy. The key grant was that of Louis VII's grant of wine to the monks of Christ Church in 1179, which may have prompted other miscellaneous grants of wine, rents and exemptions from transit tolls. The grants that were unique to Christ Church were all pious, prohibited harm to the monks and were given, in the most part, for the love and honour of St. Thomas. The grants of the counts of Boulogne and of the counts of Flanders provided free passage through the Boulonnais ports, while it has been argued by both Joseph Sheppard and Nicholas Vincent that these grants were in

response to Louis VII's original grant, I have evidenced above that given the nature of medieval transport conditions, the often poor condition of the wine vintage and the existence of free passage along the Seine to Rouen, it was more likely that the Boulonnais grants were a continuance of a traditional grant to Christ Church, which was extant from c.1096. I have also evidenced above Prior Eastry's commitment and dedication to an overhaul of the archives, it is not unsurprising therefore that a wealth of documents remain from which to assess Christ Church's management of these grants, particularly Louis VII's significant grant of wine. The control of this spiritual grant was not without its problems, whether it was petitioning a French king that it should be renewed or persuading Christ Church's agents in France, Robert de Longjumeau and John Launge, to settle their accounts and repatriate monies to England. As argued above, there are four issues arising from Christ Church's management of its wine grants: firstly, its restoration and the need to petition the King of France directly or petition any person who could have influence with the French king; secondly, the payment of arrears from the French agent by appealing to his conscience, that is by applying a spiritual pressure related to St. Thomas or by petitioning people who had direct jurisdictional influence; thirdly the use of veiled threats such as holding letters addressed to both the French and English kings but not sending them; and fourthly, in correspondence to refer to Louis VII's original grant and the glorious martyr, St. Thomas. Through an analysis of the extant documentation surrounding the Wine of St. Thomas I have demonstrated that Christ Church managed a formal and legally based spiritual jurisdiction in an international dimension. As I have evidenced above Louis VII's wine grant together with other French and Flemish grants were all associated with the Cult of St. Thomas and consistent with the growth of the Cult in twelfth-century Capetian France. Furthermore, Prior Eastry was using the title 'the Prior of the Church of Canterbury' in his correspondence. Eastry consistently used the title, '*Henri Priour del Eglise de Canterbire*', irrespective of whether he was writing to his French agent [12 March 1327] or to the English court, when writing to Sir Roger Mortimer [15 August 1329].<sup>4</sup> This in my opinion is a clear example of Christ Church extending the jurisdiction of 'the Church of Canterbury'. This international jurisdictional dimension with its close affiliations to St. Thomas applied a moral obligation on

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<sup>4</sup> *Lit. Cant.*, i, no.281, pp. 292-294 [15 August 1329] and no.206, pp. 208-210 [12 March 1327].

individuals that transcended the formal legal jurisdiction. This moral pressure resulting from the emergence of the Cult of St. Thomas Becket was used by Christ Church to their advantage.

Becket's Cult had established itself very rapidly with miracles being reported within days of his murder, in 1170, his rapid canonisation, in 1173, and Alexander III's promulgation of his saintly status throughout the Latin Church. This combination of factors boosted both Christ Church's and the City of Canterbury's fortunes, through a steady and rising influx of pilgrims. The translation of Becket's tomb, in July 1220, increased the number of pilgrims by providing easier access to his tomb and allowing easier travel conditions to Canterbury by taking advantage of more suitable weather conditions than the likely prevailing inclement weather on the anniversary of his murder, in December. The fiscal benefit associated with the translation resulted in a doubling of oblations, when compared to the position of the old tomb.<sup>5</sup> The Cult of St. Thomas, as Anne Duggan has pointed out, gave Christ Church and 'the Church of Canterbury' an international dimension in contrast to the largely national dimension provided by previous Canterbury saints such as Dunstan or Anselm.<sup>6</sup> From 1173 onwards the muniments of Christ Church provide significant evidence for grants of land and rents for the memory and love of St. Thomas. Many of these grants were associated with those who had benefitted from miracles associated with St. Thomas, such as the Count of Ponthieu or Louis VII, king of France, which was discussed above.<sup>7</sup> The grants were of a pious and spiritual nature and no doubt given with the expectation of benefit at the Final Judgement, in keeping with the medieval practice of pious gifts. As the analysis of the Wine of St. Thomas demonstrated, not only was secular pressure applied but also moral intimidation, calling for the honouring of St. Thomas's memory. Christ Church applied this moral influence to the management of Louis VII's grant, but also used it within England to apply pressure to achieve temporal benefits, such as land grants under the Statute of Mortmain, in April 1323.<sup>8</sup> The Cult of St. Thomas was more than just a means of acquiring both temporal and spiritual benefits but contributed to the reinforcement of

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<sup>5</sup> For a more detailed discussion of the financial impact of Becket's martyrdom see, C. E. Woodruff, 'The Financial Aspect of the Cult of St. Thomas of Canterbury', *Arch. Cant.*, Vol. 44 (1932), 13-32.

<sup>6</sup> Anne J. Duggan, 'The Becket Effect' in *Canterbury: A Medieval City*, Catherine Royer-Hemet, ed., (Cambridge Scholars Publishing, 2010), p. 79.

<sup>7</sup> See Chapter 5. The Wine of St. Thomas

<sup>8</sup> *Lit. Cant.*, i, no. 106a, pp. 102-103.

the spiritual jurisdiction of Christ Church and was instrumental in extending this jurisdiction across the Latin Church.

Accordingly, the use of the term, '*ecclesie Cantuariensis*', the church of Canterbury was crucially revealed in both case studies. Firstly, in Henry I's grant, of Dover Priory, to Archbishop Corbeil and Innocent II's confirmation in 1137; secondly, in Prior Eastrý's letters relating to the management of the Wine of St. Thomas; and thirdly, it appeared in episcopal *acta*. Furthermore, the historiography constantly refers to 'the Church of Canterbury without making any attempt to clarify its meaning. Interestingly, Archbishop Theobald [r.1139-1161] switched between jurisdictions when confirming grants to Dover Priory: firstly, he used the term, Theobald of 'the Church of Canterbury', ('*Theobaldus Cantuariensis ecclesie dei gratia humilis minister*'); and secondly when granting forty-days' indulgence for those contributing to the building of Dover Priory, he referred to himself as archbishop of Canterbury, primate of England and apostolic legate, ('*Theobaldus dei gracia Cantuariensis archiepiscopus totius Anglie primas et apostolice sedis legatus*').<sup>9</sup> Although there is no extant evidence, Theobald would have required papal authority to confer indulgences. Since Theobald primarily referred to himself as archbishop of Canterbury, his use of 'the Church of Canterbury' was restricted to addressing Dover Priory thus reflecting Henry I's original grant. The term also appeared in later Canterbury *acta*, such as Archbishop Becket's grant to the Minster-in-Sheppey priory, where Prior Wybert [r.1153-1167] is referred to as the prior of the Church of Canterbury ('*Gwiberti priori Cantuariensis ecclesie*'); likewise Archbishop Richard of Dover [r.1174-1184] used the term when he placed Bardney Abbey under the protection of the church of Canterbury, '*Ad notitiam vestram pervenire volumus nos sub speciali protectione Cantuariensis ecclesie*'.<sup>10</sup> An analysis of the available *acta* of Archbishop Baldwin [r.1184-1190] reveals that he used the term, 'the Church of Canterbury', on only two occasions to confer its protection on Chester Abbey and a grant to the Templar Order, in London, for a share in all the

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<sup>9</sup> Avrom Saltman, *Theobald, Archbishop of Canterbury*, (Greenwood Press, 1969), for use of church of Canterbury see, no.86, pp.309-310, the majority of Theobald's charters use the term archbishop of Canterbury, for example, see no.1, pp. 233-234 and *en passim*.

<sup>10</sup> *English Episcopal Acta II: Canterbury 1162-1190*, Christopher R. Cheney and Bridgette A. Jones, eds., (The British Academy, 1986), for archbishop Becket, see no.26, p. 15 and for archbishop Richard, see no.50, pp.31-32.

prayers and spiritual benefits, when alms were given.<sup>11</sup> Prior Eastry also used it extensively during his rule, from 1285 to 1331, in documents written in both Latin and Norman French. These documents included petitions to kings and queens of England, kings and queens of France, English and French nobility, English and French clergy, the archbishops of Canterbury, and pensioners of Christ Church. Furthermore, as I have discussed earlier, this phrase was not only used by Prior Eastry but was present in official documents, such as royal grants, royal letters from kings of England and kings of France, and episcopal *acta*. This poses the fundamental question, what did the expression 'the Church of Canterbury' mean in between the twelfth and fourteenth centuries? Is it simply the medieval equivalent of the Church of England? Or rather, in accordance with Irene Churchill's definition, it is 'the reserve of power also remained inherent in him [the archbishop of Canterbury] by virtue of his office as the ephemeral head of that underlying body the metropolitical Church of Canterbury'?'<sup>12</sup> Arguably, this statement infers that there is some greater and consistent power related to the metropolitical church irrespective of whether an archbishop exists or not.

One part of the answer can be established by reviewing the relationship between the Cathedral Church, the archbishop and the Christ Church monks. Put simply, the Cathedral Church fulfilled a number of roles: firstly, it was the seat of the archbishop of Canterbury; secondly, it was the burial place for archbishops, certain priors and other notable persons, such as Edward, the Black Prince [1330-1376]; thirdly, it was a place of pilgrimage for Dunstan [r.959-988], Anselm [1093-1109] but most notably Thomas Becket [r.1162-1170]. With the exceptions of oblations left at the various altars and tombs, the Cathedral Church had no income since it possessed no estates or manors.<sup>13</sup> However, both the archbishop and Christ Church did possess estates and manors, although those of the archbishop, his temporalities, reverted to the Crown on the archbishop's death. Christ Church's temporalities nevertheless did not revert to the Crown on the death of the prior, a privilege that was

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<sup>11</sup> *Canterbury Acta*, no.260, p. 221 and no.317, p.269.

<sup>12</sup> *Canterbury Administration*, I, p. 6.

<sup>13</sup> The burial place for archbishops was changed to Christ Church from St. Augustine's, by Archbishop Cuthbert [740-760], possibly after noticing that, in Rome, burials took place within the city walls, St. Augustine's was outside the City of Canterbury walls, see Nicholas Brooks, *The Early History of the Church of Canterbury*, (Leicester University Press, 1996), pp. 81-82.

held by customary right.<sup>14</sup> This unusual right would imply that Christ Church was in some way special and unique, to such an extent that they had to be seen as permanent, with a perpetual temporal and spiritual continuity.

Christ Church also possessed the right to elect the archbishop of Canterbury, which undoubtedly stems from the Rule of St. Benedict and the chapter's right to elect their abbot. This right was not without its challengers especially the bishops of the southern province, the king and the pope. Despite these powerful challengers, Christ Church managed to retain some semblance of authority by first obtaining a licence from the king to elect the archbishop, the subsequent presentation of three names and the ratification of the king's choice.<sup>15</sup> All in all Christ Church retained little authority in this matter from as early as the appointment of Archbishop Ralph D'Escures in 1114. Along with the election of the archbishop was a requirement that bishops should profess obedience, to the archbishop, at Canterbury. The extant documentation contains examples of Christ Church reminding the archbishop that responsibility for granting permission for the professions to take place outside of Canterbury rested with them.<sup>16</sup> Although the profession was being made to the archbishop, documentation also exists whereby the archbishop had apologised to Christ Church for acting outside his jurisdiction and further confirming that this was not to the prejudice of Christ Church; this may imply that the profession may have in fact been to 'the Church of Canterbury', since an archbishop was merely temporary.<sup>17</sup>

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<sup>14</sup> Archbishop Wulfred [805-832] had specified that grants to Christ Church were inalienable, permanent and separate from those of the archbishop although this status was not always easy to maintain; it was Lanfranc who recovered many of Christ Church's estates, see Brooks, 'The Anglo-Saxon Cathedral Community' in *Canterbury Cathedral*, p. 13 and Sparks, 'Normans and Angevins' in *Canterbury Cathedral*, p. 56, citing Gervase as confirmation that Christ Church estates did not revert to the Crown on the death of the prior; this right of Christ Church was confirmed in 1285 almost immediately after Prior Eastry had taken office. On Prior Ringmere's resignation, Edward I escheator had seized Christ Church's goods but on appeal the exchequer records were searched which proved that Christ Church's goods had never reverted to the Crown, see CCA-DCC-ChAnt/C/1274 [Memorandum: late 13th to early 14th century]; Edward I also issued a writ to his escheator stating, 'the king learns that the custody of the priory during voidance has not heretofore been wont to pertain to him or his progenitors', see *CCIR, Edward I: Vol. 2: 1279-1288*, p. 323.

<sup>15</sup> See for example, *CPR, Edward I, Vol. 3: 1292-1301*, p. 3 [6 January 1293: Licence to Christ Church to elect new archbishop of Canterbury on death of John Pecham].

<sup>16</sup> For example in 1151 the new abbot of St. Augustine's refuses to accept benediction at Christ Church, therefore the pope orders the archbishop to bless the abbot at St. Augustine's but Christ Church forbid the action and St. Augustine's appeal to Rome and the curia ruled in St. Augustine's favour, see Gervase, i. pp. 147-148; where Christ Church have allowed a profession elsewhere, the king [Edward I] a letter stipulating that Christ Church rights and privileges had not been prejudiced, see *CPR, Edward I, Vol. 2: 1281-1292*, p. 372 [10 July 1290].

<sup>17</sup> The king also made grants to both the archbishop and Christ Church that no prejudice should be held against them when he awarded land to Christiana de Meygnill, widow, for example, see *CPR, Edward I, Vol. 3: 1292-1301*, p. 498 [1 April 1300].

A similar right was also associated with the provision of chrism only being provided by Canterbury and here again extant documentation exists of an archbishop apologising to Christ Church for blessing chrism elsewhere contrary to their rights.<sup>18</sup> Both these examples would suggest that Christ Church had some form of jurisdiction that was above that of the archbishop. I would argue further that Christ Church were not in fact protecting the 'office of the archbishop' but were exercising a limited jurisdiction on behalf of 'the Church of Canterbury', thus preserving its rights as they had successfully achieved in the late twelfth century, when they defeated efforts by Archbishop Baldwin to build collegiate church's at first Hackington [Canterbury] and secondly, Lambeth [London].

Christ Church may have also appropriated 'the Church of Canterbury' and exercised it as a jurisdiction because it believed it to be the superior monastic house in England. A belief that may be part due to the development and perpetuation of a culture of superiority from the time of Lanfranc, together with the acquisition over time of a series of rights and privileges, and the establishment of a new and comprehensive institutional memory that helped to preserve both Christ Church's legal and economic jurisdiction. This acquisition of rights and privileges was part of an additive strategy that occurred over a long period of time and received several papal confirmations. A combination of rights which set Christ Church apart and included: firstly, the wearing of dalmatic gloves, the episcopal ring and the bishops mitre, which although not unique in England were in fact unique to a prior, as far as I have been able to determine; secondly, the right to self governance; thirdly, the right to elect their own prior; and fourthly, the right not to attend the General Chapter of the Benedictine order as promulgated in the Fourth Lateran Council in 1215.<sup>19</sup> Finally, supporting evidence is provided by the existence of extant documents that

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<sup>18</sup> Gervase, i, p. 360.

<sup>19</sup> Other papal privileges preserved in the institutional memory of Christ Church include: Urban III [r.1185-1187] allowing their monks to be punished by their own chapter and nearly independent self-government [CCA-DCC-Register/A, fo.32], this latter privilege was reconfirmed by Innocent III [r.1198-1216: CCA-DCC-Register/A, fos.32-33] and Honorius III [r.1216-1227: CCA-DCC-Register/A, fo.31]; Innocent III naming suffragan bishops as dependant on the Church of Canterbury [CCA-DCC-Register/A, fo.62]; Gregory IX [r.1227-1241] acknowledges that election of prior belongs to Christ Church [CCA-DCC-Register/A, fo.25] and promises not to interfere with Christ Church corrodies [CCA-DCC-Register/A, fo.40]; Innocent IV [r.1243-1254] allowing Christ Church to elect archbishop of Canterbury without intervention from suffragans [CCA-DCC-Register/A, fo.16] and promising that nominees of the Pope would not be forced on churches under Christ Church patronage [CCA-DCC-Register/A, fo.16], this was also ratified by Alexander IV [r.1254-1261: CCA-DCC-Register/A, fo.39].

confirm that no precedent was set against Christ Church. While these documents are by no means unusual for a medieval monastery, their importance stems from the sheer number of originals that are preserved at Canterbury. This is testament to their importance to the preservation of Christ Church's 'no precedent' rule and the subsequent establishment of an institutional memory with a legal agenda.

The management of this jurisdiction, which is designated as spiritual, derived its authority from God and worldly authority through the Pope. This spiritual jurisdiction had its own administrative function and set of legal rules, referred to as canon law, although there were areas, such as advowsons, where disputes could be settled in either a secular or ecclesiastical court. One further aspect of spiritual jurisdiction that was unique to Christ Church was the period between the death of the archbishop of Canterbury and the newly appointed archbishop receiving his *pallium*, a period referred to as *sede vacante*. During this period Christ Church was responsible for the spiritual well being of the see of Canterbury, although the bishops of the southern province and the Archdeacon of Canterbury challenged this authority from time to time.<sup>20</sup> However, it was Christ Church that usually prevailed since they had customary privilege underpinning their authority. Thus we have an extension to Christ Church's spiritual jurisdiction that set it apart from all other monastic houses. The scope of spiritual jurisdiction, it could be argued, was limited by the boundaries of both canon and secular law; however we should consider that Christ Church exercised an authority, a spiritual jurisdiction if you will, that transcended the boundaries of law. An authority derived, I would argue, from the Cult of St. Thomas and energised by the translation of St. Thomas in July 1220, the jubilee year of his murder.

The establishment of Christ Church's spiritual jurisdiction and authority was not settled at a single point in time, but evolved over a long period of time. Authority is established from some doctrine or rule and, as argued above, in the Benedictine monastic world this was the Rule of St. Benedict and under the Norman monastic reform, from Archbishop Lanfranc's *Constitutions* of the late 1070s. Nicholas Brooks argues that the, 'monastic constitutions and a landed endowment were to be its

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<sup>20</sup> For examples of the Prior and Convent of Christ Church referred to as keepers of the spiritualities of the archbishopric during voidance, see *CPR, Edward I, Vol. 3: 1292-1301*, p. 8 [19 March 1293], p. 15 [13 May 1293], p. 26 [20 June 1293], p. 39 [11 October 1293] and p. 80 [14 July 1294]

[Christ Church] twin foundations throughout the Middle Ages'.<sup>21</sup> Brooks is correct in his analysis, although he has not given sufficient credence to the Cult of St. Thomas and its impact on the fortunes of Christ Church, Canterbury Cathedral and the City of Canterbury. I would argue therefore that the Cult of St. Thomas should be added as a third foundation pillar and that it represented a symbolic dimension of 'the Church of Canterbury'. Such authority is based on explicit foundations, namely a finite rule or legislation, or on the more ethereal concept of inference which inherently requires a solid and lasting foundation, a foundation that once constructed or rebuilt continued to evolve. Prior Eastry has been the central character in the extension of the jurisdiction of Christ Church. He successfully exploited his political networks, both secular and ecclesiastical, that stretched from Canterbury to Rome and Avignon. He also successfully used Gervase's propaganda and the various papal grants that extended Christ Church's uniqueness. He appropriated 'the Church of Canterbury' for his own purposes and added a layer of moral jurisdiction based on the Cult of St. Thomas.

In conclusion, this thesis has demonstrated two main achievements that marked the management of Christ Church jurisdictions under Prior Eastry. Firstly, the construction of an institutional memory that was not only based on general Christ Church muniments and its extensive library, but also included the prior's private registers and library. Secondly, the study has also highlighted the importance of understanding the complex political secular and ecclesiastical environment and the creation of a network of individuals in important positions to exploit the political complexities to Christ Church advantage.

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<sup>21</sup> Nicholas Brooks, 'The Anglo-Saxon Cathedral Community', in *Canterbury Cathedral*, p. 33.

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- CCA-DCc-Register/A, B, C, D, E, J, L and Q – Registers
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