

## THE APPROPRIATED CHURCHES OF THE ENGLISH WHITE CANONS

The eighth centenary of the coming of the White Canons to England is rapidly approaching : the first house of the Order, the abbey of St. Martial at Newhouse, having been founded from the abbey of Lisques (? Licques) in 1143. It is greatly to be hoped that an adequate history of Premonstratensian England will be published in time for the centenary celebrations of 1943 ; and this effort to identify the parish churches which were appropriated *in proprios usus* to the Norbertine abbeys and to ascertain which of them were actually served by their canons may be regarded as a contribution to that good work. Being limited to parish churches, the attempt does not include the identification of all the many places in which the White Canons made their influence felt : nothing is said of chantries, of domestic chapels, of monastic granges, which form a subject apart and should be dealt with separately. For one reason, chantries, domestic chapels, and granges, were all of them, more or less, of a private character ; whilst, on the other hand, the parish churches came within the purview of the law, ecclesiastical and common.

It will be well to begin by setting out the sources of our information. They may be arranged in six classes : (1) diocesan registers ; (2) papal registers ; (3) miscellaneous visitation records ; (4) monastic cartularies ; (5) Monasticons ; and (6) national records, including the taxation rolls of ecclesiastical property.

### *Diocesan Registers.*

England is particularly rich in these as will be seen from the following summary. The difficulty for the student is that they are scattered all over the country ; the old catholic registers being in

the custody of the protestant holders of the property of the old sees. But as will be seen much has been done of late years to make them more generally available. The registers which concern us are those of the following dioceses :

(1) *Canterbury*. Except for the period 1327-1349 the Canterbury registers are complete from 1279. The Master of the Rolls printed considerable portions of the register of John Peckham, archbishop from 1279 to 1292, under the title "*Litterae Joan. Peckham*" in the series of "*Chronicles and Memorials*" commonly known as the "*Rolls Series*". The Canterbury and York Society, established for the purpose of printing registers, has undertaken the printing of the parts omitted, and that work is now in progress.

That society is also printing, under the able editorship of Miss Rose Graham M. A. Oxon., the register of Peckham's successor, Robert Winchelsey (1294-1313). The contents of the Canterbury Registers are moreover made easily available to such students as have access to the Lambeth Palace library or that of the British Museum by Ducarel's "*Index Locupletissimus*"<sup>1)</sup> ; an epitome in many large folio volumes of the registers, with transcripts of, or copious extracts from, the more important documents. And as the registers themselves are kept at Lambeth the originals are always available. Of the registers, that of William Warham<sup>2)</sup> the last archbishop before the schism under Henry VIII, is of especial importance for the history of appropriated churches in the diocese of Canterbury ; for, probably with a view to coming troubles, foreseen by Warham, a list of them is entered in the register, under the houses which owned them, with transcripts of the relevant documents.

(2) *Carlisle*. The only existing pre-reformation registers of this diocese cover the period 1292-1395 with a gap from 1324 to 1332. The register of John Halton (1292-1324) has been printed by the Canterbury and York Society.

(3) *Chichester*. The only existing register before 1438 is that of

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1) Dr. Andrew Ducarel (ob. 1785), an advocate of the civil law, was for close upon thirty years librarian to the archbishops of Canterbury at Lambeth.

2) This register is a large and broad folio written for the most part in a minute script. The present writer found it impossible to deal with this on account of severe eye trouble ; and it is a pleasure to acknowledge publicly the great kindness of the present learned librarian, the Rev. Claude Jenkins D.D., professor of ecclesiastical history in the university of London, who read to him the important documents relating to the churches of the two Kentish abbeys.

Robert Reade (1397-1414) : from 1438 the series is complete. Reade's register and that of Richard Praty (1438-1445) have been printed by the Sussex Record Society.

(4) *Coventry and Lichfield*. The registers are complete from 1297. The William Salt Society in its "Collections for the History of Staffordshire" has printed an abstract of the register of Roger Nortburgh (1322-1358), consisting of the marginal headings with notes, and a translation of the complete register of Robert Stretton (1358-1385) ; the former is found in Volume I of the Collections, whilst Stretton's register takes two volumes, New Series VIII and X (part 2). This diocese had two chapters ; Benedictine at Coventry, secular at Lichfield. The latter had an important register known as the "Magnum Registrum Album" of which the William Salt Society printed a translation in 1924.

(5) *Durham*. The only pre-reformation registers still existing are those of Richard Kellaw (1311-1316) Richard de Bury (1338-1343), Thomas Hatfield (1345-1381, Thomas Langley (1406-1437), Richard Fox (1494-1501), and Cuthbert Tuntall (1530-1559). The first two, Kellaw and Bury, were printed in four volumes of the Rolls Series under the title "Registrum Palatinum Dunelmene" ; and Bury's register has also been printed by the Surtees Society.

(6) *Exeter*. Except for the period 1291-1307, the Exeter registers are complete from 1257. Indices with transcripts of important documents were made and published by the late Rev. F. C. Hingeston-Randolph, a prebendary of Exeter cathedral, between the years 1886 and 1909. At the time of his death in the latter year, Mr. Hingeston-Randolph had brought his work down to the year 1455.

(7) *Lincoln*. The registers of this extensive diocese are complete from 1209. The Canterbury and York Society has printed the "rotuli" of three bishops, Hugh of Wells, Robert Grosseteste, and Richard Gravesend, covering the period 1209-1279. There are also transcripts of some of the registers among the Hutton MSS in the British Museum<sup>3</sup>). Besides the registers, there is an important document in the Lincoln archives known as the "Liber antiquus de ordinatione vicariorum tempore Hugonis Lincolnensis Episcopi", that is Hugh of Wells (1209-1235) : this was compiled in 1218 and gives the provision made for the vicars of no fewer than three hundred appropriated churches, vicarages of which that active prelate

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3) *Harleian MSS.* 6950-6954 (the Hutton papers form part of the Harleian collection). Hutton also made transcripts from other registers-York (Harl. MSS. 6969-6972) and miscellaneous dioceses (Harl. MSS 6973-6978).

had already "ordained" — a remarkable record when it is remembered that not only was the country in a troubled state but also that he had been in exile from the time of his consecration, December 1209, till the middle of the year 1213 <sup>4)</sup>.

(8) *London*. The registers are complete from 1306. Those for the periods 1306-1338 and 1362-1375 have been printed by the Canterbury and York Society.

(9) *Norwich*. The registers are complete from 1299 ; but nothing has been printed beyond some records of monastic visitations (1492-1532) which do not concern us.

(10) *Winchester*. The registers begin in 1283 and the following have been printed : the register of John of Pontoise (1283-1302) by the Canterbury and York Society ; those of John Sendall (1316-1319) and Richard Asser (1320-1323), in one volume, by the Hampshire Record Society ; and that of William of Wykeham (1367-1404), in two volumes, also by the Hampshire Record Society.

(11) *Worcester*. The registers are complete from 1268 except for about a year when Giulio dei Medici, afterwards Pope Clement VII, held the see. There is also a *sede vacante* register for the period 1301-1435. The episcopal registers for the years 1268-1307 and the *Sede vacante* register have been printed by the Worcestershire Historical Society.

(12) *York*. Except for the years 1255-1266 the registers are complete from 1215 ; and those for the thirteenth century have been printed by the Surtees Society. There are also transcripts of some of the York registers among the Hutton MSS in the British Museum.

This is the most suitable place for noting three works which depend largely upon the registers for their contents :

1. Newcourt's *Repertorium Ecclesiasticum Parochiale Londinense*, published in London in 1710, gives detailed information regarding the parishes in the diocese of London. Its compiler, Richard Newcourt, a notary public, was for twenty seven years principal registry of the diocese of London.

2. Blomefield's *Essay towards a topographical History of the County of Norfolk*, originally published in five volumes folio

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4) He continued the work of ordaining vicarages till his death in 1235, and his activities in this matter probably had not a little influence on the formation of Matthew Paris's unfavourable opinion of this prelate. In his "Chronica Majora" the Benedictine chronicler writes : "Eodem tempore obiit Hugo de Welles Lincolniensis episcopus monachorum persecutor, canonicorum et omnium malleus religiosorum" !

(1739-1775) <sup>5)</sup>. The second edition (1805-1810), is in eleven large octavo volumes, is the one referred to in this paper. This essay, or rather history, furnishes much valuable information regarding appropriations and the succession of rectors and vicars for which the authors must have made use of the diocesan registers.

3. Boutflower, *Fasti Dunelmenses*, printed by the Surtees Society in 1926. This is a catalogue of beneficed clergy in the diocese of Durham; perforce incomplete, but a valiant effort and an abiding testimony to the author's industry.

#### *Papal Registers.*

A calendar of the documents in the Vatican Regesta relating to Great Britain and Ireland is in course of publication by the Public Record Office. It is divided into two sections: a *Calendar of Petitions to the Pope* of which one volume has appeared covering the period 1242-1419, and a *Calendar of Papal Letters*, of which eleven volumes have already been published covering the period 1198-1464, from the accession of Innocent III to the accession of Paul II.

#### *Visitation Records.*

References to stray records in the Bodleian library and elsewhere are come across occasionally; but the most important record is that of the visitations held by Richard Redman, commissary of the abbot of Prémontré between the years 1475 and 1503. Redman came of a good north country family and was educated at the university of Cambridge. When he joined the Order is not known, but in 1458 he was abbot of Shap and commissary general. His commission as commissary was revoked at some later date in favour of the abbot of Bayham; but in 1466 he was re-appointed by the abbot of Prémontré. There is no reason for thinking that any further change was made before 1475 from which year till his death in 1503 he certainly held the office. In 1471 he became bishop of St. Asaph, in 1495 he was translated to Exeter, and in 1501 he was again translated, this time to Ely. He remained abbot of Shap the whole time. Whilst bishop of Exeter it twice became his duty to hold a visitation

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<sup>5)</sup> Blomefield did not live to complete the work. The portion from p. 463 of vol. VI of the second edition and the corresponding portion of the first was the work of C. Parkin. Any reference will be to "Blomefield" whether it be to his work or to that of his continuator.

of Torre abbey, and to safeguard the privileges of his Order he made a formal declaration that he visited in his capacity as commissary of the abbot of Prémontré, not as bishop of Exeter ; and that therefore his doing so could not be cited as a precedent by his successors in the see.

A short digression may perhaps be allowed for the purpose of saying something of the personality of this prelate. A modern writer who made it his business to gather what could be gathered of the careers of Cambridge *alumni* writes : " During the short period he was at Ely he was noted for his liberality and hospitality. On his journeys he had a bell rung that the poor might assemble to partake of his alms. By his will . . . he left a hundred marks to his cathedral and the like sum to the poor on the day of his funeral. He also gave considerably to his old monastery of Shap and left small legacies to all the religious houses in his diocese " 6). The same writer also tells us that whilst bishop of St. Asaph, Richard Redman rebuilt his cathedral which had been in ruins for eighty years. And it may be worth adding that his tomb may still be seen in Ely cathedral, with his recumbent effigy *in pontificalibus* under a triple canopy.

His register is certainly a document of great value. It contains not only the records of the visitations made between 1475 and 1503, but also a number of other documents relating to the English *circa-ria*, such as the acts of provincial councils, elections of abbots etc. And what is of importance for our present purpose he gave lists, not always complete, of the canons in the various abbeys on the occasions of his visitations, usually noting which of them were serving as vicars. This register was edited for the Royal Historical Society by Abbot, afterwards Cardinal, Aidan Gasquet O. S. B. from two complementary documents, one in the British Museum, the other in the Bodleian library ; the work being printed, in 1904 and 1906, under the title *Collectanea Anglo-Premonstratensia*.

### *Cartularies.*

There are a considerable number of manuscript cartularies in the British Museum and elsewhere ; some of which will be referred to in due course. Five, at least, have been made more or less available for students. The Cockersand Cartulary has been printed by the Chetham Society : it fills seven volumes of that society's publica-

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6) Cooper, *Athenae Cantabrigenses* (Cambridge 1858) I, 9, 10.

tions, (38, 39, 40, 43, 56, 57, and 64) which are paged consecutively. Nichols in vol. II of his *History of Leicestershire* has given copious extracts from the Croxton "Domesday"; Pegge in his *Historical Account of Beauchief Abbey* gave an abstract of that abbey's cartulary; as did the late C. J. Cox of the Dale cartulary in Vol. XXIV of the *Transactions of the Derbyshire Archæological Society*. and Oliver in his *Monasticon Exoniense* gave a long and useful epitome of the Torre cartulary.

### *Monasticons.*

There are three English Monasticons; one general, one for the diocese of Exeter, and one for that of York:

(1) The *Monasticon Anglicanum*, originally compiled by Sir William Dugdale, Garter King-at-Arms, and Roger Dodsworth, was published in London, in three volumes folio, between the years 1655 and 1673. A new edition was published early in the last century, 1817-1830, in eight large folio volumes, the last three (VI, 1, 2, 3) being paged consecutively. This work contains a large number of foundation charters, deeds of gift, and other documents, taken from registers and cartularies for the most part; but it is of no great service for the story of the churches except, in a number of cases, for fixing the date of the grant of an advowson.

(2) The *Monasticon diœcesis Exoniensis* was published in folio at Exeter in 1846, and with a supplement in 1854. Its author was the Rev. George Oliver D.D.<sup>7)</sup>, a learned and hard-working catholic priest who was stationed at Exeter for nearly forty years, in the course of which he produced other valuable historical works. This *Monasticon* is of the greatest service for fixing the dates of the churches of Torre abbey, the only Premonstratensian house in the diocese; the cartulary of Torre abbey was exceptionally full, and of it, as has already been mentioned, Dr. Oliver compiled an excellent epitome.

(3) The *Monasticon Eboracense*, deals with the religious houses of the county, not the whole diocese, of York. It was published in folio at York in 1758, its author being John Burton M.D.: a gentleman who studied medicine at Cambridge, Leyden, and Rheims, becoming a bachelor of medicine of the first, and a doctor of medicine of the last named university. In compiling his *Monas-*

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7) The degree of D.D. (S.T.D.) was conferred upon him *honoris causa* by Pope Gregory XVI in 1844.

*ticon* he made good use of the episcopal registers, and his work is useful in connexion with the churches of Coverham and Egglestone ; the work was not completed and Easby is not dealt with.

### *National Records.*

The records of the English Chancery are even more complete than the ecclesiastical records. The documents which chiefly concern us are the Patent Rolls, and the Taxation Rolls.

(1) *The Patent Rolls*, are the official register of grants made by the Crown by letters patent. They are complete from 1216 and are preserved in the Public Record Office in London. An official calendar is in course of publication, and is already, in a long series of large volumes, complete to the middle of the sixteenth century. These rolls are of great importance for the dating of appropriations made after the enactment of the *Statutum de Viris Religiosis* in 1279.

This statute was the outcome of efforts dating from the early years of the thirteenth century to prevent the alienation of lands to religious houses. By it such alienation was absolutely prohibited : the reason given being that by reason of them the chief lords for ever lost their revenue from wardships, marriages, reliefs, and escheats, that is, in short, their feudal rights. The lawyers found a way of avoiding the statute by means of collusive actions at law for the recovery of land alleged to belong to the religious house ; " the religious men and other ecclesiastical persons sued the tenant who thereupon by arrangement made default ". This brilliant scheme was however defeated six years later by the *Statute of Westminster II* <sup>8</sup>).

That these statutes applied to the alienation of churches is not surprising because of the land held by them ; but at first sight it is not clear why they should have been held, as they were held to include grants of advowsons, mere rights of presentation. There was however historical justification for this. The matter has been admirably summed up as follows :

" The right which from the twelfth century onwards appears as a mere right of patronage, an *advocatio* or advowson, is in origin an ownership of any lands or goods that have been set aside for the

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8) For a detailed account of this legislation see Pollock and Maitland *History of English Law* 2nd edition (Cambridge 1908) I, 333, 334 ; and Digby *History of the Law of real Property*, in the 3rd edition (Oxford, 1884) pp. 173 ss.

sustenance of a priest who offers sacrifice at the shrine. By slow degrees, which are now being traced, this church-founder and his heirs have to be taught that they cannot do just what they like with their own ; and, for example, that they cannot have their church worked for them by ordained slaves. The bishop will not consecrate the altar unless a sufficient provision of worldly goods is secured for the priest. The owner or patron, whichever we call him, must hand over the church and an appurtenant glebe to the priest by way of loan . . . It is long before the founder's ownership is whittled down to patronage . . . Even Bracton (ob. 1268) must complain that the layman will talk of giving a church when he means that he is giving an advowson <sup>9)</sup>. Hence the strongly proprietary element there is in the right of patronage, an element of which the religious take full advantage when they ingulf the parish churches in the property of their minsters " <sup>10)</sup>. To the end, a claim to an advowson could not be dealt with by the ecclesiastical courts : the King's court had exclusive jurisdiction.

The learned authors of the passage just quoted in writing that religious took full advantage of the proprietary element in advowsons when they included their churches in the property of their monasteries, probably had in mind the fact that in early times they regarded the grant of the advowson as in effect the grant of the church, which they proceeded to annex without waiting for ecclesiastical sanction : the entries found in registers of citations to religious houses to show by what right they had appropriated parish churches seems to point to this ; though of course it might only have been that there was no record of a permission, granted in form, to be found in the bishop's chancery.

But from the promulgation of the *Statutum de Viris Religiosis* two licences became necessary, one from pope or bishop, the other from the king. The royal licences in mortmain (*in manum mortuam*), as they were called, seem to have been granted without much difficulty for the alienation of advowsons and they were usually accompanied by a further licence to appropriate the churches. Sometimes a fine to the royal exchequer was exacted, especially when the church had already, *de facto*, been appropriated without a licence in mortmain. It might be, too, that a licence was asked for the appropriation of a church which had already been lawfully appro-

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9) There are abundant instances of this in monastic charters. E. B.

10) Pollock and Maitland *op. cit.*, I, 498.

priated, perhaps before 1279 ; this must have been for purposes of security as when a papal confirmation was asked of an episcopal permission. All such licences were by letters patent, and are entered on the Patent Rolls : references to them in this paper will, unless otherwise stated, be made on the authority of the official calendar.

(2) *Taxation Rolls.*

From time to time a valuation of ecclesiastical property was made for the purposes of civil taxation. There are records of three such valuations :

(1) *The Norwich Valuation.* The valuation so known was made in the year 1254 <sup>11</sup>). Some contemporary diocesan transcripts are still in existence, and where a vicarage is noted in one of them, it may be concluded that the rectory had been appropriated. Professor Lunt has published the valuations of certain dioceses from contemporary transcripts, and for these dioceses, as will be seen, his work is useful for the purpose in hand. But regarding his edition of the valuation of the diocese of London, it is advisable to call attention to a document printed by the late Mr R. C. Fowler, of the Public Record Office, in volume XVIII of the *Transactions of the Essex Archeological Society* under the title *Fulk Bassett's* <sup>12</sup>) *Register and the Norwich Taxation*, in which there are details relating to the churches of Beleigh abbey not given by Professor Lunt.

(2) *The Taxatio PP. Nicholae* <sup>13</sup>). Pope Nicholas IV having granted permission to King Edward I to tax ecclesiastical property for the purposes of a crusade, this valuation was made between the years 1288 and 1291. It was printed in 1802 by the Record Commission. Were this printed edition reliable it would be of the utmost value in regard to the churches appropriated in certain dioceses. But it would be easy to quote instances of churches certainly known to have been appropriated after 1291, which are noted as already appropriated in this printed edition of the roll. In fact the Record Commission made use of a late transcript, made with additions ; and till the taxation of Nicholas IV has been dealt with in a more up-to-date manner, students will do well to confine themselves to contemporary diocesan transcripts — for example that for the diocese of Exeter, bound with Bronscombe's register and edited by

<sup>11</sup>) See Lunt, *The valuation of Norwich* (Cambridge, 1926) and the scholarly review of that work by Miss Rose Graham in *The English Historical Review* for July 1927.

<sup>12</sup>) Bishop of London 1244-1259.

<sup>13</sup>) "See Miss Graham's essay in her volume of *English Ecclesiastical Studies*" (London 1929) for a discussion of this taxation.

Mr. Hingeston-Randolph, and that for the diocese of Canterbury entered in a fine cartulary now in the British Museum <sup>14</sup>).

(3) *The Valor Ecclesiasticus*. This is a valuation of all ecclesiastical property in the country made by Henry VIII immediately before the suppression of the monasteries. It was not complete for the monasteries in the province of York. Obviously in a document containing such a mass of detail, errors must be looked for : otherwise those concerned, compilers, transcribers, printers, would have been persons of preternatural accuracy ! And in fact on the points which especially concern us the *Valor* must be used with caution ; for there are cases in which churches have certainly, or all but certainly, been omitted and others in which a pension from a church has been confused with the church itself. But in spite of such unavoidable shortcomings the *Valor* is an invaluable document.

#### *Mode of Citation.*

*Episcopal Registers*. When printed, the name of the bishop is followed by the name of the society responsible for the printing, the number of volume and page referring to the printed copy. For example Reg. Wickwane (Surtees) p. 82 means page 82 of Wickwane's register (diocese of York) as printed by the Surtees Society. References to original registers, e. g. Warham's, are made in the usual way.

*Papal Registers*. All references are to the official calendars of the Public Record Office ; i-e-to the Calendar of Petitions, and the Calendars of Papal Letters.

*Patent Rolls*. Unless otherwise stated all references are to the official calendar. The " roll " for any year was, with rare exceptions, divided into two or more parts ; so that an entry is referred to by the year of the king's reign, the part of the roll, and the number of the skin. For example, Pat. 16 Edw. III p. 2 m. 20, means roll of letters patent of the sixteenth year of King Edward III part two, skin (membrane) 20.

B. M. Add. MS.

British Museum Additional MS...

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14) Add. MS. 6159. This is a cartulary of the cathedral priory of Canterbury, the Benedictine priory of Christ Church.

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| B. M. Harl. MS. | British Museum, MS . . . in the Harleian Collection.                                             |
| Bodl. Chart.    | <i>Calendar of Charters in the Bodleian Library</i> —<br>edited by Turner & Coxe (Oxford, 1878). |
| Cal. Pet.       | <i>Calendar of Petitions to the Pope.</i>                                                        |
| C. P. L.        | <i>Calendar of Papal Letters.</i>                                                                |
| C & Y           | <i>Canterbury and York Society.</i>                                                              |
| Ducarel         | Ducarel's <i>Index to the Canterbury registers.</i>                                              |
| Mon. Angl.      | <i>Monasticon Anglicanum</i> (1817-1830).                                                        |
| Mon. Ebor.      | Burton's <i>Monasticon Eboracense.</i>                                                           |
| Mon. Oxon.      | Oliver's <i>Monasticon diœcesis Oxoniensis</i><br>(1854).                                        |
| Salt Coll.      | <i>Collections for a history of Staffordshire</i> printed<br>by the William Salt Society.        |

*Catalogue of Churches*

The catalogue of appropriated churches will be arranged under the abbeys to which they belonged, the abbeys themselves being taken in alphabetical order.

*(to be continued).*

London.

Egerton BECK