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978-1-107-44817-9 - The Award of William Alnwick, Bishop of Lincoln, A.D. 1439

Edited and Translated by Reginald Maxwell Woolley, B.D.

Excerpt

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INTRODUCTION

THE LAUDA OR AWARDS.

For some time in the twelfth and thirteenth centuries the Bishops of Lincoln were almost invariably appointed from among the Canons. Thus we find R. de Chesney, Geoffrey (elect), and Walter de Coutances, archdeacons; (St Hugh, a Cistercian prior), W. of Blois, precentor; (Hugh de Welles¹), R. Grosseteste, archd.; H. de Lexington, R. de Gravesend, and Oliver Sutton, deans; J. de Dalderby, chancellor; (Ant. Beek, dean, elected Bishop, was compelled by the Pope's influence to make way for H. Burghersh, a canon of York); T. Beek, canon; J. Gynwell, and J. de Bokyngham, archdeacons.

At the end of the fourteenth century a change was made in the appointments, and from 1398 onward (with some exceptions)² a stranger has usually been elected. Though such infusion of new blood must oftentimes have been salutary for the body corporate,—as notably it was when St Hugh, the prior of Witham, was introduced from Somersetshire,—it did not always tell in favour of the peace and harmony of the Chapter, when one *non de gremio Lincolnensis ecclesiae* had been designated as the Bishop.

Litigation between Bishop and Chapter was sharp, no doubt, in the time of Robert Grosseteste, who, before his

¹ According to J. de Schalby's brief memoir, Hugh de Welles had been 'Regis Anglie Cancellarius.' Dimock (*Girald. Cambr.* vii. p. 203) proposes to read 'Clericus.'

² So far as Le Neve's *Fasti* informs us, there have been as many as eight *gremial* Bishops of Lincoln between 1452 and the present day. The latest instance was in 1761 when a dean of Lincoln was made Bishop of this Church.

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election to the see, had been prebendary and archdeacon for fourteen or fifteen years at Lincoln (as well as at Salisbury), but the points in controversy were set at rest at the expense of an appeal to Rome, accompanied, it is said, by the single unworthy action in that brave man's public career, the payment of bribes to procure the course of justice. The result has been, that each successive Bishop of Lincoln has had secured to him a position, not only as Visitor, but as, in all respects, the *principale caput* of the Chapter; and his preeminence at Lincoln has been long since established more firmly than that of the Bishop in some of the sister Churches, where the Bishop is in certain respects dependent on the Chapter even after his election.

The *Chapter-House* at Lincoln, in the opinion of the late Precentor Venables, was begun in the time of Bp Hugh de Welles, about the year 1225, and finished in Grosseteste's time, 1250. A *parvum capitulum* (not improbably of earlier date than the great Chapter-House) was in existence in 1271, when 'mats for the little chapter [house]' enter into the accounts of Jordan de Ingham. Let us take note now of some of the Visitations and other meetings which may, in all probability, have been held therein in former days.

Apart from Royal and Metropolitan Visitations, the Dean and Chapter of Lincoln had been visited in

1246 by Bp R. Grosseteste.

Cir. 1280—90 by Oliver Sutton, twice. See *Linc. Cath. Stat.* ii. pp. lxxix, lxxxv.

Cir. 1292—1304, 1307, 1316, and at some intermediate date, by J. de Dalderby.

[1301. Feb. 25, the Parliament of K. Edward I. met at Lincoln in the Chapter-House.]

[1310. March—June. The Trial of the Knights Templars was conducted in the Chapter-House.]

[1316. Parliament of K. Edw. II. in the Chapter-House.]

1331. Bp Burghersh's General Meeting, attended by Dean and 14 Canons (besides 15 by proxy). A. 2. 23, ff. 18^b.

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LINCOLN AWARDS: VISITATION OF CHAPTER 3

1334. H. Burghersh.
1437. W. Alnwick. (See *L. C. S.* III. pp. 366—465.)
- 1501, 1503, 1507. W. Smyth. (See for two of these his *Life*, by Churton, pp. 116—127. Cf. *L. C. S.* III. pp. 678—684.)
1515. W. Atwater.
1525. J. Longland.
- [1536. Oct. 21. Meeting of leaders of the ‘Pilgrimage of Grace.’]
1552. J. Tayler.
1556. 1 Aug. J. White, pending Card. Pole’s Visitation. White’s Injunctions, Strype, *Memorials*, iii. Documents no. 52, *in fine*.
1607. W. Chaderton. (See *L. C. S.* III. p. 641.) (Cir. 1617—21, G. Montaigne intends to visit.)
1664. B. Laney. (See *L. C. S.* III. pp. 644, 652.)
- 1679 (1690, through a Commission). T. Barlow.
1693. T. Tenison.
- 1696, 1697, 1700, 1703. James Gardiner.
- 1706, 1709, 1712. W. Wake. Also in 1715 by a Commission. (See *L. C. S.* III. pp. 647, 667, 669.)
1718. Edm. Gibson. (See *L. C. S.* III. pp. 647 foll.)
- 1724, 1729, 1733, 1736. Ri. Reynolds. (See *L. C. S.* III. pp. 647, 670.)
- 1745, 1748, 1751 (and 1755). J. Thomas.
- [1871. Lincoln Diocesan Synod held in the Chapter-House.]
- 1873, 1876, 1879—80. Chr. Wordsworth. (See the first of his *Twelve Addresses*, and his *Statuta Eccl. Linc.* 1873. Also his *Diocesan Addresses*, 1876, p. 97, and *Ten Addresses*, 1879, p. 1. See also *L. C. S.* III. pp. 673—694.)
- There are records of many of the above-mentioned Visitations among the Chapter Muniments, D. vi. 2. It is probable that there was an exception made to the Bishop of Lincoln’s visitatorial right, viz. in the case of the prebendal parishes. See *L. C. S.* III. p. 282, *margin*, where Bp Alnwick keeps the question open for further consideration.

In comparatively early times the absolute right of a Bishop of *Salisbury* to visit his Chapter was successfully resisted by the Canons. In 1262 Egidius de Bridport,

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who came from the deanery of Wells, and who had seen the Church of New Sarum completed, gave notice of his intention to visit the Dean and Chapter. When they challenged his authority in such a case, the Bishop examined into the matter, and confessed that he could not justify his claim, and testified in writing that the D. and C. of Salisbury were 'always free from visitation by Bishops of Sarum; particularly as we understand that this right belongs to the duty and dignity of the Dean.' It was a transcript of the document setting forth this Sarum privilege, that Dean Macworth at Lincoln procured as a weapon of defence against his Bishop¹. But the Dean and Chapter of Salisbury in the 15th century did not inform the Lincoln folk that Pope Boniface IX. had shorn them considerably of this liberty. John Waltham, Bp of Sarum in 1392, had again claimed visitatorial jurisdiction and had brought their predecessors to a composition which the Pope confirmed. The Bishop gained for *himself* the right to visit *as often as he pleased*, and exercised it in 1393 (nearly the last year of his life), while he secured for his successors, Bishops of Salisbury, the right to visit the Dean and Chapter in the Chapter-House once every seven years. Thus Mr Rich Jones records three episcopal Visitations of Salisbury Cathedral in the 14th century, six in the latter half of the 15th, and four in the 17th century, the last being by Gilbert Burnet in 1697. In the time of Burnet's predecessor, Bp Seth Ward, Abp Sancroft, as well as Lord North, had been called to intervene when this right was disputed

¹ See the Lincoln *Black Book*, *L. C. S. i.* pp. 404—7; 165—6. We find nevertheless numerous later precedents for Visitation of Salisbury Cathedral Church by Bishops of Sarum, viz. in the years 1393, 1408, 1454, 1468, 1507 (misprinted '1570'), 1562, 1568, 1573, 1578, 1593, 1636, 1661, 1672, 1697: the first of these by Bp J. Waltham, the last by Gilbert Burnet. See Jones' *Fasti Sarisb.* p. 213. And still more recently the late Bishop of Salisbury visited the D. and C., Apr. 13th and 17th, 1888. See *Sarum Dio. Gazette*, pp. 22, 39. And cf. p. 110, at Oct. 30. About 1338 a Bishop of Wells visited his Cathedral Church, but not without some opposition.

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in 1683—6; and the Primate succeeded in restoring concord by a Commission¹.

There is evidence that the Dean and Chapter of Lincoln have been visited by the Bishop of the Diocese on many occasions from the 13th century to the 19th.

As regards administration of the see when the bishopric was vacant, it appears that R. de Hayles, archdeacon of Lincoln, made institutions in the first year of St Edmund of Canterbury, i.e. in 1234—5, after the death of Hugh de Welles. (D. ii. 62, box 1.) After the death of Grosse-teste, Abp Boniface claimed to administer the see, but W. Lupus, archd. of Lincoln, and the Chapter pleaded ancient custom for their jurisdiction. The evidence in favour of the Dean and Chapter of Lincoln, as well as the Articles put forward by the Primate, are preserved in a parchment book (D. ii. 62, no. 4) covered in a piece of a papal bull, 1253. The Abp took exception to some of the witnesses put forward by the D. and C., such as the late precentor, Peter de Audenham or Aldham, Michael, archd. of Bucks, and Walter de St Quentin, archd. of Taunton. (D. ii. 62, box 1.) A roll of about the same date, containing precedents from the dioceses of London, Canterbury, &c., in favour of the liberties of the D. and C. during vacancy of the see, is likewise preserved at Lincoln. (D. ii. 62, box 2.)

Even at the present day it has been allowed that of common right, as also by the canon law, Deans and Chapters are guardians of the spiritualities during a vacancy (as the king has custody of the temporalities). This still has the force of custom as regards the D. and C. of Canterbury, when the primatial see is vacant; but, either by prescription or by composition, the Archbishop claims in most other dioceses to execute all episcopal rights and to execute all ecclesiastical jurisdiction personally or by his Commissioners. (Burn, *Eccl. Law*, I. 225—6.) In

¹ *Fasti Eccl. Sar.*, W. H. [Rich] Jones, pp. 211—214. Instances of the Bp of Salisbury taking his place at Chapter meetings in the 16th—18th century are cited, *ibid.* p. 208 n.

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the cases of Lincoln and Salisbury (and possibly of other dioceses) the Archbishop of Canterbury is bound to nominate one of the gremial Canons as his *officialis sede vacante*; but sometimes a Canon of Canterbury has acted as Vicar-General (circ. 1660)¹.

A mid-thirteenth century precedent for a large Chapter meeting or convocation of Canons at Lincoln (including, no doubt, a majority of Canons not at the moment 'in residence') is found among our muniments (D. ii. 60, box 2, labelled 'Internal Relations of Dean and Chapter: Vacancy of See'). Besides an earlier monition (1183—5) and many of a later period, there are seven documents here relating to the vacancy of the see which occurred after the death of Rob. Grosseteste, 9 Oct. 1253, his successor Dean H. de Lexington being elected Bishop 30 Dec. 1253, and consecrated 17 May 1254 by Abp Boniface *in partibus transmarinis*. Some of these records will be mentioned presently.

The disputes relating to jurisdiction and fees during the vacancy were not terminated until some time after the see had once again become vacant, and had been once more re-filled by the election of Ri. de Gravesend (who, like his predecessor H. de Lexington, had been dean), 30 Sept. 1258.

One of the documents in this box is a decision of Pope Alexander IV. judging all prebendaries to be liable with D. and C. to payment of contributions in defence of the liberties of the Church. This is dated 15 May 1256. Of other documents from D. ii. 60, box 2, we may mention in particular an Agreement (21 May 1261) between the Archbishop and the D. and C. of Lincoln about exercise of jurisdiction during the vacancy of the see, when it was settled that the Chapter should select

¹ The Abp is required to select one out of 'tres vel quatuor de Canonicis ipsius ecclesie' by the terms of the composition between Abp Boniface and the D. and C. made in 1261. *Black Book*, pp. 311—312. Precedents for *Lincoln* are found in 1299, 1319, 1705, &c. For *Salisbury* see their *Statutes* (ed. Dayman and Jones), pp. 19, 20.

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three or four names from among the Canons, and that the Archbishop of Canterbury should nominate one of these as Official *sede vacante*. The see was already filled by the appointment of Bp Gravesend in 1258, but past difficulties had occasioned this arrangement with a view to future vacancies.

The remaining document, to which we are calling special attention, is of rather earlier date than the one just named. It is somewhat torn, but I give the writing which remains.

A Meeting of Bishop (or Dean) H.
with (Archdeacons and) Brethren
of Lincoln, about forty
in number, *in Capitulo*
14 Octob. [cir. 1255.]

MEMORANDUM quod pridie Idus Octobris, die scilicet sancti Kalixti, in Capitulo *Lincoln'* presentibus dño H[enrico (de Lexynton) episcopo (? decano) Li]ncoln' et fratribus aliis quadraginta: Archidiaconi eiusdem ecclesie profitebantur quod, cum uacante sede *Lincolniensi* Archidiaconi sunt in possessione [...*torn*...]os ad ecclesias parochiales de confirmando electos · quod hanc possessionem habent et exercent iure et racione Decani et Ca[pituli,] ad quos de iure Communi Iureddicio Episcopalis uacante sede dinoscitur pertinere. Ita tamen quod contra consuetudinem antiquam et optentam ipsis Decano et Capitulo super dictos Archidiaconos tempore uacacionis aliqua iurisdiccio non accrescat · [ubi] in casu [appellacionis] quantum ad expedicionem premissorum [...*torn*...] Archidiaconi concesserunt · vt quia materia questionis mouebatur Decano et Capitulo super premissis Dño Bonefacio tunc *Cantuariensi* Archiep[iscopo] super Iurisdiccione Episcopali predicta: Due partes sequestrorum que prouenerint in diocesi tempore uacacionis post obitum uenerabilis patris Dñi Roberti [nuper] *Lincoln'* Episcopi Capitulo per manus ipsorum Archidiaconorum assignentur. Et si causa proteletur ultra tempus quo

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[prouisum] fuerit ecclesie Linc', dabunt integram partem ipsos contingentem dicto Capitulo · quousque causa fuerit terminata. Ita quidem quod huiusmodi [contribu]cio (? *al.* 'assignacio') Archidiaconis nullum preiudicium faciat, nec aliquo modo traheretur ad consequenciam in contribucionibus aliis futuris temporibus faciendis.

E[t in huius rei testimonium] huic scripto sigillum Capituli est apensum† vna cum sigillis Archidiaconorum ecclesie Li[ncolniensis].

(There are nine slits at the foot of the parchment through which the seals were probably attached, but only the middle one, probably that of the Dean and Chapter, has its shred of vellum remaining, and no crumb of wax is left adhering to it. The eight Archdeacons in Lincoln diocese at that time were those of Lincoln, Hunts, Northants, Leicester, Oxon, Bucks, Beds, and Stow.)

It will be seen that when in May 1261 Abp Boniface delivered his agreement or 'composition' at Lambeth, between himself and the Dean and Chapter of Lincoln (*Black Book*, pp. 311—315), it was determined that the Archdeacons should have one third part of the *sequestra* which would have accrued to the Bishop had the see been filled up, in addition to their usual share. The Archdeacon of Bucks in any case received *all* sequestrations gathered in his own Archdeaconry. They were also to have one quarter of the synodal contributions. The Archbishop was to take the remainder of the Bishop of Lincoln's dues *cum onere suo*. We have quoted (*ibid.* p. 88) another curious relic of the same dispute, namely, the Dean's letter to the Subdean, to which we will presently refer.

We may conclude that the meeting of the 'forty Brethren' *in Capitulo*¹ took place in the October of 1254

¹ 'Greater Chapter': so says J. F. Wickenden's memorandum in D. ii. 60, box 2. But I suppose Bradshaw would not approve the phrase. In point of fact no such phrase is used in the document itself, but only 'presente dño' &c. 'et fratribus aliis quadraginta.' Wickenden in describing the document merely used a phrase which a dozen years ago was

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or of some other year not later than 1260, after which the dispute was at an end; and most probably before Aug. 1258 when H. de Lexington died. Possibly it may have been dated as early as 14 Oct. 1253: in which case we must supply 'dño H[enrico de Lexyngton *Decano Lin]coln*.'

Very early in the time of Bp Gravesend we find the D. and C. calling in the assistance of the Pope (Alexander IV.) to repel the invasion of their rights by the Abp of *York* (Godfrey de Ludham). His bull, dated 24 Apr. 1259, may be seen at Lincoln, with four other documents somewhat later; two protests, made in the time of Oliver Sutton, against the officials of the Court of J. Peckham, Abp of Canterbury, attempting to administer wills, &c., 23 Feb. 1280, 1 Feb. 1290; and a notice of appeal is dated 1 May 1291. A notarial instrument for J. de Dalderby complains of some interference with his right to appoint to all prebends of Lincoln, 25 Sept. 1312¹.

After the death of Henry de Lexington, 8 Aug. 1258, although the temporalities were restored to his successor, Richard de Gravesend, about two months later², the Archbishop found time to attempt the exercise of jurisdiction³. On the 24th of Aug. 1258 the Pope issued an Injunction restraining the Archbishop from promulgating excommunications in the diocese of Lincoln during the vacancy. We have a memorandum of the protest made by two of the Canons (J. Derby and W. de Hemyngburgh) on the part of the D. and C. In the month of October (1258) the precentor Hugh, and John, Chancellor of 'in the air.' (See *Lincoln Cathedral Statutes*, II, pp. cii, clxxxiv n., III, 707—9.)

¹ All these are in D. ii. 62, box 1.

² The election no doubt was hurried on, because K. Henry III. was taking steps to get a nominee of his own appointed, viz. Peter de Aqua Blanca, Bp of Hereford, who did not bear a good repute with churchmen, as he had been guilty of a fraudulent act.

³ There was, I believe, an early claim made (on the death of Grosseteste in 1253) by the same Abp Boniface to administer the diocese. Evidence for D. and C. of Lincoln. Articles advanced by Abp Boniface may be found in our Muniment Room, D. ii. 62 (box 4). This is a parchment book of 35 (formerly 43) leaves and has a papal bull for its cover.

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York, served a monition upon Abp Boniface, requiring him (under authority of a bull of Alexander IV., 2 Nov. 1254) not to subject the D. and C. of Lincoln to ecclesiastical censures while defending the rights of their Church. The dispute, as we have seen, was not settled until 22 May 1261¹, and there is a trace of its progress after the new Bishop's consecration in the letter of Dean R. de Marisco (23 Aug. 1259) to the Subdean, asking him to forward evidences, which I have given in the previous volume².

Instances of Metropolitanical Visitation of the diocese of Lincoln by Archbishops of Canterbury may be cited :—

The Latin verses cited (from MS. Y at Chichester) in the *Hist. MSS. Commission Report*, 8vo, I. p. 189 (1901), imply that Abp J. Peckham visited Lincoln among other dioceses in his six years' course, cir. 1285—90.

1320. Walter Reynold.

J. Gynwell, Bp of Lincoln, procured a bull of exemption at great cost from Pope Clement VI. It was, however, set aside in favour of the claims put forward by Abp Islip.

1390. W. Courtenay. (See A. 2. 11, no. 2.)

1505, June 18, 19. W. Warham's Vicar-General. (See portfolio A. 3. 19, among Chapter Acts.)

1556. Reginald Pole, Cardinal Abp.

1602. J. Whitgift.

1634. W. Laud (by his Vicar-General)³.

1673. Gilb. Sheldon.

1686. W. Sancroft.

In Apr. 1548 the Royal Visitors of K. Edward VI. sent Injunctions to Lincoln. (See *L. C. S.* III. pp. 579, 583—596.)

In 1559 Q. Elizabeth held a Royal Visitation by Commissioners.

It has been remarked that the Dean, being required

¹ *Black Book*, pp. 311—315.

² *Black Book*, pp. 88, 89. The original, with the other documents mentioned in the context above, are in D. ii. 60, box 2.

³ Laud reports to the king that Lincoln Cathedral 'is not well ordered, either for reparation or ornaments; but the Dean and Chapter, to whom that care belongs, have promised speedy amendment.' Wharton's *Hist. of Tryals*, I. p. 531, ed. 1695.