

ACKNOWLEDGMENTS
APPROPRIATION OF PARISH CHURCHES

The preparation of this thesis owes much
to the advice and encouragement of my supervisors -
Professor V. Grant Dickenson and Dr. Gordon
Donaldson, to both of whom I give grateful thanks.
My gratitude is also due to Dr. David I. Dunlop
who so generously allowed me to utilize material
collected by her from the Vatican Archives.

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VOLUME ONE

ACKNOWLEDGEMENTS

The preparation of this thesis owes much to the advice and encouragement of my supervisors - Professor W. Croft Dickinson and Dr. Gordon Donaldson, to both of whom I give grateful thanks. My gratitude is also due to Dr. Annie I. Dunlop who so generously allowed me to utilise material collected by her from the Vatican Archives.

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	(i) Total Number of Parishes	
	(ii) Parsonage Annexations	
	(iii) Vicarage Annexations	

General Abbreviations used in Text and Appendices.(1) General

c. before date about
 + before date died in
 i.p.u. "in proprios usus"

(2) Abbreviations for MS. and printed sources and other references cited in the text and appendices:

<u>Aberbrothoc</u>	<u>Liber S. Thome de Aberbrothoc (Bannatyne Club). 1848, 1856.</u>
<u>Abstracts of Chs. in Chartulary of Torphichen</u>	<u>Abstracts of charters and other papers recorded in the chartulary of Torphichen. From 1581 to 1596. Edinburgh, 1830.</u>
<u>Acta Dominorum Auditorum</u>	<u>Acta Dominorum Auditorum, acts of the lords auditors of causes and complaints, 1466-94. Edinburgh, 183</u>
Acta Dominorum Concilii et Sessionis	MSS. in GRH, Edinburgh
Acts and Decrees	MSS. in GRH, Edinburgh
Acts of caution for presentees to benefices	MSS. in GRH, Edinburgh.
<u>ADC</u>	<u>Acta Dominorum Concilii, acts of the lords of council in civil causes, 1478-1503. Edinburgh 1839-1943; selections, 1501-54. Edinburgh 1932.</u>

- Additional Campbell of
Jura Papers
- MSS. in GRH, Edinburgh.
- A.I. Cameron, Apostolic
Camera
- See. Scottish Benefices.
- Airth Writs
- MSS. in GRH. Edinburgh.
- Aisla Muniments
- MSS. in GRH, Edinburgh.
- Analectes d l'ordre de
Prémontré (Analectes)
- Analectes d l'ordre de
Prémontré Brussels, 1905-14.
- Antiqs. Aberd. and Banff.
- Illustrations of the
topography and antiquities
of the shires of Aberdeen and
Banff (Spalding Club), l.
1869; 11. 1847; 111. 1857;
1v. 1862.
- APS
- Acts of the Parliaments of
Scotland, xii. vols., 1814 -7
- Archaeol. Collns. rel. to
Ayrshire and Galloway.
- Archaeological and historical
collections relating to
Ayrshire and Galloway
(Ayrshire and Galloway
Archaeological Association).
- Archivio di Stato
- Transcripts from the
Archivio di Stato held at
the Public Record Office,
London.
- Arnot, History of
Edinburgh
- H. Arnot, The History of
Edinburgh from the earliest
accounts to the present time
(1778). Edinburgh.
- Assumptions.
- MS. Book of the Assumption
of the Benefices, (GRH,
Edinburgh).

- Ayrshire and Wigton Collⁿ Archaeological and historical collections relating to the counties of Ayr and Wigtown (Ayr and Wigtown Archaeological Association).
- Balmorinach Liber Sancte Marie de Balmorinach in the Chartularies of Balmerino and Lindores (Abbotsford Club). 1841.
- Bannatyne Misc.
(Bannatyne Club Misc.) Miscellany volume of the Bannatyne Club.
- Barbarroch Papers MSS. in GRH, Edinburgh.
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- Benholm and Hedderwick Writs MSS. in GRH, Edinburgh.
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- Book of Caerlaverock The Book of Caerlaverock. Edinburgh, 1873.
- Book of Pluscarden Liber Pluscardensis (Historians of Scotland) Edinburgh, 1877.
- Boswell Writs MSS. in GRH, Edinburgh.
- BUK Acts and Proceedings of the General Assemblies of the Kirk of Scotland from the year 1560 (Booke of the universall Kirk of Scotland) (Bannatyne and Maitland Clubs) 1839-45.

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- Calchou Liber S. Marie de Calchou (Bannatyne Club) 1846.
- Cal. of Docs. rel. to Scotland Calendar of Documents relating to Scotland. 1881-8.
- Caledonia 9. Chalmers, Caledonia. Paisley, 1887-1902.
- Cambuskenneth Registrum monasterii S. Marie de Cambuskenneth (Grampian Club) 1872.
- Cant, Coll. of St. Salvator R.G. Cant, The College of St. Salvator. Edinburgh, 1950.
- Cardross Writs MSS. in GRH, Edinburgh.
- Carnegies, Earls of Southesk History of the Carnegies, Earls of Southesk. Edinburgh, 1867.
- Cart. S. Nich. Cartularium ecclesiae Sancti Nicolai Aberdonensis (New Spalding Club). 1888, 1892.
- Cassillis Charters MSS. in GRH, Edinburgh.
- CCM Registrum domus de Sottre, necnon ecclesie collegiate S. Trinitatis prope Edinburgh, etc.; Charters of the Hospital of Sottre, of Trinity College, Edinburgh, and other collegiate churches in Midlothian (Bannatyne Club). 1861.
- CDS Calendar of Documents relating to Scotland. 1881-8.

Chalmers, Caledonia

G. Chalmers, Caledonia, 8 vols. Paisley, 1887-1902.

Charter Chest of Earldom of Wigtown

Charter Chest of the Earldom of Wigtown (Scottish Record Society). 1910.

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G.R. Cheney and W.H. Semple, Selected Letters of Innocent III concerning England, 1198-1216. London, 1953.

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G.R. Cheney, From Becket to Langton. Manchester, 1956.

Chron. Mailros

Chronica de Mailros (Bannatyne Club). 1835.

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Chs. and Docs. rel. to Peebles

Charters and documents relating to the Burgh of Peebles (Scottish Burgh Records Society). 1872.

Chs. Trin. College

Charters and documents relating to the Collegiate, Church and Hospital of the Holy Trinity, Edinburgh. (Scottish Burgh Records Society). 1871.

Cockburn, Medieval Bishops of Dunblane

J.H. Cockburn, The Medieval Bishops of Dunblane and Their Church. Edinburgh . 1959.

Coldstream

Charters of the Cistercian Priory of Coldstream (Grampian Club). 1879.

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(Iona Club). 1847.
- Coll. of St. Leonard J. Herkless and R.K. Hannay,
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Edinburgh. 1905.
- Collectanea Anglo
Premonstratensia Collectanea Anglo
Premonstratensia (Camden Society)
1904-6.
- Collns. Aberd. and Banff Collections For a history of the
shires of Aberdeen and Banff
(Spalding Club). 1843.
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Colquhoun and Luss. 1873.
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in England. H.M. Colvin, The White Canons
in England (Oxford). 1951.
- Coupar Angus Charters of the Abbey of
Coupar Angus (Scottish History
Society). 1947.
- CPL Calendar of entries in the Papal
Registers - Letters, 1893 -
The sheets of the unpublished
volume xiv have also been
consulted.
- CPP Calendar of entries in the Papal
Registers - Petitions, 1896.
- CPR - Letters See CPL
- Craigans Writs MSS. in GRH, Edinburgh.
- Cramond, Church and
Churchyard of Cullen W. Cramond, The Church and
Churchyard of Cullen. Aberdeen,
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Crosraguel (Ayrshire and Galloway
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1922.
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Houses D.E. Easson, Medieval Religious
Houses, Scotland, London. 1957.
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GRH, Edinburgh.
- ER The Exchequer Rolls of Scotland
- Erroll Charters Erroll Charters (MSS in GRH,
Edinburgh). Also printed in
Erroll Papers and Charters
(Spalding Club Misc., vol. II).
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and 'Invers' of Scotland.
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- Extracta Extracta ex variis cronicis
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Scotland Facsimiles of National Manu-
scripts of Scotland (Parts I -
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- GRH Papal Bulls Calendar of Papal Bulls in H.M. General Register House, Edinburgh.

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Register House, Edinburgh.
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Monastery of the Holy Cross of
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II. 1916; III 1920; IV.1934.
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History of Northumberland.
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JEH

Journal of Ecclesiastical History (London, 1950 ff.)

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Annandale Family book of the Johnstones, earls and marquises of Annandale. 1894.

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- Le Paige
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- Lennox Book
- Les Statuts de Prémontré
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(Liber Insule Missarum)
- Lib. S. Crucis
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Lundoris
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Miscellany volume of the Maitland Club.

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W. Maitland, The history of Edinburgh from its foundation to the present time (1742). Edinburgh, 1753.

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J.D. Mansi, Sacrorum Conciliorum Nova et Amplissima Collectio (31 vols. Florence, 1759-98.

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Priory of Coldingham

The Priory of Coldingham (Surtees Society). 1841.

Priory of Monymusk

See MacPherson, Church and Priory of Monymusk.

PRO

Public Record Office (documents in).

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Prot. Bk. of Sir William Corbet

Protocol Book of Sir William Corbet (Scottish Record Society) 1911.

Prot. Bk. of Sir John Crawford

Protocol Book of Sir John Crawford (MS. GRH, Edinburgh).

Prot. Bk. of Sir John Cristisane

Protocol Book of Sir John Cristisane (Scottish Record Society), 1930

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|-------------------------------------|---|
| Prot. Bk. of Sir Thomas Dalrymple | Protocol Book of Sir Thomas Dalrymple (MS. GRH, Edinburgh). |
| <u>Prot. Bk. of John Foular</u> | <u>Protocol Book of John Foular</u> (Scottish Record Society) 1930-44. |
| Prot. Bk. of Duncan Gray | Protocol Book of Duncan Gray (MS. GRH, Edinburgh). |
| <u>Prot. Bk. of Gilbert Grote</u> | <u>Protocol Book of Gilbert Grote</u> (Scottish Record Society) 1914. |
| Prot. Bk. of James Harlaw | Protocol Book of James Harlaw (MS. GRH, Edinburgh). |
| Prot. Bk. of Thomas Ireland | Protocol Book of Thomas Ireland, in archives of the city of Dundee. |
| <u>Prot. Bk. of Thomas Johnsoun</u> | <u>Protocol Book of Thomas Johnsoun</u> (Scottish Record Society) 1920. |
| Prot. Bk. of Robert Lumisdane | Protocol Book of Robert Lumisdane (MS. GRH, Edinburgh) |
| Prot. Bk. of James Nicolson | Protocol Book of James Nicholson (MS. GRH, Edinburgh). |
| Prot. Bk. of John Robeson(e) | Protocol Book of John Robeson(e) (MS. GRH, Edinburgh) |
| Prot. Bk. of Robert Rollock | <u>Protocol Book of Robert Rollock</u> (Scottish Record Society) 1931. |
| <u>Prot. Bk. of Gavin Ros</u> | <u>Protocol Book of Gavin Ros</u> (Scottish Record Society). 1908. |
| <u>Prot. Bk. of Cuthbert Simson</u> | <u>Protocol Book of Cuthbert Simson</u> (Grampian Club). 1875. |
| <u>Prot. Bk. of Nicol Thounis</u> | <u>Protocol Book of Nicol Thounis</u> (Scottish Record Society) 1926. |

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|---|---|
| <u>Prot. Bk. of James Young</u> | <u>Protocol Book of James Young</u>
(Scottish Record Society)
1941-52. |
| <u>PSSA</u> | <u>Proceedings of the Society of</u>
<u>Antiquaries of Scotland.</u> |
| <u>Ragman Rolls</u> | <u>Instrumenta publica sive</u>
<u>processus super Fidelitatibus</u>
<u>et homagiis Scotorum domino</u>
<u>regi Angliae Factis, 1291-6.</u>
(Bannatyne Club). 1834. |
| <u>Rait, Universities of</u>
<u>Aberdeen</u> | <u>R.S. Rait, The Universities of</u>
<u>Aberdeen.</u> Aberdeen, 1895. |
| <u>REA</u> | <u>Registrum Episcopatus</u>
<u>Aberdonensis</u> (Spalding and
Maitland Clubs). 1845. |
| <u>REB</u> | <u>Registrum Episcopatus</u>
<u>Brechinensis</u> (Bannatyne Club).
1856. |
| <u>Records of Earldom of</u>
<u>Orkney</u> | <u>Records of the Earldom of</u>
<u>Orkney, 1299-1614.</u> (Scottish
History Society). 1914. |
| <u>Records of Elgin</u> | <u>The Records of Elgin, 1234-1800</u>
(New Spalding Club). 1903.1908. |
| <u>Records of Old Aberdeen</u> | <u>Records of Old Aberdeen, 1157-</u>
<u>1903.</u> (New Spalding Club) 1899,
1909. |
| <u>Red Book of Grandtully.</u> | <u>The Red Book of Grandtully.</u>
Edinburgh, 1868. |
| <u>Red Book of Menteith</u> | <u>The Red Book of Menteith.</u> 1880. |
| <u>REG</u> | <u>Registrum episcopatus</u>
<u>Glasguensis</u> (Bannatyne and
Maitland Clubs). 1843. |

- Reg. Coll. Ch. of Crail Register of the Collegiate Church of Crail (Grampian Club) 1877.
- Reg. C.R. Striv. (Reg. Cap. Reg. Striv.) Registrum Capellae Regiae Strivelinensis Vide. Hist. C.R. of Scotland.
- Reg. de Levenax Cartularium comitatus de Levenax (Maitland Club). 1833.
- Reg. Hon. de Morton Registrum Honoris de Morton (Bannatyne Club). 1853.
- Reg. of Abbrev. of Feu Chs. of Church Lands Inventory of the Register of the Abbreviates of Feu Charters of Kirklands (MS in GRH, Edinburgh).
- Reg. of Cupar Abbey See Cupar
- Reg. of Greenfield The Register of William Greenfield, 1306-15. (Surtees Society). 1931-40.
- Reg. of John le Romeyne The Register of John le Romeyne, 1286-96 (Surtees Society). 1913-17.
- Reg. of Ministers Register of Ministers . . . and of their stipends after the period of Reformation (Maitland Club). 1830.
- Reg. of Pres. Register of Presentations to Benefices (MS. in H.M. General Register House, Edinburgh).
- Reg. of Privy Council Register of the Privy Council of Scotland. 1877 -
- Reg. of Sigs. in Comptrollery Register of Signatures in the Offices of the Comptroller (MS. in H.M. General Register House, Edinburgh).

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| <u>Scottish Annals</u> | <u>Scottish Annals from English Chroniclers</u> (ed. A.O. Anderson) London, 1908. |
| <u>Scottish Benefices</u> | <u>The Apostolic Camera and Scottish Benefices</u> (ed. A.I. Cameron) (St. Andrews University Publications). 1934. |
| <u>Scottish Notes and Queries</u> | <u>Scottish Notes and Queries.</u> |
| <u>Scottish Peerage</u> | <u>The Scots Peerage, 1904-14.</u> |
| <u>Scotts of Buccleuch</u> | <u>The Scotts of Buccleuch.</u> Edinburgh, 1878. |
| <u>Scrymgeour Inventory</u> | <u>Inventory of documents relating to the Scrymgeour Family estates</u> (Scottish Record Society) 1912. |
| <u>Sext. Decret.</u> | <u>Sextus Decretalium Liber a Bonifacio Octavo in Conclio Lugdunensi editus.</u> . . , Venice, 1572. |
| Shieldhall Writs | MSS. GRH, Edinburgh. |
| <u>SHR</u> | <u>Scottish Historical Review.</u> |
| <u>SHS. Misc.</u> | <u>Miscellany volume of the Scottish History Society</u> |
| Skirling Writs | MSS. GRH, Edinburgh. |
| Smythe of Methven Writs | MSS. GRH, Edinburgh. |
| <u>Source Book of Scottish History</u> | Dickinson, Donaldson and Milne, <u>A Source Book of Scottish History.</u> Edinburgh, 1953-4. |
| <u>Spalding Club Misc.</u> | <u>Miscellany volume of the Spalding Club.</u> |

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| <u>Trans. Banff Field Club</u> | <u>Transactions of the Banffshire Field Club.</u> |
| <u>Trans. Dumfries and Galloway (Trans. D. and G. Nat. Hist. and Antiq. Soc.)</u> | <u>Transactions of the Dumfries and Galloway Natural History and Antiquarian Society.</u> |
| <u>Trans. Hawick Archaeol. Socy.</u> | <u>Transactions of Hawick Archaeological Society.</u> |
| <u>TRHS</u> | <u>Transactions of the Royal Historical Society.</u> |
| <u>Trans. of Scottish Ecclesiological Society</u> | <u>Transactions of the Scottish Ecclesiological Society.</u> |
| <u>TSCHS</u> | <u>Transactions of the Scottish Church History Society.</u> |
| <u>Univ. Comm. Rep.</u> | <u>Universities Commission Report (St. Andrews), 1837. (Evidence. . . taken . . . by the Commissioners . . . for visiting the Universities of Scotland, III).</u> |
| <u>Valor Ecclesiasticus</u> | <u>Valor Ecclesiasticus, temp. Hen. VIII (Rolls Series). 1810-17.</u> |
| <u>Vat. Reg.</u> | <u>Vatican Register.</u> |
| <u>Vaus of Barnbarroch Papers</u> | <u>MSS. in GRH, Edinburgh.</u> |
| <u>Vita Niniani (Historians of Scotland).</u> | <u>The Historians of Scotland, vol. v. (Vita Niniani). Edinburgh, 1874.</u> |
| <u>Walcott, The Ancient Church of Scotland</u> | <u>Mackenzie E.C. Walcott, The Ancient Church of Scotland, London, 1874.</u> |
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- VCH Victoria County History (London, 1900 FF.)
- Vet. Monumenta See Theiner, Vet. Mon.
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(3) In both text and appendices, MS. sources appear without delineation while printed sources have been underlined. References have been made as far as possible by numbers, but where this is not categorically stated, the figure following the cited source is a page reference.

INTRODUCTION

It has long been realised that the appropriation of parish churches - a process which involved the diversion of parochial revenues to other religious institutions or persons - was one of the greatest flaws in the structure of the medieval church in Scotland. To modern minds the practice may indeed seem indefensible, but even allowing for the fact that from the medieval standpoint, the system may be partly justified, it is unquestionably true that the evils of the practice, which could not but seriously weaken the structure of the pre-Reformation church, were realised even before the Reformation itself.

As the evils of appropriation have long been recognised, so too has it been accepted that this system was much more widespread in Scotland than in most other countries, Switzerland alone, it has been suggested, possessing a comparable rate of annexations.¹ While it has been agreed, however, that the ratio of appropriated to/

1. Hartridge, Vicarages in the Middle Ages, 95

to free parsonages must have been very high in Scotland, all attempts to give any definite set of figures have advanced little beyond the conjecture made by David Masson that of the nine hundred to one thousand parishes of medieval Scotland, almost seven hundred of these were annexed to some foundation or prebend leaving approximately two hundred and sixty free parsonages.¹ This and similar assessments all had their drawbacks, since it was evident that even allowing for unions, that medieval Scotland possessed more than one thousand parishes, while it was equally difficult to find over two hundred independent parsonages.

Nevertheless, just as the student of the medieval church in Scotland suffered, until quite recently,² from the lack of a reliable guide to the religious foundations of that period, so too is there no accurate account of the growth of the parochial system in Scotland. Certain parts of the country are indeed better served than others in this respect and two works in particular deserve honourable mention. These works are of course Caledonia³ and Origines Parochiales Scotiae.⁴ The compiler of the first, George Chalmers, may well have laboured "under the disadvantages/

1. R P C, 2nd Series, 1. CxII-IV.

2. Easson, Medieval Religious Houses - Scotland

3. Chalmers, Caledonia (8 vols. 1887-94 edition)⁴ Origines Parochiales Scotiae (Bannatyne Club). 1851-5

4. Innes, Scotch Legal Antiquities, 17.

disadvantages of defective scholarship",¹ but it is unwise to completely reject this work, which while maintaining a high accuracy in certain parishes, especially in Ayrshire and the south-west, also embodies several rentals which are no longer extant. Likewise, that other valuable and much more scholarly work the Origines Parochiales contains rentals drawn from the Books of Assumption, which are no longer contained either in the National Library or the General Register House copies of these valuations.

Both these works give some indication of the incidence of appropriation in certain areas, but not unnaturally the information available in both these volumes has been vastly supplemented by the large amount of material which has been since made available through the examination of the Vatican archives. Nevertheless, had such works existed for the whole country, it would have been comparatively easy to give some indication of the total number of appropriated churches. In the absence of such works, however, it has been necessary in the past to fall back on lists given in volumes, such as Gordon's Monasticon² or/

1. Innes, Scotch Legal Antiquities, 17

2. Gordon, Ecclesiastical Chronicle for Scotland -
vol. III. 1875.

or Walcott's Scoti-Monasticon,¹ both of which are incomplete, undocumented and wholly unreliable.

It was on such lists that the editors of the Fasti Ecclesiae Scoticanae appear to have been dependent, and while the supplementary volume does give valuable information on certain parishes, it is again highly selective, and no overall picture of appropriations can be gained. Regional studies have of course their importance, but even in this sphere only too many do little more than to work over older lists and very few possess adequate documentation.²

It was in the light of this rather unsatisfactory evidence that an attempt has been made to complete a survey of all the parishes of medieval Scotland and in so doing to trace who in the final instance enjoyed the parochial revenues. Such an investigation was further complicated, however, by the fact that in many instances both parsonage and vicarage revenues were diverted from their parish of origin, and this factor, which has largely been ignored in the past and has led to many incongruous statements in previous lists, has in/

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1. Walcott, The Ancient Church of Scotland. 1874.
 2. A significant exception to this generalisation is to be found in a study of the churches annexed to the Priory of Whithorn in an article on "The Bishops and Priors of Whithorn" by Dr. G. Donaldson in Trans. Dumfriesshire and Galloway Nat. Hist. and Antiq. Soc., 3rd Series. vol. xxvii, 127 ff.

in itself proved no mean task.

This study which has now been completed, and is presented as an appendix to this thesis,¹ gives a fully documented account of all the parishes of medieval Scotland, and shows that pre-Reformation Scotland possessed 1136 parishes during the medieval period although due to unions this figure had been reduced by 108 to give a final figure of 1028 parishes at the Reformation. Such an analysis cannot, however, claim to be definitive but it is hoped that this initial compilation will provide the basis for a fuller, and possibly more accurate, study of the parochial structure of the medieval church in Scotland.

More pertinent to the task on hand, however, the figure of 1028 parishes does provide a basis upon which the incidence of appropriation can be calculated. On the strength of those calculations and information derived from a complete analysis of the available evidence, it has been found that only 148 of the remaining parishes appear to have been free parsonages and thus 880 or approximately 86 percent of the parish churches had their/

1. Appendix I.

their parsonage revenues diverted to some other source. Moreover, of those appropriated parishes, it would appear that at least 56 percent had their vicarage revenues also annexed.¹

When it is realised that the corresponding rate of annexation in England was but 37 percent of the total,² the very magnitude of the figures first quoted can be appreciated. It is obvious, moreover, that any study of the medieval church in Scotland cannot ignore the study of appropriations, which were in themselves to dominate the organisation of the church for so long, and were destined to leave a legacy with which successive generations of reformers were to grapple.

It is with the various problems which appropriation raised, with particular emphasis upon the incidence and pattern of such annexations and the service of the appropriated churches themselves, that this study is principally concerned. The problem is dealt with as one relating to Scotland but sight should never be lost of the fact that this study is only part of a much wider examination of a movement which not only effected Ecclesiae Scoticae but also the whole Church Universal.

1. The above figures are based upon an analysis of Appendices I and II which will be found in a more complete form in Appendix III.

2. Hartridge, Vicarages in the Middle Ages, 204.

CHAPTER I

Introduction

By the study of appropriate material the subject is a purely historical question, for as with other aspects of the medieval Church in Scotland, the greater part of it is dealt with in the wider European background. Unfortunately, while the implications of appropriate material subsequent to the establishment of the monastic system have attracted considerable attention, the origin and development of this movement have been inadequately dealt with and a definitive study is urgently required.

PART I

APPROPRIATION

A brief outline of the growth of a movement whose origin lies in the continent and which apparently reached England and Scotland comparatively late may, however, be regarded. As this in itself requires an examination of the entire ecclesiastical organization, at an early period, some attempt must also be made to outline the process by which the Church became organized and how, in

1. Knowles, The Religious Orders in England, II, 267-92.

CHAPTER I

Origins

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Any true study of appropriation cannot examine the subject as a purely Scottish question, for as with other aspects of the medieval Church in Scotland, the problem must first of all be placed in its wider European background. Unfortunately, while the implications of appropriation and the subsequent establishment of vicarages have attracted considerable attention, the origins and early history of this movement have been inadequately dealt with and a definitive study is urgently required.¹

A brief outline of the growth of a movement whose origins lie on the continent and which apparently reached England and Scotland comparatively late may, however, be hazarded. As this in itself requires an examination of the entire ecclesiastical organisation, at an early period, some attempt must also be made to outline the process by which the Church became organised and how, in/

1. Knowles, The Religious Orders in England, II. 289-90.

in particular, parochial ministration, upon which the whole subject of appropriation hinges, came first to be carried out.

The term parochia applied originally to the area over which a bishop exercised his authority¹ but gradually throughout the centuries the meaning of the term appears to have altered its application and become applicable to an area covered by the jurisdiction of any religious institution whether episcopal or not.² Only very gradually did such diversities disappear and the term parochia assume its present connotation as an area within the jurisdiction of the baptismal church.³

Those diversities, in themselves, make it very difficult to attempt an outline of the organisation of the church during the Dark Ages and consequently as long as parochial organisation is in doubt, so too, all attempts to sketch the origins and development of appropriation must remain tentative.

At first parishes, other than those covered by episcopal jurisdiction, of which more shall be said presently, were large districts served by clergy resident at/

1. REG, 7; cf. Vita Niniani (Historians of Scotland, vol. v.), 148.
2. Dickinson, The Origins of the Austin Canons, 13.
3. In Scotland this position was not reached until the twelfth century (REG, no. 53). and does not become commonplace until the thirteenth century (Ibid., no. 114; Calchou, no. 179).

at central churches known to early writers as monasteria or ministers.¹ Certain distinctions can be drawn between certain of those foundations, however, although the term monasterium or minister is often applied indifferently to them. There were, it appears, such Foundations in which the clergy lived a fully communal life under a rule which foreshadowed that of the canons regular, while in others, the organisation was much slacker and the clerks, frequently referred to as canonici, in contrast to the more ascetic class sometimes known as monachi, held private property and even occupied separate residences.² Originally these clergy, or clerks appointed by them, held services within the area which constituted their parochia.³ Revenues from such ministrations, which at first would take place out of doors⁴ but possibly eventually within subordinate churches or chapels, would form part of the common fund of the minister, although at this early stage this can hardly be regarded as a diversion of spiritual revenues.

Not all ministrations were the responsibility of such corporations, however, and at all times bishops were/

1. Stenton, Anglo-Saxon England, 147-9.
2. Dickinson, The Origins of the Austin Canons, 12-14, 241-3; Deanesly, Early English and Gallic Minsters (TRHS, 4th series, vol. xxiii, 36-7)
3. Deanesly, *op. cit.*, 34, 44
4. Stenton, Anglo-Saxon England, 150-1.

were directly concerned in the provision of churches and the maintenance of divine services. It was indeed from the revenues of such dependent churches and from the estates of the bishopric that the bishop and his Familia, or college of clerks, were largely maintained while it was only over such churches which, although not necessarily geographically compact, lay within the parochia of the bishop that bishops had, at certain periods, any effective control, members of the Familia or hired priests performing the required services at such churches.¹

Service in such a way was obviously not without its drawbacks, however, and gradually both on the continent and in England, new churches were founded within the boundaries of what had previously constituted a parochia either of a minister or of a bishop. Such erections were made by both kings and bishops themselves, but more frequently by the local landowner who built a church, endowed it with a certain area of land and appointed a resident priest. Thereafter the landowner assumed the patronage of the church and in this fashion the proprietary church was born.²

On/

1. Dickinson, The Origins of the Austin Canons, 12-13; Barlow, Feudal England, 30; Deanesly, op. cit., 34.
2. Stenton, Anglo-Saxon England, 149-50, Knowles, The Monastic Order in England, 562-8.

On the continent, the proprietary church was being developed during the ninth and tenth centuries while in England, it was well established before the Conquest. With these developments which brought to an end any necessity for a community of priests, "the age when minsters or monasteries with their vast parochiae had been the main unit of ecclesiastical administration had come to an inconspicuous end."^{1(a)}

The minster thereafter frequently declined in status, becoming nothing more than a parish church whose previous existence is only revealed by the survival of certain anomalous dues or rights.¹ Not all such institutions declined or disappeared, however, some being transformed into houses of canons regular while others survived as collegiate churches.² In the face of such changes, the practice of serving subordinate churches from such corporations, or by priests employed by them, would appear to have totally ceased although it is possible that certain minsters, even after becoming nothing more than ordinary parish churches, may have retained connections with churches or chapels within their previous spheres of influence.³

Undoubtedly/

1. Stenton, Anglo-Saxon England, 148; Trans Dumfries and Galloway Nat. Hist. and Antiq. Soc., 3rd series, xxxi, 178
2. Dickinson, The Origins of the Austin Canons, 27-9; In England many minsters were brought under the rule of St. Benedict in the tenth century (Stenton, op. cit. 445-6). Among minsters which survived as collegiate churches was that of Beverley (A. Hamilton Thompson, Collegiate Church of St. John the Evangelist, Beverley (V.C.H., Yorkshire, ii (1913), 353-9)
3. Stenton, Anglo-Saxon England, 155-6.

^{1(a)} Dickinson, op. cit., 23-4

Undoubtedly this did happen in those cases where churches had lain within the parochia of a bishop and had been served by a member of his familia, although it would appear that effective control was only retained insofar as these churches already lay within episcopal estates. In such cases, the revenues of these churches continued to be utilised by the bishop either as churches pertaining to his own mense or else as a means of supporting individual members of his chapter by way of a prebend.¹ In such instances although appropriation was to introduce a new legal concept, little alteration had in fact taken place between the introduction of the new concept and the rejection of that of a cruder proprietary nature.

With the emergence of the proprietary church, the whole structure of the Church was revolutionised. The authority of local landowners over the churches on their lands became almost universal and the attitude adopted by such landowners to their churches can only be described as crudely proprietary.² To what extent this control involved the lay holding of tithes and other ecclesiastical revenues is a matter of some doubt, but there remains little dubiety that this was quite frequent, as/

1. Barlow, Feudal England, 30.

2. Pollock and Maitland, A History of English Law, 498.

as papal condemnations of this practice bear witness.¹

As a result of such condemnations, it appears that from the ninth century at least, churches on the continent began to be granted to religious corporations. Early evidence of such transactions are to be found in the decrees of the Council of Mainz which were held in in the year 847. There it was stated:

"Let none of the monks . . . presume to accept parishes of churches without consent of the bishop: but for those titles in which they shall have been appointed let them make reasonable return to the bishop . . ." ²

It is not clear, however, what the exact status of such churches actually was and it seems unlikely, as Hartridge would have us believe, that such churches were parish churches.³ It is much more likely that the decree refers to the fact that decayed ministers with possibly their dependent churches were being granted to monks. Such grants, as has been pointed out,⁴ could possibly have foreshadowed the deprivation of a considerable area from spiritual ministrations and hence/

1. Hartridge, Vicarages in the Middle Ages, 7-8.

2. Ibid. 10, citing Stutz, kirchlichen Benefizialwesens, 149, n.173.

3. Hartridge, Vicarages in the Middle Ages, 10.

4. Dickinson, The Origins of the Austin Canons, 22

hence the concern of the Council to ensure that adequate arrangements were made. Hence the stress placed upon the necessity of obtaining the bishop's consent before churches might be held by the religious while to this was added by the Council of Coblenz in 922, the further monition that obedience to the bishop should be rendered by monks who held churches.¹

Although doubts may surround such early grants of churches to religious houses, it is clear that from this period, tithes were being enjoyed by corporations spiritual although such transactions in themselves did not constitute a formal appropriation of parochial revenues. Moreover, it would appear that until the eleventh century at least, the proprietary church on the continent stood reasonably firm. The evidence produced by Hartridge to show that monks were receiving the proceeds of rectories in the tenth century is very thin, and while the process was certainly under way in the following century, no weight of evidence begins to build up until the late eleventh century.² Furthermore, there is no real evidence to support the early appearance of the vicar-perpetual and the mercenary priest, hired by/

1. Cited, Hartridge, Vicarages in the Middle Ages, 10.

2. Hartridge, Vicarages in the Middle Ages, 9-14.

by the corporation which enjoyed the revenues, appears to have been the normal means of serving churches during the eleventh and early twelfth centuries.¹ Such clerks, with little or no security of tenure, were being widely utilised to serve churches rather than, as has been sometimes asserted, have the religious serve such churches in person.²

The evidence would appear to point therefore to the fact that while on the continent, religious houses were holding revenues derived from other churches, it is, nevertheless, not clear how far these revenues came from the grants of decayed minsters and how far from parochial sources. Insofar as decayed minsters often became parish churches one would of course become indistinguishable from the other but while such grants, and others of proprietary churches, did take place from an early period, it would on the whole appear that even on the continent, the proprietary church held firm from the ninth to the late eleventh century.

If doubts as to the correctness of this judgement arise on the continent, very few arise as far as England is/

1. A Council at Avranches in 1172 forbade the committal of churches to vicars appointed annually (Mansi, Concilia, t.22, col. 139).
2. Dickinson, The Origins of the Austin Canons, 215, 224 ff.

is concerned. Events on the continent were always slightly ahead of those in England and it appears unlikely in the case of the latter if any breach was made in the proprietary church before the Norman Conquest. Indeed the subsequent reallocation of land which followed that venture, if anything, momentarily strengthened the proprietary church by contriving to obscure earlier arrangements even further and ensuring that the coincidence of parish and manor, although not a universal development, became a normal part of feudal development in the eleventh century.¹

If, as appears possible, a few churches were granted in England to religious corporations before the Norman Conquest, it does not seriously vitiate this judgement and where grants did occur, little more than a right of presentation, accompanied at the same time by any dues held contrary to the decrees of the church, may have been relinquished.² As far as England was concerned, it appears that in the majority of cases, the right of presentation to benefices before the Conquest would be either exercised by laymen or by bishops^{3/}

1. Knowles, The Monastic Order in England, 596.

2. Hartridge, Vicarages in the Middle Ages, 23-4.

3. Knowles, The Monastic Order in England, 593.

bishops, and it is possibly for this reason, as much as for any other, that, as Knowles points out¹ the churches of England to which a cure of souls of the laity was attached, were, almost without exception, served by secular priests at the time of the Conquest.

It was only in the late eleventh and early twelfth century in England, as likewise seems probable on the continent, that laymen began to "disembarrass" themselves of tithe and other spiritual income.² This trend was encouraged by the fulminations of three consecutive Lateran Councils of 1123, 1139 and 1179 which condemned the holding of churches by laymen.³ Nevertheless, it would appear by the number of grants of churches made in the early twelfth century that the practice was already on the wane even before these pronouncements, the original impetus possibly having sprung from the religious revival of the previous century.

In this fashion in the course of the twelfth century, vast numbers of churches, both in England and on the continent, passed into the hands of religious corporations by virtue of grants made by holders of proprietary/

1. Knowles, The Religious Orders in England, 288

2. Ibid., 290

3. Hartridge, Vicarages in the Middle Ages, 8.

proprietary churches.¹ This endeavour to rid themselves of revenues held contrary to the decrees of the church was not the only motive behind donation, however, and laymen and even bishops saw in such grants a means to further the endowment of religious houses while at one and the same time, or so it was piously hoped, better priests would be provided to serve the cure.

At first such grants appear to have been made at will but gradually certain procedure was to be adopted if a donation was to be effective.² When such a point had been reached, appropriation was well on its way to becoming a systematised legal process. In this respect events in England and on the continent were not to vary greatly from those which came to prevail in Scotland and what is of greater import is to compare the origins of the movement in Scotland in the light of what has been noted as prevailing in other branches of the Church Universal.

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The above analysis has been felt necessary so the situation which existed in Scotland in the period before/

1. Ibid., 13-14, 25-29.

2. Ibid., 24.

before the mid-twelfth century has marked similarities to that which prevailed both in England and on the continent although, not unnaturally, Scotland lagged behind in adopting certain developments which had occurred elsewhere at an earlier date. Nevertheless, movements in Scotland were never far behind those adopted in England and one of the greatest errors into which the historian can fall is to accept the frequently repeated assertion that Ecclesiae Scoticanae varied greatly from all other branches of the Church Universal in the period before the reforms of Queen Margaret and her sons. Such a belief has been the starting point from which many historians have set out and as a result, little attempt has been made to compare the organisation of the Church in Scotland with those branches elsewhere.

It is of particular importance, moreover, to make particular reference to England in any such comparison. For while it is frequently noted that the Norse attacks tended to isolate Scotland from continental influence, it is generally overlooked that to a lesser degree, the Norse and Danish incursions reacted somewhat similarly/

similarly in England. Due to such factors, the Church in England, as well as that in Scotland, tended to lag behind continental developments. Moreover, England and Scotland were in themselves not so utterly remote, as some would have us believe, and when changes did come to England, their transmission to Scotland was usually not unduly delayed.

As has been observed for both England and the continent, the origins of appropriation are very closely related to the organisation of the early Church in those areas. So too in Scotland the origins of the process are found in the ecclesiastical structure of an early period and this, of necessity, makes it essential that the organisation of the Church at this time is examined.

It has been demonstrated¹ that in England and on the continent, the ministrations of the Church before the rise of the proprietary church were largely dependent upon bodies of secular clerks who might either constitute a minster or form the familia of a bishop. With the rise of the proprietary church, the minsters declined as their functions largely disappeared, the clerks who had served in them in some cases being transformed into canons regular while the institutions themselves

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1. Supra, pp. 10-11

in the majority of cases either disappeared or survived as ordinary parish churches.

In Scotland, striking similarities to this process can be found. This in itself is hardly surprising as far as certain areas are concerned, as parts of the South of Scotland were politically subordinate to the kingdom of Northumbria until the mid-tenth century¹ and even after that period, ecclesiastical influence appears to have been strong.²

In those areas which were originally under Northumbrian dominion, the original Celtic monasteries, as far as they survived, appear to have become minsters. At Whithorn, the old monastery apparently continued until the early twelfth century in the form of a minster served by secular canons and it is undoubtedly those canons who were reputedly changed into Premonstratensian canons by Bishop Christian in 1177.³ Likewise at Kirkcudbright the church of St. Cuthbert appears to have been of this minster type, the scollofthes, representing the old community still being in possession of the church as late as 1164.⁴

Further/

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1. Scottish Annals, 74, 77.
 2. Although Teviotdale was accounted part of the bishopric of Glasgow by the early twelfth century, it was found necessary in 1127 to declare that the churches in Lothian were subject to the bishop of St. Andrews while the revived bishopric of Whithorn, true to its early associations, continued to recognise the archbishop of York as its metropolitan (Symeon of Durham, Historia Dunelmensis Ecclesiae Continuatio (Rolls Series), 138-9; Lawrie, ESC, no. Ixxii; Scottish Annals, 159).
 3. Trans. Dumfries and Galloway Nat. Hist. and Antiq. Soc., xxvii, 104-5.
 4. Reginald of Durham (Surtees Soc.), 179.

Further east in Annandale, the churches of Applegarth¹ and Hoddam² appear to have been originally monasteria or minsters under Northumbrian rule. By the twelfth century, however, both had lost that status and had declined into ordinary parish churches.³

Elsewhere, Stobo with its wide district and associated chapels has the appearance of such an institution⁴ while in Lothian, churches such as Old Roxburgh with its chapels and parishes⁵ and Jedburgh with its large parish and closely associated chapels⁶ must be reckoned to have a considerable claim to such a status.

It should now be evident that the ecclesiastical organisation in Southern Scotland before the twelfth century is remarkably close to that found elsewhere at a somewhat earlier date. If this in the past has been insufficiently recognised, no attempt has been made to extend this comparison to the area North of the Forth-Clyde line.

Nevertheless, such parallels do exist. The organisation of the Church in this area has in the past/

1. Trans Dumfries and Galloway Nat. Hist. and Antiq. Soc. xxxv, 14-16.
2. Ibid., xxxi, 174 ff.
3. REG, 3-5, 43, 50.
4. Ibid., 5, 41, 72.
5. Ibid., 14.
6. Lawrie, ESC, nos. clxxxix, exc.

past been obscured, however, by the existence of the Culdees. The Keledei - The Followers of God, have been frequently extolled as representatives of the Celtic Church, although they are in fact not identifiable with a monastic Church and only appear after the expulsion of the Columban clergy. Whatever their origins, however, it is clear that by the eleventh century they were little more than colleges of secular priests who in their organisation had close affinities with the minsters in the South.¹

A study of this aspect of the organisation of the early Church in Scotland would demand a thesis in itself but a formidable array of evidence can be assembled, all of which points towards the conclusion that the type of ecclesiastical establishment in this area was remarkably close to the similar institutions found in England and on the continent.

Monasteria appear at Cloveth² and possibly Turiff³ while Culdees appear at various centres including Loch Leven, Abernethy and Monymusk,⁴ the nature of the Culdees of the latter being made clear in a pronouncement/

1. Donaldson, Scottish Bishops' Sees Before the Reign of David I (PSSA, vol. xxxcii, 114).
2. REA, 1. 6, 85.
3. Lawrie, ESC, no. cvii.
4. A full list will be found in Easson, Medieval Religious Houses - Scotland, 190-3.

pronouncement that the Keledei of Monymusk who professed to be canons were forbidden to adopt the life or order of either monks or canons regular.¹ Elsewhere evidence can be assembled which points to the existence of bodies of clerks who possibly served a considerable area before the establishment of regular parishes. It is with such bodies that the scolles of Ellon, Arbuthnot and Muthil² may be identified while on a less ambiguous note are references to the clerici de Methfyn³ and the clerici de Deer⁴ which although appearing comparatively late appear to be survivals of a past organisation. In the latter instance, it is no longer necessary to postulate the existence of a Celtic monastery at Deer in the twelfth century, but rather a minster which gradually declined in status and finally assumed the position of a normal parish church.

The members of such colleges would almost certainly be responsible for ministrations within their parochia but with the foundation of lesser churches, this function would, as elsewhere, become more and more/

1. RPSA, 370-2.

2. Collns. Aberdeen and Banff, 310-12; Spalding Club Misc. v. 209-13; Lindores, no. xlvi.

3. Ibid., no. xlvi.

4. Lawrie, ESC, no. ccxxiii.

more restricted. In Lothian, the creation of lesser churches of a proprietary nature was almost certainly under way before the close of the eleventh century and it would appear from a claim of the bishop of St. Andrews in 1127 that episcopal supervision was being exercised over such churches by that period.¹

Evidence for the erection of lesser churches of a proprietary nature at this period can be drawn from many sources. The earliest recorded erection of a church which is proprietary rather than, as is often claimed, parochial is the well known example of the Foundation of Ednam by Thor Longus (c. 1105), but this is, of course, not by any means necessarily the earliest such erection.² At a slightly later date, churches appear on lands such as Fishwick and Swinton granted to Coldingham by King Edgar and very many other churches soon appear on record.³ Early grants of churches to monastic houses such as that of David I to Holyrood in 1128 when he granted the church of St. Cuthbert with its chapels of Corstorphine and Liberton⁴ would also support the view that some system of endowed churches/

1. Lawrie, ESC, no. lxxiii.

2. Ibid., no. xxiv.

3. Ibid., nos. xv, ccxii; Scottish Annals, 164.

4. Lib. S. Crucis, no. 1.

churches existed before 1100 and this would also explain how vast numbers of churches came to be given 'en bloc' to some monastic corporation.¹ Likewise the early list of parish priests contained in a charter of 1127 would also seem to point to some system of serving such churches before the twelfth century.² At all accounts the creation of proprietary churches, especially in Lothian, was clearly at work by the twelfth century itself. This type of church, however, almost before its appearance in Scotland, had been condemned³ and hence ~~the~~^{its} tenure was to be of short lived duration and indeed in certain cases, as with Ednam itself, the church and its endowments were surrendered immediately upon foundation to a religious body - in this particular instance to the monks of St. Cuthbert of Durham.⁴

In the way, however, that the erection of the church of Ednam was not a new phenomenon, so too the grant of a church to a religious corporation was not a novelty either. Just as the period before the Norman Conquest of England saw a few churches in England being granted to religious corporations⁵ so too/

1. Lindores, no. II.
2. Lawrie, ESC, no. lxxiii.
3. Supra, p. 18
4. Lawrie, ESC, no. xxiv.
5. Supra, p. 17

too in Scotland the same period saw churches being given to corporations spiritual. Thus, before 1055, Maldunus, bishop of St. Andrews granted to the Culdees of Loch Leven the church of Markinch¹ while to the same body, his successor Bishop Tuadal granted the church of Scoonie (1055 x 59).² It is not clear whether these bishops were conferring these churches upon the Culdees in their own rights or whether they were following the continental practice of confirming grants made by laymen to religious corporations, but what is certain that such bodies were in possession of churches at this early period, the Culdees of Loch Leven also holding the church of Auchterderran.³ Elsewhere, the Culdees of St. Andrews would appear to have been responsible for the cure of souls there⁴ while the abbacie of Iona had at some period before the mid-twelfth century obtained possession of four churches in Galloway in respect of which, arrangements of some variety must have been made to ensure that the cure of souls was not neglected.⁵

How far these churches were early proprietary churches granted to corporations spiritual during the course/

1. Lawrie, ESC, no. vi.

2. Ibid., no. vii.

3. RPSA, 117.

4. All rights in this respect had been lost, however, by the end of the twelfth century (RPSA, 318-9).

5. Lib. S. Crucis, no. 51.

course of the eleventh and early twelfth centuries, it is difficult to say but they certainly form the earliest recorded associations in Scotland between religious institutions and churches, which if not yet parochial were, nevertheless, to achieve that status in the course of the twelfth century.

Nor are these recorded associations between churches and religious corporations the only evidence for early links between churches and spiritual bodies. Five churches are traditionally held to have pertained to the monastery of Mortlach, these evidently having been served by the monachi,¹ or, as seems more likely by priests hired by them.² Mortlach, moreover, with its monasterium and its five associate churches does provide a link between the embryonic parochial organisation and the rudimentary episcopal structure as traditionally Mortlach was the original seat of the bishops of Aberdeen.³ Once more suggestive analogies appear between the situation elsewhere in the Church and that in Scotland for, as has been noted, a bishop's familia at an early period all over Western Europe consisted/

1. Monachi, it must be remembered, did not necessarily mean monks as this term was used to describe clerks who lived a fully communal life (Supra, p.¹⁹).
2. REA, 1.3, 6, 85.
3. Donaldson, Scottish Bishops' Sees Before the Reign of David I (PSSA, vol. xxxvii, 115).

consisted of colleges of secular clerks.¹ If monasterium be equated with minster, Mortlach would appear to fit in with this general pattern, as do indeed other episcopal sees upon the formation of which, monasteries are held to have been the guiding influence.² Moreover, if the bishop's familia consisting of a body of secular clerks can be identified with that body of secular clerks, known in Scotland as Culdees, many other problems are resolved including the process by which the prior and members of the Culdee community at Brechin, who had already formed the chapter there, were transformed into a chapter of secular canons.³

This comparison which can be extended to other sees⁴ is of extreme importance not only because it further demonstrates that Ecclesiae Scoticae was in this respect also in conformity with developments elsewhere but also because it can be shown that in Scotland, as in England and on the continent, that the bishop and his familia were being supported from the estates of the bishopric and its dependent churches.

The formation of proprietary churches on episcopal estates/

1. Supra, p."

2. Donaldson, op. cit., 113-15

3. Aberbrothoc, l. nos. 188, 192; Lindores, no. xcix.

4. Myln, Vitae, 4-5; Scottish Annals, 327-8; Early Sources, 699-700.

estates evidently took place in Scotland from an early date. Egred, bishop of Lindisfarne (830 - 46) reputedly built the church of Jedburgh upon his episcopal estate there, and churches appear to have existed on other episcopal lands pertaining to Lindisfarne.¹ A similar process evidently explains the possession by the bishop of Dunkeld of many detached parishes including those of Aberlady and Abercorn on the shores of the Forth and Bunkle and Preston in Berwickshire while the detached portions of the dioceses of Brechin and Dunblane may be likewise explicable.² Other bishops, such as those of Glasgow, had been no less busy in founding subordinate churches on lands pertaining to their bishopric and in doing so endowing such churches with a certain area of land for the sustenance of the curators. The churches of Morebattle, Peebles and Traquair are all recorded in the Glasgow Inquest (c.1120) as pertaining to the bishopric of Glasgow, each church being endowed with a ploughgate of land.³ Such churches had undoubtedly been founded as proprietary churches of the bishopric of/

1. Scottish Annals, 60 and n

2. Map of Monastic Britain - North Sheet; A French equivalent - the monastic diocese of Dol and its parishes in five other sees, is examined in F. Lot's - Melanges d'hist bretonne (1907), 24, n.1.

3. REG, no. 1.

of Glasgow and in a similar fashion, the churches recorded as pertaining to Mortlach may have originally been proprietary churches of that bishopric, all five certainly passing to the bishop of Aberdeen in the course of the twelfth century.¹

It would appear from the foregoing evidence that while the organisation of the Scottish Church before the twelfth century was full of anomalies, its broad design was basically not too far removed from the structure existent elsewhere. Bishops had, from a fairly early date, been founding proprietary churches over which they retained control and which were served either by a member of their familia or a clerk hired by them, while elsewhere the ministrations of the Church had been largely left to bodies of secular clerks who had served wide areas, again either in person or by deputy. Only in the twelfth century did the inroads of the proprietary church, which was probably under way before this period, become a serious competitor to the old order which crumbled before the increased pressure.

Thus, while the proprietary church was well established/

1. REA, 1. 3, 6, 85.

established in England and on the continent before the Norman Conquest, this was not the case in Scotland and it was only in the twelfth century when the proprietary church all over Europe was already on the wane that the Church in Scotland achieved that status. The process initiated by Celtic landowners before the twelfth century and more certainly effected by bishops on their considerable episcopal estates was now speeded up to such an extent that many of the ancient boundaries were swept away and even bishops found their influence over their own proprietary churches severely tested. It was undoubtedly such factors which resulted in a controversy between the bishops of Glasgow, and the family of Bruce over certain churches in Annandale¹ while in the diocese of Moray, a similar pattern emerges, and the bishops of Moray are seen to be engaged in a large number of patronage disputes with new landowners.²

At first, even in the early twelfth century, however, development appears to have been of a piecemeal nature and while proprietary churches were undoubtedly coming into existence, nothing in the nature of a system/

1. REG, nos. 72-3.

2. Such disputes arise in connection with the churches of Aberchirder, Dulbatelauch and Lhanbryde (REM, Aft. nos. 6; 21; Aberbrothoc, no. 100).

system, parochial or otherwise is readily discernible until the reign of David I (1124-53) when with the growth of Feudal tenures, direction and purpose was given to ecclesiastical organisation both at diocesan and parochial levels. No longer was the erection of a church a somewhat haphazard affair, as it appears to have been hitherto but rather a matter of deliberate policy especially in areas in which Feudal colonisation was particularly thorough. In such areas, the coincidence between the parish and the Feudal unit - the vill, appears to have been very high. This tendency can be seen in Clydesdale, Annandale and Strathgryfe and in general right up the East coast,¹ although in some areas especially in Tweeddale and Teviotdale, older boundaries appear to have influenced parish bounds.²

The identification between parish and vill was made closer, moreover, by the Assize of David which made compulsory the exaction of tithe.³ Earlier churches had possibly been supported by certain voluntary dues and certainly by allotment of land, the extent of which appears/

1. Morgan, Organisation of the Scottish Church in the Twelfth Century (TRHS, 4th series, vol.xxix, 140-3); Barrow, The Beginnings of Feudalism in Scotland (Bull. of the Inst. of Hist. Research, vol. xxix, 13-14).

2. Morgan, op. cit., 144-5.

3. REM, no. 5.

appears to have varied.¹ The allocation of definite dues to a particular church was new, however, and this levying of tithes from the estate upon which the church was built undoubtedly had the effect of territorially and legally creating the parochial unit.

Nevertheless, while this new policy had the effect of identifying the feudal and ecclesiastical unit, it also greatly increased the incidence of proprietary churches. Nor is this very surprising as undoubtedly the Norman lord was, in very many cases, the founder of the church within his vill. This is the case with Thor Longus² while in another instance, William de Coningsburg gave his church of Staplegarton to Kelso (c. 1153) sicut patronus et dominus fundi.³ In another instance, the church of Carnwath was built within the bounds of the parish of Libberton by William de Sumerville who granted it to Glasgow Cathedral with the result that it achieved parochial status.⁴ In such instances, the lords in question were undoubtedly proprietors, or at least patrons of their churches, but it is equally obvious that they assumed similar rights over churches already in existence and/

1. REG, no. 1; RPSA, 116; REA, 1. 85.

2. Lawrie, ESC, no. xxiv.

3. Calchou, no. 350.

4. REG, nos. 52-3.

and it is this fact which led to the frequent patronage disputes between bishops and those new lay owners.

In such a fashion, the proprietary church came to be established in Scotland almost a century after a similar position had been achieved in England. The erection of Ednam is symptomatic of a process which had already achieved its purposes in the other countries of Western Europe but was not to be finally completed in Scotland until the second half of the twelfth century. It must be remembered, however, that the erection of Ednam did not initiate the process nor was its subsequent donation to a religious house an entirely new development as churches had been associated with religious institutions at an earlier date.¹ Nevertheless, a new emphasis had appeared, as while hitherto, a church had been held by religious corporations, it was possibly for the welfare of the church itself while in future, grants were to be made with the idea of benefitting the corporations themselves.

Undoubtedly the case of Ednam was typical, however, insofar as a large number of newly erected churches of a proprietary nature were almost immediately granted/

1. Ibid., no. 1; RPSA, 175-6.

granted to religious houses. That this was so, reflects the fact that the proprietary church had been condemned almost before it was established in Scotland. The concept of the proprietary church had been undermined even in England by the beginning of the twelfth century,¹ this being the very period when the process was being initiated in Scotland.

It is largely due to this accident of timing, to which might be added the influence of the great religious revival, which also arrived in Scotland at this period, that the two processes of erecting churches of a proprietary nature, and the subsequent donation of certain of those churches to religious houses, which in most countries were separated by a considerable lapse of time, was in Scotland telescoped into one process. In some instances, such as at Ednam, no interval occurred between erection and donation, while in other cases there was obviously a time lag between the two, but this in the majority of cases must have been extremely short. The proprietary church had not time to become really established in Scotland before its condemnation and/

1. Supra, p. 18

and this possibly goes far to explain why an unusually high percentage of grants of churches to religious houses took place in Scotland in the twelfth century in comparison to grants made in other countries. In these other countries the proprietor of a church was more readily equipped to convert his proprietary rights into ones of patronage alone, than was the case in Scotland.

Even in Scotland, however, there continued to exist at the end of the twelfth century, a considerable number of unappropriated churches which with the condemnation of the proprietary church had remained in the patronage of the local landowner. A complete system of unappropriated churches was never envisaged, however, and thus to say with Cosmo Innes that "this goodly framework of a parochial secular establishment was shipwrecked when scarcely formed" is an unnecessary hypothesis.¹

The large scale donations of churches to religious corporations made at this period were made with a variety of motives. With the condemnation of the proprietary/

1. Innes, Sketches of Early Scotch History, 17.

proprietary church, it was considered desirable to surrender any dues held contrary to the decrees of the Church, while the donor saw in such grants an easy way of endowing religious houses and, at the same time, a means of ensuring that fitting provision would be made for the service of the church itself. Although, however, such motives were probably foremost and it was probably understood when a landowner, or even a bishop, gave a church to a religious house that the corporation would enjoy the major part of the revenues of that church, nevertheless, early grants made no indication of exactly what rights were conveyed to the new holders.¹ Until a regular form of annexation came into existence, some doubt must be occasioned as to whether revenues, or the right of presentation alone, had been granted. It was this ideal which was to be realised in the course of the thirteenth century although considerable progress in this direction was to be made in the course of the twelfth century itself.

1. Infra, p. 41

CHAPTER II

The Development of the System

The annexation of churches to religious corporations achieved in the course of the twelfth century by virtue of widespread grants by landowners anxious to rid themselves of dues held contrary to the decrees of the church was the preliminary step towards the development of a system of appropriation. Likewise the provision, which came to be made on appropriation, for the service of the church itself, led to the creation of a fully fledged vicarage system, the provisions of which were extended by energetic thirteenth century bishops to those churches within their dioceses previously, if slightly irregularly, annexed to religious corporations.

Before proceeding to an examination of these movements which in one instance culminated in the establishment of a vicarage system based upon the decrees of the fourth Lateran Council of 1215,¹ and in the other, in a replacement of the rudimentary annexations of an earlier age by a systematic method of appropriation, it might be advisable to define appropriation in its technical sense.

The/

1. Infra, p. 211

The appropriation of a church involved the transference of the income of the church, derived from its endowed land and its tithes, to the corporation to whom the gift was made.¹ At first, as has been noted,² laymen appear to have given their churches at will and though confirmation from a bishop, or even on occasions from the Pope, was often obtained, it does not appear to have been considered essential as was the case later.

It is not always certain, moreover, what the grants themselves conveyed. At first, as we have seen, when a landowner gave a church to a religious body, it was probably understood that the corporation would enjoy the major part of the revenues of that church while the cure would be served by a priest presented and maintained by the religious.³ Nevertheless, while in some early grants tithes are specifically mentioned, in others no such indication is given. Thus, in the donation of the church of Dunsyre to Kelso (1175 x 99) by Helias, brother of Joceline, bishop of Glasgow, it is/

1. Cross, Oxford Dictionary of the Christian Church, 76.

2. Supra, p. 19

3. Supra, pp. 38-9

is recorded that the church is granted cum terris et decimis,¹ while in a similar grant of the church of Migvie to the priory of St. Andrews by Morgrund, Earl of Mar (1153 x 78), the church is given cum decimis et oblationibus.² In other grants, however, tithes are not specifically mentioned and hence in the donation of Calder-Clere to Kelso (c. 1170) by Randolph de Clere, the church is granted cum omnibus ad eandem ecclesiam iuste pertinentibus in liberam et perpetuam elemosinam,³ similar phraseology also occurring in many other grants including that of the church of Ecclesgreig to the priory of St. Andrews by William the Lion (1165 x 78).⁴

Such phraseology as in liberam et perpetuam elemosinam, adds strength to the view that to many landowners, the church and its endowments was simply another petinent of a feudal holding, and certainly on many occasions there is little terminological difference between the grant of a church to a religious corporation and the grant of a piece of land to any recipient.

These/

1. Calchou, no. 356.
2. RPSA, 248.
3. Calchou, no. 348.
4. RPSA, 229.

These initial grants of churches undoubtedly vested the endowed lands in the corporation receiving the gift and where tithes were specifically mentioned, there is no doubt of at least the donor's intention, but in instances where this was not the case, some doubt may have been occasioned as to whether tithes could be legitimately called just pertinent due to the corporation. If any such doubts ever did exist on this score, they were quickly dispelled in Scotland, at least, by the adoption of the Formula in proprios usus, the use of which undoubtedly vested all rights in the appropriating body, and eventually all grants were desired in this form. This formula appears quite early in Scotland, Herbert, bishop of Glasgow (1147-64) confirming the church of Lanark to Dryburgh in this way,¹ but the terminology does not become commonplace until the late twelfth century and thereafter becomes normal.² Nor, moreover, is the use of such terminology confined to episcopal confirmations as by the end of the twelfth century, laymen too had begun to make their intentions much/

1. Dryburgh, no. 44.

2. In Scotland this form became stereotyped and is in marked contrast to the vague utterances of similar French documents (Hartridge, Vicarages in the Middle Ages, 68-9)

much clearer and thus in a grant of David, Earl of Huntingdon, to Lindores Abbey (1198 x 99), certain churches are granted to the monastery, ad proprios usus.¹

In the twelfth century, at any rate, too great an emphasis should not be placed upon terminology, although undoubtedly distinctions existed in practice, and a decision of Pope Innocent III in 1204 that the episcopal sanction to a concession of a church to a corporation involved the grant of all the proceeds of that church, appears to be at variance with the evidence,² since in many such cases little more than a right of presentation was conveyed. Thus, while the church of Rossie was granted to the priory of St. Andrews by Matthew, archdeacon of St. Andrews, and confirmed to the priory with all its just pertinents by Aernald, bishop of St. Andrews (1160-2), the patronage alone pertained to the canons until it was confirmed in proprios usus by Bishop David de Bernham in 1240.³ This was also true of the church of Leuchars granted to the priory of St. Andrews by Nes, earl of Mar (1172 x 87) and confirmed by Hugh, bishop of St. Andrews (1178-88) cum/

1. Lindores, no. II.

2. Cheney and Semple, Selected Letters of Innocent III, 74-5.

3. RPSA, 55, 126, 200; Spalding Club Misc., II, 317-8; NLS. MS. 15. 1. 19, no. 5.

cum . . . decimis et oblacionibus, which, nevertheless, only passed with its revenues into the hands of the priory, after a further grant and a confirmation in proprios usus, c. 1294.¹ This is true also of other churches held by the priory, and while a bull of 1246 draws a clear distinction between churches held with their pertinents and those in which the patronage alone was held, no clear or significant difference can be discerned in the original grants.²

As a result of such distinctions becoming apparent, however, religious corporations soon began to take the initiative in their desire to obtain such endowments and great ingenuity came to be exercised in order to change grants of patronage into ones of in proprios usus. Thus, in the case of the church of Fithkil of which the right of presentation had been granted to Inehcolm (c. 1263) by various landowners whose own rights were somewhat dubious, the abbey wasted no time in having the patronage of the church converted by the bishop of Dunkeld into a right of ad proprios

1. RPSA, 63, 287-90, 397-8, 400-2; Appendix I, no. 736.

2. RPSA, 92-3.

proprios usus.¹ Nor was this an isolated example but could be paralleled time and time again, and while undoubtedly in some instances, the original grant had been made in order that such a benefit might be secured by the religious house in question, in other cases it is clear that the original intention of the benefactor was being perverted.

At this point, it might be convenient to study the motives which underlay both the actions of the granters and appropriators of parish churches. On the side of the recipients, the motive is not difficult to find as it was soon apparent to all religious corporations that the possession of tithes was a most desirable form of endowment. Such grants conferred a permanent source of revenue upon a corporation and, moreover, tithes, as a charge upon land, as distinct from ownership, solved the problem of farming such land. Moreover, a regular income was thus assured as the tithe was, at first, paid with unflinching regularity since non-payment incurred all the spiritual terrors of ex-communication. Moreover, although/

1. Inchcolm, nos. xxv-xxvii.

although the exaction of tithe became more difficult as the centuries proceeded, the acquisition of fresh endowments in the form of land became almost impossible and hence one solution to the problem of rising costs was to obtain more parochial revenues. Even on spiritual grounds, moreover, this practice could be defended, it being argued that as church and monastery ultimately existed for the same purpose, tithes were in no way being diverted from their true purpose.

From the point of view of the donors, the process, at first, appears equally justified and desirable. Patrons of churches, who had possibly assumed proprietary rights over them, when faced with the strictures of the church on lay tithe holding, saw a means by which they could, at one and the same time, rid themselves of any ecclesiastical dues which they possessed and also secure for themselves a reputation for piety by adding to the endowment of some religious house. This was, moreover, achieved at practically no cost to the patron, except insofar as land accompanied a grant of parochial revenues/

revenues. In addition, however, it was possibly genuinely felt that the provision of a parish priest could be much more fittingly exercised by a religious corporation than by a layman. It is extremely doubtful, however, whether this was a dominant reason and it would appear that in most cases the benefactor of a religious house could hope to save his soul without cost to himself but with considerable loss to the parish.

As has been observed,¹ however, it is clear that in certain cases, patrons surrendered little more than the right of presentation and corporations had to exercise their ingenuity to turn rights of patronage into ones of in proprios usus. Nevertheless, in these cases where a corporation was not immediately successful in turning a right of presentation into one whereby the fruits of the benefice were fully applied to their own uses, it is evident that they frequently virtually achieved the same end in many cases by bargaining with their nominees to livings within their presentation. As a result such presentees/

1. Supra, pp. 44-6

presentees became little more than mercenary priests.¹ In this way again, the distinctions between churches over which a corporation possessed full rights and those in which the right of presentation was held, often became blurred. Churches appear to have been left without priests while in fully annexed churches, the use of mercenary priests appears to have been quite commonplace and no vicarage system is at first discernable.²

It was this laxity in the method of serving annexed churches, and also the repeated attempts of religious corporations to obtain the revenues of churches of which only the right of presentation pertained to them, which prompted the creation of a vicarage system to which was allied a systematic method of appropriation over which the church would be able to regulate control. Indeed, most condemnations of appropriation are not a result of the practice itself being found pernicious, but rather due to the evils following upon the service of appropriated churches by ill-paid and ill-qualified priests.

One/

1. It was presumably by such means that the religious were able to annex to their houses, churches of which they possessed the right of presentation alone (CPL, 1. 5)

2. Infra, p. 210

One way in which this evil could be checked was by tempering the judgement of ill-advised lavish patrons by, not prohibiting appropriation, for that would have been clearly impossible, but by at least regulating the extent to which it was taking place. Thus, the Third Lateran Council of 1179 declared:

"For the future religious should not receive either churches or tithes from lay persons without consent of the bishop of the diocese."¹

This injunction was soon found to be at work in Scotland and an attempt to limit, or at least regulate, appropriation is seen in a monition of Pope Lucius III to Joceline, bishop of Glasgow (1181 x 85) which declared, "that it is unlawful for the religious dwelling in your diocese to hold any parish church in their hand when it falls vacant or to institute perpetual vicars in any such without your consent."² In furtherance of this policy, moreover, the bishop of St. Andrews obtained from Pope Innocent III in 1198/9, a mandate to restrain the religious from appropriating to their own/

1. Thomassin, Ancienne et nouvelle discipline de l'Eglise, t.
2. REG, 53. col. 1493

own uses, churches to which they had the right of presentation, unless such churches were exempt from his jurisdiction.¹ In the course of the thirteenth century, this struggle was to become even more intense and in various episcopal actions there can be seen the desire of bishops to ensure that the decree of the Third Lateran Council should become effective, and furthermore that when permission to appropriate was granted that suitable provision should be made for the erection of a vicarage-perpetual.

Procedure in these matters followed very closely to that which was being established elsewhere, successive Popes playing a prominent part in ensuring that a definite system was brought into operation. The papal will in this respect can be most easily seen in the replies of Pope Innocent III to queries made by the Bishop of Ely in 1204. Thus when the Pope was asked:

"If monks have been given permission by the Apostolic See to convert their churches to their own uses when the pastors of these churches/

1. CPL, I. 5.

churches die, is it then lawful for the monks on their own authority to take possession of them or should they be put in possession by the diocesan?"

It was stated in reply:

"Unless the Pope's indult specifically says 'without consulting their bishop', it is not lawful for them to take possession, for we do not believe that such an indult impairs a bishop's jurisdiction."¹

As the papal indult seldom appears to have allowed this concession in the thirteenth century at least, the position of the diocesan was further safeguarded. Even the bishop was not to be allowed to annex churches without due supervision, however, and in answer to a further query about the legality of a bishop's gift of a church to a religious corporation following upon the consent of the patron, it was stipulated that for the bishop's gift to be lawful, the approval of his chapter was essential.²

In making these pronouncements, Innocent III was/

1. Cheney and Semple, Selected Letters of Pope Innocent III, 74-5.
2. Ibid., 75.

was going far towards declaring the law of the Universal Church¹ and in Scotland, a definite chain of procedure was soon established in accordance with these rulings. Thus, a patron would convey the patronage of a parish church within his presentation upon a religious corporation usually signifying either in the deed or by personal request to the bishop of the diocese in which the church lay that its annexation was desired. Thereafter, the consent of the bishop formally transferring ~~of~~ the church to the proper uses of the corporation would be given, while a vicarage settlement would also be made either as part of the formal deed of appropriation or as a separate transaction. The consent of the chapter of the cathedral would then be added to that of the bishop and the transaction would be complete. On occasions, however, papal confirmation would also be sought as it was found that such a step was the surest safeguard in protecting the privileges so obtained.

This procedure can be seen in operation in the case of the church of Gullane annexed to the abbey of /

1. Maitland, Roman Canon Law, 126.

of Dryburgh. The patronage of the church had been conferred upon the canons of Dryburgh by William de Vaux (c. 1170)¹ and this was confirmed by his son and successor, John (c. 1214).² Thereafter, following upon the confirmation of the grant of patronage by a papal legate who happened to be in Scotland (c. 1221),³ the church was granted to the uses of Dryburgh by William, Bishop of St. Andrews (c. 1221)⁴ and confirmed to the canons by the chapter of St. Andrews.⁵ Papal confirmations duly followed, these including one of the patronage by Honorius III in 1224 and one in proprios usus by Gregory IX in 1228.⁶ Nevertheless, the grants did not become immediately effective, and not until 1268 was the annexation completed, provision then being made for the presentation of a priest who was to receive twelve marks annually.⁷

A further, but later, example of the same procedure can be seen in the grant of the church of Killin to/

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1. Dryburgh, No. 23.
 2. Ibid., no. 25.
 3. Ibid., no. 26.
 4. Ibid., no. 27.
 5. Ibid., no. 28.
 6. Ibid., nos. 267-8.
 7. Dryburgh, nos. 35-7, 40, 285.

to Inchaffray. This church, or rather its patronage, was conferred upon the abbey by King Robert I on February 26th, 1317/18 on condition that the convent should find a canon to celebrate divine service in the church of Strathfillan.¹ In the following October, the church was confirmed to the uses of the abbey by William, Bishop of Dunkeld, who made provisions for the service of the church after annexation in this charter of confirmation.² On the same day, this deed was confirmed by the chapter of Dunkeld³ and on 13th November, 1318, Pope Clement VI confirmed the King's grant of the ius patronatus of the church.⁴ This procedure could be paralleled many times and while the development is not always easy to follow due to defective evidence, it is abundantly clear that the process was well established by the mid-thirteenth century.

It would appear that owing to the above system, the control of bishops over appropriations remained firm during the thirteenth century and although this did not mean any limitation to the number of annexations taking/

1. Inchaffray, nos. cxxiii-iv.

2. Ibid., no. cxxvi.

3. Ibid., no. cxxvii.

4. Ibid., no. cxxx.

taking place, it did place a certain check on would-be appropriators by ensuring that their activities were properly regulated, and that adequate arrangements were made for the service of appropriated churches.

The thirteenth century saw the high water mark of the system of appropriation. Although indefensible to modern minds, the procedure, to medieval minds at least, had much to commend it from the spiritual as well as the temporal point of view. As long as the process remained well regulated and diocesans were in a position to ensure that the parishes themselves were not being neglected, the system, although not without its drawbacks, especially as will be seen,¹ with regard to service in the parishes, should not be condemned out of hand. All this was to change, however, during the course of the fourteenth century. Any spiritual reasons for the appropriation of parish churches were entirely forgotten and no other reason but immediate financial gain is evident. Moreover, as in the course of the fourteenth and subsequent/

1. Infra, Chapters. VIII, IX, XI

subsequent centuries, papal indulgences allowing annexations without the intervention of the diocesan became more frequent¹ so too, did the control which bishops had previously possessed pass from them. Episcopal consent was indeed often sought, and invariably granted, but only because the bishop was powerless to do otherwise, and his active co-operation at least allowed him some say in the distribution of the fruits.²

The rapid transformation which took place in the fourteenth century can be attributed, as far as Scotland is concerned, to two events - the Schism and the Wars of Independence. Both provided religious corporations with unparalleled opportunities to further their own ends and annex more parochial revenues to their mensses. The Schism, in particular, found the Papacy in no position to resist the claims of would-be appropriators to whom the ravages of war provided a sufficient/

1. In many cases the diocesan's rights are passed over in silence but in some cases, as in the attempted annexation of the vicarage of Inverness by Arbroath in 1435, it was specified that the abbey might take possession without licence of the diocesan (RS.304, Fo.45).
2. Likewise in 1468 the vicarage of Innerwick was granted to Dunglass by the Pope without licence from the bishop of St. Andrews, or the abbot of Paisley who held the rectorial rights (CPL, xii. 363).

sufficient excuse. Thus, among many similar petitions, Cambuskenneth requested confirmation for the annexation of Kinnoul in 1364¹ due to the fact that it had suffered from war, while in 1414, Lindores seeking the church of Criech made a similar plea on account of the turbulent state of Scotland.² On such grounds, the Papacy is found confirming and consenting to further appropriations, the weakness of the Papacy in this respect further undermining the position of the bishops.

Nevertheless, bishops themselves were not far behind in allowing new annexations on account of war and sufferings experienced by religious corporations, and the concern which thirteenth century bishops had manifested for parochial incumbents has largely vanished by the fourteenth century. Thus, when the bishop of St. Andrews consented in 1350 to the annexation of the vicarage of Monifieth to the abbey of Arbroath "*quasi in maris litore situata ex frequenti . . . navigii Anglicani incursu difficile reparabiles passa sit/*

1. CPP, I. 475.

2. Ibid., 601.

sit ruinas", the only provision made for the service of the cure was for a perpetual chaplain with a stipend of ^{ten} marks with manse and garden.¹

Other examples of war and its after-effects being made an excuse for further appropriation could easily be cited and instances such as that of the church of Fossoway united to Coupar Angus² for this ostensible reason could be duplicated from almost any monastic chartulary. No doubt many of the tales of sorrow were true but their very frequency often raises doubts, while if such conditions were authentic, they were none the less true of the parish churches themselves which now having suffered the ravages of war were to be further denuded of their revenues.

Moreover, the case of Monifieth, of which the vicarage was annexed to Arbroath in 1350, not only illustrates why annexations were taking place in this period but also highlights the fact that as unannexed churches became fewer and fewer, recourse had/

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1. Aberbrothoc, ii. no. 23. The fact that this settlement was most inadequate becomes clear in 1378 when provision was made for a vicar-pensioner with twenty marks (Ibid., ii, no. 36).
 2. Coupar Angus, no. ciii.

had to be made to the annexation of vicarages, if new endowments were to be found. The appropriation of vicarage revenues was not a new phenomenon in the fourteenth century as even in quite early annexations, both parsonage and vicarage revenues had been granted to the appropriating body which was allowed to serve such churches either by chaplains or by vicars pensioner.¹ This trend is initially evident in the erection of prebends² rather than in annexation to religious houses, but even in the latter instance, cases such as the church of Gullane in which the vicar was to receive twelve marks from the canons of Dryburgh³ and that of Simprisk which was to be served not by a vicar, but by a decent chaplain,⁴ are thirteenth century examples of the annexation of both parsonage and vicarage revenues and other examples would not be hard to find.

Nevertheless, in the course of the fourteenth century, a new emphasis came to be given to the whole process and what had previously been enjoyed as an exceptional/

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1. REA, ii, 39-40; Bannatyne Misc., iii.18-19; Calchou, no. 432; Lib. S. Crucis, no. 75.
 2. REA, ii, 39-40; Bannatyne Misc., iii. 18-19.
 3. Dryburgh, no. 40.
 4. Calchou, no. 432.

exceptional privilege came to be the normal appropriation of this and subsequent centuries, as in almost every case of primary annexation both parsonage and vicarage revenues came to be appropriated. Moreover, corporations which already possessed the parsonage revenues of a church came to covet the fruits of the vicarage also and hence, as will be seen,¹ the annexation of vicarages to religious houses is one of the most normal appropriations in the fourteenth century. In other cases, vicarage revenues came to be annexed to prebends within cathedrals² and collegiate churches³, but while those in many respects are much more spectacular than the annexations to houses or institutions which already possessed the parsonage revenues, the latter, it is essential to remember, are much more numerous and important.

In all these proceedings, the bishops, although taking an active part in these processes whereby the incidence of appropriation was considerably heightened, found their hands increasingly tied due to the Papal policy. The sole interest in all these proceedings by/

1. Infra, pp. 91-3

2. Infra, pp. 104-6

3. Infra, pp. 175-6

by the Papacy was to ensure that its own financial interests were safeguarded. The annexation of a parsonage or vicarage to a religious corporation involved the Papacy in no financial loss, however, as through the imposition of the Quindennia, benefices united in perpetuity to ecclesiastical foundations were assessed on the same basis as annates.¹ For this reason, few obstacles were placed in the way of supplicants seeking fresh appropriations and while the practice sprang up that unions confirmed by one Pope which had not yet become effective at his death were rescinded, this was not so much an attempt to limit appropriation, although in certain cases it had this effect, but rather yet another move to benefit the Apostolic Camera.² Papal provisions could, however, prove dangerous to bodies desirous of annexing further churches to their mensas and frequently in the course of the fourteenth and fifteenth centuries, parsons were provided to churches already/

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1. A.I. Cameron, Apostolic Camera and Scottish Benefices, 1418-88, Ixii-iv.
 2. CPL, iv.180; GRH. Vat. Trans., II. no. 6.

already legally annexed.¹ In this way religious corporations could be denied their due, and in at least one instance, that of Kinnoul which had been granted to the uses of Cambuskenneth in 1361, the annexation never became effective due to a combination of Papal provision and failure to make good the annexation before the death of Pope Clement VII in 1394.² Due to these hazards, every inducement was usually offered to the holder of a benefice to resign with a pension on the fruits in order that annexations would become effective with the least possible delay.³

By this period it is abundantly clear that the appropriation of parish churches has now degenerated into a financial struggle between the Papacy and bodies anxious to augment their revenues at the expense of the parishes. Of the consequences of their actions, neither Popes, bishops, nor the institutions themselves, appear to have given much thought/

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1. Cavers annexed to Melrose and Creich annexed to Lindores are both cases in point (Appendix I nos. 184, 234; SSR, I. 6-7; RS.355, Fo. cxlvii^v)
 2. Appendix I. no. 655.
 3. CPL, ix. 452-3.

thought, nor as we shall see¹ was much attention paid to the cure of souls after the initial concern in the thirteenth century for adequate vicarage settlements.

Nevertheless, by the fifteenth century other voices had come to be raised against the evils of appropriation, but even in those protests which will be examined later, significant exceptions to the general condemnations were usually allowed in favour of collegiate churches. The reason for this is not hard to find as it was by virtue of such foundations, the erection of which continued until the eve of the Reformation, that the men of the fifteenth and sixteenth centuries hoped to save their souls. In this period therefore, the emphasis as far as appropriation is concerned is no longer on the religious houses but on the collegiate churches, and to a lesser extent cathedral chapters. All three were, however, very heavily dependent upon appropriated churches for the support of their convents and maintenance of their prebends, and it is to an examination of what part each of those three/

1. Infra, Chapters. vi, xii

three bodies played in the development, increase and eventual downfall of the system of appropriations that we must now turn our attention.

The process of development is described in the following paragraphs of the report. The first paragraph is a general statement, and the second paragraph is a description of the system of appropriations. The third paragraph is a description of the system of appropriations, and the fourth paragraph is a description of the system of appropriations. The fifth paragraph is a description of the system of appropriations, and the sixth paragraph is a description of the system of appropriations.

Along with the religious houses in England were the monasteries and convents. The monasteries were the largest and most important of the religious houses. They were the centers of learning and culture, and they played a major role in the development of the English language. The monasteries were also the centers of the religious life of the country, and they were the main source of the religious services of the country. The monasteries were also the main source of the religious services of the country, and they were the main source of the religious services of the country.

Indeed, in certain cases, the foundation of a religious house appears to have given rise to the parochial/

1. In the medieval religious houses, the foundation of a religious house appears to have given rise to the parochial/

CHAPTER III
MONASTIC HOUSES

I

The process by which the Church in Scotland became a fully integrated part of the Church Universal has been studied in a previous chapter, and it was there noted that in the course of the twelfth century, a diocesan and parochial system, although not without precedent became, for the first time, fully operative while hand in hand with this reorganisation went the foundation of religious houses.¹

Almost all the religious houses so founded were brought into existence during the course of the twelfth and early thirteenth centuries, and as this coincided with the very period in which the parochial system was beginning to take shape, this factor was not without considerable significance both to the religious houses themselves and to the growth of parochial organisation.

Indeed, in certain cases, the foundation of a religious house appears to have given rise to the parochial/

1. Easson, Medieval Religious Houses - Scotland, is the most recent and best authority on the foundation of religious houses.

parochial unit itself. Thus, at Melrose, the abbey church constituted the parish church, the parochial bounds of which were determined by the extent of certain lands granted to the abbey at its foundation.¹ Likewise at Holyrood, the monastery possessed a parochial altar at which the parishioners of the abbey's burgh of the Canongate worshipped², while at St. Bothans also, the church lay "within the precinct of the monasterie of old for nunes."³ Elsewhere a similar position was undoubtedly attained and even at Balmerino where the church and parish were in existence before the foundation of the abbey, all rights in the parish church were eventually bestowed upon the abbey who held, with small exceptions, the whole parish as its property.⁴

Not unnaturally in such circumstances, the parish church and its revenues pertained to the religious in question, one of the religious not infrequently also performing the parochial offices while, in other instances, this was carried out by a hired chaplain. While, however, it is generally correct that parishes, which/

1. Melros, no. 1.

2. Prot. Book of James Young, no. 55.

3. Rep. on State of Certain Parishes, 23.

4. Balmorinach, nos. 4-5, Assumptions, Po. 71.

which contained within their bounds a religious house, had their revenues annexed to that institution, this is not invariably so, and the church of Monymusk, for example, appears to have had no connection with the priory of Monymusk but rather formed a prebend of Aberdeen cathedral.¹

At all events such annexations formed but a small part of the total number of appropriations, and the great bulk of these were to be provided by the bestowal of parish churches which in many cases were far removed from their source of endowment.

Such a method of endowment, by reason of its security, proved attractive to most founders of religious houses. Thus, on the foundation of Lindores, no fewer than ten parish churches were annexed to the abbey by its founder, Earl David.² Likewise, William the Lion was responsible for the donation and subsequent appropriation of a large number of parish churches to his newly founded abbey of Arbroath³, while Paisley was equally well endowed by its founder Walter, son of Alan, steward of Scotland, who granted to the priory/

1. Easson, Medieval Religious Houses, 79; REA, ii.65, 152, 253; Appendix, I. no. 835.

2. Lindores, no. II.

3. Aberbrothoc, I. no. 1.

priory all his churches of Strathgryfe.¹ Such a method of endowment eventually became to be regarded as normal, this being well illustrated in the foundation of Crossraguel in the mid-thirteenth century, as when certain lands and the three churches of Dailly, Straiton and Turnberry were granted to Paisley before 1214 x 16 by Duncan, son of Gilbert, Earl of Carrick, it was on condition that the monks should found a monastery in Carrick to which these churches and the other endowments should pass - a condition which after much litigation was eventually fulfilled.²

No Scottish religious house of any consequence, with the exception of the Friaries which were forbidden to hold teinds,³ eventually lacked an endowment from such a source, although not unnaturally, the numbers of parish churches so annexed varied considerably from house to house, and also from order to order. As might be expected, the earliest foundations reaped the cream of the harvest and most thirteenth century erections have few appropriations made to them,⁴ the solitary/

1. Passalet, 5.

2. Crossraguel, l. no. 2; Easson, Medieval Religious Houses, 56.

3. Mair Bryce, Scottish Greyfriars, i 422, 434.

4. Appendix II. nos. 5, 6, 7, 23, 67, 101, 132 etc.

solitary exception in this respect being Iona which, largely due to its geographical position which tended to exclude possible competitors, was eventually able to annex sixteen parish churches to its own uses.¹ Elsewhere, however, new foundations were liable to find that neighbouring parish churches had already been granted to another religious house, or erected into a cathedral prebend.

Although vast grants of churches and their revenues were made in this early period, however, most ecclesiastical historians have in the past greatly exaggerated the number of appropriations to religious houses, while at the same time seriously underestimating the rate of annexation to cathedral and collegiate foundations. This over exaggeration did of course spring from the lack of a reliable guide to the annexations which actually took place, and more importantly to those which became effective. In other lists names have been duplicated due to misreadings of original texts, while on a slightly lower plane, it soon becomes apparent that arithmetic does/

1. Ibid., no. 68; Inchaffray founded in 1200 and eventually the possessor of fourteen churches is another exception to this rule (Ibid., no. 65).

does not appear to have been a special attribute of many of these early historians.¹ It is to these various reasons that there must be attributed the frequent repetition of figures which have no basis in fact and the equally far-fetched claim that two-thirds of the parish churches of medieval Scotland were in possession of the monasteries.²

The true figure, and it is large enough, is that the religious houses held slightly less than half the parish churches of mediaeval Scotland to their own uses or rather, if it is preferred, approximately fifty percent. of the parishes whose revenues were appropriated were held by the monasteries.³ Most of the churches so held had been acquired, moreover, by the early thirteenth century and this process was virtually complete, as far as the religious houses were concerned, by the close of that century.⁴

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1. The lists supplied by Gordon in his Ecclesiastical Chronicle for Scotland, vol. III or Walcott in his The Ancient Church of Scotland need only be compared with the lists given in Appendix II for the validity of this criticism to be realised.
 2. Stephen, History of the Scottish Church, 1. 301
 3. Appendix no. III.
 4. Appendices I and II.

The houses which held large numbers of parish churches were, moreover, all twelfth century erections. Pride of place in the list of houses holding effective appropriations, falls to the Tironensian Foundations of Kelso and Arbroath. The former finally held the revenues of thirty-seven churches¹ while the latter held no fewer than thirty-four churches² to its own uses. In the case of Kelso, however, the revenues of fourteen of its annexed churches, either wholly or in part, appear to have been devoted to the upkeep of its cell of Lesmahagow.³

Both these foundations had, of course, royal patrons and this goes far to explain their lavish endowment, although in the case of Kelso most of the churches held by the abbey appear to have been granted by individual landowners and not by the crown. Non-royal patrons could in fact be equally generous and Paisley, third on the list with twenty-eight churches⁴ owed most of these to the generosity of its founder, Walter, son of Alan, steward of Scotland.⁵

Equally/

1. Appendix II, nos. 72, 79.
2. Appendix II, no. 4.
3. Appendix II, nos. 72, 79.
4. Ibid., no. 97.
5. Passelet, 5.

Equally large holdings of annexed churches can be seen at Holyrood and St. Andrews where the two Augustinian houses held twenty-five churches each,¹ the latter possibly being so richly endowed because of the fact that its canons formed the chapter of the cathedral. This possibly also goes far to explain the fourteen churches held by the Præmonstratensian canons of Whithorn² who occupied a similar position in that diocese, while between this figure and that achieved by the Augustinian houses of St. Andrews and Holyrood, lie the Benedictine houses of Dunfermline³ and Iona⁴ with eighteen and sixteen churches respectively.

Of the monastic orders so far represented in this list, the Tironensians with one hundred and one churches annexed to five foundations easily top the list, but the Cluniacs with thirty-three churches united to two houses and the Benedictines with forty-eight churches pertaining to four foundations follow very close. The canons regular, in spite of the imposing totals held by the priory of St. Andrews and Holyrood Abbey/

1. Appendix II, nos. 63, 110.

2. Ibid., no. 138.

3. Ibid., no. 38.

4. Ibid., no. 68.

Abbey, are less fortunate with some of their other houses, and although Combuskenneth with thirteen churches and five pendicles,¹ Inchaffray with fourteen churches² and Scone with eleven churches and two pendicles³ are all well endowed, others such as Inchcolm⁴ and Jedburgh⁵ each only possessed six churches and some smaller houses are even less fortunate. Eventually seventeen foundations possessed a grand total of one hundred and twenty-five churches to which might be added eighteen pendicles, most of which appear to have possessed parochial status. The Premonstratensian canons with six houses were even less fortunate than the Augustinians, however, as their foundations could only muster between them, thirty-eight churches of which fourteen pertained to Whithorn⁶ and twelve to Dryburgh.⁷

Nevertheless, all the major monastic orders which were represented within Scotland were, with one significant exception, adequately endowed with parochial revenues derived from appropriated parish churches/

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1. Ibid., no. 14.
 2. Ibid., no. 65.
 3. Appendix II, no. 119.
 4. Ibid., no. 66.
 5. Ibid., no. 71.
 6. Ibid., no. 138.
 7. Ibid., no. 32.

churches . This exception was of course, the Cistercians whose foundations could only muster thirty-seven appropriated churches between the ten houses of their order in existence at the Reformation. The great abbey of Melrose founded in 1136 by David I only possessed the revenues of seven churches,¹ that of Coupar Angus founded by Malcolm IV (1153-64) held six,² while yet another royal foundation, that of Newbattle only had four annexations.³

Moreover, with the natural exceptions of the revenues of the parishes in which the foundation itself lay, almost all the parochial revenues acquired by the Cistercian houses were obtained at a comparatively late date. Thus, of the seven parish churches held by the monks of Melrose, four - Cavers, Mauchline, Ochiltree and Westerkirk,⁴ were not acquired until the fourteenth century, a period which also possibly saw the erection of the church of Ettrick, the waste of which had been granted to Melrose, 1235 x 36.⁵ Indeed, with the exception of the parish of Melrose itself/

1. Ibid., no. 90.

2. Ibid., no. 20.

3. Ibid., no. 94.

4. Appendix I. nos. 184, 802, 877, 1115.

5. Appendix I. no. 377; Melros, nos. 264-5.

itself, the only parish church to pass into the hands of the abbey of Melrose at an early date was that of Hassendean, the revenues of which were granted to the uses of the abbey by Joceline, Bishop of Glasgow, in 1193/4.¹

This is, moreover, the earliest recorded annexation of a parish church to a male Cistercian house in Scotland, no others occurring until the grant of the churches of Culross and Tullibole to the newly founded abbey of Culross, c. 1217,² this same abbey receiving the further grant of the church of Crombie in 1227.³ About this same period, the churches of Airlie⁴ and Bendochy⁵ had been granted to the abbey of Coupar Angus but, nevertheless, no further grants were made to that house until the fourteenth century. A similar pattern is to be observed in the case of Newbattle where with the exception of the abbey parish itself, no grant was made until that of Heriot in 1285⁶, no further annexations taking place until the fourteenth century.⁷

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1. Appendix I. no. 473.
 2. PSSA, vol. lx. 69-71.
 3. Dunfermelyn nos. 116, 214; Appendix, I no. 238.
 4. Appendix I, no. 28.
 5. Ibid., no. 107.
 6. Ibid., no. 475.
 7. Ibid., nos. 98, 199, 801.

In general this pattern is borne out at the other Cistercian Foundations, and is in marked contrast to the records of the houses of other religious orders. These findings are, however, consistent with the avowed intentions of the order for whereas throughout Western Europe, the Benedictines, Cluniacs and Tironensians were anxious to hold parish churches as part of their endowments, the early Cistercians considered it contrary to their profession to take the revenues of parishes and constantly attacked the other orders for doing so.

Thus in the famous controversy between Bernard of Clairivoux and Peter the Venerable of Cluny, St. Bernard had posed the question:

"What reason or authority has conferred on you the possessions of parish churches, of first fruits and of tithes, since these do not belong to monks, but to clerks by canonical sanction?"

To this, Peter replied that the monks who waited on the divine service day and night had every right to share/

share in the inheritance of the tribe of Levi and while they did not administer the sacraments, they watched over the safety of the greatest part of the faithful. By this and similar reasoning, Peter was eventually able to reach the conclusion that the Cluniacs possessed their churches and tithes, "Freely, justly and canonically".¹

The Cistercians, in spite of such arguments, did, however, hold firm in their beliefs, as far as Scotland is concerned, until the thirteenth century, and even in the course of that century only a very small number of appropriations are recorded. By the following century the zealotness of the order had largely evaporated but, although annexations were now approved and did in fact take place, the opportunity of securing such endowments was no longer so bright as it had been. In the fourteenth century, few donations of parish churches were made to religious houses of any order and although the Cistercians, in comparison to the other orders, appear to have fared reasonably well, it was not a favourable period for large/

1. Migne, Patrologia Latina, 189, col. 141.

large scale annexations due to the changed attitude of lay patrons and the over-all scarcity of churches which, having remained free parsonages, were available for appropriation. In these circumstances it is hardly surprising that the Cistercian houses failed to record a large number of annexations and that other orders monopolised the field of appropriations.

Although St. Bernard objected to the Benedictines and other branches of that order holding parochial revenues, he does not, however, appear to have raised a similar objection to canons regular holding parish churches and possibly even serving them.¹ The First Premonstratensian statutes certainly forbade the possession of "altaria ad que cura animarum pertinet, nisi possit esse abbatia"² but this prohibition was soon dropped and Scottish houses were being endowed with parish churches from the twelfth century onwards³, although in this respect the Premonstratensians/

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1. Lalore, Cartulaires du diocese de Troyes, 1.25, cited Hartridge, Vicarages in the Middle Ages, 17.
 2. 'Les Premiers Statuts', Analectes, ix, 1913, 45; cited Colvin, The White Canons in England, 272.
 3. Appendix I. nos. 187, 712, 732, 813; Dryburgh, 3,4, 194-7.

Præmonstratensians do appear to have lagged somewhat behind the Augustinian canons who from the first appear to have accepted both the endowments and the cure of parish churches.¹

Undoubtedly, however, the canons regular, to whom seclusion was not imperative, were more fitted to hold parish churches than the monastic orders. The possession of such sources of revenue undoubtedly broke the seclusion sought after by the monastic orders and this factor which had possibly been behind the condemnation of the practice by St. Bernard of Clairvaux² was fully appreciated, and the warning reiterated by Adam of Dryburgh who from his experience as a Præmonstratensian was able, after he became a Carthusian, to warn his newly adopted order of the dangers of holding parochial revenues.³ Here again, although not rigidly maintained, the tradition appears to have been strong, and the Charterhouse at Perth, although wealthy, held the revenues of only one parish church, that of Errol.⁴

From/

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1. Dickinson, The Origins of the Austin Canons, 214-23
 2. Supra, p. 77
 3. Migne, Patrologia Latina, 153, col. 821; Bulloch, Adam of Dryburgh, 155.
 4. Appendix I, no. 371; Appendix II. no. 16.

From slightly different motives, the various orders of Friars were actually forbidden to hold teinds¹ and as this prohibition held good, the Friaries do not enter into this general survey. However, the so-called Red Friars or Trinitarians who in their observances were much closer to Augustinian canons, to whose rule, their own had a close affiliation, did hold the revenues of parish churches.² Only three such houses of the order did in fact hold such revenues, that at Peebles holding the church of Kettins,³ the house of Scotlandwell, the churches of Carnock⁴ and Moonzie⁵ and that at Fail, the revenues of five parish churches.⁶

By such small increments, however, the total number of appropriations was constantly swollen and the military orders and hospitals, although not lavishly endowed from such sources, all made their contribution to the ever increasing number of annexations. The military orders of the Knights Templars and the Knights Hospitallers, which with the suppression of the former order/

1. Supra, p. 69

2. Bain, Notes on the Trinitarian or Red Friars in Scotland (PSSA, x (1887-8), 26-32).

3. Appendix I no. 541.

4. Ibid., no. 174.

5. Ibid., no. 838.

6. Ibid., nos. 93, 428, 511, 1049, 1072.

order at the beginning of the fourteenth century, and the passing of its possessions to the Hospitallers, became centred at Torphichen accounted for yet another seven churches.¹

Hospitals, in the main, were even less well endowed than this, the majority evidently possessing no parochial revenues while those which did such as Kincardine O'Neil and Soutra with six churches apiece², or Rathven and St. Germain's with three churches each,³ eventually fell prey to the rapacity of other appropriating bodies. Thus, Kincardine O'Neil⁴ and Rathven,⁵ each with their annexed churches, were erected into prebends of Aberdeen cathedral in 1330 and 1445 respectively - a distinction also achieved by Turriff and its annexed church in 1412.⁶ Likewise Soutra, with its churches, was itself annexed to Trinity College, Edinburgh, in 1460⁷, while St. Germain's with its churches was united to the University of Old Aberdeen, later/

1. Appendix II, nos. 131, 133.

2. Ibid., nos. 75, 124.

3. Ibid., nos. 103, 116.

4. Appendix I, no. 632.

5. Ibid., no. 929.

6. Ibid., no. 1090.

7. CCM, 58-61.

later King's College in 1495/6.¹ In most of these cases, the hospital was not extinguished by these unions² but, nevertheless, the major part of their previous revenues were subsequently diverted to other purposes and institutions.

Hospitals with lesser endowments suffered in a similar fashion. Polmadie and its annexed church of Strathblane was initially erected into a prebend of Glasgow cathedral in 1427/8, but this was eventually extinguished and the hospital and its church were united to the collegiate church of Dumbarton in 1453/4.³ Other hospitals quietly disappear from record, and their endowments either assumed the position of a free parsonage, as at Rothes, the church of which had been united in the thirteenth century to the hospital of St. Nicholas (Boharm)⁴, or in other cases, as with Duns⁵ and Ellen⁶ which had at one time been united to the hospital of Duns, became annexed to other foundations.

Due to these processes, it is scarcely surprising that/

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1. Fasti Aberd., no. 4.
 2. Easson, Medieval Religious Houses - Scotland, 148, 153, 155, 157, 159.
 3. Appendix I, no. 1035.
 4. Ibid., no. 955.
 5. Ibid., no. 332.
 6. Ibid., no. 369.

that although a dozen hospitals had, at one time or another, enjoyed the revenues of twenty four churches, in certain instances both in parsonage and vicarage, along with the fruits of the vicarage of Hailes, the number of annexations fully operative at the Reformation had fallen to two churches and one vicarage.¹ Thus, the hospitals of Ednam and St. Anthony, Leith, continued to hold the parsonage of Fala² and the vicarage of Hailes³ respectively, while the hospital of Trailltrow⁴ held the revenues of the parish church of the same.

The female religious houses also enjoyed their share of parochial revenues although this once again never reached very great proportions, the priory of North Berwick with its five annexed churches⁵ being the most lavishly endowed in this respect. Strangely enough, however, while, as has been noted, the male Cistercian houses were doubtful over appropriation and were slow to obtain parochial revenues from annexed churches, this backwardness does not appear to have characterised the nunneries of the order.

Eventually/

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1. Information derived from Appendix II, nos. 8, 41, 47, 75, 78, 102-3, 116, 118, 124, 134-5.
 2. Appendix I, no. 384.
 3. Ibid., no. 466.
 4. Ibid., no. 1076.
 5. Appendix II, no. 95.

Eventually, fifteen churches were annexed to six priories of the order¹, and all of those had been granted during the course of the twelfth and the early thirteenth centuries at which period, the male foundations were only beginning to seek the appropriation of parish churches. In this instance, however, comparisons cannot be drawn between houses of the Cistercian order and those of other orders as the only other nunnery to possess annexed churches was the Augustinian priory of Iona which held the revenues of two parish churches to its own uses.²

Whether the number of churches possessed was large or small, however, the total number of annexed churches held by religious houses was constantly swollen by such additions. In this fashion, monastic houses contributed to the general building up of the system of appropriation which in time was to reach such enormous proportions that the structure of the medieval Church in Scotland was to be finally undermined.

1. Ibid., nos. 18, 43, 48, 61, 95, 115.

2. Ibid., no. 69.

ii.

The above survey gives a reasonably clear picture of the incidence of appropriation as far as the monastic houses were concerned, while at the same time attempting to differentiate between the numbers of parish churches held by the various branches of the monastic orders. It now remains to complete this survey by examining the motives which underlay the granting of parochial revenues to monastic houses, the changing fortunes of these foundations, as far as annexations were concerned, and the constant struggle which had to be waged in the face of other competitors for these valuable endowments.

As far as motives were concerned, it has been observed previously¹ that such a method of endowing religious houses was advantageous to both recipient and donor and it is this identity of interest which largely explains the vast number of annexations which took place in the twelfth and thirteenth centuries. Economic motives are especially evident on the part of the recipients but it is obvious that the spiritual value of such donations was very much in the minds of/

1. Supra, pp. 46-8

of the patrons who granted their churches to religious houses. Early grants are almost invariably couched in spiritual terms and there is little reason to doubt the sincerity of the motives which prompted such gifts. Thus, the church of Craigie was granted to Paisley by Walter Hose for the salvation of the souls of his father and mother,¹ while the grant of Carmunnock to that same house by Henry, son of Anselm (c. 1180) was accompanied by the request that he and his wife should be interred in the monastery.² Likewise the church of Wemyss was granted to the hospital of Soutra by John de Methkill (c. 1239) for the sustenance of the poor and the safety of his soul and that of Earl Duncan.³ This belief in the spiritual efficiency of prayers for the dead offered up by the religious, goes far to explain the vast grants made to religious houses in the twelfth and thirteenth centuries, and it is noteworthy that by the later middle ages when the prayers of the secular clergy were considered to be more effective than those of the religious, endowments which would previously/

1. Passelet, 231-2.

2. Ibid., 105-106.

3. CCM, 13.

previously have been granted to monastic houses were being given to secular colleges.

As noted in a previous chapter,¹ however, it is difficult due to the inexactitude of terminology to determine in many cases what rights were being conveyed to a religious house by many of these early grants. Indeed, in certain cases, the original benefactor obviously meant only the patronage of a benefice to be exercised by a religious house, which should have been more fitted to use such a right than a layman. In such instances the donor himself was not responsible for the alienation of parochial revenues as it was frequently the later actions of the religious houses themselves, aided by sympathetic bishops, which resulted in appropriation taking place. This was the case in the annexations of the churches of Rossie² and Leuchars³, while a similar process is seen at Kennoway, the church of which was only converted to the uses of the priory of St. Andrews in 1240 although the original grant by Merleswanus, son of Colbanus, had been confirmed by Richard, Bishop of St. Andrews, 1163 x 67.⁴ A corporation did not, however, always succeed/

1. Supra, p. 41
2. Appendix I, no. 953.
3. Ibid., no. 736.
4. Appendix I, no. 540.

succeed in converting such a grant to their own advantages and thus, although the parish church of Melville was granted to Dunfermline by Golfrid de Malevin (1177 x 88) and confirmed by Hugh, Bishop of St. Andrews, it is clear from various thirteenth century confirmations that the patronage alone was involved in the initial grant, and while this continued with the abbey, the church remained an independent parsonage, as it did at the Reformation.¹

While it is true, however, that in certain instances, patrons were only thinking in terms of conveying a right of presentation to a religious house, it is possibly correct to assume that in the vast majority of cases, it was intended that the foundation to which the grant was made, should convert the revenues of the church to their own uses. Where this was the case, economic motives, even on the part of the donors is obviously well to the fore, but the prevailing sanctity which underlay early grants must also be borne in mind.

If/

1. Ibid., no. 811.

If, however, the ostensible reasons for granting a church to a religious house in the twelfth and thirteenth centuries were essentially spiritual the phraseology had undergone a rapid transformation by the fourteenth century, and economic necessity was very much to the fore. Thus, because of war, the vicarage of Greenlaw was granted to the uses of Kelso (c. 1316),¹ while Cambuskenneth was allowed to convert all the fruits of Crathie church in 1347 due to the calamities which had befallen the abbey.² Likewise, the church of Creich was annexed to Lindores in 1414 by Benedict XIII because the abbey had its buildings ruined and rents diminished by reason of the nearness of the wild Scots.³

Economic necessity had now become uppermost as far as the religious houses were concerned, and it is upon such grounds that further pleas for annexations of parish churches are almost invariably made. Indeed with the cessation of grants of any great extent, the acquisition of more churches in proprios usus was the only possible solution to a poverty intensified by improvidence, inflation and the ravages of war.

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1. Calchou, no;309.
2. Cambuskenneth. no. 67.
3. GRH. Vat. Trans.II.no. 63; CPP, 1. 601.

It was at this period likewise, that with the relative scarcity of new donations of parish churches which might be appropriated or the limited field in which existing patronages might be converted to the uses of the religious houses, that the rate of vicarage annexations began to rise steeply.

Vicarages had of course been annexed to religious corporations before the fourteenth century, and the original appropriation often included both parsonage and vicarage revenues, provision being alone made for a stipendiary vicar.¹ Nevertheless, the vicarage system as a whole would appear to have stood firm until the dual effect of the Schism and the Wars of Independence brought forth a spate of vicarage appropriations which were to continue unchecked until the Reformation.

From the fourteenth century onwards the records are full of vicarage annexations either sought or confirmed. The monastic houses figure largely, although by no mean exclusively, in these grants due, as/

1. Calchou, no. 432; Lib. S. Crucis, no. 75; Reg. of Greenfield, v. 59n.

as has been shown, to the ravages of war and lack of fresh endowments. Thus, in 1421, Iona petitioned to annex to itself three perpetual vicarages¹ while Kilwinning had received the vicarages of Beith and Kilmarnock in the late thirteenth century.² Likewise in 1399 and the early years of the fifteenth century, Arbroath made a determined effort to annex the vicarages of Fyvy, Inverness, Monifieth and Tarvas, of which it already held the parsonages, and of which the vicarages had already been the object of the abbey's attentions during the course of the fourteenth century.³ In this instance Fyvy and Monifieth appear to have had their vicarages annexed,⁴ although not without some difficulty, while Tarvas and Inverness continued to be served by vicars-perpetual,⁵ although, in the latter case, the vicarage fruits appear to have been divided between the abbey and the vicar for a short spell in the 1430's.⁶

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1. SSR, I. 271-2.
2. CPL, II. 310-11, 383. Theiner, Vet.Mon., nos.cccclxxxvii, diii.
3. Aberbrothoc, i. nos. 234-5, ii.no.23; GRH, Vat. Trans.II nos. 11, 87; RS.248, Fo.207 ν ; Ibid., 268, Fo.127 ν ; Ibid., 295, Fo.93; Ibid., 304, Fo.45.
4. Appendix I, nos. 426, 827.
5. Ibid., nos. 520, 1056.
6. RS. 248, Fo. 207 ν .

In the fifteenth century in the face of strong competition from the Collegiate churches, the movement continued apace and Kelso is found attempting to annex to itself the vicarages of Selkirk and Innerleithen, although the attempt to appropriate the latter appears to have been unsuccessful.¹ Elsewhere the vicarage of Aldcambus was sought by Coldingham in 1444 on account of war and diminution of income², and such cases could be multiplied time and time again. These unions, moreover, were undoubtedly much more numerous than the otherwise much more spectacular grants of vicarages to corporations or institutions, other than the body who held the parsonage revenues and which are so frequently cited as typical vicarage annexations.

The value of such endowments to monastic houses undoubtedly increased as time went on, moreover, as not only could this type of grant be increased by annexation of the vicarage revenues, but likewise in a period of inflation the value of the teinds was much more sensitive to rising prices than rents which could only be adjusted slowly. Nevertheless, although the/

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1. Scottish Benefices, 123; CPL, ix. 452-3; Ibid., x. 310; Appendix I. nos. 503, 992.
 2. CPL, IX. 471-2.

the revenues obtained by the appropriation of parochial revenues were possibly more valuable than temporal revenues, little distinction was made in practice between the two, and it is obvious that the revenues obtained from the parishes was simply a form of wealth which could be exchanged, if necessary for a more convenient endowment, just as two pieces of land might be similarly exchanged. In this way the canons of Holyrood in 1316 compounded for a pension of sixty-five marks and twenty pence due to the abbey of Newbattle as the abbey's tenants of salt works in the Carse of Callendar by making over to Newbattle, the church and church land of Bathgate and the teinds of the land and salt works of Preston.¹ In other instances, churches might be exchanged as in the case of the church of Carrington which in 1356/7 was exchanged by the canons of Scone for the revenues of Blairgowrie, the church of which was nearer the abbey, and situated in the lands of which it possessed the temporal lordship.²

Not unnaturally such a valuable source of endowment/

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1. Newbattle, no. 161.
 2. Scone, nos. 174-6, 185.

endowment was a fruitful source of litigation and disputes over annexations were very frequent, both between religious houses themselves, and between religious houses and laymen who frequently attempted to recover patronages which they felt to have been unjustly alienated by their predecessors.¹

In certain instances disputes arose out of the division of teinds rather than over/possession of the church itself. In one such case, Dryburgh and the Priory of May engaged in controversy over the teinds from fishing boats using a stream which separated the parishes of Kilrenny, annexed to Dryburgh, and Anstruther, annexed to the Priory.² This was amicably settled but much more serious was the dispute between the monks of Melrose and the canons of Holywood over certain teinds in the parish of Dunscore. Compositions took place in 1257 and 1264³, which while allowing certain teinds to Melrose maintained the existing appropriation. Nevertheless, by the Reformation period, half the fruits of the church/

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1. CPL, xii, 435; Melros, nos. 457-8, 518; GRH. Vat. Trans. II, no. 81.
 2. RPSA, 395-6; Dryburgh, no. 192.
 3. Melros, nos. 320-1.

church pertained to Melrose, the residual teinds remaining with Holywood.¹

In many cases, however, disputes took place over possession of churches themselves. Nor was this really surprising, as many such actions were but a projection of lay patronage disputes. Indeed, in the eleventh and early twelfth centuries such disputes were frequently settled by the lay disputants surrendering their claims to a religious house.

In this fashion the church of Aberchirder was granted to Arbroath (1203 x 14) by William the Lion, Gilchrist, Earl of Mar and Brice, Bishop of Moray, each of whom gave all right which they had in that church to the abbey.²

On occasions therefore, it is hardly surprising to find that conflicting grants had taken place which resulted in litigation between the recipients. Thus, in the case of Lessudden and its associate chapel of Newton which had been granted to Dryburgh, 1153 x 61³ and confirmed to the uses of the abbey by Joceline, Bishop of Glasgow, c. 1175,⁴ a dispute broke out almost/

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1. Melrose Regality Records, III, 202-11; Assumptions, Fo. 208.
 2. Aberbrothoc, 1. no. 100.
 3. Dryburgh, nos. 53-5, 253.
 4. Ibid., nos. 56-7.

almost immediately between Dryburgh and the abbey of Jedburgh over the church and its associate chapel.¹ The result was a composition to the effect that Dryburgh should continue to hold the mother church while the chapel, which was apparently to achieve parochial status, was to pass to Jedburgh.²

Not all disputes could be settled so amicably, however, and more often than not, the more powerful house carried the day, this being well illustrated in a fifteenth century dispute over the church of Errol, in which the abbey of Coupar was forced to cede its rights in that church to the Charterhouse at Perth, which had royal backing for its claim.³

Laymen likewise entered into litigation with the religious houses over what they considered to be unjust grants, and at Errol, not only were the rights of the Charterhouse resisted by the abbey of Coupar⁴, but also challenged by the family of Hay, lords of Errol who claimed the patronage of the church had been unjustly alienated by James I.⁵ This attempt was also unsuccessful although the patronage of/

1. Ibid., no. 62.
2. Ibid., no. 63.
3. Appendix I. no. 371.
4. Coupar-Angus, no. cxxxii.
5. Errol Charters, no. 54.

of Turriff was eventually received in compensation in 1450.¹

On other occasions, the conflicting rights of religious houses and lay patrons could become even more inextricably mixed, and a classic instance of this is afforded at Tarbolton in which three conflicting claims had to be resolved. Here in 1335, John de Graham, Lord of Tarbolton had granted the patronage of the church to Robert de Graham of Walston, but subsequently in 1337/8 transferred the patronage to Fail, only to revoke this later grant, on account of fraud, in 1343/4, it then being reconfirmed to Robert de Graham, who in 1342 had already bestowed the patronage upon Melrose. In spite of resignations, the grant of John de Graham to Fail was confirmed by John Stewart, Earl of Carrick in 1368, but nevertheless, when the parsonage became vacant in 1404, possession of the patronage was disputed by John Stewart, Fail and Melrose, all of whom accepted the King as their procurator in 1414, the verdict eventually being given in favour of the Stewarts of Darnley.²

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1. Antiqs. Aberd. and Banff. ii. 343-3.
 2. Appendix I. no. 1054.

This decision is in many respects symptomatic of the change which had occurred in the fortunes of the religious houses after the Wars of Independence. Lay patrons no longer favoured appropriation to religious houses as it undermined their rights in a way in which annexation to a cathedral or college prebend did not, since in such cases the patronage of the prebend was more and more frequently retained by the lay patron. Hence the passing in 1471 of an act to the effect that "na unyownis nor annexacionis maid now of the lqt sen our soverane lorde tuk the crowne be of strenth valew nor effec nor be sufferit withtin the realme" with the significant exception unless they were "to be unyit to secular collegis foundit or to be fundit."¹

The failure of the lay patron to make good their case over the church of Errol is a special case, due to the special interest of the King in the endowment of the Charterhouse, but even in this instance justice was eventually done by the lay patrons by the granting of the patronage of Turriff by way of compensation.²

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1. APS, II. 99.

2. Supra, p. 98

It is in fact becoming increasingly evident in the fourteenth and fifteenth centuries that annexations to religious houses could not take place without the active co-operation of the lay patron. Thus, although the church of Kirkmahoe was granted to Arbroath by Robert I in 1321¹, and confirmed to the uses of the Abbey by John, Bishop of Glasgow in 1325,² this never appears to have become effective due to the opposition of the lay patrons, the Stewarts of Dalswinton who had won their case before 1416.³ Thirteen years later, the church was erected into a prebend of Glasgow cathedral at the instance of Mary Stewart, Lady of Dalswinton, with whose descendents the patronage of the prebend remained at the Reformation.⁴ This case in itself illustrates the new trend. Patrons did not necessarily dislike appropriation when control of the benefice remained within their own hands but as this, at the best, could only apply to the patronage of the vicarage when the appropriating body was a religious house and even this only happened infrequently,⁵

patrons/

1. Aberbrothoc, l. no. 279.

2. Ibid., l. no. 281.

3. GRH, Vat. Trans. II. no. 81.

4. Appendix I. no. 686.

5. Hartbridge, Vicars in the Middle Ages, 96

patrons ceased to grant the patronages of churches to religious houses. By the fifteenth century such grants had virtually ceased, and those which are recorded usually have some special circumstances surrounding them. Thus, although the church of Longcastle was granted to the Priory of Whithorn in 1431¹, and united to the capitular mensa by Alexander, Bishop of Galloway in 1433/4,² the donor was in this instance Thomas, Prior of Whithorn. Equally interesting was the reason behind the appropriation which is marked contrast to early annexations intended solely for the maintenance of a religious house and its inmates, as in this case, the fruits of the annexed church were to be set aside for a specific purpose. In short, Thomas wished to build and found a chapel to the Blessed Virgin Mary, in which the canons of Whithorn were to celebrate the priors obit each year, and each priest was to celebrate one mass for his soul in perpetuity. It was in order to safeguard this position that the church was granted, and in order to ensure that the fruits were so disposed, a further stipulation was that the fruits/

1. RS. 268. F5. 241V

2. Vaus of Barnbarroch Papers (GRH), 10th January, 1433/4.

fruits were to be given to the celebrating canons immediately after the saying of the mass.¹ This grant therefore, is very similar to grants being made by lay patrons to collegiate churches and in its specific directions is in marked contrast to the generalities of early grants by which the donor granted a church for the safety of his soul and others, without normally specifying what steps should be taken to carry out these wishes.

Even where a religious house did succeed in obtaining a grant of a parish church in the years following the Wars of Independence, its difficulties were by no means over, and the conversion of the patronage of such a church into a grant in proprios usus was fraught with dangers. Melrose, which obtained a grant of the church of Magna Cavers as early as 1358² only succeeded in fully implementing this union in 1419,³ while Cambuskenneth, which had been granted the church of Kinnoul in 1361 by Robert Erskine of that Ilk and lord of the barony of Kinnoul, was engaged in constant litigation over its rights in that church from the period/

1. RS. 268, Fo, 130V.

2. Melros, nos. 462-7.

3. CPL, vii. 127; Ibid., xii, 277.

period of the initial grant right on until the sixteenth century, when the abbey appears finally to have been forced to cede its rights in the church.¹

Similar cases could be cited, such as that of Yetholm which had its patronage granted to Kelso by William of Hawdene, Lord of Kirkyethame, c. 1406, and which for a time was exercised by the abbey, but was, nevertheless, lost to a lay patron by the end of the fifteenth century.² Indeed, only where lay interests were protecting those of the religious houses could these foundations hope to profit by new benefactions.

Moreover, even certain old donations appear at times to have been in jeopardy. Thus, although the churches of Kilfinan and Inverchaolain had been granted to Paisley and Fail respectively in the mid-thirteenth century,³ an attempt was made in 1465 by John Lamond to recover the patronages of these churches on the grounds that a guardian of one his progenitors, then a minor, had unlawfully alienated these two churches.⁴

The/

1. Appendix I. no. 655.

2. *Ibid.*, no. 1134.

3. *Passelet*, 132-4; *CPL*, xii. 435.

4. *CPL*, xii. 435.

The plea was unsuccessful but, nevertheless, illustrates the change of climate which had occurred as far as the religious houses were concerned.

Not only laymen were engaged in such disputes, however, and bishops whose predecessors had been so largely instrumental in effecting initial unions to religious houses came in the fifteenth century to be competitors for the monastic endowments. The bishops of Argyll were in constant litigation over certain churches held by the abbey of Paisley within their diocese, and the fruits of Kilcalmonell, Kilfinan and Kilkerran¹ were frequently being sequestrated, on one pretext or another by the bishops, Kilkerran at one time being accounted as lying within lay patronage.²

On the whole, however, bishops while attacking further appropriation by religious houses were only doing so in order that they might in turn exploit such sources of revenue to their own advantages. Thus, although the Pope in 1450/1 at the request of Bishop Kennedy of St. Andrews revoked all unions of secular/

1. Passelet, 140-4, 145-7, 152-6.
2. CPL, xii. 173.

secular benefices to monastic houses in his diocese, where they had not yet taken effect, it was in order that those livings might be made available for poor clerks studying at the University.¹ This, while not an appropriation, would have very much the same results as far as the parish was concerned, as the rector would be an absentee, and the parochial duties would be undertaken by an underpaid vicar.

In another instance, the Pope in 1456 revoked the commenda, which the bishop of Dunkeld held of the parish church of Kirkinner in Galloway, on the grounds that "so many parish churches, wont to be governed by secular clerks, have been united in perpetuity to monasteries and other regular places of the said diocese of Whiteherne that few now remain to be collated to such secular clerks."² Nevertheless, this had not prevented the bishop of Galloway only a few years earlier from making a determined effort to have the church annexed to his own mensa³, nor did it prevent the eventual appropriation of the church to the Chapel Royal at Stirling in 1503/4.⁴

One/

1. Theiner, Vet. Mon., no. dcclx.

2. CPL, XI. 113-14.

3. RS. 441, Po. 254v.

4. RMS, II. no. 2760; Reg. Cap. Reg. Striv., nos., 4, 6-7, 9.

One other danger which religious houses, as appropriators of parish churches, had to safeguard against was that of small dependent chapels obtaining full parochial rights, as such a state of affairs not unnaturally led to serious diminution of income. This was a constant problem from the earliest days, and cases can be cited of chapels obtaining full parochial status at quite an early period. In this way, Keith-Marischal obtained its freedom from Keith-Hundeby shortly after 1176¹, while a thirteenth century dispute between Kelso and the Knights Templars resulted in the creation of the parish of Maryculter, the revenues of which were, however, annexed to the Templars.²

On the whole, however, such dangers were minimised by a rigid control over chapel erection, and if a concession was granted, it was inevitably hedged with many conditions designed to retain the relationship with the mother church. Typical of such a concession was the permission accorded by the monks of Kelso to William, son of Patrick, Earl of Dunbar/

1. Calchou, nos. 95-7.

2. Ibid., nos. 13, 22, 223, 233; REA, 11. 288-93.

Dunbar and his wife, Christina, that they might celebrate divine worship in their own chapel within the parish of Maxton under the proviso that the oblations at Christmas, Easter and Peter's and Paul's day should pertain to the mother church, as should the sponsals and baptismal dues, while the chaplain, celebrating within the chapel was to promise to be faithful to the abbey.¹ In all such agreements, the almost invariable condition was that the Easter mass should be celebrated in the mother church,² the spiritual and financial links between the matrix ecclesia and its membrums being thus retained.

In general, such provisions appear to have been maintained in the early period, and although chapels do attain parochial status they seldom achieve complete independence in the way in which Keith-Marischal became a free parsonage.³ Thus, although three chapels within the parish of Wiston - Roberton, Symington and Crawford John, obtained parochial status in the course of the thirteenth century, only the last managed to free itself/

1. Calchou, no. 239.

2. Ibid., no. 207.

3. Supra, p. 106

itself from the control of Kelso, to which Wiston pertained, and became a fully independent parsonage in lay patronage.¹

Few chapels appear to have attained parochial status in the early centuries in the face of opposition from religious houses, and even in the fifteenth century the prior of St. Andrews could make an energetic protest to the effect that he and his convent should receive no detriment from the new parish church which the burgesses of Cupar had rashly and contumaciously begun to erect without the consent of the prior and convent to whom the parish church was appropriated.²

Nevertheless, it is obvious that in this respect, as in others, the religious houses were far from being as secure, as they had been previously, by the time of the fifteenth century. This is seen in the case of Auldcathy, which in origin was a private chapel allowed certain rights by the Priory of St. Andrews, to which its mother church of Linlithgow pertained from the early twelfth century. By the fifteenth century, the chapel appears to have attained parochial status, however/

1. Calchou, nos. 333-7, 339, 346, 433; SSR, II. 16.
 2. NLS. MS. 15.1.18, no. 95.

however, and by 1431 the patronage was in dispute between the canons and Sir Robert Lauder of the Bass. On the death of Lauder, his claim passed to three grand-daughters, and the next fifty years saw a series of conflicting claims to the patronage between the priory, the Crown and James, Lord Hamilton, which was finally resolved in 1483/4 by the appearance of Sir Robert Lauder of the Bass as rightful patron of the now independent parsonage, the priory's claim being totally extinguished.¹

The laird of Bass was also instrumental in the disjunction of the island of the Bass from the parish of North Berwick, and the erection of its chapel of St. Baldred as the parish church of the Bass, c. 1493. This was occasioned by a dispute between the laird of Bass and the prioress of North Berwick, to which the parish was annexed, over the ~~F~~at of wild birds, and once again the secular arm won the best of the argument, the parish kirk in the Craig of Bass being consecrated and dedicated in 1542.²

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1. Appendix I. no. 74.

2. Ibid., no. 96.

As the fifteenth century proceeded, lay influence over the parochial revenues held by the religious houses was increased by the spread in the practice of setting in the tack, the bulk of their revenues which, due to marked hostility, were becoming increasingly difficult to collect. By the sixteenth century, the process was well under way, the practice becoming almost universal and the tacksman a familiar figure.¹ At the same time, the number of lay commendators was increasing and the slow secularisation of the abbeys had been set in motion. On the eve of the Reformation, the practice of leasing churches appropriated to religious houses was almost universal. Thus in the case of the church of Alveth, annexed to Coupar Angus, all the revenues were leased to Sir Walter Ogilvy and his spouse, Dame Alison Hume, in the following terms:

"All and haleoure teind schawis, fructis, rests, offerandis, and emolumentis of oure parochie kyrk of Alweycht, baith parsonage and vicarage, with the pertinens, by and within the diocye of Abyrdeine for all the/

1. R.K. Hannay, *Scottish Church Lands at the Reformation* (SHR, vol. XVI (1918), 52-89).

the dais and termes of nyntene zeiris . . .
 The saidis Walter . . . payand thairfor
 zeirly to us the somme of threscor fourtene
 pundis . . . togidder with ten pund zeirliche
 to the vicar pensionar with his glebe and
 manse . . . "1

Such leases could be duplicated many times over and gradually the revenues of the annexed churches fell increasingly into the hands of laymen who not unnaturally began to covet all the profits for themselves. Indeed, by the period of the Reformation, the revenues of parish churches had fallen increasingly into the hands of laymen, either by virtue of such leases, or through the appointment of lay commendators. The wheel had come full circle, the titular of the teinds is often styled rector², and the proprietary church, the downfall of which had previously heralded many of the annexations of churches to religious houses, was for a short period to once again reign supreme.

Due to this process of secularisation, the legacy of/

1. Coupar-Angus, II. no. v.

2. Prot. Bk. of James Nicolson (GRH), Fo. 32^b.

of appropriations made to monastic houses was to remain with the reformed church for many years after the Reformation. In the four hundred years before this event, however, the scope of the annexation of parish churches and their revenues to such foundations was to be of supreme importance in both the history of the parishes and the monastic houses themselves, the fortunes of the latter being intimately associated with the numbers of parsonages and vicarages which they could acquire. Monasteries were not, however, the only part of the ecclesiastical framework largely dependent on such sources of income, and it is to these other institutions which proved to be formidable competitors for the revenues derived from parochial sources, that our attention must now be turned.

CHAPTER IV

BISHOPS AND CATHEDRAL CHAPTERS

The cathedrals of Scotland were, with the exceptions of St. Andrews and Whithorn, corporations of secular canons who, being free of the vows taken by their regular counterparts, were entitled to hold personal property and consequently, either corporately or individually, could hold the revenues of annexed parish churches.

Of the two exceptions, Whithorn, the seat of the bishop of Galloway, possessed a chapter of Premonstratensian canons, while that of St. Andrews was composed of Augustinians. The appropriation of parish churches to either of these cathedral churches is therefore more closely associated with annexations to religious houses, since individual prebends, which frequently derived their income from a parish church or churches, were not a feature which normally existed at either of these cathedrals. Moreover, little similarity exists between the churches held in common by secular chapters and the churches annexed to the priories of St./

1. Appendix I, no. 7.
2. *Ibid.*, no. 901.

St. Andrews and Whithorn. In one case, the revenues derived from common churches were divided on a pro-rata basis amongst those of the secular canons who had fulfilled certain residential qualifications, while in the other, in which residence was in any case normally obligatory, individual allowances on the basis of churches held in common did not occur, the total revenues of the cathedral, irrespective of its source being held in common. Certain exceptions did exist, however, and at monastic, as at secular cathedrals, churches were on occasions granted for a specific function associated with the cathedral itself. In this way the church of Abercrombie was granted to the priory of St. Andrews in 1319 for the lighting of the High Altar,¹ while that of Inchtute, granted to the priory, c. 1358 by William de Landel, Bishop of St. Andrews, was to have its fruits devoted to the fabric of the cathedral.²

Certain other analogies between monastic and secular cathedrals do exist, however, and both at St. Andrews and Whithorn individual prebends were held/

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1. Appendix I. no. 7.
 2. Ibid., no. 501.

held by the respective archdeacons. St. Andrews possessed two archdeaconries by the mid-twelfth century¹, and churches appear to have been appropriated to them, by way of a permanent prebend annexed to their office, during the course of the thirteenth century. The church of Tarvit was annexed to the archdeaconry of St. Andrews by William Malvoisin, Bishop of St. Andrews, (1223 x 38),² this being exchanged for that of Kinneff in 1363³, and to which at some later date, Rescobie appears to have been conjoined;⁴ while the church of Currie had been united to the archdeaconry of Lothian before 1296.⁵

Whithorn did not prove so fortunate, and although the archdeaconry was in existence before 1174⁶, an attempt to provide the church of Kells as a permanent endowment for the archdeaconry of Galloway, c. 1320,⁷ proved to be unsuccessful, and it was not until c. 1425 that the church of Penninghame, half the fruits of which/

1. Lawrie, ESC, nos. 162, 225, 256.

2. Appendix I. no. 1057.

3. Ibid., no. 647.

4. Ibid., no. 939.

5. Ibid., no. 256.

6. Lib. S. Crucis, 42.

7. Appendix I. no. 535.

which had been united to the archdeaconry in 1410, was successfully annexed to the archdeacon's prebend.¹

At St. Andrews, moreover, the process almost went one stage further, and there appears to have been an attempt in the mid-fifteenth century to introduce dignitaries drawn from the ranks of the secular clergy who would have possessed individual prebends. At least, the office of Chancellor appears in 1452,² while in 1454 it is recorded as a secular dignity in the Augustinian church of St. Andrew, to which was united the hospital of Soutra and its annexed churches.³ The attempt was shortlived, however, and the erection had been cancelled before June, 1462.⁴

While, therefore, the monastic cathedrals are not without their importance in any study of the appropriation of parish churches, their part in that study is due rather to their position as religious houses than to their position as cathedral churches.

As far as cathedrals are concerned, the chief interest therefore lies with the secular cathedral chapters, the foundation of which saw the appropriation of/

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1. Ibid., no. 899.
 2. CPR - Letters, X. 599.
 3. Ibid., X. 164.
 4. Ibid., XI. 447.

of parish churches to these corporations, either as endowments to be held in common or as individual canon's prebends.

Common churches were held by the cathedral chapter as a corporation, and the profits derived from such churches were shared amongst resident members of the chapter. Only full members of the chapter were normally allowed to participate in these benefits, persons who held canonries of an honorary nature, or canons who did not hold prebends being excluded.¹

The provision of common churches varied greatly and ranged from the chapter of Aberdeen which shared in the profits of eleven churches², to the chapter of Dunblane whose only common endowment was the vicarage of Auchterarder³, while the chapter of Lismore appears to have possessed no common churches.⁴ Others were more fortunate, and following upon a papal confirmation of 1255/6, the cathedral chapter of Fortrose gained possession of the revenues of six parish churches within/

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1. REG, nos. 356, 458; REM, 269; Sext. Decret. Lii. i. tit. vi. c. 32.
 2. Appendix II. no. 1(b).
 3. Appendix I. no. 66; Appendix II. no. 35 (b).
 4. Ibid., no. 84 (b).

within that part of the diocese which lay within Argyll and Wester Ross.¹ In 1239, moreover, the bishop of Moray granted the revenues of nine parish churches to the common table of his chapter,² one of these - Arndilly, having been granted between 1203 and 1224 by William, son of William Freskyn, for this specific purpose.³

Where the church was granted by a layman, piety undoubtedly lay behind the grant, but in most instances the motivation in the provision of common churches would appear to have been provided by the bishop of the diocese. This is certainly so at Fortrose, Elgin and Dornoch⁴, and while elsewhere the initial step appears to have been taken by a layman, the form which any gift should take was undoubtedly influenced by bishops whose consent was in any case required. The interests of the diocesan in the provision of an adequate number of common churches were twofold. In the first instance, it allowed individual canon's incomes to be supplemented, but as this was usually conditional on residence, the second and more important/

1. Theiner, Vet. Mon., no. clxxxii; Appendix II no. 53(b).

2. REM, no. 41.

3. Ibid., no. 23.

4. Theiner, Vet. Mon., no. clxxxii; REM, no. 41; Bannatyne Misc., III, 18-20

important factor behind such grants was that it encouraged, or it was hoped that it would encourage, canons to be resident.

Both factors can be discerned in early and late constitutions. At Dornoch, Bishop Gilbert's constitution of 1224 x 45 allocated the revenues of the church of Farr in common to the four dignitaries while resident or employed in the external business of the church, while the church of Skinnet was to be held in common by three prebendaries, each of whom was to have an equal share of the fruits while resident, but if not resident the fruits were to be devoted to the work and ornament of the cathedral.¹ This last provision, and also the allocation of specific churches in common to certain defined groups was not, however, usual, and did not apparently survive at Dornoch itself.²

Much more usual were arrangements whereby the profits derived from common churches were distributed amongst members of the chapter as a whole, this being conditional on certain residential qualifications. At Glasgow, the dignitaries and sub-dean were to reside/

1. Bannatyne Misc., iii. 18-20.
2. Appendix I. nos. 388, 999.

reside for at least six months in the year, while simple canons were to make three months residence if they wished to share in the common fund, and this distribution, after qualification, was to be made on a pro-rata basis.¹ At Kirkwall, the prebendaries were likewise expected to be resident for at least three months, but certain of their number were expected to make continual residence while the dignitaries were expected to be present for the greater part of the year.² Similar conditions were imposed elsewhere, but qualifying limits tended to vary, as did the calculations upon which payment was to be made.

Participation in the common fund did, however, cease to mean very much, inflation having decreased the value of the funds available for distribution while a plurality of benefices offered greater financial attractions. Due to these, and other causes, non-residence by members of cathedral chapters became more and more common. As a means of counteracting this tendency, it was suggested, at Glasgow, in 1454/5 that the communa should be increased by the addition of more common churches.³

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1. REG, no. 341.
2. Records of the Earldom of Orkney, 367-8.
3. REG, no. 377.

At Glasgow itself, this suggestion appears to have been favourably received, and throughout the fifteenth century attempts were made to increase the common fund and rectify the claim of 1429/30 that the daily distribution was so small that none would reside.¹ The attempts to annex further churches were not very successful, however, and while the church of Glencairn was united to the capitular mensa in 1454², and that of Lilliesleaf was reunited in 1479,³ attempts to annex the churches of Glassford and Libberton were both unsuccessful.⁴

Elsewhere, little was done to augment the common fund after the spate of thirteenth century annexations of churches to capitular mensas. Cortachy did, however, become a common church of Brechin cathedral in 1429⁵, while at Aberdeen, three churches - Rothen, Kildrummy and Logie Buchan were added to the number of common churches during the course of the fourteenth century.⁶

In addition to the revenue derivable from
common/

1. REG. no. 377
2. Appendix I. no. 447.
3. Ibid., no. 741.
4. Ibid., nos. 440, 738.
5. Ibid., no. 218.
6. Ibid., nos. 571, 764, 926.

common and prebended churches, however, cathedrals might have associated with them, churches which had been bestowed upon the cathedral for a specific object connected with the maintenance of divine service within the cathedral. Thus, the churches of Dalarossie and Rothiemurchus were granted for the upkeep of the lights of Elgin cathedral¹, while the churches of Daviot and Inverallan were granted for the maintenance of the fabric of the same cathedral.² Likewise, at Dornoch, the fruits of the church of Durness were assigned to provide light and incense for the cathedral.³ The revenues obtained in this fashion appear to have been administered by the bishop, and not by the cathedral dignitaries, and at the Reformation all the above mentioned churches were held to pertain to their respective episcopal mensas.⁴

In other instances, chaplains of a cathedral might be supported from the revenues of annexed churches, as was the case at Elgin from 1331 onwards, the profits of Altyre, Alvie and Birnie being utilised for/

1. Ibid., nos. 260, 958.

2. Ibid., nos. 277, 507.

3. Bannatyne Misc., iii. 20.

4. Appendix I. nos. 260, 277, 337, 507, 958.

for this purpose.¹ Furthermore, at Glasgow the vicarage perpetual of Dalziel was annexed in 1556, for the common benefit of the vicars choral in residence at the cathedral,² while in 1506 an unsuccessful attempt had been made to annex the revenues of the perpetual vicarage of Colmonell for the support of six boys within the choir of Glasgow.³

Nevertheless, important and interesting as these annexations to cathedral churches for specific purposes, or to the capitular mensa to promote residence, might be, it was undoubtedly the appropriation of parish churches either individually or in groups to the prebends of canons of the various cathedral chapters which was to prove most far reaching, both on the organisation of these chapters, and on the incidence of annexations.

The process by which bishops erected their cathedral chapters resulted in the canons of these cathedrals being allotted individual prebends, the revenues of which were frequently, although not invariably, derived from a parish church or churches. At Glasgow which provides the earliest instance of such/

1. Ibid., nos. 38, 42, 117.

2. Ibid., no. 275.

3. Ibid., no. 204.

such a process at work, the first formal erection of a prebend from the revenues of a parish church is the erection of Govan by Herbert, Bishop of Glasgow (1147-64).¹ Nevertheless, it is obvious from other sources that Bishop Herbert was only supplementing the work of his predecessor, John, Bishop of Glasgow, (1118-1147). This becomes abundantly clear in a confirmation by Pope Alexander III on 25th March 1172/3 of the possessions of the dean and canons of Glasgow.² This includes the confirmation of certain prebends, and does therefore give the earliest recorded cathedral constitution in Scotland. Of the seven prebends then confirmed, at least five of those had been erected during the episcopate of Bishop John, and had probably been effected between the dedication of the cathedral in 1136 and the bishop's death in 1147. More importantly, however, three of these five prebends had parish churches associated with them as part of their endowments, the three churches in question being Glasgow, Hamilton and Renfrew.³

This/

1. REG, no. 7.

2. Ibid., no. 28.

3. Appendix I. nos. 441, 469, 937; REG, no. 28.

This tendency towards endowing prebends from the revenues of parish churches continued at Glasgow with the already noted addition of Govan (1147 x 64)¹, while the parish church of Carnwath was erected as a prebend by Bishop Joceline between 1185 and 1187.² It is only at Glasgow that this process can be definitely traced, but it was obviously going on elsewhere. Myln in his Lives of the Bishops of Dunkeld, states that the church of Rattray was assigned as the prebend of the sub-chanter of Dunkeld by Bishop Gregory (1147-69),³ while a sixteenth century account of the foundation of prebends within the cathedral of Aberdeen credits Bishop Edward (-1150-1171) with the foundation of the earliest prebends, but relates that no information is available as to the number and dignity of the canons so instituted.⁴

While prebends were, however, being endowed from the revenues of parish churches during the course of the twelfth century, such prebends were not invariably erected from parochial revenues in this period. At both Glasgow and Dunkeld, it is clear that/

1. Supra, p. 124.
2. REG, no. 53.
3. Myln, Vitae, 5.
4. REA, ii. 251.

that early prebends were being erected from revenues other than those provided by the annexation of parish churches. At Glasgow this can be seen in the confirmation of 1172/3, in which three of the seven existing prebends were maintained from non-parochial sources,¹ while at Dunkeld, six of the early prebends, Ruffel, Coputh, Fongarth, Craigie, Inchmagrannoch and Obny, were all founded on lands and not on teinds.² Again, the dean does not appear to have any church associated with his prebend until after 1236,³ while it was only between 1312 and 1337 that Lagganallachie was annexed to the archdeaconry.⁴

By the thirteenth century, however, the annexation of a church or churches to a prebend had become the normal means of endowment, and some of the earlier arrangements are evidently superseded. A few exceptions do remain, however, and Barlanark in/

1. REG, no. 28.

2. SHS. Misc., vi. 48-9; NLS.MS. 17.1.3., II fo. 73.

3. Myln, Vitae, 10.

4. Ibid., 13.

in Glasgow,¹ the six prebends of Dunkeld², and the prebend of the Bishop of Moray which was maintained from the revenues of the lands of Fothervais,³ continued to be supported in this manner.

Nevertheless, apart from these and the occasional prebend supported from hospital or chapel revenues, as were some of the prebends of Kirkwall cathedral⁴ and that of Unthank, a prebend of Moray, erected in 1542 from the revenues of the chapel of the castle of Duffus,⁵ practically all the prebends of the medieval Scottish cathedrals were supported from the revenues of parish churches.

The process whereby bishops erected their cathedral chapters on revenues obtained by the appropriation of parish churches to prebends within their cathedrals can be seen at most of the Scottish secular cathedrals during the course of the thirteenth to the sixteenth centuries.

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1. CPR - Letters, xiv. 172-4.
 2. NLS. MS. 17.1.3. II Fo. 73 (The prebend of Inchmagranoch had been augmented, however, by the union of the vicarage of Auchtergaven - Assumptions, 296^v).
 3. REM, no. 69.
 4. Records of Earldom of Orkney, 364.
 5. REM, no. 474.

At Fortrose, the archdeacon had the fruits of the four churches of Fodderty, Eddyrdor (Killearnan), Lumlair and Logie Wester by 1236 x 8,¹ and although this lavish endowment had been reduced to the churches of Fodderty and Eddyrdor by 1255-6, it continues to be operative thereafter.² By the constitution of 1255/6,³ provision was made for all the dignitaries, with the exception of the chancellor, by the way of individual prebendal churches, the exception, in fact, receiving at some later date the churches of Kinnettes and Suddy, which had been granted originally to the chanter, who received as compensation the church of Kilmorack.⁴

The constitution only lists the prebends of the dignitaries, however, and while the prebends of the archdeacon, sub-dean, sub-chanter and the bishop as a canon within the cathedral of Fortrose, are also recorded, it does not detail the simple prebends, although some are obviously in existence. It is not until the fourteenth, and in most cases the fifteenth/

1. Theiner, Vet. Mon. no. xcvi.

2. Ibid., no. clxxxii; Appendix I. nos. 404, 580.

3. Theiner, Vet. Mon. no. clxxxii.

4. Appendix I. nos. 606, 652, 1047.

fifteenth century that it is definitely possible to identify most of the prebends, although in some cases an early existence can be postulated.¹ By the beginning of the sixteenth century every parish church within the diocese of Ross was being utilised either for the support of a prebend, or the common fund pertaining to the canons.² The only partial exception to this state of affairs was the church of Avoch, which was appropriated to Kinloss, but in virtue of possession of which, the abbot was a canon of Ross, and from at least 1324/5 supported a staller in the cathedral at Fortrose.³

Only one other church within the diocese had ever been annexed to a religious house, that of Dingwall, which was appropriated to the priory of Pluscarden. This annexation was still effective in 1463, when in a dispute between the bishop of Ross and the priory, over this church, a decision was given in favour of the latter. The bishop, however, evidently made good his claim, and by 1501 the church appears as a prebend/

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1. Ibid., nos. 36, 211, 245, 614, 767.
 2. Appendix II, no. 53 (b) and (c).
 3. Appendix I. no. 76.

prebend of Ross, and continues to do so at the Reformation.¹ Twenty-one prebends involving thirty-one churches are eventually recorded, and these with six common churches account for every church in the diocese of Ross.²

The comparatively late appearance of simple prebends, or rather of the evidence of their existence, does make the case of Fortrose less interesting than it otherwise would have been, and the process of erecting simple prebends upon parochial revenues can best be examined elsewhere.

The early erections at Glasgow have already been noted and further expansion followed in the thirteenth century, these developments possibly following upon the adoption, with modifications, of the constitution of Salisbury cathedral as the model for that of Glasgow.³ The parish church of Campsie appears as the prebend of the chancellor before 1266,⁴ while in 1256 Peebles had been assigned as the permanent prebend of the archdeacon.⁵

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1. Ibid., no. 283.
2. Appendix II. no. 53(b) and (c).
3. REG, nos. 207-8, 211, 213-14.
4. Appendix I. no. 161.
5. Ibid., no. 895.

By 1325, sixteen prebends, including those of the dignitaries are recorded,¹ while by 1401 the number had risen to twenty-three, all but one of which - Barlanark, were erected on parochial revenues.²

Six new prebends based upon the teinds of the parish churches of Cambuslang, Eaglesham, Killearn, Kirkmahoe, Luss and Tarbolton, were erected by Bishop John Cameron (1429 x 30)³ and these with the addition of prebends based upon the revenues of Sanquhar, Cumnock and Douglas in the mid-fifteenth century⁴ brought the number of effective prebends to thirty-two, at which figure it remained at the Reformation.⁵

At Dunkeld, the thirteenth century saw, according to Myln, a reconstitution of the cathedral chapter, after the pattern of Sarum, during the episcopate of Bishop Geoffrey (1236-49) who erected the dean's prebend from the churches of Inchaiden and Cluny, supplemented/

1. REG, no. 273.

2. Ibid., no. 320.

3. REG, nos. 335-6, 340; Appendix I. nos. 158, 345, 578, 686, 790, 1054.

4. Ibid., nos. 253, 290, 988.

5. An additional prebend appears in a list of 1501/2 (REG no. 542) and in a list of 1571 (BUK, 224) but as the "intruders" are different, and neither appears again, they were evidently prebends "ad vitam".

supplemented the canon's endowments and added the church of Crieff as an additional prebend.¹ In 1260, moreover, the church of Kinclaven, of which half the fruits had pertained to Cambuskenneth since c.1195, and half the fruits to the chanter of Dunkeld, was granted in its entirety to the latter under provision of a pension to the abbey.² By 1274/5, it is apparent that the churches of Rattray, Menmuir and Moneydie were also supporting prebends³, and this number was to be significantly increased by the period of the Reformation.

The further development of the chapter can be largely traced by recourse to Mylns, Lives of the Bishops of Dunkeld, which records the state of the chapter during the episcopate of Bishop Browne (1484-1514/15), which was then, as it was at the Reformation, four dignitaries, archdeacon, sub-dean, sub-chanter and fifteen canons.⁴ This reflects an increase of eight prebends since 1274/5, and all of these were maintained, either totally or partially, by the revenues of annexed parsonages or vicarages.

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1. Myln, Vitae, 10.

2. Appendix I. no. 633.

3. Ibid., nos. 812, 826, 930.

4. Myln, Vitae, 1-2, 54-68; NLS. MS. 17.1.3. II. Fo. 73.

One of these is accounted for by the archdiaconal prebend to which was appropriated the church of Lagganallochie between 1312 and 1337.¹ Of the remaining seven simple prebends, three - Aberlady, Alyth and Forgandenny, all erected in the fifteenth century were maintained from the vicarage revenues of their respective parish churches, while Fearn, Lundeiff and Muckersie, likewise fifteenth century erections, were supported by parsonage revenues.² The remaining prebend that of Ferdischaw was a decayed hospital prebend reconstituted by Bishop George Browne between 1484 and 1506, but likewise fits into the general pattern since the parsonage of Logiebride was now added to the original endowment.³

Elsewhere, the picture is very similar to the cases studied in detail above. At Aberdeen, most of the churches confirmed to the bishops of Aberdeen in a bull of Pope Adrian IV in 1157, which gave authority to the bishop to institute his cathedral chapter,⁴ appear as prebends in the first recorded constitution/

1. Appendix I. no. 708.

2. Ibid., nos. 17, 43, 390, 411, 787, 849.

3. Myln, *Vitae*, 41-2; Appendix I. no. 763.

4. *REA*, 1. 6.

constitution of 1256.¹ In this constitution, thirteen prebends endowed from the revenues of parish churches are recorded, and thereafter, by help of a sixteenth century account of the growth of the chapter², it can be seen that of the total number of thirty prebends which were in existence at the Reformation, all but two - Deer and Ellon, were maintained from parochial revenues, while even the two exceptions, the churches of which were annexed to the abbeys of Deer and Kinloss respectively, were indirectly maintained from this source.³

In all, no less than forty-two churches⁴ were associated with the thirty prebends of Aberdeen cathedral, and of these undoubtedly the most interesting are those of Kincardine O'Neil and Kinkell.⁵ The former had originally been a hospital founded by Alan Durward, c. 1233/4 and to which the parish church/

1. Ibid., ll. 39-40.

2. Ibid., ll. 251-3 (To the number of twenty-eight there/ recorded, should be added the episcopal prebend, and that of Spittal which before the Reformation formed the prebend of the sub-chapter - Assumptions, Fo. 379v).

3. Appendix I. nos. 279, 370.

4. Appendix II. no. 1 (c).

5. Appendix I. nos. 632, 644.

church of Kincardine O'Neil was thenceforward annexed.¹ At the same period, the fruits of the churches of Cluny, Glentannar, Lumphanan and Midmar, some or all of which may have originally been pendicles of Kincardine O'Neil, were annexed to the hospital. In 1330, however, the hospital with its annexed churches was erected into a prebend of Aberdeen cathedral by Bishop Alexander de Kyninmund, and thereafter the canon holding this prebend received not only the parsonage revenues of Kincardine O'Neil, but also the parsonage and vicarage revenues of the four pendicles.² A similar situation existed in the case of Kinkell, as this church had closely associated with it as membrums, the six chapels of Drumblade, Dyce, Kemnay, Kinnellar, Kintore and Skene. This church and its annexes were erected, both in parsonage and vicarage, into a prebend of Aberdeen cathedral in 1420, vicars pensioner being thereafter maintained at Kinkell and each of the six pendicles.³

The position at Elgin was very similar to that at Aberdeen, large numbers of churches being utilised/

1. REA, ii. 268, 274.

2. Appendix I. nos. 197, 457, 782, 818.

3. REA, i. 51, 64-5, 83, ii. 252

utilised to support the prebends of the canons of the cathedral. Moreover, almost every prebend erected at Elgin was supported by the revenues of at least two parish churches, and therefore it is hardly surprising that the constitutions effected by Brice and Andrew, bishops of Moray between 1208 and 1242, which resulted in the erection of twenty-three prebends, accounted for no less than the revenues of thirty-six parish churches.¹ Here, however, the process stopped, and with the exception of the additions of the prebend of Unthank, based upon revenues from the chapel of the castle at Duffus² and the creation of the church of Kincardine into a permanent prebend of the cathedral before 1537,³ no further additions appear to have been made to the strength of chapter, this probably being due to lack of possible endowments.

Even more striking situations existed, however, in Orkney and Caithness, as within these dioceses, as in Ross, which has already been examined, every church is either a mensal or common church or attached as a prebend, or part of a prebend, within the cathedral church.

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1. REM, nos. 46, 81; Appendix II. no. 49 (c).
 2. REM, no. 474.
 3. Appendix I. no. 630.

In Orkney, every church which was not mensal, with the exception of Tingwall, Whiteness and Weisdale which formed the benefice of the archdeacon of Shetland,¹ was utilised in the re-erection of the cathedral chapter in 1544.² A similar situation existed at Dornoch, and there Bishop Gilbert's constitution (?1224 x 44/5) utilised as prebends, all the parish churches of the diocese which were not mensal or common churches, and so provided for a chapter of four dignitaries, an archdeacon and five other prebends³, to which Assynt, an apparently newly created parish, was added as an additional prebend before 1275.⁴

One possible reason behind the fact, that every church within these three northern dioceses is either a mensal or common church or attached as a prebend, or part of a prebend, within the cathedral church, lies in the distribution of religious houses, since such corporations were virtually non-existent within the bounds of those dioceses. Religious houses were/

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1. PSSA, vol. xliv. 304.
 2. Records of Earldom of Orkney, 363-71.
 3. Bannatyne Misc., iii. 17-21.
 4. SHS. Misc., vi. 51, 69.

were the great competitors of bishops and secular canons for the annexation of parish revenues, and nowhere is this more evident than the diocese of Dunblane, in which, the bishop had the greatest difficulty in making provision for his cathedral chapter due to the fact that most of the parishes within the diocese had already been appropriated. Arbroath, Cambuskenneth, Inchaffray and Lindores all held annexed churches, while the bishop himself possessed the revenues of seven parish churches.¹

In order to provide for a suitable endowment for a cathedral chapter, it was finally agreed that the fourth part of all the teinds of parish churches within the diocese should be paid to the bishop who, in turn, was to assign portions for the dean and canons.² This scheme never became fully effective, and a series of agreements took place between the bishop of Dunblane and the religious houses within the diocese. Arbroath, Cambuskenneth, Inchaffray and possibly Lindores, entered into a compact by which the quarters due from the churches annexed to these houses were remitted by the bishop/

1. Appendix II. nos. 4, 14, 35(a), 82, 65

2. Theiner, Vet. Mon., no. xci.

bishop, while the abbots of Arbroath and Cambuskenneth became canons of Dunblane, and the abbot of Inchaffray, chanter.¹ The abbot of Lindores may also have become a canon but this is uncertain.² Certainly, none of the churches of the diocese appropriated to any of these houses are recorded as paying their quarters, only five churches within the diocese continuing to do so at the Reformation.³

Struggles between religious houses and bishops over annexed churches were not uncommon, but usually ended in compromise. In such a way did the abbots of Arbroath, Cambuskenneth and Inchaffray become canons of Dunblane, and the abbot of Kinloss, a canon of Ross.⁴ Agreements also took place in the diocese of Aberdeen over Deer in 1256⁵ and Ellon in 1328,⁶ but in these cases the provision of a prebend from the fruits of these churches appears to have been the intention rather than the establishment of the abbots of Deer and Kinloss as/

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1. Aberbrothoc, l. no. 241; Cambuskenneth, no. 125; Inchaffray, xxxvii-viii.
 2. Theiner, Vet. Mon., no. ccclxxxvi; CPR - Letters, II.33.
 3. Balquhiddie, Comrie, Fossway and Tulliallan whose quarters went to the bishop, and Tullibole whose quarter went to the Dean (Assumptions, Fos. 285^v, 299, 322; RSS, lxx, Fo.5).
 4. Supra, pp. 138-9.
 5. REA, ii. 40.
 6. Ibid., l. 48-50, ii. 252.

as canons of Aberdeen cathedral. On the other hand, the abbot of Scone was undoubtedly a canon of Dornoch cathedral. This fact was recognised in Bishop Gilbert's constitution (? 1224 x 44/5), the church of Kildonan which had been granted to Scone between 1164 and 1225 being recognised as the abbot's prebend.¹ The abbot appears to have held the prebend in person as late as 1371,² but by 1447³ had evidently relinquished his personal right to the prebend, and was instead exercising the right of patronage with a possible reservation on the fruits. The prebend continued to be held in this way until 1556,⁴ when following its resignation into the hands of the commendator of Scone, the prior of Scone is found in possession of the prebend.⁵

In general, therefore, the prebends of the Scottish secular cathedral chapters were, in almost every case, supported by revenues obtained from the appropriation of parish churches, and those in some instances were in fact serving a dual purpose as annexations primarily made to a religious house could in practice also be supporting a prebend.

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1. Scon, nos. 58, 103; Bannatyne Misc., 111. 19.
 2. Scon, no. 181.
 3. RS. 415, Fo. 15^v.
 4. GRH. Chs. no. 1679.
 5. REG. of Pres., 1. 140^v.

This practice of supporting prebends from parochial revenues is to be seen in every diocese where secular canons were established. Even at Brechin where the evidence for the erection of the chapter does not become clear until 1372,¹ it is clear that the canons' prebends had been maintained in this fashion for some considerable time, while in succeeding years, Lethnot was added in 1384/5,² Glenbervie in 1422³ and Finaven in 1474.⁴

Even where the evidence is far from clear, as at Lismore, the organisation of the cathedral chapter of which, does, in the main, defy definition, it is apparent that the canons' prebends had been erected on parochial revenues. At least seven simple prebends were, at one time or another, maintained in this fashion, one of which - Kilchousland, definitely ceases to be such, two - Kilmore and Kilcolmkill, remain doubtful, while four - Glassary, Kilberry, Kilmartin and Kilmedan, definitely remain in existence at the Reformation.⁵ A more interesting point arises, however, from the fact that the four dignitaries of the cathedral appear to/

1. REB, no. 15.

2. Ibid., nos. 17, 47.

3. SSR, l. 305; GRH. Vat. Trans. - Petitions, no. 24.

4. REB, no. 94.

5. Appendix I. nos. 443, 545, 561, 564, 598, 603, 607.

to have been maintained from the quartered teinds of Lismore parish, the dean possessing the vicarage as his prebend, while the archdeacon possessed one quarter the teinds of the neighbouring island of Elanmunde.¹ This situation whereby the dignitaries of a cathedral are maintained from the quartered teinds of the parish in which the cathedral lay, occurs also at Dornoch² and Fortrose³, and it may be that this was the normal method by which provision was made for the support of cathedral dignitaries before the allocation of regular prebends, and the issue of a definitive constitution.

This tendency to provide for a chapter by means of the appropriation of parish churches even shows itself in the one Scottish diocese, that of Sodor, or the Isles, which had, as far as can be seen, no cathedral organisation for the greater part of its existence. Nevertheless, evidence does exist to show that a determined effort was made in 1433 to establish a secular chapter for the bishopric of the Isles. In that year Angus, bishop of the Isles, petitioned/

1. Ibid., nos. 366, 748.

2. Ibid., no. 288.

3. Ibid., nos. 237, 949.

petitioned that the Pope would grant him license of transferring his cathedral Church of Suusperdy . . . to some honest place within the diocese and of creating in the said church, twelve canons and as many prebends.¹ This attempt was apparently part of the scheme to regularise the position of Sodor and Man, as it is about this period that separate bishops are being appointed to the diocese of Man under York, and to the Scottish See of Sodor.² The attempt to found a chapter was apparently unsuccessful, although evidently not immediately so, as the church of Strath appears as a prebend in 1450,³ and the church of Kingarth is recorded as such in 1463.⁴ Thereafter, both churches revert to their original status, and as no further prebends have been found, the attempt must be deemed to have failed, although it remains as an interesting example of a cathedral constitution cut short, which, if successful, would have resulted in a fresh spate of annexations.

The practice of endowing cathedral prebends from the revenues of parish churches did raise problems, however/

1. Reg. of Supplications, 289, Fo. 253.
2. Dowden, Scottish Bishops, 289.
3. Reg. of Supplications, 444, Fo. 154.
4. CPL, XI. 498.

however, those being particularly acute where, as at Dunblane, religious houses had annexed large numbers of such churches. The creation of heads of religious houses into canons could only partially solve the problem and was, on the whole, not a very desirable solution in a cathedral of secular canons. Nevertheless, as the incidence of appropriation rose, so too did it become increasingly difficult to obtain parish churches to erect into new prebends. Recourse had, therefore, to be made to the erection of vicarages into prebends. This arises principally in the dioceses of Dunblane, Dunkeld and Orkney, although Glasgow and Lismore each possess one, and Brechin two, such examples.¹ In Orkney, the difficulty of finding prebends for the canons of the cathedral was intensified by the fact that all the prebends were erected from churches within Orkney, and not from Shetland, while the problem was increased by the existence of an exceptionally large number of mensal churches.² In these circumstances, Bishop Reid was forced to utilise vicarage, as well as parsonage, revenues in his re-erection of 1544,³ although/

1. Appendix I. nos. 143, 441, 748, 891; Appendix II. nos. 35(c), 40(c), 77(c).

2. Ibid., no. 77(a).

3. Records of the Earldom of Orkney, ff. 363 ff.

although only two prebends - the archdeacons comprising the vicarages of Birsay and Harray, and that of Evie and Rendall, were solely composed of vicarage revenues.

At Dunkeld, the vicarage revenues of Dunkeld and its subsidiary, Little Dunkeld, were utilised from an early period as the prebend of the treasurer of the cathedral,¹ while at a later period the vicarage revenues of Auchtergavin were used to supplement the prebend of Inchmagrannoch,² and the prebends of Aberlady, Alyth and Forgandenny were all erected from vicarage revenues.³

It was, however, the bishop of Dunblane who faced the greatest difficulty in endowing the prebends of his cathedral. As already noted⁴, the major difficulty in the diocese of Dunblane arose from the fact that most of the parishes within the diocese had already been appropriated, either to religious houses, or the bishop's mensa. Deprived, therefore, of most methods of endowment, successive bishops appear to have fallen back on the vicarages of already annexed churches as their most likely form of prebendal endowment/

1. Appendix I. nos. 320, 749.

2. Ibid., no. 68.

3. Ibid., nos. 17, 43, 411.

4. Supra, p. 138

endowment, and eventually three of the four dignitaries, the archdeacon and five of the remaining eleven prebends, of which two were held by the abbots of Arbroath and Cambuskenneth, were maintained in this manner.¹

In the erection of any prebend, it was the bishop of the diocese who finally carried the process through, and provided for its permanent endowment. The utilisation of churches for this purpose, sprang from the fact that in twelfth century in particular, bishops had at their disposal large numbers of churches, which had either lain within lands pertaining to the bishopric, or, as in the case of other appropriated churches, had been granted to the bishop by some layman. Normally the patronage was conveyed to the bishop along with any more tangible assets, which might have been enjoyed by the lay patron.² In such cases, the patronage of the newly erected prebend was normally retained by the bishop. This can be seen in the early erections at Glasgow, the patronage of the prebends of his cathedral being confirmed to the bishop of Glasgow in 1216.³

Likewise/

1. Appendix II. no. 35(c); NLS. MS. 34.4.8.

2. REG, nos. 6-7; REM, nos. 62-3, 69.

3. REG, no. 111.

Likewise, the early erections at Aberdeen and Ross would appear to have remained in the bishop's patronage. Nevertheless, even from the earliest days, the prebends so erected appear to have occasionally remained within lay patronage, this being particularly evident in the erection of the chapter of Moray, in the course of which, the family of Moravia retained the patronage of some of the churches granted for erection as prebends. Thus, in the creation of the prebends of Aberlour and Betriphnie and Petty with Brachlie, the patronage was reserved, as it was also in the erection of Duffus, as a prebend, by Andrew, bishop of Moray (1224 x 38).¹

In such instances, the patron actually gained from his seemingly generous act, as instead of merely possessing the patronage of a parish church, he now possessed the patronage of a prebend which carried with it not only certain financial advantages, but also a considerable amount of prestige. These factors become increasingly important after the thirteenth century, and thus, while cases of laymen retaining the patronage/

1. REM, nos. 31, 61, 67, 81.

patronage of a prebend after the erection of a parish church as such, appear to be relatively far and few between in the early period, they do become increasingly common in the two centuries before the Reformation. Typical of this new trend, is the erection of six new prebends of Glasgow cathedral by Bishop John Cameron, 1429 x 30, as all six were retained in lay patronage and continued to be held in this way.¹

In the main, however, the patronage of prebends appears to have been exercised by the bishop, who naturally retained, even where the patronage was held by a layman, his normal diocesan rights. The retention of patronage by bishops is partly due to the piety of the land owners of the twelfth and thirteenth centuries, who willingly granted their churches to bishops for erection into prebends, without the reservations which came to be made at a later date.² On the other hand, it is also due to the fact that many of the churches which became prebends in the early period, owed their existence to episcopal action.

Bishops were certainly instrumental in founding churches/

1. Appendix I. nos. 158, 345, 578, 686, 790, 1054.

2. Supra, pp. 446-7

churches upon their episcopal estates from a fairly early date.¹ Three such churches, those of Peebles, Morebattle and Traquair, pertained to the bishopric of Glasgow in the Inquest of c.1116², and two of these subsequently became prebends of Glasgow cathedral while continuing within the patronage of the bishop.³ Elsewhere, the picture is not so clear, but at Aberdeen most of the churches confirmed to the bishop in 1157⁴ afterwards became prebends within the bishop's patronage,⁵ and this pattern was undoubtedly repeated in other dioceses.

Not all churches within a bishop's patronage were, however, utilised for the support of his cathedral canons, and in the provision of permanent endowments the episcopal mensa was not forgotten.

Once again, churches which had been built upon episcopal estates were frequently used for this purpose, and in this respect the process in Scotland would appear to have followed a pattern similar to that which prevailed throughout Western Europe by which/

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1. *Supra*, pp. 30-1.
 2. *REG*, no. 1.
 3. Appendix I. no. 840, 895.
 4. *REA*, 1. 6
 5. *Ibid.* n. 39-40

which churches built upon episcopal estates were served either by a hired priest, or by the delegation of the responsibility to a member of the bishop's familia.¹

As has been observed, churches of a proprietary nature were certainly appearing on episcopal estates in Scotland from an early date², and as such churches were, moreover, not necessarily geographically compact, this would appear to explain how several of the dioceses of Scotland possessed so many detached parishes, which at a later date, are found to be annexed to the episcopal mensa.³

Not all mensal churches owe their origin to such a development, although the relationship between such churches and episcopal estates is obviously very close. Thus, at Tibbermore where the bishops of Dunkeld possessed an episcopal residence from at least the early thirteenth century, the bishops held the church as one pertaining to their mensa.⁴ Likewise, the lands of Wedale, later known as Stow, were confirmed to the bishop of St. Andrews in 1218 and/

1. Supra, pp. 10-11

2. Supra, pp. 30-1

3. Supra, p. 31

4. Myln, Vitae, 11, 44; Assumptions, Fo. 316V, 319V.

and later in the century, the church is found to pertain to the episcopal mensa.¹

In some cases, however, such churches, while remaining within the bishop's patronage, were not converted to his own uses. In some instances, as in the case of Monimail,² this came about at a later date, but on occasions even a bishop could be thwarted in his desire to obtain the annexation of churches to his mensa.

The most striking example of a bishop's failure to annex certain churches to his own table is undoubtedly at St. Andrews, where on the elevation of that dignitary to archiepiscopal rank, no less than seven parish churches³ were united to that mensa on 26th February 1472/3.⁴ Nevertheless, successive archbishops found it far from easy to make good their claim to the revenues of these churches, and disputes were constantly breaking out between the archbishop and various clerks who claimed the union to have been revoked.⁵ On occasions, possession of revenues of certain/

1. CPL, I. 30; Priory of Coldingham, cviii.

2. CPL, II. 303.

3. Appendix I. nos. 393, 415, 494, 649, 717, 1052, 1092.

4. Theiner, Vet. Mon., no. dccccliv.

5. CPL, XIV, 73, 78-80, 211-13, 289-90.

certain of the churches appears to have been obtained by the archbishop, but never for very long, and by 1487, it was felt desirable to seek a fresh papal appropriation in the case of four of the churches, those in question being Inchbrayock, Kinnell, Tannadice and Tynninghame.¹ Even this move proved to be abortive, however, and the proposed unions never did in fact become effective.²

An equally striking struggle for the possession of certain mensal churches took place in the diocese of Brechin, at a somewhat earlier date. In this instance, the six churches of Caterline, Dunnichen, Kingoldrum, Maryton, Monikie and Panbride, had been confirmed to the abbey of Arbroath, during the late twelfth century by Turpin, bishop of Brechin (1178-98).³ Such confirmations continued until the episcopate of Bishop Albin when controversy broke out over these six churches, which the bishop claimed as pertaining to his mensa. In 1248, however, Albin renounced all right in these churches, but the controversy, nevertheless, continued until William de Lamberton, bishop of St. Andrews, who had been appointed arbitrator between/

1. Ibid., 180-1.

2. Appendix I. nos. 494, 649, 1052, 1092.

3. Aberbrothoc, 1. no. 177.

between the bishop and the abbey, decided in 1304 that of the six churches in dispute, that those of Caterline and Maryton should belong to the bishops of Brechin, while the other four should pertain to Arbroath. Successive suits were renewed over this question during the course of the fifteenth and sixteenth centuries, but the agreement of 1304 appears to have been maintained.¹

It can be seen from the above evidence that even bishops might find it difficult to obtain the annexation of parish churches for their support, as the conflicting claims of religious houses, and even secular clerks where desirable benefices were at stake, could be very strong.

Nevertheless, most bishops managed to have a reasonable number of churches attached to their episcopal revenues. However, the bishops of Aberdeen, Ross and Whithorn only possessed two mensal churches each,² while at the other end of the scale, the bishop of Orkney possessed no fewer than forty-eight mensal churches, although unions had considerably reduced the effective strength/

1. Appendix I, nos. 182, 326, 642, 800, 828, 891.

2. Appendix II, nos. 1(a), 53(a), 137(a).

strength of that number.¹ Of this bishopric, it was written in the seventeenth century that the "old Bishopric of Orkney was a greate thing, and lay sparsim throughout the haill parochines of Orkney and Shetland. Besyde his lands, he hade the teyndis of aughtene kirks."² This latter figure is, of course, only allowing for united kirks, but even so, no other bishop in Scotland, with the exception of the bishop of Dunkeld, who also held the revenues of eighteen churches³, was so well endowed from the teinds of annexed churches.

This was, of course, more than balanced out by the temporal revenues attached to certain bishoprics, and explains why such large dioceses such as Glasgow and St. Andrews only had four churches apiece attached to their respective episcopal tables.⁴ In these instances, the revenues derived from mensal churches must have formed a very small part of the total episcopal income. On the other hand, at Dunblane where the episcopal mensa always appears to have been poverty stricken, the revenues of the seven churches⁵ possessed/

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1. Appendix II, no. 77(a).
 2. PSSA, vol. xix, 215.
 3. Appendix II, no. 40 (a).
 4. Ibid., nos. 56(a), 108(a).
 5. Ibid., no. 35 (a).

possessed by the bishop must have formed a substantial part of his income, and ^{the} same was no doubt true at Lismore where six churches in all were annexed to the bishopric.¹

Additions to the episcopal estate were not always made, however, by the full appropriation of parish churches, and in certain dioceses a fixed proportion of the teinds of each parish church within the diocese was united to the episcopal mensa.

This state of affairs is found in four dioceses within Scotland, those being Dunblane, Lismore, Orkney and Sodor. At both Dunblane and Kirkwall, however, certain unusual features are present in the arrangements. At the former, the annexation of part of the parochial teinds within the diocese arose from the decay of the collegium of Dunblane, which by 1237 had completely disappeared, service only being maintained by "a certain rural chaplain". In that year, Pope Gregory IX ordered that either provision must be made for the bishop from the fourth part of the teinds of all the parishes of the diocese of Dunblane, out of which/

1. Ibid., no. 84(a).

which the bishop was to assign portions for the dean and canons about to be instituted, or alternatively, the bishop was to be assigned the fourth part of the teinds of all the churches of the diocese held by laymen, and the site of the see transferred to the monastery of Inchaffray, the canons of which were thenceforward to elect future bishops.¹ The former course was followed, however, and a secular chapter was in process of formation by 1238.²

The scheme whereby the bishop and chapter would be maintained from the fourth part of the teinds of the parishes of the diocese never became fully operative, however, as the abbeys of Arbroath, Cambuskenneth, Inchaffray and possibly Lindores, as we have seen,³ entered into compacts by which their quarters were remitted. Other changes must also have been effected through time, as at the Reformation, only the quarters of four churches went to the bishop while the quarter of Tullibole went to the dean.⁴

At Kirkwall also, not all the churches within the diocese paid a proportion of their teinds to the bishop/

1. Theiner, Vet. Mon., no. xci; Aberbrothoc, l. no. 176.

2. Liber Insule Missarum, xxxi.

3. Supra, pp. 138-9

4. Supra, p. 139_n

bishops, although the churches which did so were geographically compact. Thus, every church in Shetland, with the exception of the united parishes of Tingwall, Whiteness and Weisdale, which formed the archdeaconry of Shetland, paid to the bishop of Orkney half its corn teinds, in the majority of cases, and a slightly smaller proportion in others.¹ The revenues derived by the bishop from the parsonage revenues of those churches was of such magnitude that the cures were accounted vicarages, and the churches themselves must rank as mensal churches, and have, in fact, been accounted as such in the total number of forty-eight mensal churches possessed by the bishops of Orkney.

In Lismore and Sodor, the allocation of a proportion of the teinds to the bishops of the dioceses was much more systematic, and almost every church within the diocese was affected in each case. At Lismore, every church without exception appears to have paid one quarter of its revenues to the bishops who appear to have taken every safeguard to/

1. PSSA, vol. xliv, 304-7.

to maintain this right.¹ Thus, when the church of Kilcalmonell was confirmed to the uses of Paisley in 1262, several stipulations were made by the bishop, including the insertion of the clause, etiam salvis nobis et successoribus nostris quarta parte illius ecclesie que ad mensam episcopalem dignoscitur pertinere²

This annexation of one quarter of the teinds of a diocese for the upkeep of a bishop was evidently common in Ireland where at least two bishops, those of Aghadoe and Tuam, held this privilege in the thirteenth century.³ Moreover, while this might, at first sight, apparently deprive the parish church of a substantial part of its endowment, it would appear that such churches were thereafter free of all further episcopal exaction.

More crippling in this respect must have been the one third exacted from parish churches within the diocese of Sodor. This system was in operation before/

1. Evidence for the payment of episcopal quarters will be found, where available, under the parishes of Argyll listed in Appendix I.

2. Passelet, 122.

3. CPL, I. 343.

before 1231, in which year the episcopal third within Sodor and Man was confirmed to the bishop of the diocese by Pope Gregory IX.¹ Thereafter, with the exception of the two parsonages of Iona and Kilviceven, every church within the Scottish diocese of Sodor continued to render its episcopal third.²

In this fashion, bishops within these four dioceses derived a substantial part of their revenues from the teinds of parish churches without a formal appropriation of churches being required, although this fact did not debar any of these bishops from having churches annexed to their mensa.

In certain instances, churches were united to the episcopal mensa, not only to provide revenues for the bishop, but also to provide the bishop with a prebend within his cathedral church, and taken from this point of view, the bishop of Ross had no true mensal churches, as the churches of Nigg and Tarbat were in fact the bishop's prebend within the cathedral of Fortrose.³

The/

1. SHR, Vol. viii. 258-63.

2. Coll. de Reb. Alb., 4.

3. Theiner, Vet. Mon. no. clxxxii; Appendix II no. 53(a).

The position of a bishop in relation to his cathedral chapter varied from diocese to diocese. The bishops of Aberdeen, Brechin, Caithness, Moray, Orkney and Ross, were all canons within their own cathedrals, but those of Dunblane, Dunkeld and Glasgow were definitely not, while Lismore remains uncertain.¹ In each instance where the bishop was a canon of his cathedral, he was also the holder of a specific prebend, and while the prebend of the bishop of Caithness is uncertain, and that of the bishop of Moray was supported from the lands of Fothervais,² the prebends of the four remaining bishops were supported by the revenues of specified parish churches.³

It was an obvious advantage to bishops that they should have a seat in their own cathedral chapter, and the bishop of Glasgow was so anxious to avail himself of the benefits of such a position, that in 1487, he made a determined effort to obtain a seat in his chapter. In that year, he petitioned the Pope that if he, and the bishop of Glasgow for the time being, ^{was} ~~were~~ a canon of that church and held the prebend of/

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1. Dowden, Medieval Church in Scotland, 80-2; RMS, 111. no. 3102.
 2. REM, no. 69.
 3. Appendix II. nos. 1(a), 13(a), 53(a), 77(a).

of Barlanark, which had been founded out of lands formerly pertaining to the episcopal mensa, the canons would benefit by the presence of the bishop at capitular acts.¹ In order, moreover, that the canons would not suffer diminution of their number by the creation of an episcopal prebend, the bishop offered to erect his mensal church of Druniz(e)dele into a prebend for the support of the canonry at that time dependent upon the revenues of Barlanark.² Financially, however, it is obvious that the benefits to be derived by the bishop would more than balance out the loss of one mensal church. Moreover, the benefits foreseen by the bishop were evidently not so obvious to the chapter, and eventually the bishop was forced to give up his attempt and to resign all his rights in the prebend.³

While mensal churches were, therefore, on occasions annexed to the bishopric in the first instance by way of providing an episcopal prebend, the reverse process was, as we have seen,⁴ frequently true/

1. CPL, xiv. 172-4.

2. CPL, xiv. 172-4. Drunizedele remains unidentified, but the only mensal church with which it can be possibly identified is that of Drymen.

3. REG, no. 450.

4. Supra, pp. 148-9

true and mensal churches were frequently erected into cathedral prebends. Such prebends were normally erected in perpetuity, but this is not invariably true.

The erection of prebends "ad vitam" is an interesting and neglected subject. It is, moreover, this practice of erecting prebends for the lifetime of an incumbent which apparently explains certain inconsistencies in lists of cathedral prebends. Thus, the church of Tough appears as a prebend of Aberdeen in 1438,¹ while at Lismore the church of Knoydart was erected by papal bull on 29th May, 1506 "in canonicatum et prebendam ad vitam".²

In most instances, however, it was apparently the bishop who took the initiative in the erection of a temporary prebend, provision for its maintenance being made out of the bishop's mensal revenues. This erection was on occasions made out of the bishop's temporal revenues³, but frequently, however, it was the revenues of mensal churches which were utilised in the creation of additional prebends.

At/

1. Scottish Benefices, 232-3, 264.

2. PRO 31/9-31, Diversorum, Julius II (1503-12), Fo. 176.

3. Reg. of Supplications, 318, Fo. 140.

At Aberdeen, the bishop's mensal church of Fetterneir was evidently frequently granted as a prebend "ad vitam", and appears in 1511 under the title of "extra ecclesiam beneficia", as "Rectoria de Fethirneir beneficium ad tempus et est de proprietate episcopi."¹ Likewise at Elgin, the bishop's mensal church of Dalarossie appears as a prebend in the sixteenth century,² while at an earlier date, the fruits of Gartly, although assigned to the bishop's mensa by Bishop Richard (1187 x 1203), were granted by that bishop to his clerk, whom the next but one bishop, Andrew de Moravia (1222-42), made a canon in his cathedral, with this church as a prebend, on condition that it reverted to the bishop's table on the holder's death.³

Likewise, the fruits of bishop's church could be used as a means of providing a pension and examples of this nature are frequently found.⁴ A more important aspect of a bishop's use of his mensal churches is, however, that in certain dioceses, the bishop while retaining the parsonage revenues had/

1. REA, ll. 380; RSS, lxvi, Fo. 29.

2. REM, xxiii; cf. Assumptions, Fo. 400.

3. CPL, i. 324.

4. Reg. of Supplications 411, Fo. 154: 458 Fo. 259^v.

had the vicarages erected into prebends of his cathedral. This is especially true of the dioceses of Dunkeld and Orkney, in both of which, as has been noted,¹ a large number of churches were annexed to the episcopal mensa. This did in itself reduce the number of churches available for erection into prebends, and forced the bishops to rely on vicarage revenues for such erections. Not only the vicarages of mensal churches were used, but the revenues of such vicarages were naturally more easily obtainable, and this possibly goes far to explain why the vicarage revenues of ten mensal churches within Orkney², and eight mensal churches within Dunkeld³, were annexed to prebends in their respective dioceses. This tendency is also at work in Dunblane, where the vicarage revenues of four mensal churches were appropriated in this way.⁴

It is apparent from the above survey that bishops and their cathedral chapters seriously rivalled the religious houses in their appropriation of parish churches, and indeed in the northernmost dioceses/

1. Supra, pp. 133-4

2. Appendix II. no. 77(a) and (c).

3. Ibid., no. 40(a) and (c).

4. Ibid., no. 35(a) and (c).

dioceses, the almost complete annexation of parochial revenues was due solely to their influence. Nor, does the evidence prove that vicars were any better treated by bishops and secular canons, than by the monastic houses.¹ Indeed, it would appear that in the erection of prebends both parsonage and vicarage fruits were more likely to be annexed², and a vicar pensioner established than in annexations to religious houses where in the early years, at least, parsonages alone were appropriated, the spate of vicarage annexations to religious houses only coming after the thirteenth century seriously affected the monastic finances.

1. Infra, pp. 240-1

2. REA, ii. 39-40; Bannatyne Misc., iii. 18-19.

CHAPTER V

Collegiate Churches and Academic Colleges

I.

As has been previously observed, monastic houses in Scotland had reached their high water mark by the middle of the thirteenth century, and even in that period itself, new endowments were becoming fewer and fewer as that century proceeded.¹ The decline of monasticism can really be dated, however, from the Wars of Independence, after which, in spite of a short lived burst of fresh endowment, for which Bruce himself was largely responsible,² the monasteries began to suffer economic hardships.

Failure to secure new endowments was due largely, moreover, to a definite reaction against monasticism. The special value of the prayers of the religious came to be doubted, while even the peculiar sanctity of the monastic life appears to have been held in question. In such circumstances, the secular clergy appear to have won favour at the expense of the regulars/

1. Supra, p. 71

2. Appendix I. nos. 370, 422, 596, 635, 686, 1115.

regulars, and the prayers and masses of the former came to be recognised as efficient as those of the religious.

The factual basis for such assertions can be seen in fourteenth century Scotland in two distinct ways. In the first instance, it is obvious that monasteries were failing to secure new endowments, while on the second, and more positive, side can be seen the increased endowment of the secular clergy who, individually and corporately, were more amenable to lay supervision than were the regular clergy.

This change of emphasis in favour of the secular clergy can be seen both in the erection of new cathedral prebends and the foundation of collegiate churches. Insofar as cathedrals are concerned, no fewer than seventeen new prebends appeared at Aberdeen in the course of the fourteenth and fifteenth centuries¹, while in the same period, nine new prebends were created within Glasgow cathedral.² Elsewhere, the same trend, if not so spectacular can, nevertheless, be discerned.³

It is, however, by an examination of the foundation/

1. Appendix I, nos. 14, 207, 236, 266, 279, 370, 406, 521, 632, 644, 777, 815, 835, 907, 929, 1088, 1090.

2. Ibid., nos. 158, 253, 290, 345, 578, 686, 790, 988, 1054.

3. Ibid., nos. 17, 21, 43, 283, 396, 445, 735, 849.

foundation and endowment of collegiate churches which, with the solitary exception of the collegiate church of St. Mary on the Rock, St. Andrews,¹ all owe their existence to endowments made in the period from the fourteenth century to the Reformation, that the extent to which the secular clergy were being favoured at the expense of the regulars, can best be realised. It was, moreover, due to this change of feeling that although annexations to religious houses were forbidden by law in 1471, an exception was made in favour of benefices "to be unyit to secular collegis fondit or to be fundit".² This exception was utilised to the full by collegiate churches and their patrons, and almost all appropriations which took place in the late fifteenth and early sixteenth centuries were to collegiate foundations.

In this period, and even somewhat earlier, collegiate churches not only began to vie with monastic corporations for endowments, but also began to seriously rival the cathedral establishments themselves/

1. Barrow, Cathedral Chapter of St. Andrews and Culdees (JEH, iii. 23-9).

2. APS, II. 99.

themselves. Thus, with the erection of the collegiate church of Dumbarton by Isobel, countess of Lennox, c. 1454, the hospital of Polmadie, and its annexed church of Strathblane, which had been erected into a prebend of Glasgow cathedral in 1427/8, was extinguished as such and annexed to the college.¹ Similarly, at Guthrie where the parish church had become a prebend of Brechin cathedral before 1372,² the prebend was extinguished, and the church returned to its former state, in order that a collegiate church of Guthrie might be erected on its fruits. This was achieved, c. 1479, when two-thirds of the parsonage revenues were assigned to the provostry and the remaining third and vicarage fruits to the maintenance of two further prebends.³

Similar attempts were made to seize the endowments of already established religious foundations in order to provide adequate revenues for the foundation of the Chapel Royal at Stirling. In his hopes of obtaining the revenues of the churches of Kincardine O'Neil, and Petty with Brachlie, which were endowed prebends/

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1. REG, no. 338; CPL, x. 623-4.
 2. REB, no. 15.
 3. CPL, xiii. 137-9.

prebends within the cathedrals of Aberdeen and Elgin respectively, James IV appears to have been unfortunate, as those attempts would seem to have completely failed.¹ However, the residual revenues of the prebend of Ayr within the cathedral of Glasgow², and the major part of the revenues of Crieff, which formed a prebend of Dunkeld³, were successfully annexed, these instances providing further proof of the fact, that in their search for endowments, the collegiate churches denuded even cathedral establishments of their revenues.

In both cases, however, the prebend was not extinguished, as in the earlier cases of Polmadie and Guthrie, but, nevertheless, suffered a serious diminution of income. Thus, at Crieff, the major part of the revenues of the prebend fell to two canons of the Chapel Royal whose prebends came to be designated as Crieff primo and secundo, while the holder of the prebend within Dunkeld cathedral only held certain residual fruits.⁴

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1. Appendix I. nos. 142, 632, 906.
 2. Ibid., no. 77.
 3. Ibid., no. 235.
 4. Reg. C.R. Striv., 14-15, 42-8, 89-93, lvi-vii; Assumptions, Fos. 289v, 302v.

At Ayr, the relationship between the prebend of Ayr within the cathedral of Glasgow, and the prebends erected in the Chapel Royal at Stirling remains obscure, but the fact that six prebends, known as Ayr primo to Ayr sexto, were eventually established on its fruits, illustrates that the Chapel Royal undoubtedly gained the major part of the fruits of the prebend.¹

Not only were cathedral establishments to be denuded of some of their endowments by this foundation, however, and an attempt was even made to annex the revenues of the collegiate church of Dunbar with the fruits of many of its appropriated churches.² Furthermore, it was proposed to partially annex the revenues of the priory of Restennet,³ and at a later date, the priory of Inchmahome⁴, and the provostry of Lincluden⁵, were all objects of the King's attentions.

Most of these proposed annexations appear to have been either short lived, or ineffective,⁶ but they/

1. Appendix I. no. 77.

2. Reg. C.R. Striv., 4, 14.

3. Ibid., no. 1; Letters of James IV, no. 156; GRH, Vat. Trans., iii. 168-9.

4. Ibid.

5. Ibid.

6. Appendix I. no. 306; Letters of James IV, nos. 195, 201, Letters of James V, 161.

they, nevertheless, do illustrate the extent to which appropriation had proceeded in the sixteenth century, and at the same time highlight the fact that very few churches were available for annexation at this period, and hence the attack on already established religious foundations. It is only fair to say, however, that in all these dealings excellent precedents existed. The hospital of Soutra, and its six annexed churches, had been annexed to Trinity College, Edinburgh, in October, 1460, on the petition of Mary of Gueldres, the widow of James II,¹ while at the instigation of James IV himself, the hospital of St. Germain, and its appropriated churches, had been granted to the newly erected university of Old Aberdeen in 1495/6.²

Eventually, forty collegiate churches divided the revenues of at least eighty-one churches and eighty vicarages, obtained, either at the expense of other institutions, or through primary annexations.³ A few colleges were, not unnaturally, more fortunate than others in this respect, but an overall average of about/

1. CCM, 58-61.

2. Fasti Aberd., no. 4.

3. Supra, 168 ff; Infra, 177-8

about two churches per college presents a reasonable guide to the incidence of appropriation. Some collegiate churches, such as Carnwath, Dirleton, Haddington and Kilmours, appear to have had no parochial revenues attached to their foundations, however, while others such as Trinity College - Edinburgh, Lincluden, St. Marys on the Rock - St. Andrews and the Chapel Royal at Stirling were very well endowed from such sources.¹

In this respect, the endowment of the Chapel Royal at Stirling was undoubtedly the most generous in its conception, although not overwhelmingly successful in its outcome, as of the twenty-seven parishes and their pendicles, which James IV attempted to unite to his royal foundation, at least eleven annexations never became effective.² That this situation arose was possibly due to James attempting to ~~unite~~ the possessions of other foundations. It appears also that the sovereign had no qualms about alienating the patronage rights of others, and this must have raised determined opposition to his plans.

Such/

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1. Appendix II. nos. 46, 80, 112, 125.
 2. Ibid. no. 125.

Such opposition certainly arose in the case of the parish of Cranshaws, the patronage of which pertained to the Swyntons of that Ilk in the fifteenth century, and yet in 1501 was granted to the Chapel Royal by the crown, evidently without the patron's consent. In this particular case, the annexation does appear to have become effective, but the injustice of the royal grant was eventually recognised in the period after the Reformation with the restoration of the patronage by the crown to Robert Swynton, "although in divers retouns. . . . the same was negligently omitted."¹

Nevertheless, the Chapel Royal at Stirling was very well endowed from parochial revenues. An equally well endowed foundation was Lincluden with nine churches and two vicarages,² this liberal endowment being due in no small measure to the fact that five of its annexed churches would appear to have passed from the suppressed priory to the newly created collegiate church.³ Close behind Lincluden was the royal erection of Trinity College with eight annexed/

1. Appendix I. no. 227.

2. Appendix II. no. 80.

3. Appendix II. no. 81.

annexed churches,¹ the same number also being held by St. Marys on the Rock, which had at one time possessed the distinction of being a Chapel Royal.²

Other collegiate churches had, however, very much fewer annexations, and frequently only the vicarage of the parish church, within which the college was erected, was annexed to the collegiate foundation. This was the case at St. Nicholas - Aberdeen, Crail, Stirling - Holy Rude, Strathmiglo and Tain - the parsonage in all these instances already being annexed to another foundation.³

In some cases, vicarage revenues formed the sole part of a college's endowments from parochial sources. Thus, Our Lady College, Glasgow, only possessed the revenues of the vicarages of Dalry and Maybole,⁴ while St. Marys in the Fields, Edinburgh, had annexed to it the vicarage of Livingstone, the parsonage of which was appropriated to the progenitors of the college - the abbey of Holyrood.⁵ At other colleges, although parsonage revenues/

1. Ibid., no. 46.

2. Ibid., no. 112; GRH. Vat. Trans., I. 250 ff.

3. Appendix I. nos. 10, 224, 1022, 1039, 1051; Appendix II. nos. 3, 21, 126, 128, 130.

4. Ibid., no. 57.

5. Appendix I. no. 751; Appendix II. no. 45.

revenues were annexed to the foundation, vicarage revenues frequently formed a major part of the college's endowment. This can be observed at Biggar, where, over and above the parsonages and vicarages of Biggar and Thankerton,¹ the college held the vicarage of Dunrod², which was annexed to the college in 1555 with the consent of its patrons, the abbey of Holyrood which held the parsonage revenues; part of the vicarage of Kirkintilloch,³ the fruits of which by the terms of the foundation charter of 1545/6 were to support four choir boys, and a substantial part of the vicarage fruits of Borgue which were to be erected into a prebend within the college.⁴ Elsewhere, the vicarage of Edrom was annexed to the provostry of Dunglass in 1459,⁵ while in 1468, the vicarage of Innerwick was annexed to the capitular mensa of the same collegiate church.⁶

Even vicarage revenues were not always available, however, and although normally when a collegiate erection took place within a church which was already/

1. Appendix I. nos. 115, 1061.

2. Ibid., no. 331.

3. Ibid., no. 682.

4. Ibid., no. 130.

5. CPL, xi. 397.

6. Theiner, Vet. Mon. no. dcccxxxix; Scottish Benefices, 166.

already parochial, certain revenues were usually available for appropriation, this was not invariably so. Thus, at Carnwath, both parsonage and vicarage teinds were already annexed to the treasurership of Glasgow cathedral before the erection of the collegiate church in 1424, and consequently none of the parochial revenues appear to have fallen to the college.¹

Likewise, at Haddington where the parsonage revenues were annexed to the priory of St. Andrews, the vicarage appears to have remained independent of the collegiate structure achieved by the parish church, c. 1540.²

Nevertheless, such cases were exceptional, and the normal pattern appears to have been that when the erection of a collegiate church took place by transforming an existing parish church into a college, the collegium was superimposed upon the existing parsonage or, in cases where the parsonage was already annexed to another foundation, upon the vicarage whose revenues were utilised for this purpose.

Instances/

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1. Appendix I. no. 175.
 2. Ibid., no. 465.

Instances of the first type can be found in many such erections which further illustrate the fact that where parsonage revenues were annexed to collegiate foundations, vicarages were also almost invariably appropriated. Thus, at Bothans which was made collegiate in 1421, both parsonage and vicarage fruits were annexed to the provostry, with certain reservations including a vicar's fee,¹ while at Methven erected in 1433, the entire fruits of the church were devoted to the upkeep of a provost, five chaplains and five boys, the provost also being responsible for the payment of twelve marks to a vicar-pensioner.² Similar provisions were made at Seton where the entire fruits were devoted to the upkeep of a provost and canons who were to be responsible for the cure of souls,³ while at Dunbar the greater part of the teinds of the parish fell to the archpriest who was to exercise parochial duties through a curate.⁴

In cases where the vicarage revenues alone were available, the same general pattern was maintained although/

1. Yester Writs, no. 55.
2. CPL, viii. 460-1.
3. RS, 656, Fo. 131v.
4. SHS. Misc., vi. 39-97.

although the value of the endowment, and the lengths to which it could be stretched, were obviously less. Thus, at Crail, founded in 1517 as a collegiate church, the vicarage was erected as the provostry of the college, while provision was made for a vicar-pensioner who was likewise to be a canon of the college.¹ At Hamilton, likewise, where the parsonage was annexed to the prebend of the dean of Glasgow cathedral,² the vicarage was annexed to the provostship of the newly erected collegiate church in 1450/1.³

Difficulties could arise, however, in the erection of collegiate churches when the parsonage revenues were already annexed to another religious foundation, as the consent of that body had to be given before the erection could take place. In the case of Crail, this was easily obtained from the prioress of Haddington⁴, but a proposed collegiate church of Falkirk which Alexander Livingstone obtained papal permission to erect in 1449/50 came to nought due/

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1. Reg. Coll. Ch. of Crail, nos. 101-3.
 2. Appendix I, no. 469.
 3. CPL, x. 75-6; Theiner, Vet. Mon., no. dclclvii; RS, 549, 218v.
 4. Reg. Coll. Ch. of Crail, no. 101.

due to the opposition of the abbey of Holyrood to which the parsonage of Falkirk was annexed.¹

Likewise, a proposal by John Lindsay, lord of Byres, in 1433 to convert the Church of Holy Trinity, St. Andrews, into a collegiate church, never materialised due, almost certainly, to the opposition of the priory of St. Andrews which held the parsonage revenues, and one of whose canons served the cure.²

The problem of collegiate churches, and their endowment from parochial revenues, is not, however, exclusively confined to parish churches within which colleges were actually erected. There remains the not inconsiderable group of collegiate churches which were non-parochial in origin, and to which other parish churches came to be annexed in the same fashion as to those of parochial origin. Into this group, fall colleges such as Trinity College, Edinburgh, and Our Lady College, Glasgow, which were built as collegiate churches, as do the churches of Dunglass, Corstorphine and Maybole, which were in origin, small chantry chapels in which priests had initially been endowed to say commemorative masses.³

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1. RS, 434, Fo. 297; 442, Fo. 228^v.

2. Ibid., 286, Fo. 221.

3. Easson, Medieval Religious Houses - Scotland, 175, 178-180, 182.

In such instances, although the college lay within a parish, and might in the case of chantry chapels, such as Corstorphine, be found in the cemetery of the parish church,¹ the foundation seldom derived any benefit from the teinds of the parish in which it lay. In these circumstances, other endowments had to be found, and hence although parish churches or their vicarages were annexed to such colleges, this was usually achieved by the appropriation of benefices within the founder's patronage which might, or might not, lie in the vicinity of the college itself.

At Corstorphine, since the parish church was already annexed to Holyrood, and in no way connected to the collegiate foundation,² the college was partially supported by the parochial revenues of Ratho³ and Clerkington.⁴ In the case of Ratho, this was not effected without some difficulty, and although the union was approved in 1436, it was not finally implemented until 1444, by which time the original scheme of endowing five chaplains from its fruits had to be modified to provide for only four chaplains.

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1. CCM, 293-5.
 2. Appendix I. no. 217.
 3. Ibid., no. 928.
 4. Ibid., no. 193.

Even the successful conclusion of the appropriation did not end the difficulties, however, as a determined protest was made in 1450/1 about the annexation of both parsonage and vicarage teinds. Nevertheless, although a vicarage was to be erected, there is no indication that this was ever effected.¹

Elsewhere, the case of Dalkeith provides a more startling example of a chapel which was made collegiate in 1406², and even obtained parochial status in 1467³, and yet the revenues of which at no time formed part of the endowment of the collegiate church, although the vicar of Dalkeith, who was not a member of the college, did conduct services at the altar of the Blessed Virgin within the college. In this instance, the explanation is to be found in the fact that although parochial status was attained in 1467, the revenues of the parish church of Dalkeith continued to be tied to those of its mother church of Lasswade⁴, which in 1487 was to be annexed to the deanery of the newly erected collegiate church of Restalrig, the revenues of Dalkeith thereafter pertaining to that/

1. Appendix I. no. 928.

2. Reg. Hon. de Morton, ii. 324.

3. CCM, cxvi-cxix.

4. Appendix I. no. 717.

that dignitary.¹ At no time, therefore, were the parsonage revenues of Dalkeith available for union with the collegiate church, while the vicarage, as lying within the presentation of the "parsons" of Lasswade, also remained outwith the collegiate structure.

Yet another pendicle of Lasswade was involved in a similar situation, as Roslin, which became a collegiate church, c. 1521,² continued to have its teinds uplifted by the dean of Restalrig, who, in 1546, commanded the curate of Roslin, along with those of Dalkeith, Lasswade and Glencorse, to warn their parishioners that their teinds were due to him "as true, lawful and undoubted rector of the said churches."³

Under such circumstances, revenues had to be obtained from other sources, and consequently the provostry of Roslin was maintained from the revenues of the parish church of Pentland⁴, while the provost and canons of Dalkeith held between them the fruits
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1. CPL, xiv. 211-13.

2. Easson, Medieval Religious Houses - Scotland, 183.

3. GRH, Chs. no. 1380.

4. Appendix I. no. 901.

of three churches.¹ Similar annexations were taking place elsewhere, and the collegiate church of Restalrig, which had no connection with the parish church of that place, had appropriated to it no less than seven churches², while the parish church remained a free parsonage within the patronage of the Logans of Restalrig.³

Collegiate churches amply endowed from their own parochial revenues also added to their revenues by further annexations, and so the incidence of appropriation continued to rise. Thus, although the college of Methven was founded on its own teinds, the church of Auldbar was granted to the college shortly after its foundation in 1443, the whole revenues of the church being so annexed.⁴ Likewise, the church of Borthwick was annexed to the collegiate church of Crichton on its foundation in 1449 to supplement the parochial revenues of Crichton which were also to be utilised by the college.⁵

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1. Appendix II. no. 26.
 2. Ibid., no. 104.
 3. Appendix I. no. 940.
 4. Ibid., no. 73.
 5. Ibid., nos. 131, 232.

In such ways, the extent of the appropriation of parochial revenues was considerably enlarged during the fifteenth and sixteenth centuries, and lay and ecclesiastical patrons alike, continued to endow secular colleges in this fashion until the very eve of the Reformation.

The motive force behind this burst of founding and endowing collegiate churches can be easily realised on an examination of the characteristic duties of the clergy of such colleges, for although the clergy were obliged to celebrate mass and observe the canonical hours, their main task was to say masses for the souls of the founder and his kin, and any other nominated person for whom intercession had been craved, while especially observing the anniversary of the founder's obit. This alone was sufficient reason for the foundation of such colleges, for the motivation behind gifts to the church had not changed, even if the recipients were no longer the regular clergy. Moreover, the material aspect of endowing a religious foundation remained equally to the fore, and the fact that the erection/

erection of a collegiate church represented a sign of worldly success should not be forgotten.¹

Essentially, therefore, the members of a collegiate church were not concerned with the living, but with the dead, and the consequent celebration of votive masses. Viewed in this light, the oft repeated assertion that the creation of such colleges led to an intensification of parochial work is quite unjustified, and while, as has been pointed out, many collegiate churches were superimposed upon parsonages or vicarages of existing parish churches, there were many such colleges which held no parochial cure. Even, where the college was erected in an existing parish church, either one of the canons was deputed to serve the parish, or, as more frequently occurred, a vicar-pensioner who was not normally a member of the college was to be appointed and hold the cure of souls. Only in very rare instances such/

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1. The best survey of the aims and the motives behind the foundation of the collegiate churches in Scotland is D.E. Easson, "The Collegiate Churches of Scotland" (TSCHS, vol. vi. 193 ff., vol. vii. 30 ff.)

such as at Seton¹, where the canons were bound to residence and the cure of souls, does it appear that the canons might, as at Guthrie,² minister in turns to the needs of the parishioners, but this, if it was carried out, was from no altruistic motive, but rather to spare the necessity of engaging a curate.

In this way, the foundation of a collegiate church in a parish church which had previously been a well endowed free parsonage, or at least a reasonably endowed vicarage perpetual, meant almost inevitably that a vicar-pensioner with a lowly pittance would be thenceforward appointed to serve the cure, and as a result parochial ministrations would assuredly decline. Moreover, as collegiate churches, whether parochial or not, with very few exceptions,³ normally held other annexed churches, the efficiency of parochial service was crippled in many other parishes.

By the sixteenth century, the collegiate churches, which in themselves had fallen away from their original ideals, and were beset by the evils of/

1. RS 656, Fo. 131^v.

2. CPL, xiii. 137-9.

3. Supra, pp 183-4.

of pluralism, non-residence and non-performance of duties, had played their part in the general degradation of the medieval Church. As in the cases of the monastic houses and the cathedral chapters, much of this can be attributed to their impingement upon parochial revenues, and the consequent lowering of the status of the parish priest. It is obvious, moreover, that the appropriation of parish churches by the collegiate churches, at a time when the monastic houses, and to a lesser extent the cathedral chapters, had ceased to obtain revenue from such sources, had the effect of raising appropriation in Scotland to a height unparalleled elsewhere, and at the same time of lowering the number of free parsonages to such a level that the evils of appropriation became more and more evident.

ii.

One class of collegiate churches, although equally guilty of appropriation, and the sins which beset/

beset the system, did not, however, fail to use their endowments to a useful and predetermined purpose. These colleges were, of course, those in which an educational rather than an ecclesiastical function was stressed. Two such colleges, St. Salvators at St. Andrews and King's College, Aberdeen, were in their inception and ideals, first and foremost collegiate churches, but at two later foundations - the colleges of St. Leonard's and St. Mary's, both at St. Andrews, the educational nature of their activities had become uppermost, and those colleges can be rightly defined as Academic Colleges.¹

Although, this very real distinction must be remembered, it has proved convenient for the purposes of this study to deal with these colleges of an educational nature as a single bloc, and to include with them the University of Glasgow, which, although at first lacking a collegiate structure,² nevertheless, takes its place beside the other colleges as a corporation which became partially endowed from parochial sources.

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1. Easson, Medieval Religious Houses - Scotland, 173, 184, 189.
 2. Mackie, The University of Glasgow, 43 ff.

In the utilisation of parochial revenues for educational purposes, the lead was given by James Kennedy, bishop of St. Andrews when on the 27th August, 1450, he founded the college of St. Salvator, to which he annexed the four parish churches of Cults, Dunino, Kemback and Kilmany.¹ The first three of these churches were allotted to specific prebends, while the fruits of Kilmany were assigned in common to the members of the college. Thereafter, new prebends were erected from time to time upon the fruits of parish churches, although it would appear that holders of such prebends did not, as might have been expected, form a chapter, and that only the possessors of the three original prebends held full capitular rights.²

Seven further annexations did, in fact, take place to St. Salvator's before the Reformation, although two of these were of short duration. Thus, although the church of Lasswade was united to the capitular mensa in 1465, with the proviso that the then parson was to become a canon of the college, this/

1. Univ. Comm. Rep., St. And., 270 ff; Cant. Coll. of St. Salvator, 54-60.

2. Cant, Coll. of St. Salvator, 30.

this never became operative in spite of a re-annexation of 1468. This failure was largely due to the fact that following upon the erection of St. Andrews into an archbishopric in 1472, there began a series of attempts to annex the fruits of Lasswade to the archiepiscopal mensa. These attempts were also foredoomed to failure, but they had the effect of rendering the proposed annexation to St. Salvator's equally unsuccessful. In this way, although a further attempt to erect Lasswade into a prebend took place in 1477/8, and persisted until 1480, the prebend in that year was re-annexed to the archbishopric. Thereafter, although the fruits were appropriated to the archiepiscopal mensa for several years, the annexation was not to prove permanent, and the struggle was finally resolved by the union of the church to the newly erected collegiate church of Restalrig in 1487.¹

A similar struggle occurred over the fruits of the parish church of Tynninghame which appears as a prebend of St. Salvator's in 1485, although a proposal/

1. Appendix I. no. 717.

proposal to unite this church to his mensa had been made by the archbishop of St. Andrews in 1473, and was to be made again in 1487. Possibly for this reason the union to St. Salvators did not persist, and the revenues of Tynninghame were eventually annexed to the college of St. Marys at St. Andrews.¹

Such conflicts over parochial endowments were typical of the late fifteenth and early sixteenth centuries, and while St. Salvators was unsuccessful in making good its claim to the revenues of these two churches, it was at least more fortunate than some contenders for parochial revenues, insofar as it managed to accumulate to itself before the Reformation, the revenues of eight parsonages and five vicarages.²

Four of these vicarages had been annexed with their parsonage revenues, and in this respect the tendency to annex both parsonage and vicarage revenues, mirrors the situation as it existed at collegiate churches in general. In one instance at least, however, the opposite was the case as when Forteviot was annexed to St. Salvators in 1495, Archbishop Scheves/

1. Appendix I. no. 1092.

2. Appendix II. no. 114.

Scheves used the opportunity to erect the existing vicarage pensionary into a vicarage perpetual.¹

The remaining vicarage annexed to the college was that of Cranston, which had originally formed a prebend of St. Salvators in conjunction with the parsonage of Kinnell. The latter was, however, disjoined from the prebend before 1473, and thereafter the vicarage of Cranston had formed a prebend in its own right.² This in conjunction, with at least four successful annexations made after the foundation of the college³, and the four churches appropriated upon the erection of the college⁴, would appear to be the total number of churches held at the Reformation by St. Salvators, to the revenues of which, such a holding must have been considerably beneficial.

Equally well endowed, and much more elaborately organised, was King's College, Aberdeen, the foundation of which followed upon a petition of 1494/5 for the erection of a studium generale at Old Aberdeen.⁵ The original grants made to King's College were, therefore/

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1. Laing Charters, no. 224.
 2. Appendix I. nos. 228, 649.
 3. Ibid., nos. 415, 534, 649, 653.
 4. Supra, p. 190
 5. Fasti Aberd., no. 1.

therefore, made to the university of Old Aberdeen which had, however, assumed a collegiate form before 1500.¹ A substantial part of the colleges initial endowment was derived from the revenues of an existing religious foundation - the hospital of St. Germain's, which had possessed three annexed churches - Abergerny, Aberlethnott and Glenmuick.² This case provides an ideal illustration of how in their search for endowments, the institutions of a later age were frequently forced to seize the revenues of less favoured corporations. In this instance, not all the revenues of St. Germain's were annexed to the 'Masters, Doctors and Scholars', since certain provision was made for the maintenance of one friar and three poor at the hospital, but the university, and latterly the college, nevertheless, retained the major part of the fruits of the hospital and its annexed churches.³

Not only did a moribund hospital lose its endowments to the college, however, as the cathedral of Aberdeen also lost a part of its endowments when in/

1. Rait, Univs. of Aberdeen, 29-30.

2. Fasti Aberd., no. 4; Appendix I. nos. 16, 19, 455.

3. Fasti Aberd., nos. 4, 104.

in 1513/14, the church of Auchindeir, which in conjunction with the church of Invernochty, had formed a prebend within the cathedral, was disjoined from the prebend and erected, both in parsonage and vicarage, into a prebend of King's College, the cure becoming a vicarage pensionary.¹

Other endowments, including the churches of Aberdeen - Snow,² Slains³, and the vicarage of Tullynestle⁴, followed, the revenues of those, and the other appropriated churches, being allotted to various personages within the college in 1505 and again in 1531.

Of all these annexations, however, the most curious is that of Aberdeen - Snow. In this instance, it would actually appear that the parish was specifically brought into existence in order that its revenues might be appropriated. If this, on the other hand, was not so, its existence as a parochial unit had certainly not gone far beyond the stage of having its foundation approved, before its revenues were annexed to the university.

The/

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1. Appendix I. no. 64.
 2. Ibid., noll.
 3. Ibid., no. 1001.
 4. Ibid., no. 1088.

The course of events is rather obscure, but appears to have proceeded thus:- A bull of 1497 relates that the Pope had received a petition that the New Town of Old Aberdeen was increasing and desired to have a parish church.¹ On the strength of this Papal mandate, Bishop Elphinstone erected the parish in 1498, and presented one William Strachan to the benefice.² The following year, however, at the instigation of William Strachan, the parish, and its revenues, were annexed to ^{the} university, later King's College, by Bishop Elphinstone with consent of his chapter.³ Taken in conjunction with the fact, that in the initial proceedings, the King had figured amongst the petitioners for the erection of the parish,⁴ the evidence would appear to point to the conclusion that this particular erection, and subsequent appropriation, was cleverly engineered in order that another prebend might be endowed.

Of the two remaining colleges which, as noted, were of a more specifically educational, rather than religious/

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1. Scottish Notes and Queries, June 1906, 182-3.
 2. Records of Old Aberdeen, II. 266.
 3. Fasti Aberd., no. 16.
 4. Scottish Notes and Queries, June 1906, 182-3.

religious nature, both, possibly because of this different emphasis, suffered considerable difficulty in obtaining adequate endowment from parochial sources, and this difficulty was also met by the university of Glasgow.

At Glasgow, no definite assignation of prebends was made to teachers within the university by Bishop Turnbull's foundation.¹ This procedure, which was contrary to that established by Bishop Kennedy at St. Salvator's, meant that teachers and students alike, were reliant for their support upon the fruits of the benefices which they already held, and due to this situation, financial difficulties were frequently to the fore at Glasgow.²

With the development of the college, however, some alleviation of the financial position was felt to be desirable, and various attempts were made to effect this. Nevertheless, although Archbishop Blackadder attempted to grant the fruits of four vicarages and the parsonage of Garvald to the college in 1506, none of these unions became effective.³

Furthermore/

1. Mackie, The University of Glasgow, 21.

2. Ibid., 22-4, 59.

3. Mun. Alm. Univ. Glasg. I. no. 21; Appendix I. nos. 153, 433, 546, 744, 1024.

Furthermore, of the grant of three vicarages made in 1537 by Archbishop Dunbar,¹ only one - that of Colmonell,² ever became effective, and that required a further annexation in 1557/8 before it finally became operative.

These difficulties experienced by the archbishops of Glasgow in their attempts to adequately endow their city's university, illustrates the fact that a considerable resistance to further appropriation had materialised in the sixteenth century. Episcopal influence was no longer sufficient to persuade patrons to relinquish valuable patronage rights, and any attempts to do so was made all the more difficult in institutions in which an educational, rather than a religious function, which conveyed certain spiritual benefits, was uppermost.

Lay patrons of the few remaining independent parsonages do not, in the main, appear to have been anxious to surrender their rights to educational establishments, and it would appear that the majority of parsonages annexed to academic colleges, and/

1. Mun. Alm. Univ. Glasg. I. 493-5; Appendix I. nos. 153, 204, 372.

2. Appendix I, no. 204.

and especially those at St. Andrews, had lain within episcopal patronage.¹

The bishops of Glasgow do not appear to have been so fortunate in this respect, and hence the necessity of relying upon vicarage revenues, and even in these cases, their demands were evidently successfully resisted.

Even at St. Andrews, vicarage revenues had on occasions to be relied upon, and this is particularly noticeable in the foundation of St. Leonard's College.² Here, the vicarage of Kennoway, the parsonage of which was annexed to the priory of St. Andrews, was united to the college in 1512/13.³ In this instance, however, the attempt does not appear to have been successful, and the teinds of the quasi-parish of St. Leonards alone passed to the college.⁴

St. Mary's College, St. Andrews, was more fortunate in its endowments from parochial sources and/

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1. This would appear to explain how the archbishops of St. Andrews were able to effect most such annexations without having recourse to lay consent.
 2. Coll. of St. Leonard, 128 ff.
 3. RMS, II. no. 3812.
 4. Appendix I. nos. 540, 970.

and finally obtained the revenues of five churches, both in parsonage and in vicarage.¹ Nevertheless, they did not obtain these without a struggle, and while the college itself was founded in 1537/8, and several annexations, including those of the churches of Tarvit, Tannadice and Tynninghame, were then made to it,² it was not until the completion of the foundation in 1554, that the revenues of those three churches were finally secured, and those of Inchbrayock³ and Conveth,⁴ appropriated in 1552 and 1550 respectively, also confirmed.⁵ It was not, indeed, until 1558 that Tarvit was finally united to the "New College"⁶, and this appropriation, by virtue of this fact, would appear to possess the doubtful distinction of being the last such annexation to take place in pre-Reformation Scotland. No doubt due to its proximity to the Reformation itself, this annexation was questioned after the Reformation. As a result, the General Assembly in 1568 appointed a commission to decide between the minister of Coupar and St. Mary's College "anent/

1. Appendix II. no. 113.

2. Univ. Comm. Rep., St. And., 356-9.

3. Appendix I. no. 494.

4. Ibid., no. 214.

5. Univ. Comm. Rep. St. And. 360-6.

6. Ibid., 366-7.

"anent ther pretendit right of parsonage of Tarvat." After three days, however, a decision was given in favour of the masters of the college.¹

This decision undoubtedly sprang from the educational nature of the endowment, and it is this attitude which can be seen at a later date in the continuance of annexations made to educational foundations. Indeed, grants were made to supplement existing ones as can be observed in the annexation of the parsonage and vicarage teinds of Govan to the university of Glasgow in 1578, although this did not become fully operative for another fifteen years.²

Nevertheless, although such endowments could be condoned after the Reformation, and, although, the revenues acquired by such means may have been utilised to a better fashion than those acquired by other collegiate churches, it should not be forgotten that the impoverishment of the parishes was as much contributed to, by the annexations of academic colleges, as by those with a purely religious function/

1. Univ. Comm. Rep., St. And., 367.

2. Mun. Alm. Univ. Glasg. I. nos. 58-9, 65.

function. Eventually nineteen churches, and as many vicarages, were annexed to educational establishments,¹ and while these did not exactly correspond, as a few parsonages were annexed without their vicarages, and vice-versa, in most cases, and especially at St. Mary's College,² both parsonage and vicarage revenues were appropriated leaving the parishes to the care of underpaid vicars-pensioner. The effect of such parochial neglect could not be ignored even by the unreformed Church, and hence by the late fifteenth century, and certainly by the early sixteenth century, even appropriation to the hitherto privileged colleges had come to be doubted in certain quarters, and the practice in general condemned.

1. Appendix II. nos. 2, 58, 111, 113-4.
2. Ibid., no. 113.

CHAPTER VI

The Consequences of The System

Our study to date has been concerned with the development of the system of appropriation within medieval Scotland, and furthermore with a survey of the incidence of annexation as it effected the various foundations which coveted endowments from parochial sources. As has been observed, each of these types of institution enjoyed a period in which such endowments were easily obtained, but by the Fifteenth century, the monastic houses had ceased to be favoured in this way, and it was only the collegiate churches, and to a much lesser extent, the cathedral chapters, which were still obtaining parochial revenues.

By the Fifteenth century, however, the ill-effects which were arising from annexations, both of parish churches, in the first instance, and of vicarages in the second, were becoming increasingly apparent, and the consequent appointments of vicars, whether regular or secular, were of such a low standard that no one could be unaware of the harm caused by appropriation.

Attempts were, in fact, made from time to time to limit/

limit annexations, but none were successful. As has been observed,⁽¹⁾ the Papal practice that unions confirmed by one Pope, and which had not become effective at his death, were rescinded, had a financial and not a moral motivation, and similar attempts had likewise hidden motives. Thus, when James Kennedy, bishop of St. Andrews, was allowed by the Papacy to annul unions in his diocese, which had not yet taken effect,² the motive in this instance was that the bishop wished to confer such benefices on scholars, and as these too would have been absentees, it is obvious that the parish was not going to benefit from the annulment.

The secular arm also came to dislike appropriation, mainly because the system undermined the rights of lay patrons. In this respect, however, it is becoming increasingly evident in the fifteenth century that where the lay patron was strong enough, the annexations could not take place. Thus, Herries of Kirkgunzean successfully resisted attempts in 1445 to annex that church/

1. Supra, p. 62

2. Theiner, Vet. Monumenta, no. dcclx.

church to the archdeaconry of Teviotdale,¹ while earlier the Stewarts of Dalswinton had thwarted the abbot of Arbroath over their church of Kirkmahoe which they proceeded to have erected into a prebend of Glasgow cathedral.²

Those practical limitations to the scope of appropriation were, moreover, accompanied by a growing volume of condemnation for the system itself. Nor, were these complaints confined to Scotland, as in England the greatest voice of the fifteenth century, that of Gascoigne could declare "the cure of souls has perished through appropriated churches".³

Even Gascoigne, however, was prepared to make certain concessions in regard to certain collegiate foundations, and it was in a similar vein, if in slightly wider terms, that the Scottish^{Parliament} was to officially decree in 1471 that:-

"Na unyownis nor annexaciones maid now of the
lat sen our soverane lord tuk the crowne be of
strenth/

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1. RS, 407, Fo. 197^v; 412, Fo. 144^v; 468, Fo. 249^v.
 2. REG, nos. 279-282, 340; GRH. Vat. Trans., II no. 81; SSR, I.155.
 3. Loci e Libro Veritatum (ed. Rogers), 3.

strengthen valew nor effec nor be sufferit withtin
 the realme And gif ony persouns
 wald attempt or his attempt in the contrare
 of thir pointis aboune written salbe demanit
 as tratouris and never to bruik benefice
 nor use worschip withtin the realme. Never the
 les it salbe leful to lordis and baronys to
 purches annexaciouns and unyounis of any benefice
 that thai can purches outhir ther own patronage
 or utheris to be unyit to secular collegis ~~to~~
~~be~~ fondit or to be fundit."¹

This act, which was repeated in similar terms
 in 1488,² appears to have been effective in preventing
 further annexations to monastic houses, but as has been
 noted,³ full use was made of the exceptions allowed
 by the act, and the incidence of appropriation continued
 to soar.

As appropriations continued to rise, so too
 did difficulties in the parishes increase. Monastic
 foundations, cathedral chapters, collegiate churches,
 and even universities, all played a dishonourable part
 in/

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1. APS, II.99
 2. APS, II.209.
 3. Supra, p.162

in obtaining parochial endowments for their own ends. The appropriating bodies thought only to secure an alleviation of their own financial difficulties, and paid little or no heed to the requirements of the parishes from which they diverted as much of the total revenue as proved possible.

Only in the Isles, where religious houses were few, and a cathedral chapter apparently non-existent, were free parsonages to be found in any great numbers, although this position was paralleled to a certain extent in Annandale where a considerable number of parishes likewise remained unappropriated, due perhaps to their very poverty and also the scarcity of religious houses in that area.¹ Elsewhere, appropriation was rampant, and few free parsonages are to be found.

It should not be assumed, however, that where a parish was unappropriated, and these were few enough, everything was equally bright. There is nothing to suggest that the "rectors" of unappropriated churches were more assiduous in their duties than the worthless vicars who came to serve appropriated churches, and indeed/

1. Appendix II (c) - Unappropriated Churches.

indeed in most free parsonages the actual parochial work was done by a vicar pensioner.¹ Nevertheless, the system of appropriation, by building up the wealth of ecclesiastical foundation to the detriment of the parishes, and their incumbents, undoubtedly played a major part in the downfall of the pre-Reformation Church by ensuring that the cure of souls, to the study of which our attention must now be turned, was exercised by men who were totally unfitted to look after the spiritual welfare of their parishioners.

THE CURE OF SOULS

1. Assumptions, Fo. 413; RMS, iv. no. 2789; Galloway Chs. no. 65.

CHAPTER VII

The Vicarage System

No study of appropriation can concern itself solely with an examination of the diversion of parochial revenues to other religious institutions, as the influence of such a system not only affected the welfare of the appropriating bodies, but also reacted upon the parishes themselves. The effects of this system upon the appropriators has already been examined, and it is now necessary to lay down the reaction upon the parishes, with particular regard to the manner in which such churches were served.

PART II

THE CURE OF SOULS

At first, the use of vicarary priests in appropriated churches appears to have been quite commonplace, and no regular method of service is discernible. Churches appear to have been left without priests¹, while in other cases, the vicars appear to have been serving their churches in person, although there is no proof to show whether this was happening to any great extent.² In whatever manner churches were being served, however, it is obvious that security of tenure was really enjoyed by a priest/

1. *ESQ*, no. 27.

2. Dickinson, *Origins of the Austin Canons*, 215 and n².

CHAPTER VII

The Vicarage System

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At first, the use of mercenary priests in appropriated churches appears to have been quite commonplace, and no regular method of service is discernible. Churches appear to have been left without priests¹, while in other cases, the religious appear to have been serving their churches in person, although there is no proof to show whether this was happening to any great extent.² In whatever manner churches were being served, however, it is obvious that security of tenure was seldom enjoyed by a priest/

1. REG, no. 27.

2. Dickinson, Origins of The Austin Canons, 215 and n².

priest whose church was annexed to a religious institution.¹

It was this laxity in the method of serving annexed churches, and also the repeated efforts of religious corporations to convert rights of presentation into full financial rights², that prompted not only a system of appropriation, but also allied to that, a systematic method of serving parish churches. This system - the vicarage system, was to find its fullest expression in the decrees of the Fourth Lateran Council of 1215 which enacted:-

"A vicious custom that must be extirpated has grown up in certain parts, where patrons of parish churches, and certain other persons claiming the profits for themselves leave to the priests deputed to the service of them, such a scanty portion that from it they cannot be suitably sustained. For as we learned for certain, there are some regions where the parish priests have for their sustentation only/

1. Mansi, Concilia, vol. 22, col. 139 - Canon 4.
2. REG, no. 60; CPL, I.5.

only a fourth of a fourth, to wit the sixteenth part of the tithes, whence it cometh that in these regions scarce any parish priest can be found who is even moderately well educated. Since therefore it is not lawful to muzzle the ox that treads the corn, but he who serves of the altar should live of the altar. We have ordained that by a certain custom of the bishop or patron, notwithstanding any other, a sufficient portion be assigned for the priest."¹

Where possible the "rector" was to reside and officiate, but where not, and this was obviously the case when rectorial rights were vested in a corporation, care should be taken "to have a perpetual vicar canonically instituted who . . . should have a fit portion of the profits of the church."²

This enactment not only immeasurably increased the status of the secular priest whose supremacy in the/

1. Mansi, Concilia, vol. 22, col. 1019 - Canon 32 (Cited in translation - Hartridge, Vicarages in the Middle Ages, 20-1)

2. Ibid.

the cure of souls was considerably strengthened, but also by its insistence upon the consent of the bishop, ensured that the provisions laid down would be carried out. It is on such grounds that the relevant canon of the Fourth Lateran Council has been termed the "Magna Charta of the parish priest."¹ In spite of its failure to become completely operative, it stands out in Scotland, as elsewhere, as the sheet anchor of the vicarage system. The perpetual vicar, instituted by a bishop, and irremovable except after action by the appropriate authorities, now possessed of a separate endowment, had thereafter by its enactment a basis of canonical right, and upon this right, bishops were to base their claim to defend those vicars against further encroachments.

This decree of 1215, important as it may be, however, merely canonised a system which had been slowly evolving, and it should not be imagined that the vicar-perpetual owes his existence to this decision, but was rather a gradual creation accepted as the solution, which would prove less harmful to the/

1. Hartridge, Vicarages in the Middle Ages, 21.

the spiritual welfare of the parishes than a series of anomalous local solutions.

The erection of vicarages-perpetual was, indeed, well under way before the beginning of the thirteenth century, and in England by c. 1184, vicarages-perpetual are to be found in more than half the dioceses.¹ In Scotland also, this trend appears to have found expression before the end of the twelfth century, and that the practice was in operation can be observed in the monition of Pope Lucius III to Joceline, bishop of Glasgow (1181 x 5), which declared "It is unlawful for the religious dwelling in your diocese to hold any parish church in their hand when it falls vacant or to institute perpetual vicars in any such without your consent."²

The early years of the thirteenth century saw further developments in this direction, as the numbers of appropriations themselves increased. In 1201, the/

1. C. R. Cheney, From Becket to Langton, 136. (Professor Cheney considerably modifies Hartridge's views on the significance of the Fourth Lateran Council upon the creation of vicarages-perpetual, op. cit. 134-6).

2. REG, no. 60.

the bishop of Glasgow, in confirming various deeds of appropriation carried out by his predecessors in favour of the abbey of Kelso, stipulated that there should be placed in these churches, perpetual vicars who should be responsible to the bishop for his dues and procurations as had been laid down at the Third Lateran Council.¹ Later in the century, moreover, it was further agreed by Kelso that after the death of an incumbent of an appropriated church, the bishop should have custody of these churches until a vicarage had been ordained.²

Similar agreements were being made, and carried out, not only within the bounds of Scotland, but all over Western Christendom, and in 1215, the system which had been slowly evolving, was not created but rather given final recognition at the Fourth Lateran Council, in the decrees of which, the efforts of Pope Innocent III to/

1. Calchou, no. 427.

2. Ibid., no. 422.

to establish conformity in this direction finally reached fruition.¹

The development of a vicarage system in Scotland was not unnaturally closely influenced by this new enactment which there, as elsewhere, gave direction and purpose to these lines upon which earlier settlements had already been based. While it is true to say, however, that the vicarage system precedes the decrees of 1215, it is, nevertheless, only after that date that the full results of the added stimulus given to such settlements can be seen. Thus, in 1220, a settlement was reached between the bishop of Glasgow and the abbey of Jedburgh², while a similar agreement took place with the abbey of Paisley in 1227.³ Other bishops were no less idle. The bishop of Aberdeen reached agreement with Lindores in 1250 over churches held by the abbey within his diocese,⁴ while the bishop of

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1. Professor Cheney (From Beckett to Langton, 136) rejects Hartridge's view that 'Pope Innocent III sent many mandates to English bishops' on the subject of perpetual vicarages, and claims there was no special stimulus from Rome. As far as Scotland was concerned, and most likely England too, the latter part of Cheney's statement is questionable as the concern of Lucius III and Innocent III, as well as the decrees of the Third Lateran Council (Mansi, Concilia, vol. 22, cols. 397-9) show every stimulus being given from Rome.
 2. REG, no. 114.
 3. Passelet, 318-23
 4. REA, l. 23-6.

of St. Andrews made a settlement with the abbey of Dryburgh in 1268.¹ Other similar agreements came to be made throughout Scotland, and the erection of vicarages perpetual became almost universal. The earlier practice of serving churches by means of stipendiary priests became almost unknown, while the service of churches by regulars would appear to have been curtailed. It is doubtful, however, whether this practice entirely ceased, as even in the agreement reached between Gamelin, bishop of St. Andrews and the abbey of Dryburgh in 1268,² in which provision was made for secular vicars to serve in churches which the canons had previously served, it was stipulated that should these secular vicars give trouble to the abbey, they might be replaced by canons regular.

The general canons of the church, moreover, came to be supplemented by the enactments of the Scottish Church itself, which, however, imperfectly they may have been realised, continued to represent an ideal. Thus, it is enacted in the Aberdeen Statutes:

"Let him that has a parish church hereafter
serve it in his own person unless
he/

1. Dryburgh, nos. 40-1.

2. Ibid., no. 40.

he have already a vicar canonically
instituted in the same . . ."¹

Other contemporary statutes legislate on residence and emoluments², and while the frequency of such statutes raises doubts as to their effectiveness, it appears that during the thirteenth century at least, the Scottish bishops did proceed apace with vicarage ordinations, and not until the fourteenth century, with its spate of privileges, exemptions and vicarage appropriations, did the system begin to break down.

Vicarage settlements in the century following the Fourth Lateran Council became so commonplace that the form of such agreements became virtually stereotyped, and even although their conditions might vary considerably, portio vicarii eventually became a word of style. Such settlements require, and will receive, detailed study³, and at present it is sufficient to note that such arrangements usually involved a division of the teinds. The vicar perpetual was frequently maintained from the lesser teinds while the garbal teinds went to the "rector", but this was by no means

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1. Patrick, Statutes of the Scottish Church, 43.
 2. Ibid, 11-12, 66.
 3. Infra, Chapter viii.

a universal arrangement, and sustenance was frequently provided by the assignation to the vicar of some other part of the revenues of the benefice.

Even during the thirteenth century, however, the practice of serving churches by mercenary priests never died out. Thus, while it was decreed by the Scottish Church in that period that "vicars of churches shall have a sufficient and respectable maintenance from the revenues of the churches, since they who serve the altars should live by them and from the incomes of the church. But so that the stipend of a vicar net and free, after all burdens have been deducted, shall amount at least to the value of ten merks if the resources of the church shall suffice for this: It being understood that in wealthier benefices sufficient stipends be assigned to vicars in proportion to the resources of the churches and the burdens lying on them . . ."1 yet it was thought fit that ". . . no chaplain, whether hired for wages or having a parochial appointment, shall demand or receive for his services during a year, a stipulated sum above a hundred shillings."2

While such chaplains may not have been common
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1. Patrick, Statutes of the Scottish Church, 11-12.
2. Ibid., 53.

in parochial cures in the thirteenth century, individual cases do occur, such as that in 1251, when Bishop David de Bernham allowed the monks of Kelso to serve their church of Semprisk, not by a vicar, but by a decent chaplain.¹ Other similar cases could be cited, including that of the church of Rosyth, which was appropriated to Inchcolm, and was described, between 1251 and 1272, as "in proprios usus suos totaliter convertendam", the church, as were the churches of Dalgetty and Aberdour, to be served by a chaplain.²

Such cases were, however, the exception rather than the rule in the thirteenth century, and on the whole, the ideal of the perpetual vicar, duly ordained and provided for out of the teinds, was upheld by bishops throughout that century. It was only in the face of the extraordinary difficulties posed by the Schism, and the Wars of Independence, in the course of the fourteenth century, that the vicarage system began to crumble, and service by mercenary priests, who received no share in the teinds but only a fixed pension payable/

1. Calchou, no. 432.
2. Inchcolm, no. xxii.

payable by the appropriating body, once again became commonplace. Even then, however, this was not a reversion to the situation which had existed in the twelfth century, as the practice in such settlements had now become systematised, and in most cases even the vicar-pensioner enjoyed security of tenure.¹

Vicarage appropriations² chiefly contributed to this state of affairs, and while bishops continued to ensure that vicarage settlements were carried through, these were seldom adequate. Thus, in the annexation of the vicarage of Monifieth to Arbroath in 1350,³ while it was initially agreed that a perpetual chaplain with a stipend of ten merks with manse and garden was to be provided, it was found necessary to alter this proviso in 1378 to make allowance for a vicar-pensioner with a stipend of twenty merks, this increase being offset, however, by the fact that the vicar had now to meet the procurations and synodals.⁴

Such increases were all to infrequent, however, and where they were carried out, the pattern illustrated above/

1. *Infra*, Chapter IX.

2. *Supra*, pp. 41-3, 44-6, 178-9

3. *Aberbrothoc*, ii. no. 23.

4. *Ibid.*, ii, no. 36.

above is all too common insofar that larger stipends invariably brought heavier burdens.¹ In this way, the vicarage system, as finally established, was constantly undermined, and although, even in the sixteenth century, the ideal still remained, and even the vicarage pensionary, to a certain degree, maintained the spirit of the decree of 1215, the substance of the vicarage system had largely disappeared.

The vicarage system was not only undermined by such indirect methods, however, and a more direct threat to the maintenance of the ideal was to materialise in the shape of increased service by the religious of parish churches annexed to their houses. This practice, as has been noted, was certainly curtailed after 1215, but possibly never ceased, and by the late thirteenth century was once again a privilege zealously sought, and frequently obtained, by the religious.

Although reasonably extensive, and worthy of examination,² this practice in itself, however, could never have constituted a serious threat to the vicarage system/

1. The effect of such burdens and their importance in relation to vicarage valuations is examined in Chapter X.
 2. Infra, Chapter XI.

system as a whole. Indeed, by the sixteenth century, the practice would again appear to be on the wane.

The faults of the vicarage system were in fact inherent in itself, and while external factors helped to destroy it, it was the perversion of the system from within, principally by the introduction of large numbers of vicarages pensionary, which were less resilient in the face of economic change, which brought the system, and with it the Medieval Church in Scotland, finally to destruction.

Thus, in 1201 the bishop of Glasgow had insisted that perpetual vicars should be instituted in churches pertaining to Kelso, while a little later it had been agreed that such vicars, duly ordained by the bishop, should have a "set and reasonable portion" set apart for them.¹ The decree of 1215, as later reinforced by the statutes of the Scottish Church, gave an added impetus and a definite canonical right to the bishops who thereafter did their best to ensure its provisions.

As/

1. *Supra*, pp. 20-2
2. *Supra*, p. 20.
3. *Calchou*, no. 427.
4. *Ibid.*, no. 422.

CHAPTER VIII

Vicarages Perpetual

As has been noted,¹ the thirty second canon of the Fourth Lateran Council laid upon the bishops of each diocese, the onus of ensuring that wherever a church had been appropriated, a perpetual vicar, who should have "a fit portion of the profits of the church", should be appointed. This duty had, as we have seen,² already been performed by bishops before this date, and this decree merely regularised an existing practice rather than created a new one.

Thus, in 1201 the bishop of Glasgow had insisted that perpetual vicars should be instituted in churches pertaining to Kelso³, while a little later, it had been agreed that such vicars, duly ordained by the bishop, should have a "set and reasonable portion" set apart for them.⁴ The decree of 1215, as later reinforced by the statutes of the Scottish Church, gave an added impetus and a definite canonical right to the bishops, who thereafter did their best to ensure its provisions.

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1. *Supra*, pp. 211-2
 2. *Supra*, p. 214
 3. *Calchou*, no. 427.
 4. *Ibid.*, no. 422.

As a result of such actions, vast numbers of vicarage settlements came to be effected between bishops and religious corporations in the course of the thirteenth and early fourteenth centuries, and it is in such settlements that the best evidence as to the valuation of perpetual vicarages is to be found.

It is frequently asserted that the usual form of such vicarage settlements was that in which the garbal, or corn teinds, were assigned to the "rector", while the lesser teinds, that is to say those of milk, butter, cheese, wool and the young of animals, amongst other things, were set apart as the vicar's.¹ Such cases do arise, as at Duffus in 1238, where the bishop of Moray assigned the whole alterage² to the vicar, reserving the great tithes to the holder of the prebend of Duffus.³

In very few instances, however, does the vicarage settlement/

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1. Dowden, The Medieval Church in Scotland, 122.
 2. The alteragium was that portion of the church revenues which essentially pertained to the priest serving at the altar. The term came to include not only the offerings, however, but the small teinds as well.
 3. REM, no. 212.

settlement take the form of a simple division between the decimae garbales and the decimae foeni. In many cases, however, the modifications were slight, and the broad generalisation often can be justified. This can be appreciated by studying any such settlement, which although normally varying greatly in detail, from parish to parish, usually maintain some regular pattern based upon a division of garbal and lesser teinds. Thus, in a settlement effected in 1248 by Bishop Symon of Moray, it was ordained that in the case of the church of Inverness, the vicar was to have the lesser teinds, while the "rector" was to have the garbal teinds, and in addition to hold the whole lands of the church, the tithes of mills and herrings and three merks from the Easter offerings.¹ In a similar fashion, in an agreement of 1249², between David, bishop of St. Andrews and Arbroath abbey, over its annexed churches, provision was made for certain vicars in the following way. At Nigg, the vicar was to receive the altarage plus two merks, while the vicars of Lunan and Inverkeithing were/

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1. Ibid., no. 214 (The Church was annexed to Arbroath).
 2. Aberbrothoc, l. no. 236.

were to receive the altarage alone. On the other hand, the vicar of Ethie was to receive, in addition to the whole altarage, eighteen bolls of meal.

A similar vicarage settlement is found at Aberdeen in a judgement made by papal delegates in 1250.¹ In this instance, the valuation of the vicarages is rather higher than usual, and while this apparently illustrates the fact that not all vicars were treated badly initially, it appears that as these benefices as a whole, may have been more valuable than customary, that the percentage of the revenues derived by the appropriating body was no less than normal.²

In the judgement of the delegates,³ the vicarage of Banff was valued at thirty merks, the vicar receiving the altarage of the church, in addition to the altarage of an attached chapel and one acre of land; Arbroath on its part holding the rest of the lands, the teind of fish and the teind sheaves. On the/

1. REA, l. 18-23; Aberbrothoc, l. no. 238.

2. On the other hand, Bagimond's Roll (SHS. Misc. VI. 42-3, 66-7) does not bear out the high valuations found in this agreement.

3. REA, l. 22-3; Aberbrothoc, l. no. 238

the other hand, in the case of the vicarage of Gamrie, valued at eighteen merks, the abbey only possessed the teind sheaves while the vicar held the altarage, and in addition to the church land, two further acres.

The practice by which the appropriating body received the garbal teinds was by no means universal, however, as the same agreement shows in the case of the vicarage of Banchory-Ternan, valued at sixteen merks. In this instance, the vicar was to have the altarage with one acre of land and the tithe of corn of certain cultivated lands. Arbroath, on the other hand, was to receive forty pence and the corn teinds of lands cultivated thereafter, together with the other teind sheaves and church land.

A further example of such a division occurs in an agreement of 1247 over the parish of Scoonie, annexed to the priory of St. Andrews, whereby Bishop David of St. Andrews applied all the fruits of the benefice to the Cathedral building Funds, "salvo alteragio vicariis qui pro tempore in eadem ecclesia ministraverint cum terram et decimam garbarum de Kinnmuc."¹

A more interesting example of the corn teinds being/

1. RPSA, 168.

being divided between a corporation holding rectorial rights and a vicar is afforded, however, at Kinghorn in Fife, the parish church of which was annexed to Holyrood.¹ A new church had been built, however, and a dispute had ensued over rectorial rights, but "at length a concord was made between them, namely, that the abbot and convent should receive only one half, and the foresaid clerk and his successors, rectors of the said new church, the other half of the garbal tithes with oblations and other emoluments."²

The use of the term "rector", rather than vicar, is of interest, and there appears to have been a tendency to style an incumbent as "rector", if he possessed a major share of the corn teinds. This also appears to have been the case in other exceptional circumstances, and occurs in the relationship between the priory of Guisborough and its annexed churches in Annandale³, where although the priory held the corn teinds of the/

1. Appendix I no. 640.

2. SSR, I. 92. The agreement was not long maintained, however, as the abbey obtained Papal permission to re-annex the church and appoint a vicar-pensioner (Lib. S. Crucis, no. 115; CPL, XII. 730-5)

3. Donaldson and Neilson, 'Guisborough and the Annandale Churches' in Trans. Dumfries and Galloway, 3rd series, xxxii, 148-154.

the churches of Annan, Cummertrees, Gretna, Lochmaben, Rainpatrick and Kirkpatrick, the incumbents were styled "rectores", and not "vicarii", possibly due to the fact that the patronage of these churches was ceded to the bishop of Glasgow in 1223.¹

On the other hand, in some instances, even where an incumbent received all the fruits and paid a pension to the appropriating body, he, nevertheless, continued to be styled as vicar. This arrangement appears to have been fairly common in early settlements, the vicar taking the whole revenue, bearing all the burdens, and paying his pension. This was an obvious solution to the problem of receiving revenues from annexed churches which were situated far from the appropriating body. Hence, in the case of the church of Whissendene in Lincolnshire, which was annexed to the monastery of Lindores, all that was required from the church was an annual payment of ten merks.² It was not only in such cases, however, that pensions were paid by vicars. Thus, the church of Abbotrule, although/

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1. Gyseburne, no. 1185.
 2. Lindores, nos. xi, cii.

3. Whissendene, no. 1185; Ibid., no. 1185; Assumptions, no. 212.

4. Lindores, no. cii.

although granted to Jedburgh by David I (1124-53),¹ owed through the vicar only five shillings per annum, after a settlement of 1220.²

In such cases, the status of the incumbent was obviously open to some doubt, and the vicarage might easily revert to its independent state. This occurred in the case of Abbotrule³, while at Whissendene, the pension had been remitted in 1248 by the Pope to the rector of that church, and although this concession was not to prejudice Lindores for the future, it obviously had this very effect.⁴

These instances of the payment of pensions alone by vicars, (or "rectors"), are isolated cases, however, and more frequently an appropriating body only received an annual pension from an annexed church when such a payment was deemed to be necessary as a compensatory measure in the distribution of the fruits. Thus, the vicar of Rutherglen was to have the whole altarage, with the exception of the fish teinds, on the payment of two merks to the abbey of Paisley, to which the church/

1. Morton, Monastic Annals, 58.

2. REG, no. 114.

3. RS, 401, Fo. 159^v; Ibid. 1866, Fo. 194; Assumptions, Fo. 212^v.

4. Lindores, no. cii.

church was annexed.¹ In another instance, the bishop of Brechin, in a vicarage settlement of 1252, laid down that the vicar of the parish church of Dundee should have the whole altarage, out of which he was to pay the monastery of Lindores, a pension of ten merks per annum.² The vicar - William Mydford, disputed this decision and appealed to Rome, steadfastly refusing to pay the pension during four years of litigation. Eventually, however, Mydford had to admit defeat in the face of combined opposition from the diocesan and the monastery, and undertook to pay the pension plus all arrears and expenses.³ The pension thereafter appears to have been regularly paid, and in the fifteenth century, Lindores was still receiving vi lb. xllls. wd. from the "wiccarag of Dundy."⁴

Litigation between vicars and appropriators, over the non-payment of pensions by the former, seems to have occurred in many instances where this procedure was adopted. This is hardly surprising when the low valuation of many vicarages is considered, and the temptation/

1. Passelet, 321.

2. Liber Sancte Marie de Lundoris, no. 7.

3. Ibid., nos. 11, 13.

4. Laing, Lindores, 413.

temptation for such vicars to attempt to implement their meagre allowances by refusing to meet their obligations must have been considerable. Thus, in the case of the vicarage of Arbirlot, in which the vicar possessed the whole altarage, but was liable to the abbot and convent of Arbroath for two merks annually in lieu of visitations,¹ a process was executed in 1323, "contra vicarios de Arbirlot penes pensionem annuam."² Although, however, it was related that the pension had not been paid for twenty years, the monks recognised the great destruction and desolation of the parish in that space of time, and consequently agreed to waive the arrears, with the exception of one merk of silver which was to be paid in two equal portions in 1324, and thereafter the accustomed pension of two merks was to become operative.

A great number of similar agreements exist about this period, and illustrate very graphically the sufferings which parish priests must have experienced during the Wars of Independence. The monasteries normally bowed to the inevitable by wiping out arrears, but/

1. Aberbrothoc, l. no. 236.
2. Ibid., l. no. 351.

but the old obligations were quickly reimposed in order to refurbish monastic finances, little thought being given to the vicarages and their incumbents, who were very quickly placed on a pre-war footing at a time when a post-war economy prevailed.

This occurs in the cases of the vicarages of Aberchirder¹ and Inverkeilor², which owed pensions, of eight and five merks respectively, to Arbroath. In one instance, however, that of the vicarage of Tarves, the abbey appears to have had more difficulty in re-asserting its authority. In this case, the vicarage, which had been valued at twenty two merks in the thirteenth century,³ owed a pension of eight merks from the lesser teinds to Arbroath. In 1331, however, it transpires that this pension had not been paid for two years by the vicar.⁴ On the intervention of the bishop of Aberdeen, a remission of ten merks was secured, it being then stipulated that this concession was not to be prejudicial to the future. This did not solve the problem, however, and by 1342, the vicar had again fallen into arrears. On this occasion, the vicar-perpetual was/

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1. Ibid., l. no. 355.
 2. Ibid., l. no. 361.
 3. Ibid., l. p.244.
 4. Ibid., ii. no.10.

was obliged to grant a charter to the effect that any arrears in the future might be met out of the vicar's portion of the fruits.¹

The payments of such pensions obviously placed a heavy burden upon vicars-perpetual, and considerably diminished the value of their share of the teinds.

The vicar's claim to the lesser teinds was not only assailed by the levying of pensions on the fruits, however, and other demands were frequently made on these teinds by appropriating bodies.

This was especially the case when any part of the vicarage, or lesser teinds, and the two terms did become synonymous, was of exceptional value. Thus, in a settlement made in the mid-thirteenth century over the church of Abertarf, annexed to Beaully, the teinds of salmon were specified as pertaining to the priory,² which successfully defended its rights against a vicar in 1340.³

In other instances, however, a certain part of the vicarage teinds, which do not appear to have had any especial importance, apart from that of adding to the share of the appropriator, were excluded from the/

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1. Aberbrothoc, II.no.18.
 2. Beaully, 38-9.
 3. Ibid., 87.

the vicar's portion, and in such instances, the cure was technically a vicarage portionary.¹ The excepted teinds, in most such arrangements, was the teind of wool and of lambs. This was certainly the case in the erection of a vicarage pensionary into a vicarage portionary which appears in the St. Andrew's Formulare,² in which the fruits of the entire vicarage, with the exception of teind wool and lambs, were assigned to the vicar.

The arrangements with regard to the division of teinds between vicar and "rector" were therefore ^{far} from static, and every type of division took place, as could only be naturally expected, for as the economic conditions varied from region to region so too did the worth of any particular part of the teinds, and hence the multiplicity of arrangements.

Consequently, very few rules were laid down in regard to the allocation of the teinds in such settlements, and even if they had been, it is doubtful whether they would have proved effective. Certain directives were given from time to time, however, and it was declared:-

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1. Vicarages-portionary are relatively rare. (Assumptions, Fos. 124, 124^v, 344^v).
2. St. Andrews Formulare, no. 133.

"the tithes of gardens in cities and burghs, for whatever kind of crop they are used, shall belong to the vicar's part. But the tithes of gardens in villages insofar as they are used for corn crops shall belong to the rector, and for the rest to the vicar; but let the tithe of flax wherever it is sown belong to the vicar."¹

This particular statute was, moreover, of some effect, and was utilised in a judgement given in a dispute between the bishop of Moray and the vicar of Elgin over the tithes of the gardens of Elgin in 1399. The decision runs:-

"Nos vero intellectis Statutis Provincialibus regni Scocie et rationibus utriusque partis quod ubi constat evidenter de clausuris ortorum antiquorum secundum prolixitatem ortorum clausorum nunc existencium, quod decime illorum ortorum ad Vicariam pertineant et non Episcopum./

1. Patrick, Statutes of the Scottish Church, 21.

Episcopum. Declaramus tamen quod si aliqui burgenses vel alii infra burgum prope ortos antiquos fecerint ortos novos ultra metas antiquas antiquorum ortorum quod decimae illorum ad Episcopum pertineant. Linum vero perri vel caules ad Vicarium pertineant ubicunque fuerint seminate."¹

Diocesans in making vicarage settlements would seem, however, to have been guided to a far greater extent by the statute of 1224 which laid down a minimum stipend of ten merks, free of burdens.² Thus, in 1326, John, bishop of Glasgow, on appointing the vicar of the parish church of Maxton, ordained that he should have a stipend of ten pounds sterling per annum "secundum statutum Concilii Scotici."³ Moreover, in 1248, the bishop of Brechin had also acted upon this principle when he had taxed the vicarages of several churches belonging to Arbroath at ten pounds, and in the case of the impoverished church of Caterline had stipulated "si alteragium dictorum/

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1. REM, nos. 183, 253.
 2. Patrick, Statutes of the Scottish Church, 11-12.
 3. Dryburgh, no. 297.

dictorum ecclesiarum sufficiat, prefati monachi usque ad dictum summam defectum supplebunt. Et si alteragium dictam quantitatem excessent; vicarii dictis monachis de superhabundanti respondebunt."¹

The stabilisation of vicarage valuations at such a figure was obviously far from satisfactory, especially when inflationary tendencies began to appear. In theory, the value of vicarage teinds should have risen as the value of money declined, but in practice the former always appears to have lagged behind the latter, and must also have been frequently retarded by agreements such as that made between the bishop of Brechin and the abbey of Arbroath in 1249 by which the bishop tried to bind his successors from augmenting certain vicarage valuations.²

Increases obviously did take place, however, but all such arrangements were obviously arbitrary, and it was not until the eve of the Reformation that the statutory minimum stipend was raised to twenty merks in/

1. REB, ii. no. ccxiii.

2. Ibid., ii. no. ccxv.

3. REB, ii. no. ccxvi.

in 1549.¹ This was ratified ten years later with the addition, that whereas in the dioceses of Aberdeen, Moray, Ross, Caithness and Orkney, twenty merks Scots with manse and garden should be paid, "in the other sees of the realm twenty four merks a year should be paid to the curate for his stipend."²

Such statutory legislation by the Church on the payment of vicars is, however, only of service as an approximate guide to vicarage valuations, and each case varies from the neighbour. As has been noted, however, the vicar's portion of the fruits usually allowed him a stipend in the region of that laid down in the statutes of the Scottish Church. In proportion to the "rector's" share, this was, nevertheless, an inconsiderable part of the fruits.

This can be seen to good effect in the case of Duffus, the valuation of which can be traced throughout the centuries. In Bagimond's Roll of 1274/5,³ the vicarage is rated as worth twenty merks, while the church is calculated at sixty merks, as it is in a mid-fourteenth century taxation roll of the/

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1. Patrick, Statutes of the Scottish Church, 111-12.
 2. Ibid., 169-170.
 3. SHS. Misc. VI, 44, 76.

the diocese of Moray.¹ By that period, however, the value of the vicarage had dropped to ten merks. Returns often fluctuated according to economic conditions, but this large discrepancy is difficult to explain, although it may be partly due to the fact that procurations, which had originally been the responsibility of the vicar, appear to have been afterwards met by the holder of the prebend.² Whatever the explanation, it is obvious that the lion's share of the fruits went to the canon within Elgin cathedral, and not to the vicar whose stipend was totally inadequate by this period. Even at the Reformation, moreover, the vicarage was only valued at twenty pounds³, while in the rental book of the diocese in 1565, the value of the parsonage of Duffus is recorded as "16 chalders victual and £152.10 money."⁴ These figures speak for themselves, and it is obvious that the vicarage was grossly neglected throughout the centuries.

This, however, was possibly an exceptional case, and/

1. REM, p. 362.

2. Ibid., no. 212, cf. pp. 363-4.

3. Thirds of Benefices, 5.

4. REM, xxi.

and the difference between the vicar's and the parson's income was seldom so great. A more typical case is that of Inverness, the church of which was valued in the mid-fourteenth century at forty merks, and the vicarage at half that figure.¹ In this instance, the vicarage had been reasonably well endowed,² but a more interesting factor lies in the division of the revenues whereby two-thirds fell to the "rector" and one-third to the vicar.

This ratio is quite common, and it has been claimed that this was part of a deliberate policy on the part of religious bodies who desired no more than two parts of the tithe to be appropriated to them, "leaving a third to a free and quiet enjoyment of the parish priest, whom at the same time they eased from the burden of repairing the church and relieving the poor, and took that charge upon themselves.

This again was a colour that lookt well; for it was but a returning to the old Institution of dividing the profits of a Parish into three parts, one to the priest, one to the church, and a third to the poor."³

This/

1. Ibid., p. 362.

2. Supra, p. 226

3. Kennett, The Case of Impropriations, 27.

This explanation should not be carried too far, as many instances occur in which the division of revenues does not fall into this category. On the other hand, it cannot be entirely dismissed, and a swift survey would seem to show that except in extreme instances, the vicar's portion of the fruits generally fluctuated between one-fifth and one-third of the taxable value of a benefice.¹

As vicars normally possessed such a small proportion of the total fruits, it is hardly surprising to find that such settlements were constantly being assailed by vicars who felt that they were not obtaining their correct share of the teinds. Nor, is it surprising to find that corporations, for their part, were adamant in their resistance to such claims, and frequently countered such accusations by claiming that the vicars were not abiding by the original agreement. An excellent illustration of such a squabble occurs in the chartulary of Lindores under the significant title:- "De vicariis qui molestraverunt locum/

1. This conclusion is based upon a comparative study of vicarage and parsonage revenues based upon the rentals to be found in the following volumes: SHS Misc. Vol. vi. 25-77; REM, 361-3; REA, ii. 51-4; Aberbrothoc, i. 231-47.

locum nostrum."¹ In this case, the perpetual vicars of Culsalmond, Rathmuriel and Kinnethmont, which, according to the valuation roll preserved in the Register of Aberdeen², were only worth six, three and six pounds respectively, were causing trouble and injury to the abbot of Lindores in regard to the augmentation of their vicarages. The vicars had caused the abbot and convent to be cited before a judge, whom, it was claimed, had no authority over them. Moreover, it appears that the vicar of Kinnethmont had forestalled any decision, and had withheld from the convent for three years the payment of thirty marketable lambs which he was under obligation to render annually.

This action ultimately went against the vicars who were reprimanded by the Papal delegates. It emerges, however, in the course of the action that it had been the bishop of Aberdeen who had encouraged the vicars to resist in the first place.³ Evidently, Lindores, Arbroath and Kelso, had sought increased revenues/

1. Lindores, no. xcii.

2. REA, ii. 54.

3. Lindores, no. cv.

revenues from their annexed churches in the diocese of Aberdeen, and the bishop had inhibited the vicars of those churches from paying anything beyond the old requirements.¹ The Papal bulls² to the delegates, who were to hear the case, are most illuminating, illustrating, as they do, not only the concern of the bishop who was obviously honouring the obligations laid upon diocesans by the Fourth Lateran Council, but also the sheer impracticability of carrying out such a duty.

The protest of the bishop throws further light on the position which was developing in the mid-thirteenth century, and which, within a century, was to undermine the status of the vicarage-perpetual. The episcopal plea relates:

"Some abbots, priors, and other prelates, as well religious as secular, in the city and diocese of Aberdeen, impose upon the vicars of certain churches which they hold 'in proprios usus' new pensions, contrary to the statutes of the Lateran Council, and/

1. Lindores, no. cvi.
2. Ibid., nos. cv, cvi.

and withdraw from the vicar's lands and other possessions pertaining to the vicarages, and convert them to their own uses, that some of these prelates receive so much from the revenues of the said churches that the vicars cannot be properly maintained out of the residue."¹

Such a process was by no means confined to the diocese of Aberdeen, and was undoubtedly being carried out throughout Scotland from this period onwards. With each successive encroachment, vicars became increasingly powerless to offer resistance, while bishops, on their part, could do little against the spate of Papal privileges and exemptions which so severely curtailed their actions. The process of mulcting existing vicarages was, moreover, to be speeded up by the effects of the Wars of Independence and the Schism, one of which provided an excuse, and the other, an opportunity to further encroach upon vicarage revenues.

This/

1. Ibid., no. cvi.

This process frequently culminated in the annexation of the vicarage itself, and the erection in its stead of a vicarage pensionary.¹ Moreover, annexations which occurred after the thirteenth century were almost invariably of both parsonage and vicarage teinds, and once again the status of the priest in charge of the benefice was to be that of a vicar pensioner. Many perpetual vicarages, the holders of which held their share of the teinds, continued to exist, but even in these cases, the vicar's share of the fruits was liable to become less, and vicarage valuations compare more and more unfavourably with parsonage valuations, as time goes on.² Nevertheless, while the vicar-pensioner becomes the typical holder of a benefice whose revenues had been annexed, and to the study of whose emoluments, our attention must now be turned, it was the vicar-perpetual with a fixed proportion of the teinds, who was to remain the ideal of the vicarage system, and on the few occasions on which the opportunity presented itself, it is to the re-establishment of this ideal that bishops continued to strive towards.³

1. *Infra*, Chapter IX.

2. This can be appreciated by making a study of relative values in the Books of Assumption of the Benefices, and Thirds of Benefices.

3. St. Andrew's Formulae, nos. 123, 125, 133.

CHAPTER IX

Vicarages Pensionary

The vicarage pensionary only becomes commonplace in the fourteenth and subsequent centuries. This is mainly due to the spate of vicarage annexations at this time, and also the increasing tendency to appropriate both parsonage and vicarage revenues by a deed of annexation.

The appropriation of both parsonage and vicarage revenues was not, however, a fourteenth century development and, as has been noted,¹ the erection of prebends at Aberdeen and Dornoch in the first half of the thirteenth century appears to have entailed the annexation of all the fruits of the churches which were utilised in this way.² This practice appears only to have been common in the erection of cathedral prebends, but was not unknown in annexations to monastic foundations.³

Such transactions, however, do not appear to have led to the foundation of vicarages pensionary. Instead, the parochial incumbent, in such cases, was

1. *Supra*, p. 60

2. *REA*, ii. 39-40; *Bannatyne Club Misc.* iii, 18-19.

3. *Calchou*, no. 432; *Lib. S. Crucis*, no. 75.

little more than a mercenary priest, with no security of tenure, who was normally referred to, not as a vicar-pensioner, but as a chaplain. Thus, in 1251, David de Bernham, bishop of St. Andrews, not only allowed the monks of Kelso to serve their church of Semprisk by a decent chaplain¹, but also allowed Holyrood a similar concession in respect of its churches of Homer and Mount Lothian.²

In such cases, the priest was almost entirely at the mercy of the appropriating body, and could not be adequately protected by the diocesan. It may have been due to the realisation of the drawbacks posed by this lack of oversight, or, as is more possible, to the fact that the need for regulation became more apparent, when what had hitherto been an exceptional privilege became almost commonplace, which led to the application of a proper vicarage settlement in such cases. Certainly, after the beginning of the fourteenth century, whatever the reasons which had prompted the change, the perpetual vicar-pensioner - with a set emolument and security of tenure, becomes a well established figure.

The/

1. Calchou, no. 432.

2. Lib. S. Crucis, no. 75.

The parochial chaplain, or curate, continues to exist as sole incumbent in a few churches annexed to episcopal mensas¹ and cathedral chapters², over which proper episcopal control could possibly be exercised. Elsewhere, the parochial chaplain is an elusive figure, and while petitions continued to be made by religious houses that they might appoint removeable chaplains, there is little evidence to prove that this method of service was very common.³ Thus, while Iona requested in 1421 that the abbey might appropriate the fruits of three vicarages, the cures of which were thereafter not to be ruled by perpetual vicars, "but by chaplains, subordinate and temporal, but adequate and fit, to be appointed yearly by the abbot and convent for the cure of souls and other spiritual needs,"⁴ there is no indication that they were successful in their plea.

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1. Appendix I. nos. 260, 277, 507, 870.
 2. This is especially true of common churches. Appendix I. nos. 22, 244, 267, 752-4, 884. Prebendal churches are also found being served in this fashion. Ibid., nos. 233, 276.
 3. Certain cases are found. Ibid., nos. 272, 279, 326.
 4. SSR, I. 271-2.

The emergence of the vicar-pensioner into prominence was the result, therefore, of a dual process. With the dictates of the Fourth Lateran Council firmly in mind, bishops began to regulate the use of mercenary priests, and possibly attempt to give some status to their position, while, on the other hand, with the decline of the vicar-perpetual in the fourteenth century,¹ the best had to be made of both worlds by the systematisation of vicarages pensionary.

The erection of a vicarage pensionary could be effected in several ways. In the first instance, both parsonage and vicarage revenues could be annexed, at one and the same time, to a religious corporation, and a vicar-pensioner with a fixed emolument appointed to serve the cure.

Most annexations of churches to collegiate churches were of this type. A good example of the process is provided by the case of the parish church of Parton² which was erected in the early sixteenth century into a prebend of the collegiate church of Lincluden by Henry, bishop of Galloway, at the request of/

1. *Supra*, pp. 220-1

2. St. Andrews Formulare, no. 358.

Thus, when the church of Alveith was annexed to the of the laird of Parton. Both parsonage and vicarage fruits were annexed, and a vicarage pensionary of twenty merks was erected, a manse, pasture and two acres of land being included. While this annual pension may appear reasonable, however, the burdens, as is so frequently the case, are correspondingly large, and the vicar-pensioner was responsible for the bishop's procurations and synodals, and was to entertain the dean, or his commissary, on their visits.

Most other annexations to collegiate churches took a similar form,¹ as did a few of the early, and certainly almost all the later, erections of cathedral prebends from parochial revenues. Thus, of the six new prebends of Glasgow cathedral erected by John Cameron, bishop of Glasgow, c. 1430, all of them had both parsonage and vicarage revenues annexed, and provision made for a vicar-pensioner.²

Such annexations of both parsonage and vicarage revenues in the first instance were not, however, exclusive to secular foundations, and late appropriations to religious houses are also frequently of this type.

Thus/

1. Appendix I. nos. 188, 474, 490, 839, 865, 928, 1025, 1061.

2. REG, no. 340.

Thus, when the church of Alveth was annexed to the abbey of Coupar-Angus in 1314/15, it was laid down that the monks were to hold the church to their own uses, and have it served by a suitable perpetual vicar.¹ This vicar was to receive ten pounds sterling annually from the abbot and convent, out of which he was to pay the ordinary dues in full to both bishop and archdeacon. A toft and croft, and grazing rights, were also to be provided for the vicar, but it is obvious that by the time the vicar had met his obligations, which included the upkeep of his manse, little was left to maintain himself.

The erection of vicarages pensionary in this fashion, following upon the annexation of both parsonage and vicarage revenues to a religious foundation, whether it be cathedral, collegiate church or religious house, could be multiplied time and time again, but with little variation from the general pattern, and it is consequently of greater importance to examine the other processes whereby vicarages pensionary came into existence.

Many/

1. Coupar-Angus, no. ci; REA, l. 41-3.

Many were the result of separate vicarage annexations, which were carried out at a date later than the original parsonage annexation which had preceded it. In some cases, the secondary annexation took place to the body which already held the parsonage revenues, and so the entire revenues of a benefice would become available to the same corporation. In other instances, however, the vicarage revenues were annexed to quite different corporations. Nevertheless, in either instance, the end product was the same, and the appointment of a vicar-pensioner almost invariably followed.

An example of the first process can be seen at North Berwick, the parsonage of which had been annexed to the priory before 1199¹, and to which was added the perpetual vicarage by an episcopal grant in 1293², which received papal confirmation in 1383/4.³ In this later deed it was laid down that a chaplain with a fixed stipend should be appointed to minister to the needs of the parish, and it is obvious that this act represents/

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1. N. Berwic, no. 7.
 2. Ibid., no. 24.
 3. Ibid., no. 37.

represents an intermediate stage between the removeable chaplains, and definite vicarage settlements in which the annual pension would be stipulated, the priest in this case being a vicar-pensioner in all but name.

More adequate evidence is, however, available in the instances in which the vicarage revenues were annexed to foundations, other than those holding the parsonage revenues. In one case, found in the St. Andrew's Formulare, where the parsonage revenues of a church were obviously annexed to the priory of St. Andrews, the vicarage is erected into a prebend of the collegiate church of St. Mary on the Rock. The consequent vicarage settlement laid down, as part of the general agreement, that a vicar-pensioner was to be presented by the holder of the prebend, and the prior and convent of St. Andrews, in alternate vacancies, and that he would receive ten pounds Scots from the fruits of the prebend, in addition to manse and glebe, all of which was to be free of burdens.¹

In another instance, the abbot and convent of Kilwinning, to whom the parsonage of the parish church of Dalry was annexed, gave their consent to the erection of/

1. St. Andrews Formulare, nos. 121-2.

of the fruits of the perpetual vicarage of Dalry into two prebends of Our Lady College, Glasgow. Provision was again made for a vicar-pensioner, who, in this instance, was to receive ten pounds, free of burdens, along with the manse, croft and toft of the existing vicarage.¹

Although, vicarages pensionary could be erected in these various fashions, however, the subsequent form which the ensuing vicarage settlements take vary very little from type to type. No distinction is discernible when vicarage revenues are separately annexed to bodies holding the parsonage teinds from those when the parsonage was held, nor was there any obvious difference in the general process when both parsonage and vicarage revenues were jointly annexed.

As may have been noted, ten pounds is a common figure allotted to the vicar in the erection of a vicarage pensionary. This was, of course, in conformity with the statutes of the Church², and may indeed appear to compare favourably with the early erections of vicarages perpetual. Nevertheless, it must/

1. Ibid., no. 430; Lib. Coll. Nostre Domine, 6-13.
 2. Patrick, Statutes of the Scottish Church, 11-12.

must be borne in mind that by the fourteenth century - and few vicarages pensionary preceded that date, inflation had considerably lowered monetary values, and that out of their stipends vicars-pensioner were often liable for the payment of heavy burdens. This was the case at Parton where twenty merks was allocated to the vicar¹, and even at Strathblane, annexed as a prebend to the collegiate church of Dumbarton, where the vicar-pensioner received only fourteen merks, the incumbent was responsible for the procurations and all other ordinary burdens.²

As in the cases of perpetual vicarages, there was considerable fluctuation in the value of such erections, and while most appear to have been above the thirteenth century minimum, few reached the value of twenty merks thought fit in 1549,³ while the twenty-four merks laid down for certain dioceses in 1558/9,⁴ appears to have been seldom realised except in a few isolated cases.⁵

On/

1. *Supra*, p. 251

2. REG, no. 338.

3. Statutes of the Scottish Church, 111-12.

4. *Ibid.*, 169-70.

5. Several of the vicarages pensionary instituted on the annexation of their parochial revenues to the Chapel Royal in 1501 were of this value. (Reg. C.R. Striv., 26).

On all occasions, individual assessments require to be made, however, as the total valuation would rest upon the value of fringe benefits, and the extent of the burdens laid upon the vicar's pension. One generalisation can be safely made, however, and that is that the "rector" was assuredly receiving a large percentage of the total revenues. This is well seen in the case of Lasswade at the time when the church formed a prebend of St. Salvators. The total revenues of the church were worth at least one hundred and fifty pounds, and yet the poor and the vicar-pensioner were only assigned twenty pounds apiece, and even allowing for the allocation of five merks for a mass, the prebendary, taking all burdens into account, was collecting at least two-thirds of the total revenues of the church.¹

Comparisons made between vicar's pensions and "rectorial" income are most illuminating and illustrate that a vicar's emoluments normally fall below the recognised minimum stipend of 1549, while the larger proportion of the fruits inevitably fall to the "rector".

A/

1. Theiner, Vet. Mon., nos. dcccclxiv-dcccclxviii.

A similar case to that examined above is provided by the church of Glassford, which was annexed to the provostry of the collegiate church of Semple. The provost held forty-five pounds from the parochial revenues, while the vicar-pensioner had a mere twenty merks, out of which, he had to pay procurations, synodals and all other burdens.¹

Corporations frequently drove hard bargains with their vicars-pensioner, and in this respect they appear to have enjoyed greater success than with vicars perpetual. The meagre incomes of these stipendiary priests were frequently burdened with additional charges, and in one case, the vicar-pensioner of Borthwick, the church of which was annexed to the collegiate church of Crichton, the vicar was to be responsible for the complete upkeep of his church in both building and fittings and was also to supply bread, wine and lights for the services.²

So too at Alveth which, as has been noted, was annexed, both in parsonage and vicarage, to Coupar-Angus who paid to a vicar-pensioner, ten pounds per annum.^{3/}

1. REG, no. 483.

2. CCM, p. 307.

3. Supra, p. 253

annum. The church of Alveth was, moreover, the second richest in the deanery of the Boyne, being valued in a taxation roll of the diocese of Aberdeen at fifty-one merks, ten shillings.¹ After deducting the vicar's pension, and six merks, also provided from the fruits, for the maintenance of a chaplain in Aberdeen cathedral,² three-fifths of the total wealth was still held by the abbey. The vicar, on the other hand, had to meet from his modest stipend, the episcopal and archdiaconal procurations together with the ordinary burdens.

The payment of these burdens could not have left the vicar much more than the minimum stipend of ten merks. While this may have sufficed, c. 1314/15 on the erection of the vicarage, the depreciation of the coinage must have resulted in great hardship for the vicar, who in 1428 was obliged to swear his allegiance to the abbot and convent of Coupar-Angus, and promise that he would not attempt to have his pension augmented.³

This hard bargain was evidently kept by the monastery/

1. REA, ii. 53.

2. Ibid., i. 41-3.

3. Coupar-Angus, no. cxxv.

monastery, as in 1520, a mandate directed by the bishop of Aberdeen to his dean of the Christianity of the Boyne¹ described the vicarage pensionary, as it had remained for two hundred years, as vicariam pensionariam perpetuam decem librarum. By this date, however, the vicar appears to have been relieved of certain of his burdens, as he certainly was by 1542 when on the church of Alveth being set in tack, it was expressly stated that the burdens should be met independently of the vicar's pension.² Nevertheless, the vicar's stipend was still inadequate in relation to the total fruits, especially when within two decades, twenty merks was to be considered necessary as a fit pension.

Hard bargains were, therefore, frequently driven by appropriating bodies, and as a general rule, collegiate churches, in particular, appear to have treated their vicars-pensioner as severely as possible, whether the vicarage settlements were early or late. Thus, the perpetual-vicars-pensioner of Whittinghame, Linton, Duns and Chirnside were to receive only ten merks/

1. Ibid., no. clxiv.

2. Reg. of Cupar Abbey, ii. 26-7.

merks each from the prebends of Dunbar to which they were annexed in 1342, and in the case of Whittinghame, the church of which was annexed to the dean's prebend, it was unusually decreed that the obventions should go to the dean and not to the vicar.¹

Further examples, such as at Methven² erected into a collegiate church in 1433, the endowments of the parish church thereafter accruing to the Provost who paid a vicar-pensioner twelve merks, lend further force to this catalogue of inadequate stipends possessed by vicars-pensioner. Bishops by the late fourteenth century had ceased to exercise adequate control over such erections, and many such settlements were ratified direct from Rome, leaving the bishop powerless to act, even if he had desired to do so. Diocesans were not, however, completely insensitive to the plight of the pensionary vicars, and attempts were made from time to time to alleviate their position.

In particular, the raising of St. Andrews to archiepiscopal status appears to have placed that dignitary in a much stronger position, especially when/

1. SHS. Misc. vol. vi. 92-3.
2. CPL, viii. 460-1.

when legatine powers also came to be granted to certain holders of the see. Thus, in the period in which Andrew Forman was archbishop (1514-1520/1), and also legate a latere, it is possibly significant that several examples occur of vicars-pensioner having their position improved. Thus, Forman is found, in erecting a church into a prebend of St. Salvator's, converting an existing vicarage pensionary into a vicarage perpetual,¹ while on another occasion, a vicar pensioner was, on the petition of the holder of the parsonage and vicarage fruits which were annexed to a prebend of St. Mary on the Rock, accorded the status of "vicaria integra et perpetua".²

Other isolated cases arise, from time to time, of the position of vicars-pensioner being bettered. Bishop George Browne of Dunkeld (1484-1514/15), appears to have improved the lot of certain vicars by splitting up large parishes and assigning episcopal revenues to new incumbents.³ Within that diocese also, the vicar-pensioner of Crieff successfully appealed for an increase of stipend on the grounds that his vicarage/

1. St. Andrews Formulare, no. 123.

2. Ibid., nos. 124-6.

3. Myln, Vitae, 43-5.

vicarage pensionary was inadequate and not of commensurate value with those of other churches, which like his own had been annexed to the Chapel Royal at Stirling in 1501.¹

Such processes were no doubt being carried through in other dioceses also, but their comparative rareness is indicative of the fact that this was only a piecemeal solution to what was an overwhelming problem. Moreover, even in those cases where increases, either by raising of status, or emoluments, were achieved, it was more than likely that increased burdens would go far to cancel out the advantages gained. Thus, in the case of the vicar-pensioner whose status was raised to that of vicaria integra et perpetua, the vicar was to be responsible not only for the archiepiscopal and archdiaconal burdens, but also for the cantor's fee - a responsibility normally borne by the prebendary.²

The vicar-pensioner was consequently engaged in a never-ending struggle to make ends meet. Unlike the/

1. Reg. C.R. Striv., 89-93.

2. St. Andrews Formulare, nos. 124-6, cf. no. 123.

the vicar-perpetual whose share of the teinds, however small, would rise in value, or the religious who undertook parochial duties and had their portion as a financial sheet-anchor, the vicar-pensioner, and the even more lowly parochial curate, who did not even enjoy security of tenure, were at the mercy of forces over which they had no control. Only the charity of the appropriating bodies themselves could have alleviated their position, but that was not forthcoming, and the vicar-pensioner was forced to turn to the one source of revenue left open to him, that of mulcting his parishioners.

the ordinary burdens, while special calls for financial assistance were termed the extraordinary burdens. Extraordinary burdens were seldom explicitly defined, and in most cases formed a charge against the holder of the "rectorial" revenues. This obligation to meet the extraordinary burdens is seldom specifically mentioned in vicarage settlements but where it is, this general conclusion is normally borne out. Thus, while in an extract of a vicarage perpetual within the diocese of St. Andrews, it was laid down that the vicar/

CHAPTER X

Burdens and Offerings

One of the chief difficulties in estimating the value of either vicarages perpetual, or vicarages pensionary, is the fact that their worth was largely dependent upon the burdens which they were expected to meet from their own resources, while these in turn were largely supplemented by offerings and other dues.

The burdens which fell upon parochial incumbents were varied, but can be broadly classified as ordinary and extraordinary dues. The synodals and procurations - both of the bishop and the archdeacon - constituted the ordinary burdens, while special calls for financial assistance were termed the extraordinary burdens.¹

Extraordinary burdens were seldom explicitly defined, and in most cases formed a charge against the holder of the "rectorial" revenues. This obligation to meet the extraordinary burdens is seldom specifically mentioned in vicarage settlements, but where it is, this general conclusion is normally borne out. Thus, while in an erection of a vicarage perpetual within the diocese of St. Andrews, it was laid down that the vicar/

1. Dowden, The Medieval Church in Scotland, 117-21.

vicar would bear the archiepiscopal and archdiaconal burdens, he was not to pay the freewill subsidy.¹ Likewise, the vicar of Buittle, the parish church of which had been annexed to Sweetheart Abbey in 1347, was responsible for all the ordinary dues but none of the extraordinary,² a similar arrangement also prevailing in the vicarage of Philorth - the parsonage of which was a prebend of Aberdeen.³ The vicar did not always escape scot-free, however, and a stipulation occasionally to be found is that imposed upon the vicar-pensioner of Fossoway who had to pay his pro-rata share of the extraordinary burdens.⁴

If such dues were not, however, normally regarded as part of a vicar's obligation, the payment of synodals, on the other hand, appears almost without exception to have been the responsibility of the vicar of a parish church. Indeed, as early as 1181 x 85, it had been decreed that vicars presented to churches annexed to religious houses should become responsible for the payment of synodals and/

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1. St. Andrews Formulare, nos. 125-6.
 2. CPL, iv. 225; Appendix I. no. 147.
 3. REA, l. 99-101; Appendix I. no. 907.
 4. Coupar-Angus, i. no. ciii.

and other dues canonically required of them.¹ This stipulation is hardly surprising in view of the payments purpose, and the fact that it was canonically limited to a payment of two shillings per annum.² A taxation roll of the diocese of Moray shows most vicars to have been paying exactly that sum, although some poorer vicarages appear to have paid slightly less, while the synodal of the extremely poor vicarage of Dalcers was evidently paid by the priory of Urquhart, to which the church was annexed.³

In spite of certain exceptions, fairly accurate generalisations can be made about the payment of extraordinary dues, and that part of the ordinary burdens, known as the synodals. It is difficult, however, to make any such generalisation about the payment of procurations, as many varieties of agreements on this particular question are to be found.

In general, the statute of 1224 which laid down a minimum stipend of ten merks, free of burdens,⁴ appears to have been followed in principle in the centuries/

1. REG, no. 60.

2. Gratian, Decretum, pars. II. caus. X. quaest. iii.

3. REM, 364-65.

4. Patrick, Statutes of the Scottish Church, 11-12.

centuries following its promulgation, the twenty and twenty-four merk minimum being more closely followed in the assessment of burdens in the early sixteenth century.¹ In an agreement of 1220, between the canons of Jedburgh and the bishop of Glasgow, it was expressly stated that the canons were to be responsible for the bishop's hospitium "nisi vicarie valeant decem marcas vel excedant, et tunc eas faciant vicarii."² A taxation rollof the bishopric of Moray would also seem to substantiate this finding, as all the procurations appear to have been met by the "rectors", and only one of the vicarages - that of Inverness - was valued at more than ten merks.³ Moreover, in a settlement of 1248 made by the bishop of Brechin in respect of certain churches annexed to Arbroath, and in which, the vicarages were stabilised at ten pounds, the vicars were to meet all ordinary dues.⁴

Not all arrangements were as straightforward as these, however, and a detailed study of vicarage settlements shows that the division of ordinary burdens/

1. Ibid., 111-12, 169-70.

2. REG, no. 114.

3. REM, 362-6.

4. REB, ii. no. ccxiii.

burdens was subject to many variations. Thus, in a settlement of 1249 by David, Bishop of St. Andrews,¹ the vicar of Nigg, whose vicarage, even in the fourteenth century,² was only valued at ten merks was to pay the procuration himself, but was to receive two merks from the abbey to aid him in this burden. The vicar of Inverkeithing, on the other hand, whose vicarage was well endowed,³ had to pay all the procurations himself. In the case of Arbirlot, however, the vicarage valuation of which, appears to have fallen between that of Nigg and Inverkeithing,⁴ the abbey was to pay the procuration, but was to receive from the vicar, two merks in respect of this payment.

Diverse though these arrangements might be, they appear to have measured up to the ideal that a vicar who received ten merks, or less, would not be required to meet the procurations. It would be rash to assert that this was always so, but certainly in cases where the vicarage was exceptionally small, the appropriating body invariably appears to have fulfilled these obligations. Thus, while the procuration/

1. Aberbrothoc, i. no. 236.

2. Ibid., i. p. 240.

3. Ibid., i. p. 236; SHS Misc. vi. 39.

4. Aberbrothoc, i. p. 240; SHS Misc. vi. 63.

procurations for the parish church of Kirkton, and its chapels of Dunipace and Larbert, were to be met by the vicar of Kirkton, and not by the abbot and convent of Cambuskenneth to which the church was appropriated,¹ the abbey did pay the procurations for their church of Crathie, of which they had so little left of the fruits after so doing, that they were permitted in 1347 to have it served by a chaplain instead of a vicar.²

Vicarages pensionary appear to have been regulated, as far as the payment of burdens was concerned, in much the same way as vicarages perpetual. At first, a stipend of over ten merks would appear to have been sufficient to ensure that the procurations, in addition to the synodals, would be the responsibility of the vicar. This was the case at Alveth,³ and Strathblane⁴, but in both instances these vicars would appear to have been relieved of these burdens by the sixteenth century,⁵ and by then small vicarages were not being encumbered with such responsibilities^{6/}

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1. Cambuskenneth, no. 117; Appendix I. no. 700.
 2. Cambuskenneth, no. 67; Appendix I. no. 229.
 3. Coupar-Angus, no. ci.
 4. REG, no. 338.
 5. Register of Cupar Abbey, ii. 26-7.
 6. St. Andrews Formulare, nos. 121-2. 430.

responsibilities. In view of the inflation which had taken place over the centuries, this is hardly surprising, and evidently in the face of economic necessity, appropriators preferred to assume many of these burdens, rather than to attempt the more positive solution of augmenting the stipends themselves. By the sixteenth century, however, vicarages of twenty merks were much more common, and in these instances, as in the case of the vicarage pensionary of Parton,¹ the vicar is responsible for the ordinary burdens.

The stipulated minimum stipends, free of burdens, were themselves so inadequate, however, that even where the payment of dues was properly regulated, the difficulties of meeting such obligations assumed greater and greater proportions as time proceeded. Both vicars and appropriators found it increasingly difficult to meet their responsibilities, and disputes were frequent, both in regard as to whether "rector" or vicar was liable for payment, and also as to the amount to be paid. One vicar complained/

1. Ibid., no. 358.

complained in 1437 that payment was being compelled without a personal visitation, and rather hopefully supplicated that should such a visitation take place, he should not be bound to pay in money, but only in food and drink.¹ In this case the rapacity of the bishop was in question, but more frequently it was a vicar and an appropriating body who were engaged in controversy. Thus, in 1351 in a dispute between the abbot and convent of Cambuskenneth, to whom the church of Kilmaronock was annexed,² and the vicar of that church, the official of Glasgow eventually had to rule that the vicar should in future pay the procurations.³ In an earlier instance, it was the bishop of Glasgow and the abbey of Paisley who were in dispute over hospitia due from the monastery's annexed churches.⁴ In all cases where this was found to be due, the vicars were held to be responsible for its provision, although this decision was considerably modified by the conjunction of several parishes, which provided one hospitium between them. Of the parishes and their/

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1. RS, 332, Fo. 13^v.
 2. Appendix I. no. 596.
 3. Cambuskenneth, no. 149.
 4. REG, no. 143.

their vicars who had to provide hospitia on their own account, Kilpatrick, which in 1227 was valued at twelve merks, appears to have been reasonably treated, but Turnberry, which was worth only one hundred shillings in that year,¹ would seem to have been dealt with harshly, this instance very aptly illustrating the difficulty in reaching any firm conclusion as to exactly what determined the payment of procurations.

Not only the payment of ordinary dues proved troublesome to underpaid vicars, however, and other burdens were equally irksome. A burden which bore heavily upon all vicars was that of maintaining their manse, which they were normally provided with on the erection of their vicarages. This duty was in accordance with a thirteenth century statute which stated:-

"Every church shall have a manse near the church in which the bishop or archdeacon can be comfortably accommodated; and we decree that such a manse must be made within the year, at the cost as well of/

1. Passelet, 318-23.

of the parsons as of the vicars in proportion to their incomes from the parish. But the maintenance of the buildings pertains to the vicar since he has the use and accommodation of them, and to this let him be constrained by sequestration of the fruits of the churches."¹

While such a position must be regarded as reasonable, the situation in respect of the upkeep of the churches themselves was full of anomalies. The statutory position can once again be found in the decrees of the Scottish Church. In the first instance, it was laid down that churches should be built of stone by the parishioners, and their chancels by the "rectors".² Thereafter, it was enacted that the repair of the chancel also pertained to the rector, who was in addition to supply all things necessary for the service of the altar, the remaining repairs to be a burden on the parish.³ As becomes obvious, however, those duties were largely neglected, and/

1. Patrick, Statutes of the Scottish Church, 12.

2. Ibid., 10.

3. Patrick, Statutes of the Scottish Church, 59.

and the statutes had to be re-enacted in 1549 and 1559.¹ The rapacity of appropriating bodies, and lack of sufficient means on the part of the vicars and parishioners, is evidently the cause of such neglect. Appropriators, moreover, attempted wherever possible to place their share of the burdens upon the vicars, and this is clearly seen in an action, between Lindores and certain vicars, in which it was asserted that the latter were responsible for their portion of the fabric of the chancels of their churches.²

As a result of such disputes and insufficient means, the burden of repairing churches was frequently disregarded. Efforts were made from time to time to enforce such obligations, but with little success. In the mid-fourteenth century, the bishop of Argyll is found sequestrating the fruits of three churches in his diocese belonging to Paisley due to non-repair,³ while in the same diocese, a local landowner required a/

1. Ibid., 119, 169.

2. Lindores, no. xcii. This practice was approved in England, and may have been approved in Scotland (Wilkins, Concilia, 280).

3. Passalet, 145-7, 152-6.

a notarial instrument in 1549 to the effect that the parishioners of Inverchaolan "wad nocht ansuer Schir Robert Maxvall vyker, of the fruttis, or to the tyme at he mendit his part of the kyrk and vestementtis of the said kyrk pertenant to his part, the quhilk the sayd Schir Robert was content to at he aucht to do sa sane as he culd get knowlege quhat he awcht to do to his part of the kyrk."¹

As a result of such wrangling, and attempts to avoid responsibilities and obligations, many churches fell into disrepair, the churches in the Merse, which had admittedly suffered the ravages of war being the supreme example of such neglect.²

The effect of the distribution of such burdens, on both appropriators and parochial incumbents, was considerable, but in particular the obligation to meet such dues seriously depreciated the true worth of any vicarage. This loss was more than offset, however, by the offerings - obventions, oblations and mortuaries - which in nearly all instances belonged to the curatus in the parish, and in many cases/

1. Scot. Bk. of Sir John Crawford, Fo. 41a.

2. *Infra*, p. 323

cases supplied a substantial part of the vicar's income. Individual instances do occur in which the vicar does not receive certain of these dues, but this appears to have been exceptional. Thus, the dean of the collegiate church of Dunbar was to receive the altar dues of Whittingehame, while a vicar-pensioner received ten merks,¹ but as a rule offerings appear to have remained with the incumbent.² Mortuaries were rather different, and at Foulis annexed to Inchaffray, the abbot was to have the mortuaries sana et integra, while the vicar was to have those divisa et non integra;³ or, as in the case of Linlithgow, the Kirk-cow was singled out as belonging to the Priory of St. Andrews, all other mortuaries falling to the vicar.⁴

It appears safe to say, however, that in the majority of cases such dues belonged to the curatus, and formed a substantial part of his income. The value of such offerings undoubtedly varied, but appears to have been normally about one-third of the total value of the benefice. This is specifically stated/

1. SHS. Misc. Vl. 92.

2. Patrick, Statutes of the Scottish Church, 185-6; Thirds of Benefices, 156.

3. Inchaffray, no. cl.

4. RPSA, 159.

stated at Dreghorn where the conspresents, unest
 claithes and fines, came to one-third of the total
 value of the vicarage,¹ while at Keith, it was stated
 that such revenues were the "maist part of the
 profeit" of the vicarage.²

Since these dues did in the main belong to
 the vicar, it is obvious that it was from this source
 of revenue alone that he could increase his stipend,
 and the temptation to do this obviously became greater,
 as the exactions of the appropriator became harder
 and inflation more rapid. The rapacity of the
 vicar is equally attested to in contemporary satire,
 and the ^{statutes of the} General Councils of the Church, which on the
 eve of the Reformation attempted to modify the
 practice.³ The worth of these dues in relation to
 the total stipend was so great, however, that the
 attempt came too late, and there is little doubt
 that this failure gave much support to the discontent
 which culminated in the Reformation.

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1. MS Rental Book, Fo. 65, cited Chalmers, Caledonia, VI.549.
 2. REM, no. 447.
 3. Patrick, Statutes of the Scottish Church, 185; Lindsay,
Works (STS), ii. 197-8.

CHAPTER XI

The Regulars and the Cure of Souls

Appropriation of parish churches went far towards solving the problem of endowment as far as religious houses were concerned, but other difficulties were consequently brought to the fore. Of these, none was more serious than the provision of parochial ministrations for the churches so annexed. No matter how lightly an appropriating body took its responsibilities, this problem had, nevertheless, to be faced.

By the decrees of the Fourth Lateran Council, moreover, the position was made quite clear insofar that it was enacted that where a church was appropriated, then care should be taken "to have a perpetual vicar canonically instituted, who . . . should have a fit portion of the profits of the church."¹ Thereafter, as we have observed,² the previous anomalous local solutions to the problem of service were standardised and vicarage ordinations proceeded apace, the vicar-perpetual becoming the normal parochial/

1. Mansi, Concilia, vol. 22, col. 1019 - Canon 32.

2. Supra, pp. 213-4.

parochial incumbent, as far as annexed churches were concerned, until his frequent supercession in the fourteenth century by the vicar-pensioner.

One of the previous solutions to the problem of serving appropriated churches, which apparently suffered by this change, was the practice of regulars serving annexed churches in their own person. Indeed, the decree of 1215 has been looked upon as a measure which brought to an end, for the time being, the encroachment of regulars into the parochial field.¹ Both points require further examination and modification, however, as it is not all certain, in the first place, that the service by regulars was particularly prevalent before 1215, nor is it confirmed that the practice, as far as it did exist, was terminated at this date.²

In an examination of both questions, careful distinction has to be drawn between monks - whose work of prayer was normally confined to the monastery, and the canons regular who, though adopting the communal way of life, were "completely in theory and largely in practice a clerical order."³ Thus, while isolated examples/

1. Hartridge, Vicarages in the Middle Ages, 162.

2. This question is critically examined in Dickinson, The Origins of the Austin Canons, Chapter vi, i, passim

3. Ibid., 214.

examples of monks serving parish churches during the eleventh century can be found, they are far from common.¹ By the beginning of the twelfth century, moreover, the practice was being explicitly condemned, it being enacted at the Council of Poitiers in 1100 that:

"no monks shall presume to exercise the parochial ministry of priests, that is to baptise, to preach, to give penance."²

Subsequent councils of the Church made similar enactments³, and the Third Lateran Council of 1179 ordered monks, in such cases, to present priests to the bishop, who should make these priests responsible for the cure of souls.⁴ Such legislation appears to have had the desired effect, and while monks, as we shall have cause to note, can be found subsequently holding parochial cures, it was only through a special dispensation which appears to have been rarely sought, or granted.⁵

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1. Ibid., 215 and n.

2. Mansi, Concilia, vol. xx, col. 1124.

3. This is summarised by U. Berlière in Revue bénédictine, vol. 39, 343-8 (Dickinson, op. cit., 220n.)

4. Mansi, Concilia, vol. xxii., col. 397.

5. Infra, pp. 310-12

The erection of a vicarage system had, therefore, little, or no effect on the service of parochial cures by monks, but this is not the case as far as the canons regular are concerned. The claim made by canons regular to undertake parochial work was not unchallenged, however, and it was only after a considerable struggle that their claim was recognised.¹ The theoretical basis for this recognition was not particularly strong, but in general, it would appear that whereas the monk was looked upon as one who had renounced the world, and lived a cloistered life, the canon, although devoting himself to similar objectives, was regarded as a priest who had adopted a rule.

Although the claims of the canons regular did not pass unchallenged, the battle had been won before the dawn of the twelfth century, and the ~~selfsame~~ Council of Poitiers in 1100, which had enacted that monks were not to undertake parochial ministrations, decreed that regular clerks could with their bishop's consent, "baptise, preach, give penance and bury the/

1. Dickinson, The Origins of the Austin Canons, 214-21.

the dead".¹ Although an important landmark in establishing the right of regular canons to undertake parochial work, it would appear that this decree merely confirmed an existing situation. Nevertheless, such a statement of principle would inevitably quell any remaining opposition and, as has been noted,² the right of canons regular to serve churches was scarcely questioned thereafter, later conciliar legislation not being concerned with reiterating the right, but with defining the conditions under which it might be put into practice.

To whatever extent canons regular had served parishes before 1100,³ however, it is certain that with the statutory recognition accorded to their claims in that year, the practice greatly increased.⁴ In this service, the Augustinian canons came to be joined in the course of the twelfth century by the Premonstratensians, who, although forbidden by their initial statutes to accept "altaria ad que cura animarum/

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1. Mansi, Concilia, vol. xx. cols. 1123-4.
 2. Dickinson, The Origins of the Austin Canons, 221.
 3. The opposition aroused by their activities makes it clear that canons were so engaged, but no idea as to the extent can readily be gained (Dickinson, The Origins of the Austin Canons, 214-21.)
 4. Ibid., 221-3.

animarum pertinet, nisi possit esse abbatia",¹ were soon to be found serving churches in which no community was to be established. As a result, the statute in question was omitted from the revised statutes of c.1174, and about the same period the Premonstratensians are described as "praedicatores et rectores ecclesiarum."²

Nevertheless, while it is incontrovertible that in the course of the twelfth century, both Augustinian and Premonstratensian canons were authorised to serve parish churches, and it is likewise true to state that many parish churches were being granted to houses of canons regular at this very period, it cannot be assumed, as it has been too frequently in the past, that almost all such appropriated churches were being personally served by canons regular, and that it was not until the decrees of the Fourth Lateran Council, and the spate of vicarage ordinations which followed, that the practice abated, or even temporarily ceased.³

It is certainly true that certain churches were being served by canons regular, but these were probably/

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1. Analectes de l'ordre de Prémontré, ix (1913), 45 (cited: Colvin, The White Canons in England, 8).
 2. Novus Thesaurus Anecdotorum, v. cols. 1614-20 (cited: Colvin, op. cit., 8).
 3. Hartridge, Vicarages in the Middle Ages, 162.

probably only a minority of the total held. Lack of record is undoubtedly a major handicap in this respect, but the historian cannot argue from silence, and nothing is more certain than the fact that the situation which came to exist in the fourteenth and fifteenth centuries cannot be taken as a guide to that which prevailed in the twelfth and thirteenth centuries. Indeed, while the monasteries were rich and continuing to receive endowments, there was little or no need for canons to serve churches in person, as it was easier to hire a secular priest. Furthermore, in the early centuries at least, the true religious verve would make it likely that a canon regular would wish to serve God by prayer in his monastery, rather than by serving a parochial cure.

As far as England is concerned, it has been shown, moreover, that there is little definite proof that either the Black or White canons were serving their parish churches in person in the twelfth century, although this was undoubtedly happening in/

1. *Medieval History*, pp. 111-112; *The English Canon*, Chapter VI, 1.
2. *Medieval History*, pp. 111-112; *The English Canon*, pp. 111-112.
3. *Supra*, p. 111.

in a small number of cases.¹ The vicarage ordinations, which proceeded apace during the late twelfth and early thirteenth centuries, would undoubtedly reduce this number even further. The practice would never appear to have ceased,² however, and in one respect the creation of a vicarage system may actually have promoted the service of churches by canons regular, for whereas there had been little incentive to serve such cures in person, as long as mercenary priests could be utilised, the prospect of a vicarage ordination, and the consequent loss to the monastery of valuable tithes, must have prompted some houses of canons regular to claim their right to serve certain parishes by their own members.

The right to serve parish churches had, as has been noted,³ been finally established at the Council of Poitiers, and thereafter this right remained unchallenged. The conditions under which this might be put into operation were, however, the subject of frequent concern. In general, it was stipulated that the control of the bishop over such/

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1. Dickinson, The Origins of the Austin Canons, Chapter VI, i, passim; Colvin, The White Canons in England, 275-80.
 2. Dickinson, op. cit., 237-8; Colvin, op. cit., 278.
 3. Supra, p. 282

such parish churches must not be impaired, and consequently canons nominated to serve in parish churches had to be presented to the diocesan for institution, and be responsible to him in spiritual matters.¹ Although, moreover, it was understood that canons regular might serve parish churches, the right to do so came to depend upon a dispensation,² and once again limitations might be imposed. The most important of these general limitations was that imposed, first of all on particular houses, and then in general on both orders, that canons serving parish churches were not to do so without companions.³ This principle was enunciated at the Third Lateran Council of 1179,⁴ although it had been already imposed upon individual houses, and was repeated in 1188 in a general privilege applying to the Premonstratensian order.⁵

The idea behind the enactments decreeing that

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1. Dickinson, Origins of the Austin Canons, 23⁴, cites examples illustrating this safeguard.
 2. A bull of Urban IV in 1261 states Premonstratensians might serve cures 'by our special indulgence' (Colvin, The White Canons in England, 23, citing Le Paige, p.688).
 3. Dickinson, op. cit., 23⁴⁻⁵; Colvin, op. cit., 277.
 4. Mansi, Concilia, vol. xxii, col. 224.
 5. Le Paige, 642.

a solitary canon should not serve a parish church was to prevent the exposure of such a canon to special spiritual dangers, but from the point of view of the houses themselves, however, it was clearly impossible to send three or four canons to each parish church annexed to the monastery. If they did so, conventual life would become virtually non-existent. Another reason, therefore, presents itself for doubting whether, in the twelfth and thirteenth centuries at any rate, there was ever a large number of parish churches being served by canons regular at any one time. Most churches annexed to houses of canons regular were possibly served by a canon at some time or another, if permission for this type of service had been given, but certainly after the thirteenth century, during the course of which, permission became essential, it was more frequently the case that specific churches were normally served in this way, and the other churches held by the house were served by secular vicars.¹

The/ of souls before the beginning of the

1. Dickinson, Origins of the Austin Canons, 234-241, and Colvin, The White Canons in England, 278-80, come to similar conclusions on these various problems.

The proviso that canons serving parish churches should be accompanied by fellow canons does not appear to have survived the fourteenth century, and this factor, taken in conjunction with the growing economic difficulties of the religious houses at that period, apparently led to an increase in the number of churches served by canons regular.¹ Even then, however, it is extremely doubtful whether even half of the parish churches held by houses of canons regular were served in this way, but until a definitive study of this particular problem is presented, no ready solution to this problem can be given.

ii.

The position in Scotland does not appear to have differed greatly from that outlined above. There is little definite proof that regulars were engaged in the cure of souls before the beginning of the thirteenth/

1. Colvin, op. cit., 280.

thirteenth century, although it is possible that such a method of service was being employed, and given up in the face of episcopal insistence upon vicarage ordination in the years following the Fourth Lateran Council.

In favour of this point of view, is evidence such as that met with in a vicarage settlement of 1268 with reference to the churches of Kilrenny, Saltoun, Gullane and Channelkirk - all of which were annexed to Dryburgh, and to the canons of which, Bishop Gameline of St. Andrews, gave permission to serve in person "as formerly they had been wont", if the secular vicars gave trouble to the abbey.¹ The previous privileges referred to by the bishop no doubt included one of Pope Lucius III dated 8th May, 1184, which having confirmed the abbey's rights in certain named churches went on to authorise that the canons might:

"In parochialibus vero ecclesiis quas habetis liceat vobis quatuor vel tres minus de canonicis vestris ponere quorum/

1. Dryburgh, no. 40.

quarum unus diocesano episcopo
 presentur ut ei de spiritualibus
 vobis autem de temporalibus et de
 ordinis observancia respondere".¹

A similar concession had been made by the same
 Pope to the priory of St. Andrews in the previous
 year, and was to be repeated by his successors.²

The granting of such a privilege does not, however,
 prove that advantage was being taken of it, and little
 or no evidence can be produced that such a procedure
 was being adopted, and indeed for reasons already
 adduced, it is apparent that this privilege could
 only have possessed limited application.³ Indeed,
 as far as Scotland is concerned, apart from the fact
 that the priory of Canonbie may have come into
 existence in this fashion,⁴ the only positive example
 which can be produced is from the mid-fourteenth
 century when it is related that two canons of
 Holyrood were carried off from the parish church of
 Whitekirk/

1. Ibid., no. 249.

2. RPSA, 61, 65, 70, 75, 79, 101.

3. Supra, pp. 288-9

4. It is possible that the original gift of Turgot
 de Rosdale to Jedburgh was a parish church, which
 eventually became a priory with cure (Appendix I. no. 164;
 Knowles, The Monastic Order in England, 596-7).

5. Appendix I, no. 163.

Whitekirk, which was annexed to the abbey, in the year 1356.¹ It would appear in fact that, as in England, in the period before the thirteenth century, that while canons regular were apparently serving churches annexed to their houses, this was by no means common, and that the use of mercenary priests proved much more attractive.² This is borne out by the fact that Papal concessions to houses of canons regular frequently contain the right to have annexed churches served by suitable chaplains. This occurs in concessions to the prior of St. Andrews, which also contain the right to serve such churches by three or four canons,³ while a charter of Richard, bishop of St. Andrews (1165 x 78), to Scone contains the privilege of serving six of its churches by removeable chaplains, but makes no mention of service by the canons themselves.⁴

Only in cases where the Foundation possessed a parochial altar, as at Holyrood,⁵ or possessed the church of the parish within which it lay, as at St. Andrews/

1. Scotichronicon, Lib. xiv. cap. xiii, xiv.

2. Supra, p. 286

3. RPSA, 65, 70, 74, 79, 101.

4. Scon, no. 48.

5. Appendix I. no. 165.

Andrews where the priory held the church of Holy Trinity,¹ would it be apparently safe to say that canons regular were serving the cure in person. Even in these instances, however, one cannot be certain as the presence of properly ordained vicarages in both instances, at a later date, would appear to indicate that at some time in the past, a secular priest had originally undertaken service at the parochial altars.²

It would appear, therefore, that in Scotland, as elsewhere, service by regulars was not widespread, and although concessions to serve parish churches had been granted, the conditions under which this might be undertaken were not particularly attractive. The use of removeable chaplains was, on the other hand, extremely useful, and although record is extremely silent on these questions, this would appear to have been the method utilised.

The effect of the establishment of properly ordained vicarages in the course of the thirteenth century was to render this method of service almost impossible/

1. Appendix I. no. 969.

2. Assumptions, Fos. 101, 106v.

impossible, and consequently the houses of canons regular may have been forced back on to the other alternative, namely that of serving parish churches, wherever possible, by their own members. Hence, the effect of the decree of the Fourth Lateran Council, possibly had the effect of not reducing service by regulars, but actually increasing it.

As has been noted,¹ both Augustinians and Premonstratensians had established their right to serve parish churches in the course of the twelfth century, but individual dispensations for each church to be served in this manner came to be required by the thirteenth century.² Hence the anxiety of the canons of Dryburgh to have their previous privileges confirmed, even when vicarage settlements were being enacted. Thus, when Bishop Gameline of St. Andrews in 1268 laid down the payment to be made to secular vicars, a loophole whereby seculars could be replaced by regulars was provided by the stipulation that :

"If perchance it happen that the foresaid abbot and convent at any time, without due/

1. Supra, pp. 284-5

2. Supra, p. 283

due course, are given trouble by the said vicars, or by any our successors, contrary to the above decision of ours, our will for ourselves and our successors is that it be allowed to the said abbot and convent to serve the said parish churches by their own canons, just as formerly they have been wont . . . "1

Even by this date, however, the canons of Dryburgh had taken steps to ensure that their right to serve annexed churches by canons was assured, and in 1242, David de Bernham, bishop of St. Andrews had enacted that the canons of Dryburgh on account of financial suffering caused by their hospitality to the poor and guests as well as the accumulation of debts caused by the building of the monastery might present to the bishop:

"One of their canons as a vicar who may receive from us and our successors, the cure of souls so that the fruits of these churches may go to/

1. Dryburgh, no. 40.

to the use of the convent for whose support our predecessors with pious devotion granted these churches."¹

Advantage was no doubt taken of these, and similar privileges, to present canons to vicarages, especially once the requirement that each canon so presented should have companions with him, had passed into oblivion. The incentive to present a canon was, moreover, all the greater once a formal vicarage ordination had taken place, as unless a vicarage appropriation could be engineered, no other means of obtaining the vicarage revenues might present itself. Thus, while before a vicarage ordination had taken place, a mercenary priest might be presented, with the passing of this opportunity the temptation to serve annexed churches by canons regular was all the greater.

This practice, moreover, undoubtedly increased in the course of the fourteenth century when the effects of the Wars of Independence and the Schism gave to the canons regular the incentive and the opportunity/

1. Dryburgh, no. 38.

opportunity to reduce their burden of poverty. In certain cases, the vicarage appears to have been actually appropriated, and the cure served thereafter by a canon,¹ or as was more likely by a chaplain,² although normally when a canon served a cure, it was because the vicarage had not been annexed.

Many instances could be cited in the fourteenth and fifteenth centuries of parish churches being served by canons regular, but a few examples must suffice.

Inchcolm appears to have served four of its six churches in this fashion,³ although not always without difficulty, as in one instance at least, that of Dalgetty, the abbey's right to do so was hotly disputed. This disagreement which broke out about 1420 was between Inchcolm on one hand, and the bishop of

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1. In 1454, it is asserted that the perpetual vicarages of Falkirk and Kinghorn are appropriated to Holyrood and served by canons as perpetual vicars (CPL, x. 711) Likewise, the vicarage pensionary of Redgorton was served by a canon (GRH. Ch. no. 162).
 2. Appendix I. nos. 740, 773, 822.
 3. Appendix I. nos. 13, 263, 285, 730; Appendix II. no. 66.

of Dunkeld on the other.¹ The bishop had evidently appointed a secular priest to the vicarage "to the no little loss and harm of the abbot and the convent." In spite of a papal command to desist, the bishop appears to have remained adamant, and although the immediate outcome of the struggle is unknown, the abbey had ceased to present a canon by the sixteenth century when a secular priest is found in possession of the vicarage.²

Such intrusions by secular priests into vicarages, usually held by canons regular, would appear to have been fairly frequent in the fifteenth century, and this fact makes it extremely difficult to assess the number of vicarages served by canons regular.³ Nevertheless, the fact that danger from secular intruders did exist did make houses of canons regular frequently petition the Papacy for confirmation of their privileges in respect of churches served in this way, and such lists provide a fairly reliable guide to the churches served in this fashion.

Thus/

1. SSR, I. 195; Inchcolm, no. xlvi.
 2. Ibid., no. lxvi; RMS, iv. no. 2487.
 3. SSR, I. 88-9; CPL, x. 504, xiii. 295.

Thus, in 1470 the abbot of Holyrood petitioned the Pope to the effect that as the vicarages of Falkirk, Tranent, St. Cuthbert, Kinghorn, Barra, Kinneil, Ure, Balmaghie and Kirkcudbright, had been wont from time immemorial to be held by the Augustinian canons of Holyrood, it might be confirmed that only canons of the abbey might hold the said parish churches, or vicarages.¹

As well as illustrating the constant fear of secular intrusion, the petition lists nine parish churches served by the canons of Holyrood, and consequently indicates the incidence of this practice at the time when it was at its height. Moreover, as far as can be ascertained from a study of the other parish churches annexed to the abbey,² this represents the sum total of churches served in this way. When it is considered that twenty-five churches were annexed to the abbey, and that although a few of these, such as Corstorphine,³ Mount Lothian⁴ and St. Catherines in the Hopes⁵, which were initially chapels/

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1. CPL, X11. 217-8.
 2. Appendix II, no. 63.
 3. Appendix I, no. 217.
 4. Ibid., no. 845.
 5. Ibid., no. 971.

chapels, may have been served by canons at one time, the total number of churches, including that of the abbey itself, which were ever served by canons, could never have exceeded fifty percent of the total.

The situation at other houses of canons regular would appear to suggest the same conclusions. The priory of St. Andrews would appear to have served only a small proportion of its annexed churches by its own canons, only those of Dull, Fowlis-Easter, Kilgour, Leuchars, Longforgran and St. Andrews itself, of the twenty-five churches pertaining to the priory, definitely having been served in this manner.¹ Scone, on the other hand, appears to have served five of its eleven churches, and the pendicles of Invergowrie and Liff by its canons.² An even higher proportion were evidently served by canons of Whithorn, who held eight vicarages out of a possible fourteen,³ although in at least two instances - Longcastle and Mochrum, the cures were served not by canons, but by curates employed by them.⁴ In the case of Dryburgh, however, only/

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1. Ibid., nos. 302, 423, 574, 736, 774, 969; Appendix II, no. 110.
 2. Appendix I, nos. 159, 514, 740, 765, 771, 934, 989; Appendix II, no. 119.
 3. Appendix I, nos. 130, 190, 243, 436, 690, 773, 822, 1073; Appendix II, no. 138.
 4. Appendix I, nos. 773, 822.

only four of the twelve parish churches held by the abbey appear to have been served by canons, and even in these cases, service appears to have been intermittent.¹

In some of the houses with fewer annexed churches, and which were consequently possibly more impoverished than the larger foundations, the percentage of parish churches served by canons does appear to have been considerably higher. Thus, the abbey of Holywood, which only possessed five parish churches, served at least four of them by its own canons.² Soulseat, would likewise have appeared to have served both its churches of Soulseat and Kirkmaiden in Rhinns by its own canons,³ while Tongland served three of its five churches in the same fashion.⁴

The number of churches served in this way has possibly been vastly overestimated in the past, and while the number was undoubtedly considerable, it is doubtful whether even fifty percent of the churches annexed to houses of canons regulars were ever served/

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1. Appendix I, nos. 463, 732, 813, 896; Appendix II, no. 32.
 2. Appendix I, nos. 333, 673, 900, 1093; Appendix II, no. 64.
 3. Appendix I, nos. 688, 1009; Appendix II, no. 123.
 4. Appendix I, nos. 820, 993, 1067; Appendix II, no. 132.

served in this way. Exact figures are difficult to determine, however, as few churches were consistently served in this fashion, and examples can be found of churches being indifferently served by canons and seculars, each of whom probably regarded the other as intruders. At Logie Dundee, for example, it was reported in 1450/1 that the vicarage "although from time immemorial wont to be assigned to secular priests and clerks has . . . been for sixteen years detained by Augustinian canons regular."¹ Later in the same year, however, it was claimed by the abbey that the church was "wont to be ruled by canons."² In another^{case}, the church of Minnigaff is said to be detained by a pseudo-canon, rather than by a true canon of Tongland, to which the church was annexed.³ The houses themselves do not appear to have been consistent in their service of such churches, moreover, and it is important to note that the cure of souls by a regular was always optional and never obligatory.⁴ Thus, when Thomas Scot, a canon of Holywood, became unfit to govern his/

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1. CPL, x. 504.
 2. Ibid., x. 563.
 3. Ibid., xiii. 295.
 4. Dryburgh, nos. 38, 40.

his vicarage of Penpont in 1469, he was allowed to choose a fit priest, secular or regular as his co-adjutor.¹ The service of parish churches by regulars appears to have reached its height in the fifteenth century, and appears to have been on the wane by the following century. As has been noted,² the Augustinian canons of Holyrood personally served the parish churches of Barra and Tranent in the fifteenth century, but both churches appear to have been served by secular vicars near the Reformation.³ Similarly, although a canon of Dryburgh was presented to the vicarage of Gullane in 1468, when the cure was "wont to be governed by canons thereof,"⁴ the charge evidently passed to seculars in the century thereafter.⁵

This wane in the influence of canons regular on parochial service is, in some respects, hardly surprising as the numbers of those professing the religious/

1. CPL, xiii. 310-11.

2. Supra, p. 300

3. Prot. Bk. of John Robesone (1558-63), Fo. 32; Diversorum, Paul III, 1543-5, Fo. 122.

4. CPL, xii. 296-7.

5. RSS, III. no. 3030.

religious life would appear to have been steadily dropping during this period. Consequently, large numbers of canons would not be available for parochial duties, if conventual life was to be maintained. This factor, allied to an increase in favour and ~~influence~~ towards the secular clergy, was almost bound to lead to a reaction against the service of parish churches by regulars.¹

Even when a regular holds a vicarage, however, certain doubts must be raised as to whether the canon was actually serving the cure, or not. In certain cases, it is evident that a canon was serving in person, it being reported in one instance that the canon of Holywood who served the vicarage of Kirkconnel was "living in the house of the parish church."² Elsewhere, especially when the church served by a canon was at some distance from the monastery itself, similar arrangements must have prevailed.³ In other instances, where church and foundation were close, no/

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1. The increase in favour of the secular clergy is seen in the foundation and endowment of collegiate churches.
 2. CPL, IX, 471.
 3. SSR, I. 81-2.

no doubt the canon stayed within the precincts of the monastery when not engaged in his parochial duties.

Irrespective of whether he stayed at the church, or the monastery, however, the beneficed canon was expected to maintain a regular connection with his house, retaining his voice in chapter and being summoned back to attend visitations, and to take part in elections.¹ Nevertheless, a canon serving a church far from his monastery must have found it very difficult, not only to maintain his links with his house, but also to square his spiritual dictates with his parochial duties. One canon-vicar at least, that of Balmaghie, of which the revenues were annexed to Holyrood, found this struggle too much for him, and resigned his charge because he could not live there "tanquam bonus catholicus et religiosus vir", and was desirous to be re-admitted to the monastery.²

Such examples show canons to have been serving cures in person, but it is far from certain that this/

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1. Collectanea Anglo-Premonstratensia, no. 614 (cited, Colvin, The White Canons in England, 284).
 2. Prot. Book of James Young, no. 859.

this was always so, and at times, canons may have been little more than titular vicars, who, at an early period, ensured that the vicarage revenues would accrue to his house, and nearer the sixteenth century, possibly held such revenues for his own personal profit.¹ In either case, a chaplain or curate would actually undertake the parochial duties. The existence of such an assistant would certainly explain such cases as that of John Makaw, canon of Holyrood, vicar of Urr and archdeacon of Lismore, who almost certainly did not serve his curé in person,² nor likewise, at a slightly later date, another canon-vicar of Urr, Alexander Smebard, who is found in spiritual charge of Holyrood in the absence of the commendator.³

Other canon-vicars, such as that of Dollar, maintained a curate,⁴ as did the canon of Scone who served Logie, and its pendicles of Liff and Invergowrie.⁵ This practice was indeed in accordance with a principle laid down by David de Bernham, bishop of St. Andrews in 1242, when on confirming the rights of the canons of/

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1. Assumptions, Fos. 101, 101V, 119.
 2. Prot. Book of John Robeson, Fo. 56a.
 3. GRH, Ch. no. 1749(a).
 4. Assumptions, Fos. 102, 314-5.
 5. Prot. Bk. of Duncan Gray, Fo. 6.

of Dryburgh to serve certain vicarages, he stipulated that in each church so served there was to be "some secular priest of good repute . . . by whose assistance the vicar may be relieved and aided."¹ Such curates may on occasions have been genuinely used as assistants, but it is more probable that by the sixteenth century at least, they were shouldering the full burden of parochial duties.

Whether, the actual parochial work was being undertaken by a canon or not, it is obvious that the bulk of the fruits, which should have gone to the parochial incumbent, after the appropriating body had taken its share, were now being diverted without the necessity of obtaining a formal vicarage appropriation. It is not always clear, however, to whom the vicarage revenues were being diverted, and to what extent the canon who served the cure was allowed to share in its profits. In theory, the revenues should have accrued to the religious house of which the canon was a member, and the canon was expected to account to his abbot or prior for the/

1. Dryburgh, nos. 38-9.

the fruits of his benefice, while a suitable portion would be set aside for his support.¹

At first, this practice would appear to have prevailed in Scotland, and in 1447, one canon, who was only receiving such a maintenance allowance, complained that, although his parish of Kirkmaiden in Rhinns was large and populous, he only received three pounds per year for his cure.² Nevertheless, as the initial strictness was relaxed, and even conventual brethren obtained private portions, it is obvious that a beneficed canon might well expect his vicarage fruits, or at least a major share of them. That, the entire fruits of vicarages were, in certain cases, being granted to a canon is evident, as far as Scotland is concerned, at the period of the Reformation when at the Assumption of the Benefices, vicarage valuations are being given up by individual canons/

1. Les Statuts de Premontre, 124 n (cited, Colvin, The White Canons in England, 284). Adam of Dryburgh writing on the obligations of a White Canon rejects any idea of a canon being permitted to retain the fruits of his own labour (De. Ord. (Patrologiae Latinae, 198, coll. 518-43) cited, Bulloch, Adam of Dryburgh, 92.).

2. CPL, X. 275.

canons and not be corporations.¹ This practice was possibly not widespread, however, and the compromise contained in a fifteenth century supplication, whereby canon-vicars were receiving part of the fruits, was more likely the norm.²

To date, only the position of canons regular serving parish churches has been considered for, as we have seen,³ monks were, from a very early period, forbidden to exercise parochial duties. The Council of Poitiers in 1100 had forbidden such duties to monks, and other dictates in a similar vein had quickly followed. The system under which monks lived was, moreover, designed to discipline men to a cloistered corporate life, and not enable them to serve the cure of souls.

It is, therefore, unlikely that as long as the monastic ideal remained alive, as it did in Scotland, during the course of the twelfth century, that churches would be served by monks. Nevertheless, as discipline became slacker in the monasteries, it is evident that a few parish churches came to be served by monks.

The/

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1. Assumptions, Fos. 101, 101V, 119.
 2. RS. 659, Fo. 62V.
 3. Supra, p. 282.

The Cistercians in particular appear to have had no strong objections to undertaking parochial responsibilities, although initially the order had even opposed the holding of parochial revenues.¹ Thus, the church of Kirkgunzeon had been served, before the Schism severed the connection, by a monk from the Cistercian house of Holmcultram,² while in 1277, the abbey of Sweetheart was allowed to serve the parish in which it stood - Lochkinderloch, by one of its own number, this practice continuing at the Reformation.³ In this concession, moreover, one can discern the key to the problem of service by monks, as such concessions normally applied to the parish in which the house itself stood, and it would appear to have been on this principle that Cistercians appear to have served at Balmerino, Culross, Dundrennan, Glenluce and Melrose.⁴

Amongst other orders, a monk of Lindores served the parish of Abdie in which the abbey lay,⁵ while the/

1. Supra, p.77

2. CPP, I. 576.

3. GRH. Vat. Trans. II. no. 10; CPL, IV. 251.

4. RSS, lxii, 188v; Melrose, no. 496.

5. Reg. of Pres. II, Fo. 162.

the monks of Ardchattan served their own parish church.¹ The sacristans of Coldingham and Dunfermline were also vicars of their respective parochial charges, but in both these cases the actual parochial duties were almost certainly deputed to a secular curate.² The strong possibility indeed exists that in a majority of such cases, the monk was in fact a titular vicar, and the work was deputed. A monk holding the fruits of a vicarage, in lieu of, or to supplement, his portion is a strong possibility; a monk engaged in parochial duties is a much greater rarity. In either case, the practice was not widespread, and the total absence of protests about the service of churches by monks testifies to its infrequency.

Protests were not infrequent, however, about the service of parochial cures by canons regular, most of those onslaughts coming from the not disinterested secular priests, who found ready support from both bishops and influential laymen. As already noted, the bishop of Dunkeld took the abbey of Inchcolm to/

1. SSR, I. 175.

2. Dunfermelyn, no. 446; RPC, I. 246-7; RS, 263. Fo. 134^v.

to task over their annexed church of Dalgety, the vicarage of which they were attempting to have served by one of their own canons.¹ Elsewhere, it was laymen who were instrumental in complaining about the injustice of having a regular as vicar. Thus, the nobles and parishioners of Falkirk complained that the vicarage of their church, which was ruled and governed by a canon of Holyrood, "having permission to live abroad for the purpose" was "not befittingly enough served in spiritualities." On these grounds, they petitioned that the cure of souls might be committed, as formerly, to a secular priest, and the religious go back to the monastery.² Such charges appear to have been fairly frequent, and one of particular interest, which illustrates the poor relations between regulars and seculars, concerns the church of Holy Trinity - St. Andrews. The church, having been transferred to its present site by William Lindsay, Lord of Byres, with consent of the Priory of St. Andrews; his son, John Lindsay wished to convert into a collegiate church. This attempt failed, possibly/

1. Supra, pp. 298-9

2. SSR, I. 81-2.

possibly because John wished to have the patronage transferred to himself, but what is of more import, in spite of the fact that supplications are notoriously unreliable, is that one of the reasons advanced for making this change was that, while the chaplains were seculars, the vicar was a canon regular and discords arose daily in canonical hours and services.¹

While it can be argued, therefore, that the canon-vicar did not detract from parochial life, and indeed due to his status and possible educational attainments added lustre to a cure, it is equally arguable that due to constant friction between regulars and seculars, any such good might easily be undone. In the nature of the evidence, the canon-vicar is almost bound to appear in a bad light, but positive evidence in favour of the regulars is virtually non-existent. Anselm of Havelberg, himself a White canon, may have thought, as did others, that all parish priests should be regulars,² but experience was not to prove that regulars were any more/

1. RS, 286, Fo. 221.

2. *Epistola apologetica pro ordine canonicorum regularium* (*Patrologia Latina*, vol. 188, col. 1112-40); cited. Bulloch, *Adam of Dryburgh*, 58.

more conscientious than the seculars, either in ministration in their parishes, or the upkeep of their churches. Indeed, as canon-vicars were subject to two masters - their diocesan, and their abbot or prior, to whom they should report at frequent intervals, it is possible that their parochial work consequently suffered. It is doubtful, furthermore, how far regulars were undertaking their duties in person, and how far deputing them to underpaid curates. All in all, the canon-vicar was, however, possibly no worse than the secular vicar, many of whose faults he displayed, but as this judgement in itself is to damn with faint praise, one is drawn to the inevitable conclusion that the cure of souls by regulars could only have been successful in the eyes of the religious themselves.

CHAPTER XII

Conclusion

The effects of the vicarage system, and the variations which the system engendered, were almost without exception disastrous to the parochial mission. The revenues available were hardly sufficient to meet the vicar's own needs, far less to help the poor and sick of his flock. Stipends were, as we have seen,¹ so low that the type of vicars, attracted by such pittance, were of such poor quality that little respect was shown for them. Indeed, it is largely due to the repugnance felt for such worthless creatures that the Church itself, soon fell into disrepute.

It is important to note, however, that parsons of unappropriated churches seldom appear in any better light, and in the condemnation of abuses made by successive Church councils, no distinction is made between "rectors" and vicars. In a fourteenth century synod, it was found necessary to decree that "every rector or/

1. *Supra*, pp. 238 ff., 256 ff.

1. Patrick, *Statutes of the Scottish Church*, 60.

2. *Ibid.*, 68, 97, 146-7.

3. Patrick, *Statutes of the Scottish Church*, 111.

or vicar . . . make personal and continuous residence in the place of his benefice . . . "1, and statutes continue throughout the centuries to make it clear that abuses were not confined to the lowly vicars.²

Of all such abuses, non-residence was possibly the most common, and while absenteeism among the higher clergy was obviously rife, it is interesting to note that in 1549, it was found necessary to decree:—"vicars-pensioner . . . shall reside in their cures and places whence they derive their pensions, and officiate in person under pain of suspension and confiscation of all their fruits, stipends and revenues, which the ordinary shall apply to the use of the poor."³

Non-residence was inevitable as long as both parsons and vicars continued to hold a plurality of benefices. This practice, which was fostered by the system of papal provision and reservation, had particular attractions for underpaid vicars, although in fact, most holders of vicarages "in commendam" were men already holding influential positions within the/

1. Patrick, Statutes of the Scottish Church, 68.

2. Ibid., 68, 97, 146-7.

3. Patrick, Statutes of the Scottish Church, 111.

the Church. Thus, Thomas de Myrton, who wished provision made to him of the perpetual vicarage of Cupar, already held a canonry and prebend of Brechin and the parish church of Tarvit.¹ Likewise, another famous pluralist - William Croyser - who in 1419 sought permission to obtain the vicarage of Innerleithen, already held a prebend of Dunkeld and the archdeaconry of Teviotdale,² while in another instance, the holder of the prebend of Ancrum and vicarage of Lilliesleaf, also sought the vicarage of Crail.³

In such instances, the holder of the vicarage was inevitably non-resident, and curates had to be appointed to carry out the parochial functions. In this way, the evil effects of the vicarage system were carried one stage further, the vicarage fruits being diverted from the parish by the action of the incumbent, rather than by a formal vicarage annexation by a religious corporation.

The provision of a curate was, however, preferable to a prolonged vacancy which might occur from/

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1. SSR, I. 15-16.
 2. Ibid., 20-21.
 3. Ibid., 200-201.

from the conflicting claims of rival impetrants. Ignoble struggles often arose for the possession of the fruits of a benefice,¹ and as such disputes were frequently settled by the fiction of free resignation on behalf of one of the parties, to whom a pension on the fruits was normally assigned, a further dismemberment of the benefice was brought about.² Such disputes and bargains must have reacted upon the financial position of the curatus, and served to keep emoluments at a very low level. By the sixteenth century, the curate was a figure of contempt, and one contemporary account which presents a scathing indictment is Makgregouris Testament which records:-

"To my Curate, negligence I resign,
 Therewith his parishioners for to teach:
 Another gift I leave him as condign,
 Sloth with ignorance, seldom for to preach,
 The souls he commits for to bleach
 In purgatory till they be washen clean,
 Pure religion thereby for to sustain."³

The/

1. Between 1462 and 1464, there were three claimants^m to the vicarage of Dumfries (Scottish Benefices, 141, 145, 148; CPL, XI. 431-2, 510-11).
2. St. Andrews Formulare, nos. 433, 529.
3. Bredalbane Papers, quoted by Cosmo Innes, Sketches of Early Scotch History, 362.

The vicar was seldom any better than his substitute, even when he was able, or chose, to minister in person. As early as 1216, the Pope had complained of the lack of learning possessed by parish priests, circumstances which he related to the miserable pittance afforded them.¹ This problem increased as stipends became less in keeping with the prevailing economy, and the level of education appears to have fallen accordingly. In 1551/2, it was found necessary to advise "rectors, vicars or curates" to prepare themselves for the task of reading . . . "lest they expose themselves to the ridicule of their hearers, when through want of preparation, they stammer and stumble in mid-course of reading."² Once again the low standard of literacy was not confined to vicars, but whereas in other ranks the fault usually lay in their very wealth, the opposite was true with the vicars, as the stipends which were available failed to attract a competent and well educated priesthood. Exceptions do exist, however, and vicars are occasionally to be found at Church/

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1. Decretal. iii. v. 30 (cited Dowden, The Medieval Church in Scotland, 115).
 2. Patrick, Statutes of the Scottish Church, 146.

Church councils,¹ or sitting upon a commission,² while in a rental book of the diocese of Moray, it is stated "this rental was writtin be maister William Wysman wicar of Keith, quhae was the best wryttar within the bisschopreik of Murray at that tyme."³

Such instances are exceptional, however, and vicars appear in the main to have possessed very few traits of education. Morality was, likewise, at a low ebb, although here again, this was a canker which had eaten through the body of the whole church. In the supplications for benefices, the same themes are repeated over and over again. The vicar of Kilmacolm keeps a concubine by whom he has offspring,⁴ the vicar of Carnwath had buried a suicide and neglected his parishioners, so that many had died with the sacrament;⁵ the vicar of Montrose, had performed ecclesiastical functions while excommunicated,⁶ the/

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1. Although the more eminent vicars-perpetual were summoned to the Provincial Council of 1558/9, none were specifically named (Ibid., 153-4.)
 2. St. Andrews Formulare, no. 495.
 3. REM, v - vi and note.
 4. SSR, I. 128.
 5. CPL, x. 320.
 6. SSR, I. 132-3.

the vicar of Linton "suffering defect of age was not promoted to holy orders within the lawful time,"¹ so runs only a selection of such petitions. The suppliants were not disinterested parties of course, but, nevertheless, the truth of their assertions can be verified from other sources. What is more reprehensible, however, is that such petitions were generally framed by men, no better than those whom they sought to expose, and whose only concern in such cases was to obtain the revenues of the benefices for themselves.

Negligence, illiteracy and immorality were not, however, confined to vicars, and therefore, while the system of appropriation, undoubtedly fostered such vices, and contributed to a situation whereby one section of the Church was by its very wealth discouraged from pursuing diligence, education and morality, while the other section did not have enough finance to cultivate these virtues, the entire blame cannot be accounted for in this way. Nevertheless, there were on occasions strong connections between the/

1. Ibid., 110-11.

the two, and this is particularly so in relation to the neglect of church buildings.

As has been noted,¹ repair of churches was a joint responsibility shouldered by "rectors" and vicars, with their parishioners. In both free and appropriated churches, such duties tended to be avoided by all concerned, but they appear to have been neglected to an even greater extent where the church was appropriated. Thus, of the twenty-two churches in the Merse which were reported ruinous in 1556, six pertained to Kelso, nine to Coldingham and two to Dryburgh.² Two of the churches were unappropriated, however,³ and elsewhere, Dalry was cited as in ill-repair in 1428,⁴ while a later pluralist rector of that church was sued in 1545 for not building an aisle in Dysart.⁵ Not all "rectors" avoided their responsibilities, however, and the churches of the Merse appear to present too bleak a picture. The mensal churches of the bishop of Dunkeld appear to have been well looked/

1. *Supra*, pp. 275-7

2. Source Book of Scottish History, II. 143-4; Appendix II. nos. 17, 32, 72.

3. Appendix I. nos. 421, 1123.

4. SSR, II. 216.

5. Prot. Bk. of Thomas Johnstoun, no. 345.

looked after,¹ while of the monastic "rectors", even Arbroath is to be found employing a carpenter in 1474, who might repair their churches, although on the reverse side, the same abbey had been accused only eleven years previously of neglecting to repair its churches in the diocese of Aberdeen.² The decay of churches had been arrested in certain cases, however, by burghs taking over the maintenance of their parish churches. This was the case at Perth, the church of which was annexed to Dunfermline,³ and also at Dundee where, after the church had fallen into disrepair, the council, after years of controversy with Lindores, to which the church was appropriated, obtained the right to repair the church and replace vestments and ornaments.⁴

The ill-effects of appropriation, and the vicarage system which it brought in its wake, did not stop at mere negligence, however, and took in many instances much more positive forms. As has been noted,⁵ there is a direct link between the vicar's normal right to receive the obventions, oblations/

1. Rentale Dunkeldense, 91-2, 109, 148, 231, 259, 266.
2. Aberbrothoc, II. no. 192; CPL, XI. 643-4, 665-8.
3. Appendix I. no. 902; Dunfermelyn, 291-99.
4. Charters and Documents relating to Dundee. 19-22.
5. Supra, pp. 277-9

oblations and mortuaries, and the rapacity which came to characterise the vicar, as attested to in contemporary literature. The underpaid vicar could only supplement his inadequate stipend from such sources, and hence the account, drawn once more from "Makgregouris Testament" where it is recorded:-

"To the vicar I leave diligence and cure
 To take the upmost cloth and kirk cow
 More to put the corpse in sepulture.
 Have poor widow six grice and a sow,
 He will have one to fill his belly fou,
 His thought is more upon the Pasch fines,
 Than the souls in purgatory that pines."¹

The complaint of the poet is proved to be essentially correct by no less an authority than a General Council of the Church, which in 1559 found it necessary to recommend "For the avoidance of popular discontent, especially at Easter-tide, when it happens that the churches ministers are, at the service of the sacrament of the body and blood of Christ, so solicitous to exact the smaller teinds and/

1. Breadalbane Papers, quoted by Cosmo Innes, Sketches of Early Scotch History, 362.

and certain other offerings, as to seem to sell that most sacred sacrament for the consideration of the delivery of a garment . . . that vicars of parishes . . . shall come to an agreement with their parishioners, a short time before Lent . . . " 1

The same council also attempted to remedy the abuse of exacting unduly heavy mortuary rights, and enacted that there should be a fixed scale of charges amounting to a pro rata payment of forty shillings to each ten pounds, unless the dead's part did not exceed twenty shillings, in which case, nothing was to be exacted.² The rapacity of the vicar, in this respect, is testified to by many contemporary writers, none better than by Sir David Lindsay in Ane Dialogue Betuix Experience and Ane Courteour where he paints a moving picture of this practice:-

"The pure cottar, being lyke to die,
Haifand young infants twa or thrie,
And has twa ky, but ony ma
The vickar must haif ane of thae,
With/

1. Patrick, Statutes of the Scottish Church, 185-6; cf. 42-3.
2. Patrick, Statutes of the Scottish Church, 178-9.

With the gray frugge that covers the bed,
 Howbeit the wyfe be purelie clad,
 And gif the wyfe die on the morne,
 Thocht all the bairns sould be forlorne
 The over kow he cleikis away
 With the pure cot of raploch gray.
 Wald God! this custome war put down,
 Quhilk never was foundit be reasoun."¹

The attempt to put down, or at least to modify the custom came too late. On every possible occasion, the vicars had plundered their flock, and a stage had almost been reached at which no service of the church - communion, baptism, marriage or confession - would be freely rendered. Instead, underpaid vicars utilised such opportunities to exact offerings from their parishioners, in order to ease their own financial exigencies.

This financial rapacity, coupled with a neglect of souls in the parish, which should as a unit have been the bulwark of the establishment, is the greatest indictment on the medieval Church. Monastic foundations/

1. Lindsay, Works, II. 52-3.

foundations, cathedral chapters, collegiate churches, and even universities, all played a dishonourable part in robbing the parish endowments to serve their own ends, this in the first instance entailing the appropriation of parsonage revenues to which, wherever possible, were added the revenues of the vicarages themselves. The vicars, who were presented to the cure of souls, were inadequately endowed from the beginning, and their position became even more precarious with the establishment of vicarage pensionary, upon which, inflation was to react with disastrous results.

Everywhere, burdens upon the vicars increased, until they were unequal to cope with them, while avaricious rectors pressed their privileges to the utmost. The decline of the vicarage system was accelerated by war and schism, and in turn this led to a general degradation throughout the Church. A canker ate through the whole body spiritual, and a greedy, grasping, immoral spirit was engendered which found an outlet in the self-seeking struggle for/

for benefices and positions. The vicars, who did not possess the same opportunities as the great ecclesiastics for such pickings, mulcted instead their parishioners whose souls they should have saved. The system of appropriation, by building up the wealth of the ecclesiastical foundations to the detriment of the parish and its curatus, undoubtedly played a major part in the downfall of the pre-Reformation Church, and nowhere can this be said with more evident truth than in Scotland, in which, there existed an apparently unparalleled number of such annexations.