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## Compassed About with so Great a Cloud: The Witnesses of Scottish Episcopal *Acta* Before *ca* 1250<sup>1</sup>

### ABSTRACT

This article is the result of examining the witnesses to some 600 episcopal *acta*. Despite the unequal incidence of survival from one diocese to another and the difficulty of identifying those men who had no surname, it is possible to draw some conclusions from this type of evidence. Something can be said about the bishops' clerks and chaplains, other members of their households and their relatives. There is evidence of considerable continuity of personnel from one episcopate to the next. Promotion, including movement to another diocese, can be traced, as can the arrival, growth in numbers and careers of *magistri*. Surnames allow a consideration of the origins of witnesses. Some light is thrown on the growth of cathedral chapters, the introduction of bishops' officials, the role of the Céli Dé, and on clerical dynasties, illegitimacy and pluralism. The Scottish Church is seen to be integrated into the wider Western Church.

In a seminal essay, Sir Frank Stenton drew attention to the importance of episcopal *acta* as historical evidence.<sup>2</sup> Some twenty years later, C. R. Cheney showed what could be done with that evidence,<sup>3</sup> and currently all the English *acta* are being published by the British Academy with the aim of providing the source material for such a study as Stenton envisaged.<sup>4</sup> Before considering what may be deduced about the witnesses of Scottish episcopal *acta* up to *ca* 1250, it is worth noting the limitations of this type of evidence.<sup>5</sup> The surviving documents can represent

<sup>1</sup> I am grateful to Dauvit Broun and to the anonymous reader for their helpful comments. I remain responsible for any errors. The title is taken from the Proper Preface for All Saints' Day and the feasts of major Scottish saints in the Scottish Liturgy of 1929: 'Who in the multitude of thy saints hast compassed us about with so great a cloud of witnesses...'

<sup>2</sup> F. M. Stenton, 'Acta Episcoporum', *Cambridge Historical Journal* 3 part 1 (1929) 1-14.

<sup>3</sup> C. R. Cheney, *English Bishops' Chanceries 1100-1250* (Manchester, 1950) [Cheney, *EBC*].

<sup>4</sup> D. M. Smith (ed.), *English Episcopal Acta [EEA]*, vol. i, *Lincoln 1067-1250* (Oxford, 1980), xxix.

<sup>5</sup> *Ibid.*, xl-xli; Grant G. Simpson, 'The *familia* of Roger de Quincy, Earl of Winchester and Constable of Scotland', in K. J. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985), 107; P. Hoskin, 'Continuing service: the episcopal households of thirteenth-century Durham', in P. Hoskin, C. Brooke and B. Dobson (eds), *The Foundations of Medieval English Ecclesiastical History: Studies presented to David Smith* (Woodbridge, 2005), 125.

only a fraction of the original output; here we are dealing with some 600 *acta* generated by the activities of fifty bishops. The accident of survival means that the diocese of St Andrews has the greatest number of *acta*, some 250 out of *ca* 600, while the numbers for Ross and Caithness are pitifully small. A witness might appear to be of great importance, but he may feature only briefly in a bishop's episcopate and happen to witness several acts drawn up at the same time. Many witnesses have only one name, and John (many of them no doubt Eoin), William, Hugh and Robert are commonplace; the same man may be known by two or more surnames. There is no consistency in describing a man as *clericus episcopi* or *capellanus episcopi*; elsewhere he may appear simply as *clericus* or *capellanus*. Letters, indulgences and, usually, institutions to benefices did not require witnesses. The scribes of some cartularies did not include witnesses in many of their copies: the cartulary of Dryburgh is especially unhelpful in this respect.

Those witnesses who can be most readily identified are the bishops' clerks and chaplains, though even in these cases there are uncertainties. What are we to make of a run of witnesses ending in *clericis episcopi* or *capellanis episcopi*, for example, *Mr Thoma de Tynemue, Mr Ricardo de Doure, Mr Stephano de Hedun', Symone de Noysi, Willelmo de Golin, Willelmo de Nydin clericis domini episcopi Sancti Andree*.<sup>6</sup> are these six clerks or is it only the last two, or an intermediate number? As secular chapters developed (only two chapters were regular: St Andrews and Whithorn), canons and cathedral dignitaries were not infrequent witnesses. The growing administrative structure brought in archdeacons, deans of Christianity and parish clergy; the latter, however, normally appear in witness lists only once and only very rarely more than twice. The appearance of household officials allows some account of the organisation of a bishop's household to be pieced together. There are numerous bishops' relatives, mainly nephews and brothers. More difficult (often impossible) to account for are those men who appear only once, e.g. Josep, who witnesses an act of John Scot, bishop of Dunkeld.<sup>7</sup> Such an infrequent witness may nevertheless be a member of a bishop's *familia*, e.g. Peter, clerk of Andrew de Moravia, bishop of Moray.<sup>8</sup> The offices of clerk and chaplain seem to have been interchangeable: Luke, a clerk of Bishop Abraham of Dunblane, is also described as his chaplain; the same is true of Mr Michael, clerk and chaplain of Bishop William Malveisin of St Andrews, and of Reginald, clerk and chaplain of Bishop John Scot of

<sup>6</sup> Cosmo Innes and Patrick Chalmers (eds), *Liber S. Thome de Aberbrothoc*, 2 vols, Bannatyne Club (Edinburgh, 1848-56) [*Arb. Lib.*], i. no.151.

<sup>7</sup> William A. Lindsay, John Dowden and J. Maitland Thomson (eds), *Charters, Bulls and other Documents relating to the Abbey of Inchaffray*, Scottish History Society (Edinburgh, 1908) [*Inchaff. Chrs.*], no.VII; he, or another with the same name, occurs in the *Liber Vitae of Durham*, Surtees Society (London and Edinburgh, 1841), 45; A. H. Thompson (ed.), *Liber Vitae Ecclesiae Dunelmensis: A Collotype Facsimile of the Original Manuscript, with Introductory Essay and Notes*, Surtees Society (Durham and London, 1923), fo.42v.

<sup>8</sup> Cosmo Innes (ed.), *Registrum Episcopatus Moraviensis*, Bannatyne Club (Edinburgh, 1837) [*Moray Reg.*], no.80.

Dunkeld.<sup>9</sup> Only three times are there direct statements as to who wrote a particular act, for the practice was not generally common in charters: 'given by the hand of Geoffrey de Cranford' (twice), and John the chaplain (not clerk) of Bishop Robert [I] of Ross 'who wrote this cyrograph'.<sup>10</sup> On the basis of the hand, Geoffrey Barrow has identified Gervase, clerk of Bishop Jocelin of Glasgow, as the writer not only of a confirmation by the bishop to the nuns of North Berwick, but also, as a royal clerk, of charters of King William I.<sup>11</sup> As to the organisation of what may be called the bishop's writing office or chancery, there are only three references to the head of that office, the bishop's chancellor: Hugh in the time of Bishop Richard [I] of Dunkeld, Robert in the time of Walter de St Albans bishop of Glasgow,<sup>12</sup> and, the earliest in date, Robert, who appears in the 1150s under Bishop Robert of St Andrews and who, as Robert son of Seolf, also served Bishops Arnald and Richard in a career which lasted into the 1170s and thus spanned at least twenty years.<sup>13</sup> The number of clerks and chaplains employed by a bishop cannot be determined with any certainty: the figure is governed by the accident of survival and by the coming and going of men during a long episcopate. Among the four dioceses with the best survival rate (St Andrews, Glasgow, Moray and Dunkeld), Dunkeld can be discounted because of a series of short episcopates. Bishop Walter de St Albans of Glasgow had thirteen or sixteen clerks in twenty-four years, and nine, possibly twelve, chaplains; Andrew de Moravia of Moray eleven clerks and nine or ten chaplains in twenty years; and William Malveisin of St Andrews twenty-five or thirty-three clerks and ten chaplains in thirty-six years. As Christopher Brooke has observed, 'It is far from clear what all the bishops' chaplains and clerks did, though some at least were evidently serving an apprenticeship for higher service later on'.<sup>14</sup>

<sup>9</sup> *Arb. Lib.*, i. no.213; Cosmo Innes (ed.), *Carte Monialium de Northberwic*, Bannatyne Club (Edinburgh, 1847), no.11; W. B. D. D. Turnbull (ed.), *Liber Sancte Marie de Balmorinach*, Abbotsford Club (Edinburgh, 1841) [*Balm. Lib.*], no.29. Julia Barrow has commented on the imprecision of some clerical titles: J. Barrow, 'The origins of vicars choral to c.1300', in R. Hall and D. Stocker (eds), *The English Vicars Choral. Cantate Domino. History, Architecture and Archaeology* (Oxford, 2005), 11.

<sup>10</sup> G. W. S. Barrow, 'Witnesses and the attestation of formal documents in Scotland, twelfth-thirteenth centuries', *Journal of Legal History* 16 (1995), 13; William Fraser (ed.), *Registrum Monasterii S. Marie de Cambuskenneth*, Grampian Club (London, 1872) [*Camb. Reg.*], no.59; Thomas Thomson (ed.), *Liber Cartarum Prioratus Sancti Andree in Scotia*, Bannatyne Club (Edinburgh, 1841) [*St A. Lib.*], 153-4; *Moray Reg.*, no.258. I am grateful to Dr Matthew Hammond for pointing out that I had missed one of these examples.

<sup>11</sup> G. W. S. Barrow with W. W. Scott (eds), *Regesta Regum Scottorum [RRS]*, vol. ii, *The Acts of William I, King of Scots, 1165-1214* (Edinburgh, 1971), 88-9; cf. Cheney, *EBC*, 19: '...the bishop's clerks might often be indistinguishable from royal clerks, and men might move easily from one employment to another'.

<sup>12</sup> *Camb. Reg.*, no.12; Cosmo Innes (ed.), *Registrum Episcopatus Glasguensis*, 2 vols, Maitland and Bannatyne Clubs (Glasgow, 1843) [*Glas. Reg.*], i. no.116.

<sup>13</sup> *St A. Lib.*, 126, 129, 138. The title was rare in England also: Cheney, *EBC*, ch.2.

<sup>14</sup> C. N. L. Brooke, 'English episcopal *acta* of the twelfth and thirteenth centuries', in M. J. Franklin and Christopher Harper-Bill (eds), *Medieval Ecclesiastical Studies in honour of Dorothy M. Owen* (Woodbridge, 1995), 46.

For the same reasons, it is impossible to state precisely who constituted the bishop's *familia* at any one time. It is, however, possible to identify individuals who very frequently attest the *acta*, and in the case of a few bishops to identify the inner and outer circles of the *familia*.<sup>15</sup> Conclusions have to be tentative because we do not know how many *acta* have been lost, but two examples can be drawn from the diocese of St Andrews. The most important witness to the fifty-seven surviving *acta* of Bishop Richard was his chaplain Alexander. He is missing from only four, three of them from the 1160s, one from 1165×6.<sup>16</sup> He was in office before the end of 1166, and his appearance with other witnesses of St Andrews *acta* in a confirmation by Malcolm IV suggest that he was already clerk to Richard as bishop elect.<sup>17</sup> It looks as if he became indispensable: he continued in the service of Bishop Hugh and Bishop-elect Roger. The bishop was well served also by his chancellor, Robert son of Seolf and his clerk Mr Abraham (32 each), and by Mr Andrew, archdeacon of Lothian (36). Also of the inner circle were Mr Herbert Scot, the bishop's clerk (25), Walter of Roxburgh, who became archdeacon of St Andrews (22), Aiulf, dean of Lothian (23), Mr John Scot (21), Matthew, archdeacon of St Andrews, who became bishop of Aberdeen in 1172, and Matthew's brother, Odo the steward (17 each). Others included the bishop's doorward Gamel, his *dapifer* Geoffrey (13 each), Hugh the *pincerna* (15), the bishop's chaplains Albin (8) and William (12), his brother, Robert the chaplain (12), Geoffrey, clerk of Tynningham (13), Geoffrey, priest of Lasswade (10) and Stephen the clerk (12). Richard's eventual successor, Roger (32 surviving *acta*), relied heavily on his chaplain Richard (23), on his clerk Ralph and on Geoffrey de Cranford (10 each) and on a group of *magistri*: Ranulf de Wat', who became official and archdeacon of St Andrews (23), John de Leicester, who became archdeacon of Lothian (12), William de Hales, who became dean of St Andrews (14), William de Lyne (12) and the episcopal clerk Isaac Scot (13). Less frequent witnesses included his clerk Mr Marchisius de Aubini (8), the knight Henry de *Tructanno* or *Truant* (7) and Andrew dean of Lothian, John de Bereford, the clerk Richard de Leicester and the knight William de Wiville (6 each). Bishop Hugh de Sigillo of Dunkeld relied on three canons of Dunkeld, especially Mr John de Heton, on successive archdeacons of Dunkeld, a dean of Rattray and one of his clerks, Mr Alan. Those close to Bishop Jocelin of Glasgow were three canons, one of whom, Herbert, also attested after becoming dean, three clerks,

<sup>15</sup> See the model in Simpson, 'The *familia* of Roger de Quincy', 108-9; cf. K. J. Stringer, *Earl David of Huntingdon: A Study in Anglo-Scottish History* (Edinburgh, 1985), 151-8.

<sup>16</sup> *St A. Lib.*, 132-3, 141-4; Appendix to J. Raine (ed.), *The History and Antiquities of North Durham* (London, 1852) [ND], no.CCCCLIX; the named witnesses in the exception, which dates to 1172×8 are all prelates, and perhaps a chaplain was too humble to be mentioned: Cosmo Innes (ed.), *Liber S. Marie de Calchou*, 2 vols, Bannatyne Club (Edinburgh, 1846) [*Kel. Lib.*], ii. no.453.

<sup>17</sup> Charles Rogers (ed.), *Chartulary of the Cistercian Priory of Coldstream*, Grampian Club (London, 1879), App. no.I; G. W. S. Barrow (ed.), *Regesta Regum Scottorum*, i, *The Acts of Malcolm IV*, no.239.

John, Walter and William, and especially Archdeacon Simon, who attested throughout the episcopate until his death in the mid-1190s, a period of some twenty years. Andrew de Moravia bishop of Moray drew on the services of five canons, three cathedral dignitaries, a chaplain and three laymen, one described as a *serviens* of the bishop, and one as sheriff of Elgin. The most frequent witnesses were three canons, all *magistri*: Edward de Moravia, Robert de Duffus, canon of Dipple, and William, canon of Petty, and the bishop's chaplain Ralph, all of whom were active for most of Andrew's episcopate, certainly into the late 1230s. In the long episcopate of William Malveisin of St Andrews it is possible to identify some twenty frequent witnesses, chaplains, clerks, archdeacons, a dean of Christianity (Denis dean of Angus), and others without titles, over half of them graduates. Some two-thirds of Malveisin's *acta* were witnessed by Mr Laurence de Thornton, at first as bishop's clerk and then as official and archdeacon of St Andrews. Denis, dean of Angus, witnessed twelve acts relating to Arbroath Abbey which seem likely to have been issued at the same time,<sup>18</sup> an example of how the accident of survival may skew the evidence.

The names of forty-two episcopal relatives are known, two of them females, Ada, niece of Bishop Richard [I] of Dunkeld, and Avicia, sister of Bishop Richard of St Andrews.<sup>19</sup> Even so, not all of them attest episcopal *acta*, for example, the two Helias, brother and nephew of Bishop Jocelin of Glasgow.<sup>20</sup> Very few appear frequently as witnesses. Those who occurred most often were John Scot, nephew of Bishop Robert of St Andrews, Robert the chaplain, brother of Bishop Richard of St Andrews, and Alexander and Henry, brothers of Brice de Douglas, bishop of Moray. Simon de Stirling, brother of Gilbert de Stirling bishop of Aberdeen, should also be included, as he witnessed three of the bishop's seven surviving *acta*. Curiously, William, brother of Richard de Lincoln, bishop of Moray, attested none of the surviving acts of that bishop, nor of Bishop Brice, and is found as a witness only in 1226 under Bishop Andrew de Moravia.<sup>21</sup> Similarly, although Bishop Brice's brothers, Alexander and Henry, were frequent witnesses to his *acta*, a third brother, Archibald, is described as Brice's brother only in 1226.<sup>22</sup> It is clear that few were able to build careers, apart from service with the bishop, on their episcopal connections. Richard de Lincoln's brother was parson of Spynie, and Alexander and Henry de Douglas were canons of their brother's cathedral establishment at Spynie.<sup>23</sup> However, Luke de Muthill, vaguely described as a relative of Bishop Gilbert of Dunkeld,

<sup>18</sup> *Arb. Lib.*, i. nos 153-64.

<sup>19</sup> *Balm. Lib.*, no.29; *St A. Lib.*, 134.

<sup>20</sup> Cosmo Innes (ed.), *Liber Sancte Marie de Melros*, 2 vols, Bannatyne Club (Edinburgh, 1837) [*Melr. Lib.*], i. no.70. No Scottish bishop compares with Everard of Norwich, whose brother and eight (perhaps ten) nephews attest his *acta*: Christopher Harper-Bill (ed.), *EEA*, vol. vi, *Norwich 1070-1214*, xliii.

<sup>21</sup> *Moray Reg.*, nos 31, 120.

<sup>22</sup> *Ibid.*, no.74.

<sup>23</sup> *Ibid.*, nos 44, 211.

became archdeacon and then dean of Dunblane; Simon, brother of Bishop Matthew of Aberdeen, accompanied him to Aberdeen and became his archdeacon; and the most successful was John Scot, brother of Bishop Matthew, who became bishop of Dunkeld.<sup>24</sup> Of these last three examples, only Archdeacon Simon can be shown to have owed his promotion directly to his relative. Professor Barrow has remarked on the existence of 'quasi-ecclesiastical clans which were such a feature of larger churches',<sup>25</sup> and has used the Kinninmonth family to illustrate this phenomenon. Alan and Simon, the brothers of Archdeacon Matthew of St Andrews, witnessed *acta* of Bishops Arnald and Richard of St Andrews,<sup>26</sup> and Simon was probably employed by the archdeacon as his chaplain.<sup>27</sup> Simon's move to Aberdeen with Matthew may have been copied by other relatives: Alan the bishop's brother and Adam the bishop's nephew are recorded, the latter witnessing one of his acts.<sup>28</sup> Matthew's brother Odo was witness to acts of Bishops Arnald, Richard and Hugh and Bishop-elect Roger of St Andrews. The family thus established itself in the dioceses of Aberdeen and St Andrews.<sup>29</sup> However, Bishop John Scot, the nephew of Bishops Robert of St Andrews and Matthew of Aberdeen, seems not to have had the same success at Dunkeld: the nephews who witnessed his *acta*, Mr John, Robert and Simon,<sup>30</sup> cannot be traced after the bishop's death.

Although there are exceptions, especially the diocese of Durham with its palatine status, English episcopal *acta* show that there was an almost total change in a household's personnel with the arrival of a new bishop.<sup>31</sup> The Scottish experience was quite different, for continuity from one episcopate to the next was not unusual. There are so many examples that perhaps only the most remarkable can be singled out for mention. Dunkeld provides the greatest number, perhaps because there were several short episcopates. Adam, parson of Forgandenny, witnessed *acta* for Bishops John Scot, Richard de Prebenda and Hugh de Sigillo, though that could mean no more than the years from 1203 to 1214.

<sup>24</sup> D. E. R. Watt, *A Biographical Dictionary of Scottish Graduates to A.D. 1410* (Oxford, 1977) [Watt, *Graduates*], 421; D. E. R. Watt, *Series Episcoporum Ecclesiae Catholicae Occidentalis*, Series VI, Tomus I *Ecclesia Scoticana* (Stuttgart, 1991), 7; Watt, *Graduates*, 485-8.

<sup>25</sup> G. W. S. Barrow, 'The early charters of the family of Kinninmonth of that ilk', in D. A. Bullough and R. L. Storey (eds), *The Study of Medieval Records: Essays in Honour of Kathleen Major* (Oxford, 1971), 109.

<sup>26</sup> *St A. Lib.*, 126-7, 137, 132-3, 179-80.

<sup>27</sup> Cosmo Innes (ed.), *Registrum de Dunfermelyn*, Bannatyne Club (Edinburgh, 1842) [*Dunf. Reg.*], no. 596.

<sup>28</sup> Cosmo Innes (ed.), *Registrum Episcopatus Aberdonensis*, 2 vols, Spalding and Maitland Clubs (Edinburgh, 1845) [*Abdn. Reg.*], i. 10; *St A. Lib.*, 299.

<sup>29</sup> Barrow, 'The early charters of the family of Kinninmonth', 109, 112; to the table on 116 might be added Archdeacon Simon's son, John, and Bishop Matthew's nephew, Thomas (*Abdn. Reg.*, i. 11-12, 13, ii. 315-16); Professor Barrow points out that John was a family name (Barrow, 'The early charters of the family of Kinninmonth', 114).

<sup>30</sup> D. E. Easson (ed.), *Charters of the Abbey of Coupar Angus*, 2 vols (Scottish History Society, 1947) [*C.A. Chrs.*], i. no. VIII; *Inchaff. Chrs.*, no. VII.

<sup>31</sup> Hoskin, 'Continuing service: the episcopal households of thirteenth-century Durham', 126-7, 137-8.

Adam de Prebenda as canon and then dean witnessed for Hugh de Sigillo, Gilbert and Geoffrey de Liberatione; Bernard, chaplain of Cargill, for John Scot, John de Leicester and Hugh de Sigillo. Ewen, bishop's clerk, served all five bishops from Richard [I] to Hugh de Sigillo, covering the 1170s to the early 1220s. Mr Henry, as bishop's clerk and subsequently archdeacon, attested *acta* for four bishops from John Scot to Hugh de Sigillo. In various capacities John de Heton served Richard de Prebenda, John de Leicester and Hugh de Sigillo. Mr Matthew witnessed for Gregory, Richard [I] and John Scot; Matthew, dean of Rattray, for John Scot, Richard de Prebenda and Hugh de Sigillo; Ralph, the bishop's chaplain, for Richard [I], John Scot, Richard de Prebenda, Hugh de Sigillo and, possibly, Gilbert;<sup>32</sup> Mr William de Ednam, mainly as archdeacon, for Hugh de Sigillo, Gilbert and Geoffrey de Liberatione. The most impressive example from the diocese of St Andrews was the period of some thirty years' service of Gamel the doorward from the beginning of the 1160s to probably the early 1190s. Similar examples of continuity can be found in the dioceses of Aberdeen, Dunblane, Brechin and Glasgow. Despite two long episcopates, the degree of continuity between the witnesses for Bishops Brice and Andrew de Moravia of Moray is impressive: twelve examples. A curious case is that of Mr Jocelin, archdeacon of Dunkeld, who witnessed one act of Bishop Richard de Lincoln of Moray and acts of three bishops of St Andrews, but never appears in witness lists for Dunkeld. His public career seems to have begun as witness to acts of Bishop Richard of St Andrews; he was archdeacon in 1177/8, presumably appointed by Bishop Richard [I] of Dunkeld who died in 1178. Both Richards had been royal chaplains, and Jocelin supported the king's candidate in the disputed St Andrews election of 1178, and subsequently appears as a royal clerk; it may be that he had been a member of the royal household with the two Richards. His support for the royal appointee, Hugh, against the choice of the Augustinian cathedral chapter of St Andrews, John Scot, probably explains why, when John eventually emerged from the conflict as bishop of Dunkeld, Jocelin found himself an exile from the diocese of which he was the nominal archdeacon.<sup>33</sup>

Clerks and chaplains had to be maintained. Apart from the bishoprics of St Andrews and Galloway, there were canonries and dignities in cathedrals as secular chapters developed. At a humbler level there were those parish churches in the bishop's gift or in the gift of those who might be persuaded by the bishop to present men to him for institution. Jordan, chaplain to Bishop Gilbert de Stirling, became a canon and then precentor in Aberdeen Cathedral. Helia and Nicholas, clerks of Bishop Herbert, became two of the first canons of Glasgow, and Salomon, clerk and chaplain, became the first dean. Ewen, who served five bishops of Dunkeld, may well have been disappointed to have acquired only the

<sup>32</sup> If the same as 'R. the bishop's chaplain': *Inchaff. Chrs.*, no.LIX.

<sup>33</sup> Watt, *Graduates*, 286.

parsonage of Clunie. Some rose to the grandest prize of all, the episcopate. Gregory, archdeacon of Brechin, became bishop. Mr Robert de Stuteville was successively canon and dean of Dunkeld and, after his election to St Andrews was quashed, became bishop of Dunkeld. Jonathan, who seems to have doubled as chaplain to Bishop Simon and archdeacon of Dunblane, ended his career as the next bishop; perhaps the designation *archidiacono Jonatha capellano meo*,<sup>34</sup> the sole reference to this dual role, might suggest that Jonathan was newly appointed to the archdeaconry when the act was issued.

Promotion could, of course, mean movement to another diocese. Two archdeacons of Moray, Gilbert de Moravia and Archibald Herok, became bishops of Caithness. Mr Hugh de Bosco, who witnessed acts of Bishops Osbert and Clement of Dunblane, moved to Aberdeen to become a canon. Mr John de Leicester moved from the archdeaconry of Lothian (St Andrews diocese) to become bishop of Dunkeld, and Matthew from the archdeaconry of St Andrews to become bishop of Aberdeen, taking with him Michael as his clerk and William as his chaplain. When William Malveisin was translated from Glasgow to St Andrews he took some of his clerks with him, Simon de Quincy, Mr Michael and Mr Peter Baillard, a former vicar choral of Glasgow Cathedral.<sup>35</sup> Mr Robert de Leicester/Craigie/Perth,<sup>36</sup> who first appears as an untitled witness in the diocese of Dunblane, is next found in Dunkeld as bishop's clerk under Bishop John de Leicester and then canon before moving to Aberdeen as dean. Mr Walter de Mortimer, clerk to William Malveisin and official of David de Bernham of St Andrews, became dean of Glasgow. Mr David de Bernham, clerk of William Malveisin, moved to Glasgow as precentor and returned to St Andrews as bishop. Mr Isaac Scot appears in the *familia* of Bishop Turpin of Brechin, was a clerk of Roger, bishop-elect of St Andrews by the winter of 1197/8, and continued to serve him after his consecration. He occurs once as clerk of Bishop Walter de St Albans of Glasgow and without title briefly under William Malveisin at St Andrews; perhaps disappointed by lack of title, he moved back to Brechin as clerk of Bishop Ralph. Two men are known to have left Scotland: Mr Marchisius de Aubini, clerk and chaplain of Roger of St Andrews, became a canon of Lincoln, and Mr Hugh Picard, clerk of Bishop William de Bondington of Glasgow, canon of Dunkeld and Moray, became a canon of Abbeville.<sup>37</sup> What may be a transfer at a humbler level involved Hamo the cook. Cooks of that name appear in association with Bishops John Scot of Dunkeld and Walter de St Albans of Glasgow. In neither case is he called the bishop's cook, but it is an unusual name in this context.<sup>38</sup>

<sup>34</sup> *Camb. Reg.*, no.122.

<sup>35</sup> *Glas. Reg.*, i. no.95. I am uncertain if it was rare for *magistri* to become vicars choral; for Mr Algar at Exeter, see F. Barlow (ed.), *EEA*, xi, *Exeter 1046-1184*, lvi-lvii.

<sup>36</sup> For this identification, see Watt, *Graduates*, 337.

<sup>37</sup> On these movements out of Scotland, see *ibid.*, 20, 450.

<sup>38</sup> *Inchaff. Chrs.*, no.VII; *Glas. Reg.*, i. no.87.

Thanks to D. E. R. Watt, the careers of the *magistri* are well-known, but something remains to be said about their appearance in the witness lists of episcopal *acta*. The pioneer with regard to the employment of graduates seems to have been Bishop Robert of St Andrews: the four graduates of his episcopate all occur in the 1150s.<sup>39</sup> Bishop Herbert of Glasgow had a graduate canon, Mr John de Roxburgh,<sup>40</sup> the first in any Scottish cathedral (1161×2). As Donald Watt pointed out, Herbert had been abbot of Kelso near Roxburgh, and so there may have been an earlier connection.<sup>41</sup> Dunkeld, however, was not far behind. Bishop Gregory was the sole Scottish bishop to attend the Council of Tours (1163), where prebends were discussed,<sup>42</sup> and obtained from Pope Alexander III a bull referring to the election of bishops of Dunkeld by canons.<sup>43</sup> Clearly his ambition was to establish a chapter of canons. Donald Watt thought that this came to nothing,<sup>44</sup> but Mr Abraham appears as canon of Dunkeld in one document which, however, cannot be dated more closely than 1163×9.<sup>45</sup> It seems therefore that a start was made but was cut short by the bishop's death in 1169: Abraham appears without the title of canon in the next episcopate,<sup>46</sup> and there were no more canons until the early thirteenth century.<sup>47</sup> By the 1190s there were *magistri* in every diocese, except Ross and Caithness, though by 1223 Bishop Robert [I] of Ross had a graduate clerk.<sup>48</sup> *Magistri* became more numerous after 1200, in St Andrews even before then: in Roger's time as bishop-elect and bishop, eighteen can be identified, in Malveisin's thirty-four. The *acta* of Andrew de Moravia of Moray are attested by sixteen, and those of Walter de St Albans of Glasgow by the same number. The majority of canons and dignitaries of Dunkeld seem to have been *magistri* after 1214.

Despite the exhaustive work of Donald Watt, very little can be said with certainty about the place and subject of study of these graduates. Mr Hugh de Bosco, canon of Aberdeen, and Adam de Makerstoun may have been at Oxford. Nigel, canon of Dunkeld, may have been the clerk of Oxford who was imprisoned there in 1231 for poaching. Matthew Scot, canon of Dunkeld and royal chancellor, studied at Paris, as Hugh de Stirling, also a canon of Dunkeld, may have done. Peter Ramsay, the future bishop of Aberdeen, may have been a pupil of Edmund of Abingdon, future archbishop of Canterbury and saint, at Oxford, and perhaps also studied at Paris under Matthew Scot; he was certainly lector

<sup>39</sup> Examples: Mr Andrew: Cosmo Innes (ed.), *Liber Cartarum Sancte Crucis*, Bannatyne Club (Edinburgh, 1840) [*Holy Lib.*], no.9; Mr Herbert [Scot]: *St A. Lib.*, 43; Mr John [Scot] and Mr Thomas: *ibid.*, 125.

<sup>40</sup> *Glas. Reg.*, i. no.16.

<sup>41</sup> Watt, *Graduates*, 473.

<sup>42</sup> R. Somerville, *Pope Alexander III and the Council of Tours* (Los Angeles, 1977), 49, 34.

<sup>43</sup> R. Somerville (ed.), *Scotia Pontificia* (Oxford, 1982), no.48.

<sup>44</sup> D. E. R. Watt and A. L. Murray (eds), *Fasti Ecclesiae Scoticanæ Medii Aevi ad Annum 1638*, rev. edn Scottish Record Society (Edinburgh, 2003), 132 [*Fasti*]; in Watt, *Graduates*, 167, however, he had described Abraham as a canon of Dunkeld.

<sup>45</sup> *Dunf. Reg.*, no.124.

<sup>46</sup> *Camb. Reg.*, no.12.

<sup>47</sup> *Fasti*, 132.

<sup>48</sup> Durham, Dean and Chapter Muniments, 1.1.Sacr. no.11.

to the Franciscans of Oxford.<sup>49</sup> John Scot, nephew of Robert bishop of St Andrews and future bishop of Dunkeld, was said by Walter Bower to have studied at Oxford and Paris,<sup>50</sup> but no great reliance can be placed on this late claim. Stephen de Hedun was believed to have studied at Cambridge. Hugh Picard had probably studied at more than one university, and certainly taught at Paris.<sup>51</sup> As to their subjects of study, nine of the witnesses were described as *medicus* or *phiscus*, and, lacking any other evidence, we have to assume that they had studied medicine. Matthew Scot and Peter Ramsay studied theology, the latter gaining the degree of doctor of theology.<sup>52</sup> If Walter Bower is to be believed, John Scot studied the liberal arts, physics and theology.<sup>53</sup> Hugh Picard, having studied the arts, civil law and decreets, achieved the degree of doctor of decrees.<sup>54</sup> Alexander de Edinburgh and William de Cunningham, who witnessed *acta* of Bishop David de Bernham of St Andrews, were each described as *iurisperitus*, a 'word of vague significance ... . This clearly suggests respected standing as a law practitioner (usually in canon law), but cannot be equated with any particular university qualification.'<sup>55</sup> Despite being remembered as skilled in both civil and canon law, and despite an undoubted interest in questions of canon law, William Malveisin may not have been a graduate.<sup>56</sup>

A group which appeared as witnesses in nearly every diocese was the bishops' officials. The earliest reference is to Richard de Hassendean in the diocese of Glasgow (1175×89), though Aberdeen's first official appeared at about the same time (1175×99),<sup>57</sup> dates which coincide with the spread of the post in the English dioceses.<sup>58</sup> By 1266 every diocese, except Ross and Caithness, for which the evidence is scanty, had an official. David Smith has pointed out that much of the evidence for English officials consists of attestation of charters,<sup>59</sup> and the same is true for Scotland. We cannot therefore be sure of the precise functions of those men

<sup>49</sup> Watt, *Graduates*, 57, 371, 429, 489, 525, 460.

<sup>50</sup> John and Winifred MacQueen and D. E. R. Watt (eds), *The Scotichronicon of Walter Bower*, vol. iii, *Books V and VI* (Edinburgh, 1995), 373.

<sup>51</sup> Watt, *Graduates*, 485, 450, 263.

<sup>52</sup> *Ibid.*, 489, 460.

<sup>53</sup> See n.50 above.

<sup>54</sup> Watt, *Graduates*, 450.

<sup>55</sup> *Ibid.*, xv.

<sup>56</sup> *Ibid.*, 375; for his legalistic cast of mind, see D. Patrick (ed.), *Statutes of the Scottish Church 1225-1559*, Scottish History Society (Edinburgh, 1907) [Patrick, *Statutes*], 288-92; A. C. Lawrie (ed.), *Annals of the Reigns of Malcolm and William, Kings of Scotland A.D. 1153-1214* (Glasgow, 1914), 390; W. H. Bliss (ed.), *Calendar of Entries in the Papal Registers relating to Great Britain and Ireland*, vol.i (London, 1893), 29; *Glas. Reg.*, i, no.97. Cf. A. A. M. Duncan, 'Roger of Howden and Scotland', in B. E. Crawford (ed.), *Church, Chronicle and Learning in Medieval and Renaissance Scotland* (Edinburgh, 1999), 146-7.

<sup>57</sup> *Fasti*, 244, 30.

<sup>58</sup> Cheney, *EBC*, 20. The title 'official' was universal in Scotland; by the time it was adopted it had superseded 'vice-archdeacon' found earlier in England: B. R. Kemp (ed.), *Twelfth-Century English Archidiaconal and Vice-Archidiaconal Acta*, Canterbury and York Society (Woodbridge, 2001), lii-liii.

<sup>59</sup> D. M. Smith, 'The 'Officialis' of the bishop in twelfth- and thirteenth-century England: problems of terminology' in M. J. Franklin and Christopher Harper-Bill (eds), *Medieval Ecclesiastical Studies in honour of Dorothy M. Owen* (Woodbridge, 1995), 205.

who were designated officials.<sup>60</sup> Of the twenty-one officials of this period, only twelve are known to have been *magistri*, and none of them can be shown to have studied law. Not surprisingly, all but one of the officials attested episcopal *acta*. The exception, Andrew de Aberdeen, official of Bishop David de Bernham of St Andrews, seems to have held the post for only a short time. That the office was very much the personal gift of the bishop and that tenure might be discontinued is shown by the career of John de Huntingdon. Clerk of Bishop Jocelin of Glasgow, he was appointed official by Bishop William Malveisin. He appears simply as bishop's clerk under Bishop-elect Florence before becoming official again; however, he appears without title under Bishop Walter de St Albans.<sup>61</sup> This final appearance can be dated only 1208×23, but it may be that John died shortly after 1208 before he could be appointed official yet again. The same held good for officials of the archdeacons: Alexander de St Martin was certainly official in the time of William de Bosco, archdeacon of Lothian,<sup>62</sup> but his ten appearances as a witness to episcopal *acta* give him no title.

The *acta* do not provide a complete picture of any single bishop's household, but, taken together, they cover the officers of the household and some of the lesser figures who appear in a random way as witnesses.<sup>63</sup> There is no contemporary definition of the duties of the members of the household.<sup>64</sup> We must assume that visitors to the bishop's household met the janitor first; in the domestic quarters worked the baker, brewer and cook. The doorward presumably controlled admission to the bishop's hall or chamber. The duties of steward, chamberlain, butler and dispensator cannot be precisely defined. Bishop Jocelin of Glasgow had two stewards at the same time, which indicates a division of duties; the two stewards of Richard of St Andrews may have had duties divided geographically, north and south of Forth.<sup>65</sup> There is no evidence that these posts were hereditary, though it is not impossible, since Adam was granted the hereditary

<sup>60</sup> *Ibid.*, 219. S. Ollivant, *The Court of the Official in Pre-Reformation Scotland*, Stair Society (Edinburgh, 1982), deals with the fully developed functions of the official and his court.

<sup>61</sup> *Melr. Lib.*, i. no.31; *Glas. Reg.*, i. nos 95, 99; *Melr. Lib.*, i. no.126; *Glas. Reg.*, i. no.87.

<sup>62</sup> *Fasti*, 423.

<sup>63</sup> The fullest list, which is not in an episcopal act, is from the time of Bishop Walter de St Albans of Glasgow: *Glas. Reg.*, i. no.87.

<sup>64</sup> There is no contemporary account of a bishop's household of the twelfth or thirteenth century. The *familia* of Wulfstan of Worcester is fully described in the *Life* of the bishop: M. Brett, *The English Church under Henry I* (Oxford, 1975), 173-4, but he lived in the eleventh century and his household exhibited 'exceptional features'. Modern discussions of episcopal households in Scotland are M. Ash, 'The Administration of the Diocese of St Andrews 1202-1328', unpublished Ph.D. thesis (University of Newcastle upon Tyne, 1972), 130-46 [Ash, 'St Andrews'] and N. F. Shead, 'The household and chancery of the bishops of Dunkeld, 1160s-1249' in Crawford (ed.), *Church, Chronicle and Learning*, 123-4; for the English bishops, see the volumes of the *English Episcopal Acta* (as in n.4 above).

<sup>65</sup> *Melr. Lib.*, ii. no.571; Ash, 'St Andrews', 133.

stewardship of St Andrews Cathedral Priory.<sup>66</sup> The existence of a constable and a marischal is evidence of a bishop's need to provide troops when required. Knights occasionally appear as witnesses. William de Wiville and Henry de *Tructanno* or *Truant* attest several of the acts of Bishop Roger of St Andrews and so we may suspect that they were household knights. This is a subject on which the evidence is thin, but there is a specific reference to the army of the bishop of St Andrews and its *duces* in the 1120s, and in 1317 William Sinclair, bishop of Dunkeld, turned out with sixty of his men to oppose an English landing in Fife.<sup>67</sup> It is easy to dismiss *servitores* and *servientes* as servants, and that is no doubt the meaning in some contexts. We lack definition in these instances, as in others. However, it is difficult to accept that *serviens* always means servant when it is possible to show that Nicholas, David and Comyn, *servientes* of Bishop Walter de St Albans of Glasgow, were also burgesses of Glasgow.<sup>68</sup> *Servientes* here may mean that they were serjeants of the bishop, and English examples show that they might have duties garrisoning a castle or in connection with a fair; both roles would be possible in Glasgow, with its episcopal castle and fair.<sup>69</sup> The role of those described as the bishop's boys is unclear. They are recorded in the households of Bishops Walter de St Albans of Glasgow and William Malveisin of St Andrews. It seems more likely that they were boys placed in the bishop's household for education rather than cathedral choristers; in the case of St Andrews, with its chapter of canons regular, the latter seems very unlikely. The Glasgow boys have no surnames. Although one is called Warin, a relatively uncommon name, there are potentially four other Warins in Bishop Walter's time: bishop's clerk, *pincerna*, steward and bishop's nephew. Although the St Andrews boys have surnames, there is no certainty about their careers. Professor Barrow has suggested that Hugh de Nydie might be the son of another of the same name and that he was the man of that name who sold land to the prior of St Andrews between 1236 and 1253; he might perhaps be the Hugh de *Nid'* who witnesses one act of Bishop Abraham of Dunblane.<sup>70</sup>

The absence of surnames in so many cases makes it difficult to trace the origins of witnesses. Even what appear to be surnames can be

<sup>66</sup> Barrow, 'The early charters of the family of Kinninmonth', 112.

<sup>67</sup> A. C. Lawrie (ed.), *Early Scottish Charters prior to A.D. 1153* (Glasgow, 1905), no. LXXX; Professor Barrow regards this as the bishop's contribution to the common army of Scotland: G. W. S. Barrow (ed.), *The Charters of King David I. The Written Acts of David I King of Scots, 1124-53 and of his son Henry Earl of Northumberland, 1139-52* (Woodbridge, 1999), 68; Norman F. Shead, Wendy B. Stevenson and D. E. R. Watt (eds), *The Scotichronicon of Walter Bower*, vol. vi, *Books XI and XII* (Aberdeen, 1991), 383.

<sup>68</sup> N. F. Shead, 'Glasgow: an ecclesiastical burgh' in M. Lynch, M. Spearman and G. Stell (eds), *The Scottish Medieval Town* (Edinburgh, 1988), 126.

<sup>69</sup> G. W. S. Barrow, *The Anglo-Norman Era in Scottish History* (Oxford, 1980), 159-61; N. Vincent (ed.), *EEA*, ix, *Winchester 1205-1238*, nos 334, 279; J. Barrow (ed.), *EEA*, vii, *Hereford 1079-1234*, no. 198.

<sup>70</sup> *Glas. Reg.*, i. no. 101; G. W. S. Barrow, 'Some East Fife documents of the twelfth and thirteenth centuries', no. 3, in G. W. S. Barrow (ed.), *The Scottish Tradition. Essays in honour of Ronald Gordon Cant* (Edinburgh, 1974); *Dunf. Reg.*, no. 225.

misleading: in the late twelfth century Helia de Partick was the brother of Robert de Stenton,<sup>71</sup> though some surnames, such as Hay,<sup>72</sup> were well established. It is not certain if men with a French name had inherited it, come directly from France or had spent a period of domicile in England. Despite these reservations, it is possible to demonstrate that a new bishop might bring in his own men. One of the best-documented instances followed the election of Brice, prior of Lesmahagow, to the see of Moray in 1203. He brought his brothers, Alexander and Henry de Douglas to Moray as canons,<sup>73</sup> presumably to support the reorganisation which established the cathedral at Spynie with a chapter of eight canons.<sup>74</sup> The first dean was Freskin, formerly parson of Douglas.<sup>75</sup> He, too, had brothers called Alexander and Henry de Douglas.<sup>76</sup> It is tempting to suppose that the bishop and the dean were brothers, but there is no evidence for that. The bishop's brothers, regular witnesses to his *acta*, do not certainly appear in the next episcopate, unless Henry is 'H. canon of Spynie',<sup>77</sup> whereas the dean's brothers are described as sheriff of Elgin and as bishop's clerk.<sup>78</sup> Presumably Brice and Freskin (a name associated with Moray at an earlier date)<sup>79</sup> were related, as the name Douglas suggests. Certainly there was a movement from Lanarkshire to Moray. Almost every diocese attracted men whose names indicate an English origin. The election of the royal chaplain, Walter de St Albans, as bishop of Glasgow in 1207 was followed by the arrival of two other men with the same surname, Robert, and the bishop's nephew, Warin. The same county is represented by Robert de Hertford, Northamptonshire by William and Thomas de Annesley (not known to be related to each other),<sup>80</sup> East Anglia by Mr Adam de Walpole and Mr Richard de Orwell,<sup>81</sup> and Bedfordshire by Hugh de Potton. Under Bishop Andrew de Moravia of Moray, the connection with Lincolnshire, which already existed in the name of Bishop Richard de Lincoln and the adoption of the statutes of Lincoln Cathedral by Bishop Brice, continued in the person of the bishop's *serviens* Simon de Orby, and his clerk and possibly the future dean and bishop, Simon de Gunby (a village where the Orby

<sup>71</sup> *Melr. Lib.*, i. no.54; cf. Richard called Bruning, the son of William Gley: *Glas. Reg.*, i. no.77.

<sup>72</sup> *Arb. Lib.*, i. nos. 185, 212.

<sup>73</sup> *Moray Reg.*, no.211.

<sup>74</sup> *Ibid.*, no.46.

<sup>75</sup> *Fasti*, 284.

<sup>76</sup> *Kel. Lib.*, i. no.371.

<sup>77</sup> *Moray Reg.*, no.96.

<sup>78</sup> For example, *ibid.*, nos 28, 41; cf. no.62.

<sup>79</sup> G. F. Black, *The Surnames of Scotland* (New York, 1946; repr. Edinburgh, 1993) [Black, *Surnames*], 280.

<sup>80</sup> Watt, *Graduates*, 12.

<sup>81</sup> Donald Watt, following Black, *Surnames*, said that this name was probably derived from Orwell parish in Kincardineshire (Watt, *Graduates*, 435), but, given the names of other members of the *familia*, it could also be from Orwell in Cambridgeshire: E. Ekwall, *The Concise Oxford Dictionary of English Place-Names*, 4th edn (Oxford, 1960) [Ekwall, *Place-Names*], 351.

family held property),<sup>82</sup> and possibly Mr Gilbert de Bradhouche.<sup>83</sup> The arrival of Roger, a son of the third earl of Leicester, as bishop-elect of St Andrews in 1189 not surprisingly introduced several men from England into the diocese, most obviously Mr John de Leicester, a future archdeacon of Lothian and bishop of Dunkeld, and the clerk Richard de Leicester. Ralph Costein's name may perhaps be derived from Coston in Leicestershire, and that of Mr Ranulf de *Wat*' from Watton, now Long Watton, also in Leicestershire.<sup>84</sup> Geoffrey Cranford and William de Wiville came from the household of the earls of Leicester, though the latter's surname suggests an origin in Lincolnshire. Cranford witnessed charters of Earl Robert IV, Bishop Roger's brother, and of Countess Petronilla. William de Wiville witnessed a charter of Earl Robert III. These men were perhaps the sons of Roger de *Cranford* and another William de Wiville of Earl Robert II's time.<sup>85</sup> Mr Marchisius de Aubini seems to have come from Lincolnshire, and Alan de Manfield and Mr Walter de Driffield from Yorkshire.<sup>86</sup> The most distinguished of all, however, was William Malveisin.<sup>87</sup> He seems likely to have come from a family with lands in the lower Seine Valley and to have entered the service of King William as clerk when Roger was appointed chancellor. Roger became bishop-elect, and Malveisin became archdeacon of Lothian and chancellor before election to the see of Glasgow and then St Andrews. As bishop of St Andrews, Malveisin included in his *familia* several men whose names indicated a connection with the same area of France: Gervase de Neauphle, Giles de Chaumont, John de Maule, John de Mellento (Meulan) and Simon de Noisi. Others were drawn from Northern England: the bishop's clerk, John Arcuret (Arthuret, Cumberland), John de Haltwhistle, also bishop's clerk, and Mr Thomas de Tynemouth (both Northumberland). In the diocese of Aberdeen there were William de *Tatenel*' (Tattenhall, Cheshire) and, in the time of Bishop Ralph de Lamley, Henry de *Hairun*'; the latter and Jordan de Heirun, who witnessed a charter of Bishop Richard of St Andrews, shared their surname with two men who occur in Warwickshire in 1199/1200.<sup>88</sup> Two witnesses seem certainly to be foreigners brought to Scotland by Florence, bishop-elect of Glasgow: Mr Theodore, his clerk, and Theodore his nephew. In one instance the clerk's name is given as Terrj,<sup>89</sup> which suggests that his name was Dirck, like that of Florence's

<sup>82</sup> Barrow, *Anglo-Norman Era*, 28.

<sup>83</sup> Watt, *Graduates*, 62.

<sup>84</sup> Ekwall, *Place-Names*, 123; Watt, *Graduates*, 576.

<sup>85</sup> M. Bateson (ed.), *Records of the Borough of Leicester* (London and Cambridge, 1899), i, nos III, VII, XIII; J. H. Round (ed.), *Calendar of Documents preserved in France* (London, 1899), nos 571, 1062; for Lincolnshire as the origin of Wiville, see Ekwall, *Place-Names*, 541.

<sup>86</sup> Watt, *Graduates*, 20; Ekwall, *Place-Names*, 313; Watt, *Graduates*, 155.

<sup>87</sup> *Ibid.*, 374-9.

<sup>88</sup> Hugh and Richard de Hairun: *Feet of Fines for the County of Warwick*, Dugdale Society (London, 1932), 12.

<sup>89</sup> *Melr. Lib.*, i. no.44.

brother, Count Dirck or Thierry VII of Holland.<sup>90</sup> Another who may have come directly from abroad was Mr Omer, clerk of Bishop John of Aberdeen and subsequently archdeacon there. A monk of Vauluisant with the same name occurs in 1167/8.<sup>91</sup> Both were presumably named after the saint commemorated in the place-name St Omer in the Pas de Calais.

One striking feature of the witness lists is the inclusion of *Céli Dé* as regular witnesses in the dioceses of Brechin and Dunblane. In the case of Brechin, the *Céli Dé* seem to have formed the main part of the chapter,<sup>92</sup> and Mael Brigte, the prior of the *Céli Dé* of Brechin, attests *acta* of Bishops Ralph, Hugh and Gregory. After 1218×25 the *Céli Dé* cease to appear in witness lists, lending support to the idea that the *Céli Dé* were converted into secular canons by Bishop Gregory.<sup>93</sup> In Dunblane, too, individual *Céli Dé* and the priors of Muthil and Abernethy act as witnesses. Attestations continue until 1235<sup>94</sup> and disappear with the constitution of a cathedral chapter by Bishop Clement in the late 1230s.<sup>95</sup> In contrast the *Céli Dé* are represented in the *acta* of the bishops of St Andrews by an unnamed *abbate keledorum Sancti Andree* in the 1180s; by the mid-thirteenth century they had been transformed into the college of secular canons of St Mary's on the Rock.<sup>96</sup> It was not merely the attestation of priors and individual *Céli Dé* that showed continuity from the old in the Scottish Church. The Gaelic names of clerks, parsons, vicars, three deans of Christianity, two canons (apparently of Inchaffray), an archdeacon, an episcopal clerk and an episcopal chaplain, and such practices as founding (or perhaps continuing) a clerical dynasty, as Duftach did in the diocese of Dunkeld, were signs that the old could be incorporated in the new.

In the twelfth century and even into the early thirteenth, the existence of children of clergy, and thus presumably of clerical marriage, was quite openly acknowledged, from John son of the dean in the early 1170s to Mael Ísu son of Brice parson of Crieff (1210×20).<sup>97</sup> At least two clerical dynasties can be identified in the diocese of Dunkeld.<sup>98</sup> A witness of two acts of Bishop Robert of St Andrews, Swain the priest, was the father of eight sons, all known by name.<sup>99</sup> The best-documented clerical family is that of Mr Merlin who appears in 1161×62 in *acta* of Bishop

<sup>90</sup> *RRS*, ii, 60; cf. index, 496.

<sup>91</sup> Watt, *Graduates*, 435; M. Garrigues (ed.), *Le Premier Cartulaire de L'Abbaye Cistercienne de Pontigny (xii<sup>e</sup>-xiii<sup>e</sup> siècles)* (Paris, 1981), 143-4.

<sup>92</sup> *Fasti*, 57.

<sup>93</sup> *Ibid.*

<sup>94</sup> J. Dowden (ed.), *Chartulary of the Abbey of Lindores 1195-1479*, Scottish History Society (Edinburgh, 1903) [*Lind. Cart.*], no.LI.

<sup>95</sup> *Fasti*, 104.

<sup>96</sup> *StA. Lib.*, 353; G. W. S. Barrow, 'The Clergy at St Andrews' in *The Kingdom of the Scots*, 2nd edn (Edinburgh, 2003), 199-200. In a document of 1250 the convent of St Andrews claimed that the *Céli Dé* of St Mary's were 'acting as canons' (*ibid.*, 191).

<sup>97</sup> Cosmo Innes (ed.), *Registrum Monasterii de Passelet*, Maitland Club (Edinburgh, 1832), 115; *Lind. Cart.*, no.XLV.

<sup>98</sup> Shead, 'The household and chancery of the bishops of Dunkeld', 128-9.

<sup>99</sup> *ND*, no.CXV.

Arnald of St Andrews.<sup>100</sup> Thanks to the survival of the charters of Coldingham Priory, it is possible to follow Merlin's descendants for three generations.<sup>101</sup> It is also known that he had a daughter, brought to the shrine of St Æbbe at Coldingham to be cured.<sup>102</sup> By the 1220s, however, witnesses were more reticent: Malcolm simply appears as 'son of Ewen', and John as 'son of Nazarius', with no mention of their fathers' clerical status.<sup>103</sup> This change perhaps sprang from the Fourth Lateran Council of 1215, which four Scottish bishops attended, and from the establishment of the provincial council of the Scottish Church in 1225.<sup>104</sup> The First and Second Lateran Councils (1123 and 1139) had forbidden clerical marriage, and the Fourth assumed that it had ceased, as did the thirteenth-century statutes of the Scottish Church.<sup>105</sup> The thirteenth century saw confessions of illegitimacy and petitions for dispensations: Peter Ramsay, and Abel de Golin, both future bishops, sought dispensations on the grounds of being the children of priests.<sup>106</sup>

The witnesses to thirteenth-century *acta* provide several examples of pluralism: Peter, canon of both Moray and Ross; Simon de Noisi, clerk of Bishop William Malveisin of St Andrews, and parson of Leuchars, Dysart and Ormiston.<sup>107</sup> Mr William de Bosco, canon of Aberdeen, also held the church of Craigie (Glasgow diocese). Mr William de Ednam retained the church of Sanquhar (Glasgow diocese) while archdeacon of Dunkeld. Mr William de Greenlaw seems to have held the churches of Rossie and Kirkcaldy (St Andrews diocese) at the same time in the 1220s. Mr Abel de Golin, canon of Glasgow and future bishop of St Andrews, who secured a dispensation in 1233 to hold two benefices with cure of souls, extended to four in 1248, held the churches of Keith Marischal and Pottie in St Andrews diocese, Smailholm in Glasgow diocese and a hospital in Stirling (probably the hospital of St James). Mr Walter Mortimer, dean of Glasgow, was granted an indult to hold an additional benefice (1253). Mr John (perhaps John de Holbeach), canon of Duffus, was granted a dispensation to hold a benefice with cure of souls in addition to his prebend. Mr Hugh de Stirling held the church of Forgan in St Andrews diocese while canon of Dunkeld.<sup>108</sup>

<sup>100</sup> Other names apparently influenced by literature were Mr Arthur, Merlin's contemporary and fellow clerk, and Turpin, who witnessed an act of Bishop Richard of St Andrews and became bishop of Brechin (Watt, *Graduates*, 18, 548-9). The latter's name recalls the archbishop in the *Chanson de Roland*.

<sup>101</sup> Robert Bartlett drew attention to these documents in R. Bartlett (ed.), *The Miracles of St Æbbe of Coldingham and St Margaret of Scotland*, Oxford Medieval Texts (Oxford, 2003), 30, n.59.

<sup>102</sup> *Ibid.*, 31-3.

<sup>103</sup> *C.A. Chrs.*, i. nos XXIX, XXVIII.

<sup>104</sup> D. E. R. Watt, *Medieval Church Councils in Scotland* (Edinburgh, 2000), 36-7, 43-4.

<sup>105</sup> N. P. Tanner (ed.), *Decrees of the Ecumenical Councils* (London and Washington, 1990), i. 94, 198, 242; Patrick, *Statutes*, 14.

<sup>106</sup> Watt, *Graduates*, 460, 225.

<sup>107</sup> *Moray Reg.*, no.75; Simpson, 'The familia of Roger de Quincy', 112.

<sup>108</sup> Watt, *Graduates*, 58, 171-3, 242-3, 225-7, 419-20, 270, 525; for the hospital of St James at Stirling, see I. B. Cowan and D. E. Easson, *Medieval Religious Houses Scotland* (London, 1976), 193.

The early thirteenth century saw a much greater use of 'knight' to describe some lay witnesses. The title was occasionally used in the twelfth century, for example, Roger the knight, nephew of Bishop Robert of St Andrews,<sup>109</sup> but it became more common from the 1190s: examples are found in the dioceses of Aberdeen, St Andrews, Dunblane and Moray. Even then, it was not used consistently. Two other laymen were Gregory the mason (dignified with the title 'master') and Richard the glazier, who witnessed an act of Bishop Andrew de Moravia of Moray.<sup>110</sup> Their presence shows that in 1237 work was actively in progress on the bishop's new cathedral at Elgin.

Christopher Brooke has commented on the variety in length and content of witness lists.<sup>111</sup> Nonetheless, and even bearing in mind what a small proportion of the original number of *acta* survives, these lists allow us to reconstruct the personnel of a bishop's household and chancery,<sup>112</sup> to see something of the development of archdeaconries, deaneries of Christianity and cathedral chapters, the introduction of the official, and the arrival and growth in numbers of the *magistri*. The names of some witnesses remind us of the greater influence of England and the Continent on the Scottish Church by the twelfth and thirteenth centuries. The lists also throw light on such matters as the *Céli Dé*, clerical families, pluralism and greater use of the term *miles*. In Scotland, as in the rest of Western Europe, there were 'innumerable institutions and attitudes which did not exist in 1050 but which by 1250 were firmly established'.<sup>113</sup> These developments are certainly borne out by the evidence of the witness lists.

<sup>109</sup> *Holy. Lib.*, no.2.

<sup>110</sup> *Moray Reg.*, no.121.

<sup>111</sup> Brooke, 'English episcopal *acta*', 46.

<sup>112</sup> '...to dignify the secretariat with a title it did not employ': Cheney, *EBC*, 99.

<sup>113</sup> C. Morris, *The Papal Monarchy: the Western Church from 1050 to 1250* (Oxford, 1989), 3.