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Translations of Letters One to Sixty of John of Salisbury

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TRANSLATIONS OF LETTERS ONE TO SIXTY

OF

JOHN OF SALISBURY

by

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The story of John of Salisbury is no exception to the generally recognized truth that a great man is always far in advance of his age. Nor is that strange. He must be greater than his age if he would slip out of the rank and file of the mediocre, or the merely ordinary, and pursue the trail that gives the challenge to his genius. To have attained any one goal remarkably well is to merit no small modicum of praise, but to have won extraordinary renown in several fields is indeed an enviable honor. Such was the record of John of Salisbury - the "great medieval Churchman,"¹ for thirty years "the central figure of English learning,"² secretary to three Archbishops of Canterbury, companion and friend to Saints.

It is odd that John is not better known. Still it is understandable. Thomas a Becket dominates the stage of the 12th Century, and in the brilliance of his role, he does overshadow the strength and the force of John.

Little is known of his early life, not even the exact date of his birth, which was sometime between 1115 and 1120 near the town of Salisbury. The brief information we have of his boyhood and early education is gleaned from his own Poliorcatus. He is sometimes referred to as Joannes Parvus - parvum nomine, facultate minorem, minimum merito, he says humbly of himself.³

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2 Stubbs, Seventeen Lectures on Medieval and Modern History, p. 139.
About the year 1136, he went to France where he studied under the great English scholar, Abelard, for a year. After two years, he transferred to William of Conches, one of the illustrious teachers at Chartres, the humanistic center of the day. A great intellectual development, brought about through his course of studies here, resulted in his becoming known as the outstanding representative of Chartist Humanism. It was during his twelve years of study that he met his most intimate friend, Peter of Celle, who figures largely in John's correspondence.

At the Council of Rheims in 1148, John was introduced by St. Bernard of Clairvaux to Archbishop Theobald of Canterbury. This introduction was the prelude to an important period in his life, since he entered Theobald's home in 1154 as his secretary, and remained at Canterbury for the next twenty years. In the subsequent events of John's life, it was quite evident that the friendship which developed between him and Thomas a Becket, Theobald's successor, was a decidedly influential factor in the shaping of John's career. Through all the troubled relationship between Thomas and Henry II of England, John was a staunch supporter of his Archbishop. Though he tried, by every means in his power, to heal the growing breach between the fiery Thomas and the irate Henry, there was no sacrifice of principle on John's part, even when his loyalty to his Church precipitated his exile to France. His seven years of exile were spent with his old friend, Peter of Celle,
who was, at that time, the Abbot of St. Remi in Rheims. He was joined in exile by Thomas. John's efforts at reconciliation with the King were rewarded after seven years in France. In 1170 he returned to England with Thomas, but the peace was tragically brief. Twenty-eight days after their return from France, the King's minions murdered the Archbishop in his cathedral. It is said that John witnessed the death of his friend.

He continued to live at Canterbury until 1176, when he was summoned by King Louis VII of France to assume the bishopric at Chartres, where as a young student he had distinguished himself in humanistic learning. The same fine courage and fearlessness that fought royal interference in Church affairs in England characterized his few remaining years at Chartres. He died on October 25, 1180, and was succeeded at Chartres by his friend, Peter of Celle, who was buried beside John seven years later, just outside the city of their bishopric.

JOHN'S CORRESPONDENCE

Besides John's two principal works, the Poliorcaticus and the Metalogicon, there are more than three hundred letters written by him. From these letters, which have been arranged recently in chronological order, together with his two books, modern writers and scholars have been able to reconstruct a fairly complete record of John's life and interests.

The brief discussion under consideration here is concerned almost
entirely with John's correspondence at Canterbury. This group of letters is of an administrative nature, which happily did not appeal too strongly to John. They reflect nothing whatever of the personality of the man, being written for the most part in the name of Archbishop Theobald. There is, however, every indication of his efficiency as a secretary, so much so that he retained the position for some twenty years. He speaks of the time spent as a clerk, first at the papal court, and then at Canterbury, in a rather disparaging manner. He says that he "trifled away" this time. Still, though affairs of administration were not at all in accord with his idea of a priestly and scholarly life, these letters are valuable as "models of composition, or else as precedents to govern decisions in similar cases". His early correspondence at Canterbury consisted of "directions, decisions and mandates in cases brought before the Archbishop". Disputes about Church property, unlawful appropriation of tithes, secular interference in ecclesiastical affairs, dissension in monasteries, unrestrained ambition, moral laxity - the letters that comprise the second chapter of this thesis, with the exception of two, present a cross-section of human frailty. They are masterpieces of forthrightness. The rank or profession of the guilty one did not, in the least,

5 Ibid.
intimidate the Archbishop's secretary. The letters addressed for
the most part to the Pope are appeals from the court of Theobald
for papal decisions in matters that could not be judged satisfactor-
ily in England. A few are concerned with the severe censure of the
Holy Father, directed through the Archbishop's court to priests and
nuns in England. The fifty-fifth letter is written to an intimate
friend, who is in need of a word of encouragement, and the sixtieth
is addressed to his best friend, Peter of Celle. Since letters to
personal friends contain much more between the lines than is evident
in the written word, Peter probably enjoyed the letter vastly more
than a trespasser of the twentieth century would, or could.

Traces of John's humanism inject themselves even into these
letters, whose legal nature would seem to preclude anything but a
very formal expression. They are rare, however, in this group of
letters. Among the classical authors that are quoted, the poets,
particularly Ovid and Vergil, are to be found. It is not surprising
that the intimacy of the sixtieth letter is punctuated gracefully
with classical excerpts. All sixty letters give evidence of a very
complete knowledge of Ciceroian style.

Much more frequent than the classical allusions are the quotations
from the Sacred Scriptures. Some few verses are incorporated into the
content of his letter in such a way that his own expression blends
into the Scriptural text.
That John was not especially enthusiastic about his secretarial career is thoroughly understandable. To his scholarly mind that blazoned the way for later English humanists, the utterly prosaic and staid expression of secretarial correspondence such as these letters represent must have been most unattractive often. However, he did his task admirably well, as he did all things.

Even if John of Salisbury is accorded no more recognition and appreciation than that already given him, it will matter little. Greatness is, after all, intrinsic. A blare of trumpets is quite unnecessary. John wrote his own chapter in the annals of the world's famous men in so living his life as to merit to have it said of him that he was a scholarly priest who served his God and his country well. Kings could not ask for more.
ARCHBISHOP THEOBALD TO THE POPE

SUMMARY: This letter relates a dispute between the monks of Abingdon and the priest Humphrey over the revenues of the church of Nuneham Courtney. Contending that his witnesses have been intimidated by the monks, Humphrey appeals to Rome. There seems to be no other record of this dispute.

A dispute has been conducted for a very long time between the monks of Abingdon and Humphrey, the cleric of Nuneham. Indeed, the monks sought thirty-three solidi from the aforesaid Humphrey, declaring that the money was due to them by way of a rental, to which the church was bound to them from old, and they added that the aforementioned Humphrey was bound in a special agreement, by testimony of a letter and by oath, to the payment of the debt. That they might establish more firmly the charge of their petition, they said they had received the aforesaid payment not only from the two predecessors of the said Humphrey, William and Segar, but also from Humphrey himself, and they were prepared to prove this immediately. To these charges Humphrey replied that his church was tax-free of old, although the monks had wrested by force from N., his predecessor, a mark which was not owed. Also he denied very firmly that he had entered into an agreement of any kind with them for the payment of any revenue, and he asserted that he had received the church from the abbot of Abingdon freely and without any

1 The Benedictine monastery of Abingdon in Berkshire.
2 Now Nuneham Courtney, four miles from Oxford. See Chronicon Monasterii de Abingdon, ed. Stevenson, 2, p. 179, and passim.
3 Either Ingulf (1150-1158) or Walkeline (1158-1164). See 2, p. 215
indication of a debt; he had been led into free possession of the church canonically through the archdeacon of the bishop, as was the custom, nor had any bond of faith or of Scripture or of any obligation existed between them whereby any obligation could be construed. Indeed he declared that those from whom the monks said they had received the aforementioned sum had not been pastors of the said church, but priests engaged to conduct the religious services, and that they had received from the monks the church and the farms provided with what was necessary for their cultivation so that the payment could be made. He even brought forth witnesses prepared to prove this. He also used the testimony of the monks themselves, presenting against them the letter in which they had assured us that the aforementioned Segarus was not a pastor of the said church, but merely a vicar engaged to conduct religious services. Moreover, he stated that his church was in such great poverty that when the diocesan fees and means necessary for the priests had been deducted, it could scarcely bear the burden of even one mark; he said also that it should not be held against him if at one time he had made a payment in the name of the church unwillingly, since he was using the church in accordance with the law of a ward, and he ought to be helped by the benefit of his minority. Indeed the monks tried in every way to prove that an agreement had existed. They brought forth

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4 Neuham was in the diocese of Lincoln and the archdeaconry of Oxford. Robert Foliot was archdeacon 1151-1173, when he became bishop of Hereford.

5 See the English word 'parson'.

6 A priest who was engaged by the holder of the benefice to conduct the religious services of the church.
several men who wished to strengthen the monks' assertion with their own testimony, and since Humphrey had pleaded as an excuse the poverty of his church, they promised him twenty soldi annually without any obligation, provided that for the time being he surrender the church to them. Indeed certain people desiring to settle things between them offered forty soldi with all debt removed, provided he give the church over to them, and they were ready to give suitable security for this. Although at first Humphrey seemed ready to accept this situation, when he had hurriedly taken counsel with his lawyer and his friends, he rejected the offer saying it was not safe for him to surrender his possessions in any way to those who were hard at it to cast him out altogether, especially since he was being annoyed by them so greatly, that because of fear of the monks, none of his friends or witnesses dared to help him, and they even compelled his own father to appear against him. Whence he appealed to a hearing with you setting the feast of the Epiphany⁷ as the date.

⁷ January 6.
SUMMARY: Relates the dispute between Richard of Lichfield and Osbert of Lockhay over the church of Bradley. Archdeacon Elias of Staffordshire, acting for Osbert, appeals to Rome, and Richard does likewise.

When the controversy between Master Richard of Lichfield and Osbert of Lockhay over the church of Bradley had been drawn out for a long time in the hearing of the bishop of Coventry, it was finally transferred to our hearing by an appeal. Therefore, after the parties from the region had been assembled, the said Richard demanded that the aforementioned church be restored to him, saying that in the time of his predecessors, William and Walter, it belonged as a chapel to the church of N., and that it had been in their possession quietly and with full legal title. At these charges, Elias, archdeacon of Staffordshire, came forward, declaring that it ill behooved Richard to make this claim since the prebend which Richard possessed in the aforesaid church had been donated and handed over to him by the bishop of Coventry, and he produced the written document of the gift of the bishop. Besides, Elias said that the same Richard was threatening him with a lawsuit about another church. He was attempting to carry away from the bishop as from the archdeacon the synodals and certain episcopal revenues, and for this

1 Lockhay (Locko), a chapelry in the parish of Spondon, near Derby.
2 Bradley, near Ashbourne, Derbyshire. Both Lockhay and Bradley are in the same hundred of Appletree.
3 Walter Durdent, bishop of Coventry, 1148-1160. The diocese was named indifferently Chester, Lichfield, and Coventry.
4 Archdeacon Elias of Staffordshire. See Le Neve, Fasti Anglicanae Ecclesiae, ed. Hardy 1, p. 571.
reason he appealed to the Apostolic See itself fixing as the day the octave of the feast of St. Andrew. The said Richard in turn answered that the archdeacon had rejected the prebend which he is now attacking; he summoned him to your hearing for the same date about the illegal agreements and the unlawful acquisition of the archdiocesan, and about the entrance which he is said to have made into the church of Alton through the hand of a layman. The archdeacon, however, produced a document of the bishop concerning the gift of the same church. Therefore, we have turned over the whole case to you.

5 December 7.
3--ARCHBISHOP THEOBALD TO THE POPE

SUMMARY: Relates an appeal to Rome by R. in a dispute between R. and G. over the possession of a church, from which G. had been expelled by R. with the aid of the Earl of Northampton.

There stood in our presence the bearers of this letter, G. and R., of whom G. complained that R. in time of war had cast him out of his church violently and without a judicial order through the political power of Earl Simon into whose deeper intimacy R. was said to have been admitted. Not content with this injustice, afterwards with the promoters of his rashness, he attacked the same priest (G.) in the cemetery of another one of his churches. Therefore, when his companions had drawn their swords, and had stretched and prepared their bows, R. himself carrying a spear in his hand, threatened immediate death unless G. would promise immediately to appear before the archdeacon and there give up the said church. And so, restrained by reverence for his oath, and fearing an attack of a powerful enemy, which he could not escape unless he fled from his country, he gave up the title of his church in the hands of the archdeacon, as he had promised. Asserting these things and others similar to them about the evils imposed upon him, G. sought reparation and he brought forth two priests to testify that force had been used against him. On the other hand, R. denied that he had used force of this kind. Relying at one time on the skill of his protectors, and then having recourse to the subtleties of

1 Simon de Senlis II, Earl of Northampton, died 1153. He fought for Stephen at Lincoln in 1141, and subsequently remained faithful to Matilda; received the earldom of Huntingdon in 1152.
the law, R. asked whether G. claimed that church, or what action he proposed, or by what law he demanded that reparation be made to him. Then when we attempted to search more carefully into the truth of the matter, so that whatever right there was, it would presently appear more clearly, R. brought forward an appeal, to which we must defer, and he fixed as the day the Sunday when the *Quasi modo geniti* will be sung; but he put the date forward to the Purification of the Blessed Virgin.

2 The first words of the Introit in the Mass of the first Sunday after Easter.
3 February 2.
SUMMARY: Relates the case of Arnold of Devizes, who had been despoiled of his church by the Earl of Cornwall in favor of the cleric Osbert. Arnold appeals to Rome, whereupon Osbert withdraws from the litigation.

Arnold of Devizes has placed a complaint in our presence many times against the nobleman, Earl Reginald, and his cleric Osbert in which he states that the church of Hinton had been taken from him violently against all respect for right, that he might put his cleric Osbert in his place; he had long possessed this church canonically, (so he said), by the power of our venerable brother, Jocelin, bishop of Salisbury, whose document which indicated the title to the gift he produced before us. That he might show that his possession was supported by every formality of justice, with the permission of a certain soldier, who, he said, was a counsellor of the church, he declared that he had obtained the same church from the bishop, and for this reason he demanded that restitution of the church and of all things taken be made to him. Finally, after many citations and threats, we forced from the earl, who denied all these things, restoration of the church which the aforementioned Arnold sought, until despite their deceptions, delays, and the annoyance of other difficulties, the earl and his cleric Osbert be brought before an investigation of the law. Therefore, when a day had been set for the two parties to settle the matter, on that day the aforesaid Osbert and the agents of the earl urged their claim against the said

1 Earl Reginald of Cornwall, natural son of Henry I. He was created earl in 1141 and died in 1175.
2 Hinton, Wiltshire.
3 Jocelin de Balliol, bishop of Salisbury, 1142-1184.
Arnold, saying that Arnold had seized the church unjustly, and that he had entered with the violence of a robber without the consent of the earl and of the counsellors of the same church, contrary to the custom of the whole church, the kingdom of England, the constitution of the king, and the ancient dignity of all princes; furthermore, that he had taken away from the aforementioned earl the land on which the said church stood for a long time. An order of the king was also produced, whereby we were instructed to show justice to the earl in his legal claim to the church, or to restore to Osbert the church of which he had been deprived after the death of the king contrary to the edict. To these things Arnold answered that he had taken possession of the church justly through the bishop, with the consent of the counsellor. But that counsellor and other friends of his were so frightened by the power and threats of the earl, (so he stated), that none of them dared to appear in this legal trial or sovereign territory against him especially since the earl and his cleric Osbert not only on their own authority, but also on the authority of royal influence, were working in this trial against a poor man whom they had banished from his church for many years; for this reason he appealed to your hearing, deciding upon the day when the *Ad Te levavi* is sung. But Osbert declaring that neither the case nor the church was of such value to him, withdrew from the lawsuit and the appeal.

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4 Henry II went to Normandy in January 1156, and again on August 14, 1158. Cambridge Medieval History, 5, p. 554.

5 The first words of the Introit in the Mass of the first Sunday in Lent.
SUMMARY: Relates an appeal to Rome by the monks of Coggeshall against the prior of Romilly, who has claimed the church of Coggeshall.

1 The prior of Romilly, appearing in our presence, demanded that the church of Coggeshall, which the monks of Coggeshall had seized by force, be restored to him through our power. After a few days had elapsed, the abbot who had been summoned and the brethren of the said place appeared before us to answer the prior about the church. But when the prior had renewed his charge, the abbot having taken counsel with his brethren answered that he had held the said church canonically with the consent of a certain Theobald, who had been prior in the monastery of Romilly, the community of the prior assenting to and approving the grant (of the church). They added too that they would have witnesses from the monks of Romilly about the presentation of the church through a rental fee, the payment of which had been agreed upon between them at the monastery of Romilly. Moreover, that they might be able to use their own documents and witnesses to prove their innocence, they demanded that a limit of time be granted to them. When they had obtained this by a legal decree, they set out to Romilly, but when all the brethren of Romilly had been assembled in chapter, the monks of Coggeshall did not find present those upon whose testimony they were relying. When the prior of the place had enjoined on all the brethren in virtue of obedience that only those would remain who had been present for the granting

1 Romilly, a Cluniac monastery in the diocese of Terouanne-Boulogne.
2 Coggeshall, a Cistercian monastery in Essex.
of the said church to the abbot and the monks of Coggeshall and that all others should depart, not one remained, (so it was told to us). When the brethren of the aforesaid place had seen this, they began to suspect that P., W., I., and R. had been sent to another monastery by the prior intentionally, lest they vouch for their own truthfulness. Finally, in the presence of our venerable brother, Milo, bishop of the Morini, they indicted the aforesaid prior. Moreover, they summoned him to the excellency of your Apostleship, as we have heard it from the testimony of these abbots.

4 Milo I, bishop of Terouanne-Boulogne, 1131-1158.
SUMMARY: This is the same case as Letter 5.

We have been unable to settle in any way the case which had been argued hotly for a long time between the abbot of Coggeshall and the prior of Romilly over the church of Coggeshall, because after many charges and delays, they came before us, and each one in turn summoned the other to the presence of your Apostleship. The prior of Romilly indicted the abbot of Coggeshall because he had taken from him the said church and the tithes of his parishioners, whom they had driven from their homes and lands, and he fixed as the day of summons the octave of Pentecost. However, the monks, displaying their poverty, alleged that in the presence of the bishop of the Morini, they had summoned the prior to your hearing, and they had decided upon the feast of St. Luke as the limit for their appeal. They renewed the same appeal in our presence.

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1 The octave of Pentecost may occur between May 17 and June 20.  
2 October 18.
SUMMARY: Relates an appeal to Rome by the Prior of Romilly, who has been despoiled of a chapel of the church of Tey by four laymen.

Four laymen who were taken from the court of our venerable brother, the bishop of London, through an appeal by the prior of Romilly, appeared before us; the same prior complained that recently without an official judgment he had been despoiled by these men of a certain chapel belonging to his church at Tey, which he had held peacefully and undisturbed for more than forty years. In proof of this he presented these facts: first of all, those priests who were able to recall that time had possessed both the church and the chapel with equal right in the name of the monastery of Romilly; secondly, both the church and chapel seemed to belong equally to the counsel of the same lord, and they declared that the said chapel was located in the parish of Tey; finally, the bodies of the dead belonging to the chapel were buried rightly and according to custom in the said church. Opposing these assertions, the laymen demanded from the prior the written document of the transaction, since the evidence was not clear to them, (so they said). The prior declared that it was not right that the written document be demanded, since the transaction was clear from the letters of the abbot of Cluny and of the monastery of Romilly, as well as from the documents of our lord, the bishop of the Morini; besides, they ought to

1 Richard de Belmeis II, bishop of London, 1152-1162.
2 See letter 5.
3 Tey, Essex.
4 Milo I, bishop of Terouanne-Boulogne, 1131-1158.
have presented this restriction for delay at the very beginning in the hearing of the bishop of London. Still, lest the aforesaid laymen be able, as was their custom, to prolong the case any longer, the abbot gave us suitable security over and above his obligation. His adversaries, however, relying on the subtleties of the law, demanded that other satisfaction be made to them, so that if the decision be given in their favor, it would be a fraudulent attempt for the monks to bring up the lawsuit again after our time, especially since the laymen complained that they had been annoyed too often by various people because of lawsuits and expenses over this same matter. The prior, however, argued that it ought to suffice that the promise of the court had been given. We interrupted them wrangling in this manner, and we said that nothing of such a nature had ever come forth from the church of Rome, nor did we remember that anything of this manner had been expressed in the decrees, and that what they were demanding was contrary to the custom of the kingdom of England. Whence the aforementioned men appealed to your hearing, when an opportunity was presented to them, and they determined on the octave of Pentecost as the day of summons. Therefore, since we reserved the decision of the whole case to your Majesty, (as was necessary), the prior complained that he was extremely annoyed because he had not obtained any justice from us or from the bishop of London, although he had sought it earnestly and had come to us frequently from regions across the sea. He complained too that he was annoyed frequently in

5 The octave of Pentecost may occur between May 17 and June 20.
this case by the archdeacon, Ailward, and finally that justice was being deferred for almost a year through a continuance of the appeal; he summoned the said archdeacon who was protecting the laymen and through whom these evils were befalling him, (so he said), before the Apostolic See, and he fixed the day for the octave of St. Martin.  

6 Archdeacon Ailward of Colchester. See Le Neve, Fasti, ed. Hardy, 2, p. 338.
7 November 18.
SUMMARY: Relates an appeal to Rome by Arnold in the dispute between Arnold and Alan over the possession of a church.

Alan of N. demanded that the church of which he said he had been despoiled unjustly be restored to him by the power of our office, and Arnold also was present as the owner of the same church; after many hearings, we had fixed a day of summons for Arnold to answer Alan. But Alan attempted to set aside Arnold's appeal on the objection of a matter that had already been judged; he said that Arnold had lost the case of the said church by the decision of our venerable brother, Richard, bishop of London, an archdeacon at the time; a decision for the successor of the same Arnold had been made, and he presented letters of our Lord the bishop attesting to this. On the other hand, Arnold answered that that decision, if it had been made, could not be favorable to Alan, since a matter adjudicated between one set of persons ought not to harm or benefit another set. Although he could rightly debate the injustice of the decision, insofar as he had been condemned when absent, with no insolence on his part, and with very little damage to his case, yet, because of his reverence, which at that time meant so much to him, for his Lord, the bishop of London, whose decision he did not wish to attack, disregarding the decision of ownership, he instituted a claim. He maintained that the church was his and that he had been pastor of it since the time of Maurice, the bishop of London of happy memory, and that he had confirmed this canonically at the time of Gilbert, bishop of London.

1 Richard de Belmeis II, bishop of London, 1152-1162.
2 Maurice, bishop of London, 1085-1107.
of fond memory, with the testimony of lawful witnesses. He brought forth several witnesses, who, he said, were present at the time of the judgment. Therefore, when our venerable brothers, Roger, archbishop of York, Hilary, bishop of Chichester, Robert, bishop of Lincoln, and other experienced men, upon whom we had enjoined the task, had examined the witnesses on our injunction, and had found them agreeing in all things and when we were preparing to settle the case with a just decision, after the testimony had been heard, Arnold prevented our decision by interposing an appeal. He fixed as the day the Sunday when the Quasi modo geniti will be sung. We, therefore, as was necessary, deferring to your Apostolic Majesty, have reserved the decision of the whole case to your Holiness.

4 Roger de Pont l'Eveque, archbishop of York, 1154-1181.
5 Hilary, bishop of Chichester, 1147-1169.
6 Robert Chesney, bishop of Lincoln, 1148-1168.
7 The first words of the Introit in the Mass of the first Sunday after Easter.
SUMMARY: Relates an appeal to Rome by Ralph in the dispute between Richard and Ralph Mansell over the church of Prestbury.

A dispute about the church of Prestbury has been going on for a long time between Richard, the cleric, and Ralph Mansell. When our venerable brother, Walter, bishop of Coventry, after many hearings, was preparing finally to settle the case with a just decision, Richard's proofs, many of which he said he had against Ralph, were demanded by the bishop of Chester in the synod, since Richard was demanding that the church be restored to him, inasmuch as he had been deprived of it forcefully and without a legal right. Therefore, seven witnesses were brought forward, who, as we heard from the testimony of the aforesaid bishop, asserted on oath that Richard had been established in the church canonically, and had been ejected without a warrant and without justice. At the request of our Lord, the King, the case obtained a delay, before a decision was given. Whereupon the said Richard appealed to us. On the appointed day, moreover, when they stood before us, Richard, seeking restoration of the said church, renewed his complaint, and he presented three witnesses who asserted in our presence, as they had in the court of the bishop, that he had been established canonically and ejected without juridical action. To these things Ralph answered that what was decided in the hearing of the bishop should

1 Prestbury, near Macclesfield, Cheshire.
2 Walter Durdent, bishop of Coventry, 1149-1160.
3 King Henry II
not be harmful to him personally since he, too, had merited a postponement before; Ralph added that the testimony of the said Richard had been received without civility by the bishop, because he was absent. While they were insisting that the testimony of the three witnesses be heard by us when he was there and listening, Ralph brought charges against two of the witnesses in lieu of exception, saying that one was an infamous priest guilty of murder and forgery and involved in many robberies. He declared that the other, Andrew the acolyte was a murderer. The third witness he left untouched. He asked that a delay be granted to him to prove these charges. But, that he might seem to be asking the delay not for the sake of ill will but of justice, we demanded legitimate proof of him whereby he would promise us that he was not asking the delay in the spirit of spite, or for the purpose of a fraudulent delay. Since he was unable to obtain a delay from us beyond the lawful, canonical limit which we offered him, he appealed to a personal hearing before you on March 31, and he decided upon the Sunday when the Ad Te levavi\(^4\) will be sung. The counsellor, however, complaining about the length of time, moved the date forward to the day of Pentecost.\(^5\)

\(^4\) The first words of the Introit in the Mass of the first Sunday in Lent.
\(^5\) Pentecost may occur between May 10 and June 13.
ARCHBISHOP THEOBALD TO THE POPE

SUMMARY: Relates an appeal to Rome by Geoffrey, the bearer of the letter, in the dispute between Gregory and Geoffrey over the church of Beccles.

This has been the method of procedure in the case which was carried on between Geoffrey, the bearer of this letter, and a certain Gregory, after it was transferred to our hearing by an appeal. Augustine, the son and administrator of Gregory, declared that his father had possessed the church of Beccles and had been despoiled of it without a judicial order. For proof of his assertions he presented certain laymen and a cleric, whom Geoffrey accused of being his enemy. On the other hand, Geoffrey, denying that Gregory had owned the church, said that after that time of which Augustine spoke, a certain Baldwin had been presented to the bishop of Norwich by the abbot of St. Edmund's monastery and the entire gathering in a full synod at the aforementioned church; when the bishop of Norwich had inquired diligently whether or not that church was vacant, after an investigation had been held with the monks of the chapter, the archdeacon said it was vacant, and the others attested to it in a public hearing; thus Geoffrey said had Baldwin been installed before; he had succeeded Baldwin. He produced the documents proper for his entrance into the church. But Augustine demanded that his witnesses be heard immediately. Then Geoffrey com-

1 Beccles, Suffolk.
2 St. Edmund's, the great Benedictine monastery at Bury St. Edmund's, Suffolk. Ording was abbot 1147-1156, and was succeeded by Hugh in 1157.
3 William Turbe, bishop of Norwich, 1146-1175.
plained that Gregory always brought suit through his administrator, and
never in person although he was sound in mind and always close at hand;
he added that if he should see him in person, he would show him to be a
man of such character that he could possess neither this church nor any
other church; he spoke in such a manner as if he wished to bring an
accusation of crime against him. Moreover, when we demanded that he
explain this matter to us more clearly, he summoned Gregory to the
investigation of the Apostolic See with the intention of saying things
there which he did not dare to express in England, since he is a minis-
ter of the King. Moreover, he named as the day for his appeal the Sun-
day when the Quasi modo geniti will be sung.

4 The first words of the Introit in the Mass of the first Sunday after
Easter.
SUMMARY: Relates an appeal to Rome by Alexander in the dispute between Alexander and Roger over the Church of Belshford.

A controversy has been carried on for a long time between Alexander Malemest and Roger, the priest, about the church of Belshford. Finally, when Alexander, through the power of the bishop of Lincoln, had been inducted into ownership of the said church because of the insolence of Roger, and when he sought restoration of the profits of his teachings from Roger, Roger appealed to our hearing. Therefore, when Roger alleged the reasons for his appeal in the presence of his adversary, he declared that he had been wronged grievously by the bishop of Lincoln, because, contrary to the law of justice, without a hearing or a defense, he had been despoiled of his church during his absence; he was charged with insolence, although he had never insolently disregarded any bidding of a judge. Besides, even if he had been insolent, he said that according to the right of the law and the customs of the canons and the Holy Roman Church, in whose footsteps the church of England walks, as is just, his property ought to be restored to him within the year, since he was coming prepared to give security and to appear in court. Therefore, that we might receive security, while he was before us and demanding restoration of his property, Alexander, deciding on the Sunday after the octave of Easter, appealed to you. You will, by the mercy of the Lord, impose a just end to this case.

1 Belsford, near Horncastle, Lincolnshire.
2 Robert Chesney, bishop of Lincoln, 1148-1168.
3 The second Sunday after Easter.
12--ARCHBISHOP THEOBALD TO THE POPE

SUMMARY: Relates how Richard of Amble lost his case against the prior of Prittelwell and Robert for possession of the church of Wakering before the bishop of London, and how Archbishop Theobald absolved Richard's clerks from the sentence of excommunication imposed on them by the bishop of London for resisting Robert's attempts to take possession of the church. See Letters 13 and 14.

While the controversy about the church of Wakering was being carried on between the prior of Prittelwell and a certain Robert with a certain secret understanding that a decision about the same church be handed down against Richard, though Richard, who had been owner of the said church with the permission of that prior, was absent and had not been summoned, certain clerics of Richard protested. They called attention repeatedly to his absence and objected to the fact that he had not been summoned. In spite of this, the bishop of London after an ineffective appeal by the clerics of Richard for a hearing before us, tried to carry out his sentence through a certain priest William who had been dispatched; the clerics of Richard did not admit Robert. They caused no injury in their opposition as a priest later stated, but they repelled the forces of their adversaries in a very mild way. Therefore, when the complaint of Robert was heard that the clerics of Richard had laid violent hands on him, the bishop of London denounced them as excommunicated, namely G., a priest and S. and A. Although we believe them to be innocent of

1 Wakering, Essex
2 Prittelwell, a Cluniau priory in Essex, a cell to Lewes, Essex.
3 Richard was a clerk of Archdeacon Thomas Becket. See Materials for the History of Archbishop Thomas Becket, ed. Robertson S., 21.
4 Richard de Selmeis II, bishop of London, 1152-1162.
this charge, we have ordered the bishop of London frequently to absolve them insofar as not to consider them excommunicated, as they were on the day the appeal was made to us, or at least, after he received an oath that they would obey the law. Since the bishop delayed carrying out this order, (let me not say that he held us in contempt), we accepted the oath from them that they would obey the ecclesiastical judgment on the day prescribed for them, since their opponents failed in their proof, and after the justification of the guilty ones had been heard, we absolved them from the charge thrust at them.

Your Serenity has delegated the suit that is in progress between a certain Robert and Richard of Amble over the church of Wakering to be decided by us. Therefore, when the parties from the region had been assembled, and when our venerable brothers, Richard, bishop of London, and Hilary, bishop of Chichester, had taken their place before us, Robert claimed the aforementioned church, which he said had been assigned to him in the court of London. On the other hand, Richard alleged that a judgment had been given against the monks of Prittelwell by some collusion, but that he, the owner, had never been summoned; he insisted firmly that no decision had been rendered between himself and Robert, and the bishop of London, himself, confessed this openly to all of us. So, Robert, answering nothing at all to these charges, appealed to your hearing, and he appointed the octave of St. Andrew as the day.

1 Hilary, bishop of Chichester, 1147-1169.
2 December 7.

Richard of Amble asserts that he holds the church of Wakering in the name of certain monks, whose church it is known to be lawfully. A certain Robert sought possession of the church from the aforementioned monks in the presence of the bishop of London, although Richard of Amble was not present, nor had he been summoned. Nevertheless, the bishop, as his messengers pointed out later to us, influenced by the open avowal of the adversaries and by certain documents, assigned the aforesaid church to Robert, perhaps with the approbation of the monks; although two clerics of Richard of Amble were present, one of whom declared that he was Richard's administrator. Indeed both of them publicly testified that Richard should not be condemned at all, because he was absent and had not been summoned; therefore, they appealed from the decision of the bishop of London to our hearing. On the appointed day, Richard and the said Robert appeared, each with his own party. Therefore, when the case was aired in court for a long time, the aforesaid Robert produced two documents which we ordered to be held in our keeping since one was obviously concocted in dishonor and the other was charged with fraud. Still, the said Robert asserted that the church had been assigned to him. Furthermore, since the prior of the monks was

1 Radbertus, the Rodbertus of Letters 12, 13.
absent, who could have informed us more carefully about the case, and because we wished to learn more fully about the truth of the documents, it seemed that the case ought to be deferred to another time. Thereupon the aforesaid Robert alleging repeatedly that the matter of the appeal ought not to be suspended, appealed to the hearing of the Apostolic See, fixing as the day the Sunday when the Laetare Jerusalem is sung.

2 The first words of the Introit in the Mass of the fourth Sunday of Lent.
SUMMARY: Relates an appeal to Rome by William Fitz Godfrey in the dispute between William Fitz Godfrey and William of Lichfield over the church of Sawley.

In the case which is going on between William, the son of Godfrey, and William, the canon of the church of Lichfield, over the church of Sawley, which your Holiness has delegated to our venerable brother, Walter, bishop of Coventry, an appeal has been made to our hearing, because William, the son of Godfrey, holds the court of the bishop in suspicion, as he said, although the bishop is offering him all justice in accordance with your order. Therefore, when the said William with his opponent resisting him proposed his suit in our presence, William of Lichfield opposed to him a demurrer that the appeal made to us does not hold because it may not be appealed from an assigned judge unless to the one delegating the case. Therefore, the other William immediately appealed to the Apostolic See, appointing as the day the first of May.

1 Doubtless Sallowe in the archdeaconry of Derby. See Taxatio Ecclesiastica Angliae et Walliae Auctoritate Papae Nicolai, 4, p. 246.
2 Walter Durdent, bishop of Coventry, 1149-1160.
SUMMARY: Relates an appeal to Rome by William in the dispute between Robert of Winecote and William of Sturminster over certain parishioners and tithes.

While a controversy was being carried on between Robert of Winecote and William of Sturminster over certain parishioners and tithes in the hearing of Adelelmus, archdeacon of Dorset, with Robert seeking that they be restored to him, because they had been assigned to him at one time and then cancelled, which he declared he was ready to prove by witnesses, the aforementioned William, against whom as possessor there was a claim, appealed to our hearing. Therefore, when they had both appeared before us, since William had come less prepared, although he had appealed the case, we thought that the case ought to be sent back to our venerable brother, Jocelin, bishop of Salisbury, their own diocesan bishop. When the bishop had learned enough about the case in his own synod so that he could make a decision William again called for a hearing. On the day appointed for the appeal, moreover, when both litigants were standing in our presence, the said Robert when his petition for the aforementioned parishioners and tithes had been explained, brought forth as witnesses three priests prepared to swear that they were present when the right to the parish

1 Winecote, Staffordshire.
2 Sturminster near Wimborne, Dorsetshire.
4 Jocelin de Balliol, bishop of Salisbury, 1142-1184.
which he was seeking together with the tithes, had been assigned to
Robert by lawful order. When these witnesses had been examined care-
fully and found in agreement, and when we were about to pronounce a
decision after the oath of the witnesses had been taken, in the pre-
sence of our venerable brothers, Hilary 5 of Chichester, Gilbert 6 of
Hereford and Richard 7 of London, the said William, without a charge
of any weight, appealed for the third time to the superiority of your
court, contrary to the form of law, as it seemed to us; he decided
on the Sunday when the Laetare Jerusalem 8 will be sung, as the limit
of his appeal. Robert shortened his appeal, fixing the Epiphany 9 as the
day.

5 Hilary, bishop of Chichester, 1147-1169.
7 Richard de Belmeis II, bishop of London, 1152-1162.
8 The first words of the Introit in the Mass of the fourth Sunday
of Lent.
9 January 6.
Theobald informs Bishop William Turbe of Norwich that he is summoning R., the archdeacon of Norwich, to appear before him to answer the charges of Richard of Drayton and his brother Alexander, relative to the church of South Runcton. He also orders the bishop to send the son-in-law of the archdeacon, excommunicated for the murder of a priest, to the Holy See, and to warn the archdeacon of the penalty attached to holding intercourse with excommunicates. See Letter 18, which was sent as an insert to the archdeacon.

Our dear sons, Richard of Drayton, and Alexander, his brother, in their complaint to us, sorrowfully placed before us the fact that they have been treated unjustly by our son, R., archdeacon of Norwich, in violation of the sacred canons and of our order, nor could an appeal placed before that archdeacon be of any help to them. They say too in addition that after the appeal had been made to us, your Fraternity, under pretext of a royal order, in some pretense of justice, attempted to despoil the said Alexander of the counsellorship of the church of St. Andrew of Runget,² so that it might be transferred to Ralph Strange; whence, that same Ralph, in a sacrilegious attempt, with the approval and protection of the archdeacon R., presumed to take the aforementioned church away from the said Richard, who held it lawfully, both in our judgment and in that of the brethren who were present. We could not help being alarmed about these events, however, since they were prepared to establish their honesty by witnesses and

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1 Drayton, near Norwich, Norfolk.
2 A corruption of Runget. (Rungetona), now South Runcton, near King's Lynn, Norfolk, where the church is still dedicated to St. Andrew.
documents. Still in order to learn more fully the merits of the entire case from the statement of both parties, we thought that the limit which your Goodness demanded ought to be granted to the parties, all things being considered as void which were presumed after the appeal. For, although sometimes we endure calmly the wrongs to our own person, still we cannot and we ought not to disregard the injury to the holy church of Canterbury and contempt of the Apostolic See, whose authority we represent. By our authority, therefore, you will order the said archdeacon to appear before us on the Sunday when the Cantate Domino will be sung, ready to answer to the aforementioned brothers, Richard and Alexander, about their losses and injuries, about his disobedience and contempt of our Lord, the Pope, and of us, and about his participation in sacrilege. Also, send across to the Apostolic See R. of Pavilla, the archdeacon's son-in-law, excommunicated because he killed a priest on an impulse of the devil. Moreover, the archdeacon should know what is in store for him, if he has dared to communicate with the aforesaid impious man, while the church abstains from communication with him. We enjoin you to restore to the said Richard, the church of Runget, together with everything taken from him. But if Ralph Strange should disdain to obey our orders and yours, you may not delay to exercise against him the severity of ecclesiastical discipline. Moreover, if he (Ralph) should be of the opinion that some justice is due to him against Richard, later on he will be able to obtain it with equitable fairness when it will be just.

3 Archbishop Theobald was apostolic legate.
4 The first words of the Introit in the Mass of the fourth Sunday after Easter.
SUMMARY: Theobald orders R., archdeacon of Norwich, to appear before him in answer to certain charges. See Letter 17 and R. L. Poole, Studies in Chronology and History, p. 261, where he establishes the correct address of this letter.

He opens the way to the excesses of many, who, dissembling the errors of his subjects, makes them bold in evil doing. Moreover, you are said to have fallen seriously into injustice to the Apostolic See and contempt of us, since you dared to inaugurate something to the disadvantage of Alexander in contempt of our authority after an appeal had been made to us concerning the case which is being carried on between Alexander of Drayton and Ralph Strange. Whence we order you in this mandate to appear before us next Sunday when the Cantate Domino will be sung, prepared to answer the said Alexander and Richard, his brother, for your disobedience and contempt of our Holy Father and of us, and also for your participation in sacrilege and excommunication. We also command you to be careful lest you be found guilty of numerous cases of incontinence with which evil rumor has stained your name, a state of affairs of which we do not at all desire that you be found guilty. We cannot pass over such excesses uncorrected, lest we be accused gravely of neglect of our duty by Him before Whom, just as there is no desire of bribes, so there is no respect of persons.

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1 See 2 Par. 19; v.7; Rom. 2, v.11; Eph. 6, v.9; Coloss. 3, v.25.
SUMMARY: Theobald recommends the appeal of the Abbot Abel of St. Osyth against Bishop Richard of London, who claims certain churches pertaining to the abbey.

To the excellency of your Holiness, I dare to commend more safely those who, we know, have been reared correctly, illustrious in faith and charity, in life and morals. Therefore may it please the successor of St. Peter to furnish a remedy worthy of his apostolic authority for the injuries and troubles of the poor brethren in the church of St. Osyth, \(^1\) virgin and martyr, who in their religious mode of life present a devoted life of service to God. Indeed, that church, by the light of its good works, by the integrity of religion, and by the holiness of life and conversation, illumines our whole island and adorns the church among us with examples of charity to such an extent that I should commend it rightly to your Apostolic Majesty. The bearer of this letter, named Abel, abbot of that church, wearied by the expenses and annoyances of our venerable brother, Richard, \(^2\) bishop of London, considered it necessary to flee to the help of your mercy. For he has been drawn into this case by the aforementioned bishop about certain churches which had been granted canonically to his church by the gift of Richard \(^3\) of revered memory, founder of that church, and former bishop of London, who, the fourth before this bishop, performed services in the church of St. Paul. The authority of Pope Calixtus, who at that

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1 St. Osyth, a monastery of Austin canons at Chick in Essex. St. Osyth is the patron of lost keys.
2 Richard de Belmeis II, bishop of London, 1152-1162.
3 Richard de Belmeis I, bishop of London, 1108-1128.
4 Pope Calixtus II (1119-1124).
time was presiding happily over the Holy Roman Church, considered him worthy in his own right to confirm the document of the illustrious King Henry I, and the approval of Ralph, archbishop of Canterbury of happy memory, which had been secured as witness of the gift of those churches. Therefore, prostrate on our knees before your Majesty in behalf of the said brethren of the said place and together with them, we earnestly beseech you to receive the abbot of those brethren courteously appealing to the assistance of your mercy; we beg that they may possess again peacefully what they have held for so long a time, strengthened by your Apostolic authority, so that after their business has been terminated, they may more freely and affectionately employ themselves in prayer to be said for the Pontiff, as they ought. Moreover, we have seen and handled with our own hands the documents, rescripts of which we send sealed to you.

5 Henry I, King of England, 1100-1128.
6 Ralph de Turbine, archbishop of Canterbury, 1114-1122.
20--ARCHBISHOP THEOBALD TO THE ARCHBISHOP OF YORK (?)

SUMMARY: Theobald announces his decision in the dispute between the canons of Merton and the monks of Meaux over possession of Akenburgh and Belagh in favor of the canons, and requests the archbishop of York (?) to enforce the decision. For this case see Chronica Monasterii de Melsa, ed. Bond, 1, pp. 103, 110, 357.

When in accordance with the command of our Lord the Pope, we settled the case which was being carried on between our dear brothers, the canons of Merton, and the monks of Meaux over possession of the place which is called Akenburgh and Belagh, and also concerning the injuries which the canons complained had been inflicted upon them, we issued condamnatory orders to the monks to restore to the canons the aforementioned place and to repair the injuries to them. Although they stretched the sum of these injuries to eighty marks, with due regard for truth and moderation, we, having interposed our office, reduced it to forty marks. Therefore, we intrust the case to your Fraternity and we order you by the authority of our Lord Pope to compel the aforesaid monks to restore the said place and also the said money to the aforementioned brethren without any delay, so that nobody may argue that we are negligent in the execution of the Apostolic mandate. Moreover, it should be no argument for the monks that they surrendered the aforementioned place to the

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1 A priory of Austin canons at Merton in Surrey.
2 A Cistercian abbey in Yorkshire.
3 The manuscripts read Aochab, et B., which clearly refer to Akenburgh and Belagh. Akenburgh, now Barf's Hill, was a manor near Beverley, Yorkshire; and Belagh, whose name now survives in Bealey's Plantation, was one of its granges. See Chronica Monasterii de Melsa, ed. Bond, 1, pp. 103, 110, 357; and the History of Yorkshire Place-names (English Place-name Society). I am greatly indebted to Dr. A. H. Smith of University College, London, for this information.
counsellor of that estate as they confessed to us, since he who ceased to possess it by deceit loses his right to possession. So, let them restore the place at once and let them pay back the money due within the approaching feast of All Saints. But if the master of the estate should make any objection to you on any occasion, you must not neglect to force him with ecclesiastical severity with all energy.

4 November 1.
SUMMARY: Relates an appeal to Rome by Martin of Waltham, whom the canons of Holy Trinity, London, were suing for the tithes of the church of Walthamstowe.

In a proceeding against Martin of Waltham, the church of Holy Trinity of London demanded that certain tithes of the church of Walthamstowe, which Ralph Rotundus had granted to the church on the day of its consecration with the consent of the Bishop of London, be restored, since the church had been despoiled of these tithes unlawfully. The church declared that the law was more conclusively in its favor, as it was evident to several in the locality that the Canons of Holy Trinity had taken these tithes from the predecessor of Martin and from the church of Waltham. Since this case had been drawn out over a long period of time at the court of the church of London, it was transferred by an appeal to our court; finally, after the oath about misrepresentation had been taken with the consent and at the petition of the parties, the day of summons was fixed, although Martin who had obtained several delays for various reasons, denied this; since the canons wished to establish their charge, the aforesaid Martin placed before them certain restrictions on this day, asserting that he had been dealt with unjustly by the canons because he had been obliged to keep the tithes intact until the decision of the lawsuit, although he had given security; since he was not permitted to draw from the tithes, he declared that a decision had been made against him before the proper time. In answer to these charges, the canons

1 Walthamstowe in Essex. See Essex Placenames. (English Place-name Society.)
repeatedly declared that they had imposed no obligation upon Martin nor had anyone in their name. The person who had received from Martin the bonds of security said that he had received them neither in the name nor by the order of the canons, as he was prepared to testify; but, because he saw that the tithes were in litigation, he wished to protect himself in this matter for the future, lest the tithes be demanded again from him if he should pay them unwisely to an unlawful collector. He returned the promise of security to Martin and to his bondsmen. When it was announced during an interruption that this restriction by no means sufficed for a delay and it was demanded that Martin proceed with the case, he appealed to your hearing for the Sunday of the Quasi modo geniti.

2 The first words of the Introit in the Mass of the first Sunday after Easter.
SUMMARY: Theobald orders the monks to obey the papal mandate to restore the tithes of a church of Rochester to Paris, archdeacon of Rochester, and to abstain from divine service until they have obeyed. The letter may have been sent to the monks of Boxley, a Cistercian monastery in Kent. Of the address in the manuscript, only the letters -eleia (or -cleia) appear.

The precept of the Holy Spirit, promulgated through His Apostle, subjects every man to higher powers, and whoever resists this doctrine is guilty of opposing the Divine disposition. Indeed, it is the virtue of obedience by which human (things) are joined to the divine, and earthly (things) to the heavenly; those who contemn this sever, insofar as is in their power, the unity of the Church, and they break asunder the structure of the spirit which consists in the bond of peace. Hence, as far as your monastery is concerned, which by the mercy of God has professed a rule of rigid life and has attained the height of eminent sanctity, we cannot help wondering that you have disregarded for so long a time the command of our Holy Father and our injunction. For, although in accordance with the apostolic order, we had warned you often with fatherly care as was necessary, and perhaps more often than was necessary, to restore the tithes of the church of Rochester to Paris, the archdeacon, as justice demanded, not only did we not prevail with repeated commands, but there was apparent to us not even a sign of obedience or a trace of humility. Therefore, although we can

1 See Romans, 13.1 ff.
at times with composure bear personal affronts, any contempt of our Holy Father we cannot overlook, nor must we. In this mandate we order you without any delay to restore the aforementioned tithes to the arch-deacon in conformity with the apostolic mandate, and we command you to refrain from the divine rites until you fulfill the command of our Holy Father and our order; furthermore, nobody may presume to enter your church as long as you commit the crime of witchcraft and of idolatry by the sin of disobedience.

3 See 1 Kings 15.23; Greg. Mag. Mor. 15.12; Migne P.L. 76.
SUMMARY: Theobald reports that Archdeacon Baldwin of Norwich has created great scandal by boasting that he has been sent by Pope Adrian IV to collect money from Earl William of Warenne in order to have the latter's petition against Henry II gain a hearing at the papal court. He adds that the archdeacon has lost his case against Master William for possession of the church of Yelverton, and warns the Pope against his mendacious appeal.

Baldwin, archdeacon of Norwich, noted for his spite, his deceit and his habit of lying, has disturbed our kingdom during the past summer with rumors and has aroused the nobility of the kingdom against your faithful, even against the Church of God, with public assertions that he was sent to England into the diocese of Norwich by you to collect 700 marks from William, Earl of Warenne, son of King Stephen, as payment to you for the hearing of his petition against the King. Under this semblance of an excuse, he repeatedly asked of the Bishop of Norwich that he be not taken to court in accordance with your mandate, and thus he delayed for some time the case about the church of Yelverton which was in progress between him and William, cleric of the Bishop of Canterbury. However, through the help of your letter pronouncing justice, he was defeated in that case in the presence of

1 See Letter 32.
2 Earl William of Warenne, son of King Stephen, died in October, 1159, on the way home from Toulouse. While this does not help to establish the date of the letter, it does determine the address, which other editors have erroneously ascribed to Pope Alexander III.
3 William Turbe, bishop of Norwich, 1146-1175.
4 A Corruption for Aluertune (see Domesday Book), the modern Yelverton which belonged to Earl William.
the court of the church of Norwich, by sentence of the Bishop to whom you had entrusted the case which was to be finished within a prescribed time without hope of appeal and he was cast out of the church in question. Therefore if he should attempt to renew this unjust case, it is not becoming Your Goodness to listen to his pleas, let me not say his lies; but rather, it is fitting that you punish him, since he has declared falsely and boasted foolishly that he is Your procurator and the administrator of your property. Indeed, his boasting sounds badly in the ears of all.
SUMMARY: Relates an appeal to Rome by G., a priest of Wickmere, cited by Andrew of Lenham, who claims that he has been despoiled of the tithes of his church by G.

Andrew, the cleric of Lenham, complained in our court that his church had been despoiled unjustly of certain tithes, and he demanded that justice be shown him by G., a priest of Wickmere, who had taken the tithes, and by R., a soldier who was lord of the estate and who was protecting the despoiler. Finally, when the day of summons had been fixed for the parties, and when the aforementioned Andrew was present, the opposing party resorted to deceitful delays through evasions; since the course of law denied them these delays, the aforementioned soldier said he had been forbidden by the nobleman, William, brother of the King, to enter into the case concerning the tithes during his absence. The aforementioned priest, G., said that he would not press the lawsuit, when he saw that the soldier under whose protection he was working was yielding. Therefore when the plaintiff who had produced a number of suitable witnesses had demanded of us with the greatest insistency that a trial of G. be held, and when the trial had been taken over by the counsel of the synod, the priest appealed to Your court, although we were about to make a decision for him; he fixed the day of the Quasi modo geniti. Therefore, according as the Lord shall inspire you, you will impose a just end to this case.

1 Near Maidstone, Kent.
2 Wickmere, near Aylsham, Norfolk.
3 William of Anjou, brother of Henry II, was the youngest of the three sons of Geoffrey and Matilda. Born at Argentan, July 21, 1136, and died at Rouen, January 29, 1164.
4 The first words of the Introit in the Mass of the first Sunday after Easter.
SUMMARY: Relates an appeal to Rome by Swayne, who is disputing with Baldwin over possession of the church of Chilterditch.

The case which is in progress between the priests, Swayne and Baldwin, concerning the church of Chilterditch has been transferred by appeal from the court of our venerable brother, Richard, bishop of London, to our court. Swayne contended that the church of which he had been deprived unjustly without legal judgment should be restored to him by Baldwin, who, as Swayne said, had expelled his vicar violently. In answer to these charges, Baldwin, who had interposed a plea for delay, said that he could not be summoned to court justly beyond the question of restitution of the goods of the church, which, he declared, had been taken from him through the violence and deceit of the aforementioned Swayne; still, he was ready to answer for the first charge if Swayne would establish his own innocence by an oath. However, Swayne was unwilling to take upon himself the risk of an oath, nor did he wish to withdraw; he declared that in the judgment of the Bishop of London his charge could not be removed on account of a restriction; when the opposing party acknowledged this, stating that he had summoned Swayne for the very reason that he had brought back with him in one day from the bishop of London two contradictory judgments, Swayne appealed to your hearing, fixing the octave of the Apostles as the day, although we were prepared to administer justice to each party.

1 Chilterditch, near Brentwood, Essex.
2 Richard Belmeis, bishop of London, 1152-1162.
3 July 5.
SUMMARY: Relates an appeal to Rome by Osbert, who is disputing with the prior of Castle Acre for possession of the church of Threston.

Jordan, the prior of Castle Acre, instituted a complaint about the church of Threston against Osbert the priest, in which he stated that Osbert had taken possession of the church and had entered into it without the consent of the prior or of the other counsellor, setting aside the solemn order of the law and the custom of the kingdom, although the parishioners were opposed to it and were protesting loudly.

To these charges Osbert answered that he had possessed canonical entrance to the church, since his advocate, William, Earl of Warenne went surety for him, and William, the archdeacon of Norwich, in place of the bishop of Norwich, Evarard of happy memory, introduced him and granted him the church with every right. He added, also, that he had proved this by the testimony of lawful witnesses in the court of our venerable brother, William, bishop of Norwich, and the bishop bore witness to this by letters which he sent us. Still, he asserted that he should by no means be compelled to cite the source of his property or declare his title to it because the defendant, even if he should bring forth nothing, could obtain what he wished, since the plaintiff did not prove his case. Therefore, when our venerable brother, the bishop of

1 Castle Acre, a Cluniac monastery near King's Lynn, Norfolk.
2 Threston, near Swaffham, Norfolk.
3 Earl William of Warenne. See Letter 23.
4 William Turbe, bishop of Norwich, 1146-1175.
5 Evarard, bishop of Norwich, 1121-1145.
Chichester, insisted that the prior establish his charge if he wished to proceed in the case, the aforementioned priest, Osbert appealed to your court, prescribing as the day the Sunday when the Lastare Jerusalem is sung.

6 Hilary, bishop of Chichester, 1147-1169.
7 The first words of the Introit in the Mass of the fourth Sunday in Lent.
SUMMARY: Relates an appeal to Rome by Reginald of Letcombe, who is disputing with Philip of Dauntsey for possession of the churches of Letcombe and Fawley.

That you may be able to judge more suitably concerning the affairs which are being transferred from our court to the examination of Your Majesty, a series of the matters handled ought to be reported faithfully to your Holiness. Between Philip of Dauntsey and Reginald of Letcombe a lawsuit of this nature is in progress in our court. Osmund of Salisbury in the name of the said Philip took possession of the churches of Kintbury, Letcombe and Fawley. Furthermore, the said Reginald in the name of the aforementioned procurator, Osmund, took over the churches of Letcombe and Fawley and paid him an annual rent. Therefore, when Osmund, bowed down with infirmity, had withdrawn to the religious order of Brothers Regular, he summoned Philip for whom he was holding the churches, to surrender his property to him. After the business transactions of the procurator had been finished, Philip entered peacefully into the church of Kintbury. However, when he went to Letcombe and Fawley, he was not admitted at all by the above named Reginald. Although the aid of a judge was sought to avert violence and Philip seemed about to be given possession of the churches, Reginald, who had assumed ownership, appealed to our court. Therefore, on the appointed day when the contestants appeared before us, Philip, well fortified with witnesses

1 Dauntsey, near Malmesbury, Wiltshire.
2 Letcombe, near Wantage, Berkshire.
3 Kintbury, near Newbury, Berkshire.
4 Fawley, near Wantage, Berkshire.
and documents and written agreements of the Bishop of Salisbury and the convent at Amesbury, said that the churches at Letcombe and Fawley were his and that he had received them through Osmund. In answer to these statements, Reginald said that he had held them peacefully for a long time as his own, but that he had come less prepared, although he had an abundance of documents and witnesses. Therefore, we thought that a period of two months ought to be granted to him, during which there would be sufficient time to take care of his case; when this time had almost elapsed, Reginald appeared before us, saying that he held our court in suspicion, and that a supply of witnesses and documents was lacking to him for this reason that Philip was a member and relative of our family and was, therefore, feared by many. Furthermore, we were ready to compel his witnesses, if he had any, to give testimony of the truth, or to delegate the case to another bishop in whom he had more confidence, lest our authority appear in any respect to be harmful to him. Notwithstanding all this, Reginald, in an appeal to your court, fixed the feast of St. Andrew for the investigation of his case. Therefore, in accordance with your wish and in deference to the honor due you, we transmit the case to you, asking only this that preserving justice on both sides, you order the case to be settled by others in such a way that every occasion for suspicion and every need for labor will be withdrawn from us.

5 Jocelin de Balliol, bishop of Salisbury, 1142-1184.
6 A Benedictine nunnery at Amesbury, Wiltshire.
7 November 30.
SUMMARY: Relates an appeal to Rome by Ralph of Durham, who is disputing with the monks of Canterbury over the revenues of the church of Dover.

Divine Providence has appointed Your Excellency ruler of all the churches toward this end, that, vice being driven out of the house of the Lord, virtue might take on a pleasing growth, and that the consummate perfection of Your Majesty might supply for the imperfection of all humanity. The case which is being argued between our dear brothers, Ralph of Durham and the monks of Canterbury, has gone out from our hands to the Apostolic court through the aid of an appeal. The case is of this nature. The aforesaid Ralph demanded that a payment of seventy pounds, which he had in the church of Dover, be restored to him through our power, or that a just compensation of other payments be made to him; he declared that the monks were under obligation to make payment in accordance with the oath which Alricus, the chamberlain, gave in the name and by the order of the monastery at the time when Ralph withdrew in order that the monks might enter into the church of Dover; he promised that he would prove this by lawful witnesses. The prior and the monks said that this was a foolish petition, because the aforementioned agreement in the payment was satisfactory to them, and they also added that they were prepared to yield to the plan of payment in order to make good the decision of any good man, if anything further were due to him. In answer to these things Ralph said that under no circumstances would he press his claim anywhere except at your court, and he summoned the prior and the monks to your investigation of the
oath which had been made; he summoned the prior and his brother Hugh
especially, for contempt of Your Holiness, because, contrary to
respect for the law and against his wish, they had built a chapel in
his parish, even while he was trusting in the assurance of Your pro-
tection; he fixed upon Palm Sunday as the day for his case.
SUMMARY: Theobald commends the cause of the monks of Tewkesbury, who are threatened with the loss of a church to a knight.

Since all the faithful rejoice in the protection of the Holy Roman Church, more confidently do they flee to the bosom of her mercy in time of need, and she helps with her justice the desires of those who advance the virtuous lives of their neighbors by the influence of a holy life. We have learned from the public testimonial of a far-reaching reputation that of such a character are the brothers who dwell together very devoutly in the Lord at the monastery of Tewkesbury. In behalf of them therefore, we offer Your Holiness our prayers as sincere as they are confident, begging you with all possible reverence to fulfill their just desires, so that, gladdened with a simple and happy outcome of their business, they may devote themselves with sincere zeal to meriting for you from the All-High success in life both temporal and eternal.

Among other things, a knight is attempting to take from them a church which they had held securely for forty years under pretext of legal assistance, which, with disaster to the Church of God, certain laymen among us are appropriating most dammably. Although they could bring back the evil of their injuries to that place where rights are framed, they are dragged to the Apostolic court on account of this. But with God as your support, and walking in the footsteps of your holy predecessors, you will so check the boldness of this man that others, taught by his example, will not dare aspire to similar doings.

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1 A Benedictine monastery in Gloucestershire.
SUMMARY: Relates an appeal to Rome by Haldenmus against a judgment awarded to the monks of Croyland.

In times past, we received the mandate of Pope Eugene of happy remembrance, bidding us to decide the case between the monks of Croyland and a certain Haldenmus about the church of Sutterton and about certain tithes. Therefore, in fulfillment of the mandate, after we had acquainted ourselves earnestly with the aforementioned business, we awarded the church in question to the monks, together with full restoration of what was taken which was estimated at the value of fifteen marks by the oath of suitable witnesses. Since the monks, at frequent intervals, were demanding restoration of the church and the tithes in the court of the Bishop of Lincoln, Haldenmus finally appealed to our court. When both parties appeared before us, Haldenmus began to renew the case about the church of Sutterton which had been decided long ago. Further, since the monks were persevering in their claim, demanding that fifteen marks be awarded to them together with certain tithes, Haldenmus, declaring that he was not obliged to answer on these points, appealed to the judgment of the Apostolic See, fixing as the day the Sunday when the Quasi modo geniti will be sung.

1 Pope Eugene III, 1145-1153.
2 Croyland, a Benedictine monastery in Lincolnshire.
3 Sutterton, near Holbeach, Lincolnshire.
4 Robert Chesney, bishop of Lincoln, 1148-1168.
5 The first words of the Introit in the Mass of the first Sunday after Easter.
SUMMARY: Theobald reports the abuses practised by the Knights-Hospitalers of St. John of Jerusalem, and recommends the bearer of the letter, who has a grievance against them. A late hand in the Paris manuscript addresses the letter to Bishop Jocelin of Salisbury, but this is clearly wrong. For the origins of the Knights-Hospitalers, see Heyd, Gesch, Des Levantehandels, 1,117. They possessed a hospital in the suburbs of London, of which portions still remain in St. John's, Clerkenwell. For a further list of their abuses, see Pollicraticus, 7.21, ed. Webb, 2.195ff.

The Brothers-Hospitalers by some new and unheard of title of charity, in order to give private alms, are uttering manifest calumnies; they are seizing property that they may distribute it, they are endeavoring to appease the Most High with regard to this property of others, and in contempt of the Apostles they appropriate to themselves the duty of binding and loosing; they usurp the keys of the Church, and abusing the liberality of the Pontiffs they take away the churches which they once seized from the power of the bishops, on whose authority, however, they rely, if they wish to summon someone of the provincial priests. However, if they are arraigned by another, the pontifical authority vanishes, when they assert that they have no court except at Rome and Jerusalem. Whence I have decreed that Your Highness be consulted and supplicated, lest you humor the ill-will of these men, which they exercise against the bearer of this letter, your cleric and priest, since their case seems to strike rather at your church than at the person of this man. For, every church which you shall grant to them, you shall take away from yourself and from your successors.

1 See Matthew, 16.19.
2 See Pollicraticus, 7.21, ed. Webb, 2.195.
SUMMARY: Relates an appeal to Rome by the nuns of Guinea, who are disputing with Archdeacon Baldwin of Norwich for possession of the church of Newton.

When a lawsuit was in progress between the nuns of Guinea and Baldwin, archdeacon of Norwich, about the church of Newton, Baldwin by way of exception demanded that restoration of the property which he said had been taken from him by the nuns be made to him before they proceeded to the principal charge. To these charges the agents of the nuns complained that often their church had been troubled unjustly by Baldwin, and they they were unable to sustain his subterfuges since nobody in their party could detect them. And therefore they summoned him to the Apostolic See, fixing as the day the Purification of the Blessed Virgin Mary.

1 A nunnerie at Guinea in Flanders.
2 See Letter 23.
3 Newton Flotman, Norwich, Norfolk (?)
4 February 2.
SUMMARY: Theobald warns the abbess of Barking, a Benedictine nunnery in Essex, to mend her ways.

We are unable to disregard further the manifold and serious excesses of your negligence, as we shall call it for the present, since your offenses have reached the attention of the Roman Pontiff, and they provoke the indignation of the Holy Roman Church against our integrity. Indeed we have warned you often to refrain in every way from the disgraceful intimacy and cohabitation with Hugh, your official, who is an offense and a scandal to all religion, since in accordance with the command of Our Lord, either a foot or an eye ought to be cut off for a reason of this kind. However, up to this time, we have endured your contempt of us; until now we have grieved at the danger to your soul and reputation, but indeed, we shall bring it to pass that you will grieve without delay, unless you change your life for the better and take pains to reform the reputation of your house with immediate correction. For we have received an Apostolic mandate and a censure which state that we are not to be spared if we spare you further in your errors. Hence, in virtue of obedience, we order you in this mandate to banish within seven days of the reception of this letter the aforementioned Hugh from the familiar intimacy of your home, and we order you not to permit the administrations of your church to proceed lest you perceive yourself condemned by the authority of the Lord Pope, if you should presume to go against these orders.
To our venerable friends and most dear brothers in Christ, the abbot R. and the sons of peace who live together in the chapter of Arrouaise, Theobald, the humble minister of the holy church at Canterbury, sends greetings:

From your order scandals have trickled through to us recently, so much the more odious to the faithful as they have been foreseen the less and as they have happened contrary to the good opinion of all. Jealousy and contention are, indeed, indications of a carnal disposition, and an inordinate defense of one's own dignity argues for and conclusively proves ambition. Behold, among your brothers, not only is there envy, but there is strife; it almost verges upon a battle. Often we have interposed our office that peace might be reinstated in the house of the Lord and that by an agreement or a judgment the scandals might be abolished from your midst. Wherefore, we have been annoyed and we have not accomplished anything, but each day unless God sets His hand against them recent events worse than their former deeds are happening. The abbot of Lilleshall and his brothers do not follow the paths of justice because they wander far from charity and they do not know the way of peace. Each faction throws the blame on the other. The faction

1 A monastery of Austin canons at Arrouaise, near Bapaume, France.
2 See 2 Peter, 2.20.
3 William. See Letter 35.
4 Lilleshall, Shropshire.
of the abbot seems to prevent the manifestation of truth. Hence it is
that we beseech you in the name of the concord existing among you in
the Lord that you finally put an end to our labors, and either that you
restore the peace of the church, if it can still be done, both parties
remaining together, or that with the authority \(^5\) of justice you cut the
root of the tree which produces the bitter fruits of dissension and
quarrels. May your love mindful of us in its prayers before the Most
High always flourish.

\(^5\) See Matthew, 3.10; Luke 3.9.
35--ARCHBISHOP THEOBALD TO BISHOP WALTER OF COVENTRY (?)

SUMMARY: Acting on the king's complaint, Theobald requests the bishop to appear for a review of the latter's judgment against the monks of Lilleshall, who had appealed to the king. The letter which bears no address may have been sent to Bishop Walter Durdent of Coventry, in whose diocese the monastery was situated.

We have received a letter of our Lord the King in which he complains that William the abbot and his church of Lilleshall have been treated unjustly by you, requesting that the case which is now in progress between you and the said abbot be ended by us with a canonical decision. Unless you wish to acquiesce, you will not be allowed to hold anything in the said church any longer. Moreover, we have persuaded the said abbot to retract every appeal and if you also wish to renounce your appeal and to submit to our decision, under this condition he has recalled the appeal which has been made and any that shall be made. Hence it is that if you permit this condition, we appoint for you as the day the Sunday when the Misericordia Domini will be sung, and then with the help of the Lord we shall affirm what you have decided against the abbot, if it appears to be just, and we shall declare it void if it is unjust. The merits of the cases will become manifest more easily to us, the parties will be able to attain justice without annoyance, and the worship of religion in the church will be reformed, if with the declaration of the two parties the truth will become known. In this way, you will be able to retain the royal favor which is most necessary and which

1 See Letter 34.
2 The first words of the Introit in the Mass of the second Sunday after Easter.
you will lose altogether if you desire to abuse his church by any dishonesty. Please, write back without delay if it is agreeable to you to appear before us on the day appointed and under the prescribed condition, or if the condition is displeasing. For, it is unbecoming either that we be deceived by our friends or that we deceive others.

Farewell.
SUMMARY: Theobald warns the Cistercian abbots against receiving the recalcitrant monks of Waverley.

To our beloved sons in the Lord, all the abbots who have been brought forth from the bosom of the monastery of Waverley, a greeting:

In our writing, we have warned those brethren who, withdrawing from obedience to their own abbot, have listened to the voice of another to whom they were held bound by no bond of profession, and with whom they have departed from their congregation and from the unity of their monastery. Nevertheless, persisting in their schism, as it is called, in contempt of your order and in injustice to the Cistercian chapter, where the appeal was made by the abbot of Waverley, they do not cease to persecute that same abbot, and they have despised our warning given them in all kindness. Hence we are compelled to solicit your charity by the authority of these presents to bring action against our venerable friend, Philip, abbot of L'Aumone, by whose counsel it is said they are emboldened, that he should in no way support the disobedience of those brothers, but permit them to return to their abbot, who is known to have brought them forth in Christ. We beg you, also, to order the same brothers in our name to return, and to strive to mend the rending of their mother by the bond of charity, by the fruit of obedience, and by the unity of spirit.

1 Waverley, a Cistercian monastery in Surrey.
3 L'Aumone, near Blois.
But if, contemptuous of our mandate, they prefer to persevere in their schism, we shall regard as valid the sentence which their abbot has rendered canonically against them, and under the guidance of the Lord, we shall see to it that the sentence is observed inviolably in the kingdom of England.
SUMMARY: Theobald reports the end of the dispute between the abbot of Westminster and the monks of Malvern.

In accordance with the mandate of Your Holiness, we have summoned the venerable man, Gervase, abbot of Westminster, to our presence to answer to the monks of Malvern about the things they had set forth against him in our hearing. Moreover, in the airing of that case it was very evident to us from the testimony of those venerable men, Gilbert, bishop of Hereford, Hameline, abbot of Gloucester, and Reginald abbot of Pershore, that the monks of Malvern had deserved more serious trouble than they had endured because of their sin of pride and their failing of disobedience, which St. Benedict teaches in his monasteries ought to be punished more sharply than other faults; the entire Catholic faith and all ecclesiastical discipline detests pride as if it were the sin of idolatry. Finally, having employed saner advice, after they had been converted by their abbot whom they had wounded severely with many injuries and annoyances, prostrate at his feet, they sought pardon promising satisfaction; when the privilege which they had obtained from

1 Gervase of Blois, natural son of King Stephen; abbot of Westminster 1140-1160. See Monasterium Anglicanum 1, p. 269.
2 Malvern, a Benedictine monastery in Worcestershire, a cell of Westminster.
4 Hameline, abbot of St. Peter's, a Benedictine monastery at Gloucester. See Historia et Cartularium Monasterii Gloucesteriae, ed. Hart.
5 Reginald, abbot of Pershore, a Benedictine monastery in Worcestershire. See Annales Monastici, ed. Luard, 1, p. 51.
7 See 1 Kings, 15.23.
your Majesty through a corrupt suggestion had been restored, with our help and that of the venerable men who were present, Walter, bishop of Rochester, Silvester, abbot of St. Augustine, they were received into the favor of their abbot, and so peace was restored. Since it is clear that from the beginning the cell of Malvern was subject with full legal title to the church of Westminster, we direct a plea to your Excellency, asking that you do not permit Westminster to be deprived of its rights, contrary to the custom of all monasteries, and that you listen kindly to the just petitions of the abbot for whom we desire better things.

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8 Walter, bishop of Rochester, 1148-1182.
SUMMARY: Relates an appeal to Rome by John Joichel, who is disputing with Jordan Fantosme over the schools of Winchester.

The case which was being carried on between Master Jordan Fantosme and Master John Joichel, clerics of the bishop of Winchester, over the schools of Winchester, has finally been transferred to our hearing. Therefore, when the charges of the teacher Jordan had been heard and his documents had been examined carefully, we prevented the said John by your authority and ours from presuming to rule over the schools in the aforementioned city against the wish of Jordan. On the following day they appeared before us, each in turn setting forth many things against the other. Indeed, Jordan declared that the aforesaid John had usurped the schools in the aforementioned city for himself, contrary to the sacred bond of faith, and that he had inflicted many more injuries upon him, and he demanded that satisfaction for these things be made to him through our office. John in his turn asserted that by the decision of the synod he had established his innocence in the matter of the injuring of faith, and he said that Master Jordan, to whom a similar justification had been assigned, since he too had been attacked about the breaking of faith, had failed altogether; John asked that we urge Jordan either to set forth his justification by a judicial ruling, or to fulfill the agreement which was said to have been strengthened by an oath. Therefore, while they were wrangling in this manner, John appealed to our

1 Jordan Fantosme, author of the poem, "Chronique de la Guerre entre les Anglais et les Ecossois en 1173 et 1174." See editions of Richard Howlett in the Chronicles of the Reign of Stephen (Rolls Series), and Francisque Michel, Surtees Society, 1840.
2 Henry of Blois, bishop of Winchester, 1129-1171.
hearing, declaring that he would show that the said Jordan had desecrated the sacredness of an oath and a vow, and he fixed the feast of the Nativity of St. John as the day for the hearing. But when Jordan complained about the length of time because John had protracted the case from the beginning of December to the end of June, the aforesaid John put the day forward to the feast of St. Michael. Although we have reserved the investigation of the charges for your discretion, since it was clear to us concerning the right of Jordan's schools, with the combined advice of our brothers, the bishops of Chichester, Hereford and Worcester, we have stated in a mandate to the bishop of Winchester that he should not allow the aforesaid Jordan to be annoyed further by John, and if he should find him contemptuous of your authority and ours, he should denounce him publicly as excommunicated. Presently after a few days, they returned to our presence and Jordan renewed the old complaint. He said that John had usurped the schools after the interdict and had fallen under the sentence of excommunication. John denied this very firmly and he was prepared to swear immediately on the sacred gospels that he had withdrawn from teaching after our prohibition. On the contrary Jordan said that he would prove on the day set for the hearing by the assertion of legal witnesses that John had exercised his office as teacher after our edict. But John refused to accept the date, declaring that he was preparing for a journey to Rome. Under the guidance of the Lord, you will impose a just end to their lawsuits.

3 June 24.
4 May 8.
5 Hilary, bishop of Chichester, 1147-1169.
7 John Pagham, bishop of Worcester, 1151-1167.
SUMMARY: Theobald commends the cause of the bearer of the letter, Berengarius, against whom Roger of Pickworth has appealed.

In compliance with the mandate of the Apostolic See, the bearer of this letter, Berengarius, appeared in our presence to plead his case against Roger of Pickworth, and after many accusations on both sides, a settlement was made between them. But lest, as time goes on, one might have an opportunity of renewing the lawsuit against the other, we strengthened the settlement made between them by the obligation of an oath. However, notwithstanding this the aforesaid Roger, acting against the agreement and the oath, was unwilling to adhere to the settlement. When he was defeated in this matter in our court, he brought on himself the penalty of suspension; later on he evaded this penalty through fitting satisfaction which he promised to make; again he began to seek evasions and in order to escape our hands, he appealed to your court, fixing as the day the Sunday when the Lastare Jerusalem is sung. That he may not succeed in deceiving your mercy, may the eminence of Your Holiness recognize the fact that he has, for a certainty, violated faith and an oath very manifestly.

1 Pickworth, near Sleaford, Lincolnshire.
2 The first words of the Introit in the Mass of the fourth Sunday of Lent.
40--ARCHBISHOP THEOBALD TO THE POPE

SUMMARY: Theobald narrates the evils rampant in the diocese of Bangor and how they are encouraged by Prince Owain, and asks that letters patent be sent to the bishops ordering them to observe the sanctions imposed on the Welsh evil-doers.

Our venerable brother, Maurice, bishop of Bangor, limited in power and possessions, but in our opinion, a religious and God-fearing man, has found his church, over which by the grace of God he presides, disturbed and polluted by the soldiery of those dwelling in Bangor, inasmuch as the diocese is ignorant of the divine law and in total ignorance of canonical institutions. For this uncouth and ungovernable class, living in a bestial manner, despises the word of life, and although they profess Christ nominally, still in life and in customs they reject Him. The Christians put up for sale by these in the method of selling customary to regions across the sea are seized by the infidels. Indeed, contemning the law of marriage, they exchange for a price their concubines whom they keep together with their wives, and ignoring the crime of incest, they are not ashamed to lay bare the disgrace of their own women folk. Moreover, this is even a more wretched condition that "as the people, so the priest", and the priests steeped in the same errors encourage the evil and with destructive example they destroy those whom they ought to lead back to the paths of virtue and truth. At the top of this pestilence,

1 Maurice, bishop of Bangor, 1139-1161.
2 This charge of incest was frequently brought against the Welsh. See Giraldus Cambrensis, Descriptio Cambriæ, 2.6, ed. Brewer.
3 See Osee 4.9; Isais, 24.2.
Owain, the prince and king of those barbarians, who violated the daughter of his own uncle, and who has been warned as frequently by us as by his bishop, in order to continue more licentiously and with greater freedom in his vice, won over a large part of the clergy to the patronizing of his vices; he expelled from the diocese the bishop whom he had robbed of his possessions, because, inflamed as it were with zeal both for him and for love of his people, he boldly refuted his errors. The bishop, indeed, excommunicated certain of the clergy and some unyielding members of the people, and these are fleeing as wanderers and vagrants to the neighboring bishops of Wales, England, Ireland and Scotland, from whom they are receiving orders, the chrism and other sacraments of the Church fraudulently. Hence it is that the rigor of ecclesiastical discipline in those regions has become so weak that a nursery of heresy and schism is almost growing there. Therefore, Reverend Father, we beseech your Holiness to rise to our aid and to the aid of the aforesaid bishop, our suffragan whom we recommend, and we ask that you warn them with letters patent, intended alike for the bishops of England, Wales, Ireland and Scotland, that they may consider as valid what we, because of the urgent need of the bishop living in exile among us, shall decree against the Welsh canonically, and that they observe our sentence strictly.

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4 Owain, prince of Gwynedd from 1137 until his death on November 23, 1170. The lady was Cristin or Christinsa, daughter of Gronw ab Owain ab Edwin, and was his first cousin. See J.E. Lloyd, History of Wales, p. 522. For a later correspondence on this subject, see Becket Materials, ed. Robertson, 6, pp. 236, 239.
SUMMARY: Theobald rebukes a bishop for daring to consult him on an affair that clearly violates the canons, and accuses him of too easily countenancing such abuses. In the Cambridge manuscript the letter is addressed to Bishop Nigel of Ely, but the context of the letter indicates that it was sent to someone who was present at the Second Council of the Lateran in 1139, and Nigel was not present at it. Of the bishops who were present with Theobald, only Robert Chichester, bishop of Exeter, who died on March 28, 1165, survived at the time of John’s early correspondence. See Mansi, Sac.Conc. Coll. 21, col. 538. Four English abbots were also present at the council, but not named. Now Gilbert Foliot, bishop of Hereford, 1148-1163, and at the time of the council, abbot of Gloucester, writes in a letter to Brian Fitz Count: "Nnon diu est quod audisti dominum papam Innocentium conuocasse ecclesiam et Romae conuentum celebre habuisse. Magno illi conuenui cum domino et patre nostro domino Cluniacensi inter-fui et ego Cluniacensis minuus. See Gilbert Foliot, Ep. 79, ed. Giles. Hence, if the letter was written before Bishop Robert’s death in March, 1155, both he and Bishop Gilbert Foliot were possible recipients; if after that date, the letter must have been sent to Bishop Gilbert.

You have consulted us about a matter which is not doubtful, and which ought to be expedited rather than delayed, especially by wise men. Indeed, there is no deliberation about disgraceful affairs, and a protracted denial of dishonor presents some semblance of shameful consent. For what is more disgraceful than to rush shamelessly into the holy of holies in contempt of the authority of divine law, and at the impulse of greed, to arrogate to one’s self hereditary right in ecclesiastical affairs against all law and order, indeed on the very altar itself. Who, unless he were an impious man, would listen patiently to, much less seek what the sacred canons so obviously forbid and what the authority of each Testament so expressly condemns? Read over the canons, since they are widely accessible in this region, and you will see plainly that the petition of those seeking such things has been rejected, and that the
approbation of those men who listen to such things ought to be censured very harshly. There is no occasion for pretense left to us, since in the Lateran Council, at which both you and we were present, my brother bishop, with our Lord Innocent presiding, we heard such desires condemned by the promulgation of a canon. But, perhaps, royal authority brings pressure to bear upon you, and rightly indeed, unless you realize that God is to be preferred to man, or unless the religious principles of a prince could be circumvented, or unless you had discovered that some things had been extorted by him through deception. Therefore, this is the chief point of our advice to you, that you obey the law of God and the sacred canons in conformity with your profession, and that as often as such difficulties shall overwhelm you, you will consider it safer to fall into the hands of men rather than into the hands of the living God. But, perhaps, there is a reason why you deserve to be troubled about successions of this nature, because you are too inclined to yieldings and unlawful substitutions and to the cheating of the canons.

2 See Dan. 13.23; Heb. 10.31.
SUMMARY: Theobald explains the case of the bearer of the letter, who has been suspended by the Archdeacon of York as an accessory to homicide.

That you may be able to judge better and more clearly concerning these matters which are being carried to the hearing of your Holiness by our islanders, after a summary of the entire affair had been procured by us, we are sending certain information to your Excellency concerning the bearer of this letter, insofar as he has told us about the trouble. Indeed, the bearer ordained priest by our venerable brother, Henry, archbishop of York of happy memory, performed his ministry for some time. But it happened that he became associated with a certain group of laymen, who, pursuing a course of dangerous recklessness, committed some murder rashly. He, a member of the group, was pursuing the man, who was killed afterwards, not with any intention of killing him, but as a thief because he had stolen the priestly vestments. His companions advancing rather swiftly in their pursuit of the man overtook the thief with the vestment, and while he was looking on, since he was in close pursuit too, (although, as he confessed, he did not wish it), they killed the thief after he had been seized. Then after a few days had elapsed, he was suspended from the duties of his ministry by the archdeacon, since the archdiocese of York was vacant at that time.

1 Henry Murdak, archbishop of York, who died October 14, 1153.
2 Osbert de Baines, archdeacon of York, 1140-1154, was succeeded by R. de Alneto, 1154-1184. See Le Neve, Fasti, 3, p. 131, ed. Hardy.
3 Archbishop William Fitz Herbert succeeded Henry Murdak and died shortly after on June 8, 1154. Roger de Pont l'Eveque was consecrated to the vacant See on October 10, 1154.
Nevertheless, the bearer presumed to minister in the office of deacon. Moreover, Your Highness will provide what punishment ought to be inflicted on him who bears this cross as an indication of his pilgrimage.
43--ARCHBISHOP THEOBALD TO THE POPE

SUMMARY: Relates an appeal to Rome by Reginald of St. Valery, who is suing Earl Aubrey de Vere, of Oxford for sixty marks. The judges-delegate of Bishop Richard of London had failed to decide the case.

With regard to the entreaties of the nobleman, Reginald of St. Valery, we have instructed our venerable brother, Richard, bishop of London, in a mandate to show canonical justice to him concerning Earl Aubrey, by whom Reginald stated on oath that sixty marks were owed to him. But the bishop, hindered from following our mandate because of certain intervening cases, delegated the legal inquiry to those venerable men, Ralph, deacon of London, and Hugh, archdeacon. Therefore, when the defendant, Aubrey, had been summoned for the third time at lawful intervals of time, although his counsellor was prepared to execute the charge which had been set forth in court, since he would neither present himself nor send sufficient excusers or vouchers, as was necessary, the aforementioned Reginald, the prosecutor, demanded with great insistency that the judges or the course of law should execute their duty. However, when they had answered that the legal investigation of the case and not the decision had been delegated to them by the bishop, and that for this reason they could not proceed in the case unadvisedly, the aforementioned

1 The powerful St. Valery family of Hinton, Berkshire.
2 Richard de Belmeis II, bishop of London, 1142-1162.
3 Aubrey de Vere, created the first Earl of Oxford by the Empress Matilda in 1142 and confirmed as Earl by Henry II in 1156.
4 See Letter 44, line 7.
Reginald desired either that they proceed with the case, if it were permissible, or that they would indicate the action of the case to the bishop by letters patent entrusted to him. But since he did not deserve to be heard by them in this petition, he summoned those men to our hearing. Therefore, when they appeared before us on the appointed day, and when both parties set forth a summary of the affair in the aforesaid manner, the aforesaid Reginald, declaring that he had been mocked by the judges delegated to him, summoned them to the Apostolic See, fixing as the day the octave of Pentecost. But they pleading their innocence said that the bishop had reserved the decision of the case to his own examination, and that they had in no way been malicious in the case, and they were prepared to prove this assertion in person under oath. However, you will impose a just end to this case, to whom, as is necessary, the settling of this decision has been reserved.

5 The octave of Pentecost may occur between May 17 and June 20.
SUMMARY: Theobald reports an attempted appeal to Rome by Walter, the priest, against Archdeacon Hugh of London and Master Aubrey. Because the appeal had been prohibited by papal mandate, Theobald had decided the case.

We have received your Holiness' letter with due reverence, in which instructions were enclosed that, after the bishop of London as well as the chapter of that church and also Walter the priest had been summoned to our presence, we end with a canonical decision the controversy that was being carried on among them by removing the appeal. Therefore, after the parties from the region had appeared before us, when Walter stated that two men from the distinguished members of that church, Hugh, the archdeacon, and Master Alberic had both announced to him in the name of the chapter, and that, moreover, one of them, Master Alberic, in the name of the bishop, had told him that Walter was being ordained to the priesthood to the altar of St. Paul, as one of the future ministers, not only the bishop, but also the entire chapter denied repeatedly that the bishop had ordered this. Also, the two aforesaid men answering for themselves consistently denied this statement, confessing however that on their own impulse they had accosted Master Walter about ordination, as if he were a friend, and had questioned him and advised him to enter the order of the priesthood, saying that it was pleasing to the chapter. They declared that they had said none of these things in the name of the chapter, nor had they promised anything. Then, when we had a meeting

1 Richard de Belmeis II, bishop of London, 1152-1162.
2 See Letter 43, line 7.
on these charges in the presence of our venerable brothers, Robert, 3
bishop of Lincoln, William, 4 bishop of Norwich, and Hilary, 5 bishop of
Chichester, we freed the bishop of London and his chapter of the charge
of Walter, because he could bring no proofs against them. Besides, since
the two aforesaid men by their own confession seemed in some way bound
to have recourse to begging help for the poor man, we demanded an oath
of them that they would swear that in the name of the bishop or his chap-
ter, they had said nothing to Walter nor promised anything. When they
stood before us, prepared to swear on oath, Walter burst forth into an
appeal against the bishop of London, his deacon, and the aforesaid Hugh,
the archdeacon, and Master Alberic, although he stated to the deacon
that he could pursue the appeal through an administrator, thus sparing
his old age and infirmity. He decided on the octave of St. Andrew, the
Apostle, as the day for his appeal. But since every appeal in this case
had been hindered by the power of the Apostolic mandate, proceeding to
other matters of business, after we had taken an oath from the aforemen-
tioned men, we freed them of the charge altogether.

3 Robert Chesney, bishop of Lincoln, 1148-1168.
4 William Turbe, bishop of Norwich, 1146-1175.
5 Hilary, bishop of Chichester, 1147-1169.
6 December 7.
SUMMARY: Theobald answers a request for information about Walter, an Austin canon of the priory of St. Rufus.

Recently we received Your Holiness' mandate not to delay making known to Your Majesty what we have learned after careful investigation about the descent and birth of the venerable man, Walter, a canon of the priory of St. Rufus. Moreover, the matter which you are investigating does not stand in need of much questioning by us since he is distinguished on his own merits to the degree that he cannot remain hidden because of the nobility of his ancestors and the renown of his entire relationship. For indeed, the aforementioned Walter, as we know for a certainty, was the son of a distinguished soldier and was born of a noble mother in lawful wedlock, and he is related to the nobleman, William de Broase, by a kindred relationship of blood. Moreover, he has lived most honorably for a long time in the diocese of Chichester, he has embellished the distinction which he received from his ancestors by the glory of his own excellence, and he has conducted himself with dignity in all things among us without complaint. Indeed, these things concerning this man have been made known to us, to our venerable brother, the bishop of Chichester, and to others living near us by abundant testimony of the entire province.

1 An Austin priory in the outskirts of Avignon, removed in 1158 to Valence.
2 William de Broase, lord of Radnor and Builth, who married Bertha, the sister of Earl Roger of Hereford. Their son, William, played a leading part in the history of South Wales from 1175 until 1210. See J.E. Lloyd, History of Wales, 2.547.
3 Hilary, bishop of Chichester, 1147-1169.
Theobald requests Bishop Hugh of Durham to punish a wrong-doer.

According to your report, we have reason to complain about Your Fraternity, because in conformity with the constitution of the sacred canons you ought to have announced to your fellow bishops that that infamous man whom your letter described to us has been condemned as anathema by your church because of the atrocity of such a crime. Moreover, although he was relying on the letter of our venerable brother, the archbishop of York, many great men, either keeping silence altogether about his fault, or minimizing it, have pleaded with us in his behalf, but we have neither granted him communion, nor have we recalled the penalty of the journey, but we extended the limit to the feast of the Exaltation of the Holy Cross, and we changed nothing of those things which had been enjoined upon him in any respect. Therefore, since his ill-will or deceit should not be a matter of profit to him, we leave to Your Fraternity this man who is to be treated in accordance with canonical sanctions, and we command you to punish his crime as a fault of great disgrace with such severity that his guilt may be wiped out through penance, with God inspiring him, and that others even may be driven away from similar offenses by fear of fear. For by the mercy of God we do not wish to be defenders of error, but avengers; we have that commendable zeal for justice which you maintain among the barbarians, and we are ready to consider as valid whatever you shall decide according to the will of God against those who still persecute the Crucified, Who is to be adored in the church.

1 Roger de Pont l'Eveque, archbishop of York, 1154-1181.
2 September 14.
SUMMARY: Theobald reports the settling of the dispute between Bishop Richard of London and Henry of London, relative to the archdeaconry of Colchester and the churches of Fulham and Stepney.

By testimony of this letter, we are making it known to Your Universality that the controversies which were being carried on between our venerable brother, Richard, bishop of London, and Henry of London, have been settled by a friendly agreement in the following manner. Indeed, with the venerable men, Robert, bishop of London, William, bishop of Norwich, Gilbert, bishop of Hereford, and Hilary, bishop of Chichester, sitting in counsel, the aforesaid Henry contending earnestly in our presence declared that the archdeaconry of Colchester and the churches of Fulham and Stepney belonged rightly to him, and that the aforementioned bishop was held under obligation to the annual payment of six pounds to him; moreover, he was prepared to prove these charges immediately, to produce witnesses, and to present documents. It was brought about with the consent of both parties at the intervention of our authority that Roger le Brun voluntarily relinquished the church of Fulham, which he held in the name of the bishop, and the same bishop yielded it at once to the aforementioned Henry, and thereupon he invested him with power, with this agreement inserted that when the said Roger

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1 Richard de Belmeis II, bishop of London, 1152-1162.
2 Robert Chesney, bishop of Lincoln, 1148-1168.
3 William Turbe, bishop of Norwich, 1148-1175.
5 Hilary, bishop of Chichester, 1147-1169.
6 Fulham and Stepney. See Middlesex Place-names. (English Place-name Society).
ceased to hold the church of Stepney through death, or by his wish or for any other reason, Henry will receive the church freely as his own, and afterwards he will resign the church of Fulham to the bishop of London who will be in office at that time. These things were done with the agreement and consent of Roger for the sake of peace, and also with the approbation of the dean and chapter of the church of St. Paul of London which was present; then, because of these things, Henry withdrew from the aforementioned dispute and was reconciled with the bishop; therefore, the bishop and his church ought to confirm this agreement with their documents. Furthermore, we confirm this agreement by the authority of the Apostolic See, whose office we execute, and we order it to remain inviolable.
To our most excellent Lord and very dear Father A., highest priest,
by the grace of God, Theobald, the lowly servant of the holy church of
Canterbury, sends his greeting and all deference with the greatest de-

Sons of obedience execute the commands of the Apostolic See, and
it is evident that those who oppose them provoke against themselves
a judgment of damnation. We, moreover, from the very beginning of
your elevation and sometimes at the risk of safety and life have em-

braced obedience to our highest Pontiff, and we wish to be deprived of
life and light before the fault of disobedience corrupts us. Indeed, if
you are pleased to recall, you have manifest proofs of our obedience.
For at the time of your predecessors, we did not shun ruin, exile,
want or the dangers of death, as the Church of God knows, for the faith
of the Holy Roman church, but we stood in opposition to the princes, pre-
pared if there was need to offer our very blood for the safety of the
church. Indeed, we have satisfied your creditors and have transferred
your burden very gladly to our shoulders. Now, we are carrying your

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This refers to the Archbishop's presence at the election of Matilda
at Winchester in April 1141, his presence at the Council of Rheims in
1148 against the orders of King Stephen, and to his refusal to crown
Eustace in 1152. See Kate Norgate, England Under the Angevin Kings,
1, pp. 321, 368, 391. In Letter 69, Theobald writes: "Me iam terti pro
mandatis apostolicis periculo, immo et morti, exposui."
burden rather than our own, indeed a rather serious burden in this respect that unless you will provide for us, not only will it lessen our authority, but what we fear more, it will completely set at naught the glory of the Roman Pontiff. In conformity with your mandate, we have invested Your faithful Hugh, the bearer of this letter, with the prebend of a church of London despite the obstinacy of the bishop of London. However, the bishop has decided to oppose not only our decrees but also the Apostolic order. Therefore, if it please you, you will guard your honor and you will not permit our countenance to be confounded for the sake of obedience, for he who despises the ambassador of the Apostolic See seems rather to despise him who sent the ambassador. The bearer of this letter will be able to disclose in his own words more completely the developments up to the present moment.

2 Richard de Belmeis II, bishop of London, 1152-1162.
49—ARCHBISHOP THEOBALD TO THE POPE

SUMMARY: Theobald recommends the appeal of the precentor of Lincoln.

1 Our dear son, R., precentor of a church of London, a man praiseworthy in his knowledge of letters and in the uprightness of his character, in a pressing moment of need is compelled to flee to the successor of Peter, the stone of help, and to implore the aid of the Apostolic See which is accustomed to be bestowed on all in support of justice. We trust that his case is just although it is not entirely clear to us and conscientiously we do not believe that he is crossing over the boundary line of justice to injury to another. Therefore, we beseech Your Majesty, if it so please you, to receive his person kindly and to command that justice be rendered with customary benevolence. For the man is of such consequence that he cannot be long absent from the duty in which he is engaged with security to his church. But with the help of God, Your Clemency will amend for the better whatever you see has been presumed against him, even against the Holy Roman Church.

1 Richard D'Aumery was precentor, and later archdeacon of Lincoln. See Le Neve, Fasti, 2, p. 82, ed. Hardy.
2 1 Kings, 7.12
50--ARCHBISHOP THEOBALD TO A BISHOP

SUMMARY: Theobald orders the bishop to announce the excommunication of A. of Grimley for forging a papal document and for perjury. He is to be arrested, if possible, and brought to Canterbury. In the Cambridge manuscript this letter is addressed to Bishop Alexander of Lincoln, but Alexander died in 1148, some years before John's correspondence began. R.L. Poole conjectures that it may be an old letter copied out as a model for a mandate of excommunication. See Studies in Chronology and History, p. 286n.

The safety of the whole church is endangered, if the oars over which Peter presides are entrusted to shameless hands. We know that the ship of the eminent fisherman is the church. We do not doubt that the Roman Pontiff is the vicar of the Prince of the Apostles, who, as the pilot directs the ship with the rudder, so he rules, sets right and directs the universal church with the rudder of his seal. Therefore, the fraudulent use of this seal is a danger to the universal church, since the lips of any Pontiff can be opened or closed at the mark of one seal, and any fault may pass unpunished, and innocence may be condemned. Hence, punishment ought to be inflicted on those who presume to attempt this, as against public enemies and suppressors of the whole church, as much as it is in their power to be. One of these lurks among us, namely, A. of Grimley, who deserved to be excommunicated, since by perjury he added to the crime of forgery which he committed in the papal documents. Therefore, we order you to denounce him publicly as excommunicated, and if he can be arrested, to see to it that this

1 Perhaps Grimley in Worcestershire.
perjurer and forger is brought to us. Indeed, lest you doubt that he has committed forgery, we have ordered the copy of the document of Our Lord Pope to be sent to you which they had in their possession and which he and the priest, Jordan, swore had been signed with the papal seal.
51--ARCHBISHOP THEOBALD TO A BISHOP

SUMMARY: Theobald orders the bishop to settle the case in dispute between Reginald and Payne. A later hand in the Cambridge manuscript addresses this letter to Bishop Hilary of Chichester.

They can repress the excesses of the wicked especially, to whom the merits of persons are more intimately known, and who have the power of correction from the Lord. Therefore, you will decide more suitably the controversy going on between Reginald and Payne, since with you the truth cannot be concealed; and between them, by reason of the exigency of business, their obligation of speaking right threatens your discrimination and trust. For, because the controversies of your court remain before us, there is a sign of some lack or neglect; nor will anyone believe that it is a lack of authority or prudence, for the Lord has bestowed both of these upon you. Therefore, see to it that the desire of executing justice rightly may not seem to be lacking. But, if you neglect your duty, you are working to your own loss and ours too, since for us labor will increase, and for you your reputation will be lessened which is not becoming. For, it is your fault, (since we may speak rather freely with a friend) that Edward and Helias have disturbed us for a long time; and that I may tell you in your own words what you wrote about the aforesaid men, I am writing back concerning Reginald and Payne: by all means, let his own uprightness answer for each man. But if one is discovered in an open fault of disobedience or some other sin, let him be punished.

1 Paganus = Payne
with a manifest penalty, that others may have fear, and that they may recall why judicial force has been established in the midst of all.

Even your prudence knows that certain great things become evident in the light of events, so that they are not without airing, but merely without punishment or reward.
SUMMARY: Theobald commends the appeal of Nicholas against Jordan, who has secured the former's archdeaconry by means of a papal mandate, and relates Jordan's evil antecedents. The mention of decessor vester Eugeniua indicates that the letter was addressed to Pope Adrian IV.

On the testimony of Ananias he calls forth the sentence of death against himself who attempts by some semblance of untruth to circumvent the Holy Spirit dwelling in you by merit of your virtues, by grace of your succession and by your right of office, especially when the lying intercessor is intent upon the destruction of justice and the injury of another. Further, without a hearing or a summons the bearer of this letter, Nicholas, has been despoiled by our brother, David, bishop of Mineva, during his absence and against all respect for right, of his archdeaconry which he held canonically, because of a letter which a certain Jordan, unknown to you, perhaps, obtained on a false plea from your Clemency, not without the astonishment of the whole church of England. Jordan is that known perjurer, O excellent Father, who was branded with the public disgrace of murder on a previous accusation, and whom on account of a crime of perjury in an apostolic mandate, your holy predecessor, Eugene, has deprived of his office and ecclesiastical benefice; utterly cast down by this

1 See Acts 5:1.
2 David Fitzgerald, bishop of St. David's, 1148-1176.
3 Possibly the Archdeacon Jordan whom Giraldus Cambrensis removed from the archdeaconry later. See Giraldus Cambrensis, De Rebus a se Gestis, 1, p.4, ed. Brewer.
4 Pope Eugene III, 1145-1153.
decision, he concealed himself in unheard of corners of unknown regions, until he learned that the aforesaid father had died. Therefore, we beseech Your Majesty, since the justice of the bearer's cause and his wretched poverty have been examined, to correct mercifully what has been committed outrageously against this man, Nicholas, and after he has been restored, that you order this case to proceed through lawful court procedures without the assistance of others, if you still decide that the decision of your predecessor is to be cancelled, and that court action rather than punishment is due to the man already condemned.
SUMMARY: Theobald advises the bishop of Lincoln on three cases which the bishop has submitted to him. The first is the case of a priest who is suspected of concubinage; the second, of a priest who has neglected to care for his church and the sacred vessels and vestments; the third, that of a priest who has given Christian burial to his concubine, who died without the benefit of the sacraments. Theobald cautions the bishop so to conduct the cases that there will not be the slightest suspicion of taint of bribery.

Zeal of love is enkindled in prelates as often as they detect in the morals of their subjects the means whereby the loss of salvation can threaten them. From the content of your letter we trust that you desire the beauty of the house of the Lord, and that you will give all your energy to that work, so that those in your care who keep the vessels of the Lord may be clean, and that in the purity of their deeds and the integrity of their character they may be consecrated to the Lord, who, because of the duty enjoined upon them, ought to consecrate their subjects to Him. The fact that you wished to get advice from us in these very evident situations is a sign of humility, not an indication of ignorance. Indeed, your discernment knows what the sacred canons determine concerning the continency of the clergy; for example, Pope Siricius does not allow women to dwell in the home of the clergy, "except those alone whom the Nicean Synod permitted to live with the same for reasons of necessity alone." Moreover, it is easy to gather from the decrees of

1 Robert Chesney, bishop of Lincoln, 1148-1168.
2 See Isaias 52.11
Symmachus, as well as from the Council of Carthage and various sanctions of the Roman Pontiffs that these should be of such a character that only those be admitted from whom either nature, or respect for character, or an honest cause, such as compassion for persons afflicted and weakened in body, has removed all stain of an evil reputation.

Although very many canons do not wish a mother, a sister, a grandmother, a paternal or maternal aunt, nieces, family servants, and persons whom a relationship of first degree unites, to be suspected of cohabitation, still St. Augustine felt that a cleric should not live with a sister, because at times, sisters do not live with sisters, as Ethnicus says: "Blame can be concealed in the name of relationship". Wherefore, from these things after an investigation of the persons has been made, your discrimination will be able to regulate more easily than we how you must take action with Reinerus, who, you wrote, was living at one time with a certain concubine under the guise of a servant of his father, since the persons are unknown to us and also their reputation. Nor, because they are living together, does it necessarily follow that they are committing fornication, since, by the mercy of God they can cease to be what they were, and blot out previous sins by subsequent penance. But if the persons are suspected, they can be brought to lawful justification; finally, punishment or absolution will follow when their innocence or guilt will be manifest in the court. But as for what you added concerning the oath which is given by those who are ordained according to the

4 See Gratian Dist., 81, 24; ed. Friedberg, Corpus Iuris, 1, p. 288.
5 Ibid, c.27; p.289.
6 Ibid, c.25; p.288
7 Ovid, Heroides 4, p. 138.
custom of the church of Lincoln, we neither condemn what has been permitted by the fathers who preceded us as superior men in this church, nor indeed, do we approve of it, since it is evident that from this condition have arisen the cause for very grave danger and ready occasion for sinning rather grievously. Not that it is a sin, certainly, to promise lofty things, but because human weakness "always strives after what is forbidden" and even accepts what is not permitted even when it burns most bitterly. So by the granting of this law a defect has crept in, and as the apostle says, sinning beyond restraint has resulted, when violation of the law entered into prohibition of things forbidden. Let the originators and promoters of this oath see what they have done. Would that transgression would cease, and that chastity would be preserved, so that sin and remissness may not grow stronger with the consent of the transgressors and rulers and that malice may not increase. Furthermore, with regard to that priest who squandering the goods of the church for the careless use of his concubine disregarded the care of the sanctuary, and who with an unfit and improper chalice has treated the price of our salvation dishonorably and perilously, we command this, that you reprove him with canonical severity so that in the punishment of one, the errors of many may be corrected. Therefore, let it be your responsibility to provide carefully that in all churches entrusted to you, not only silver chalices be restored, but also that vestments and vessels for the sacred ministry be so repaired that now the Lord may be ministered to honorably. In this matter, moreover, you may spare neither monks, nor

8 Ovid, Am., 3.4.17.
9 Ibid, 2.19.5.
10 See Romans, 5.20.
canons, nor any pastor at all, from offering the first fruits of honor from his goods to the Lord, and each one will so honor the church entrusted to him as he loves God and his soul. But if the priest of Lincoln should appear guilty in the accusation of crime which is charged against him, and because his concubine died without confession and Communion and had Christian burial in the church, he shall have the church purified; let him be deprived of the administration of his orders according to the laws of the fathers, until such time as it is evident that, by worthy penance, insofar as he looks to human examination, he has merited pardon. Also, let his chaplain be subject to the same punishment unless he is able to prove his innocence worthily; if his innocence is to be proclaimed, he is all the more to be punished in inverse proportion as he seemed to merit our trust, while he seemed to oppose his own confession. But, indeed, it is His to release or to bind the dead, Who alone is able to raise the dead, and Who bestowed upon His disciples on earth the power of this authority, and Who by special privilege of His Divine Majesty in Heaven has retained this dignity.

As for the rest, my beloved son in the Lord, conduct yourself with such caution in these cases, that you do not seem to covet the money of the transgressors but to seek the salvation of their souls as becomes a pastor. Indeed, you know that the secular laws, under the Julian Law for extortion, punish most bitterly those who strive for dishonest gain

\[\text{11 Passed during Caesar's consulship in 50 B.C., and deals with extortion in the provinces. It was the subject of juristic comment down to the time of Justinian.}\]
either in things to be done or not done in their office. But the canons impose on all prelates danger to their office and orders if they resist the obligation decreed for their subjects by accepting or promising a bribe. Therefore, that God may be glorified, and that your ministry may be honored in your zeal, keep your hands clean from the sordidness that rises from trickery, lest your duty as a judge entrusted to you by God may seem to be a pretense of business.
SUMMARY: John communicates to an unknown suitor Archbishop Theobald's rejection of his petition. This is the first letter written in John's own name in the present edition.

I congratulate your kindness, which while it aims at the progress of my friends, as is commonly believed, has merited the obligation of service on my part. But as I am unable to disapprove the disposition of your love, so I am not able to condemn the simplicity of your counsel. For the station to which you wish to force that friend of ours is suited neither to his manner of life nor to his age and certainly not to his salvation. The reason of time and place together with many other reasons also oppose your desire. Nobody can serve two masters,¹ for it is clear that it is impossible to be intent usefully on the welfare of your brethren, and also to curry the favor of the satellites of the court. Do they not in every instance set up royal authority for the protection of wickedness, not to say of vice? Therefore, the authority of the king among you hinders the man who acts well and who protects ecclesiastical liberty but the authority of the law of God cries aloud everywhere against the man who lives evilly. Who would make an old man comfortably stationed in a corner of the ministry travel around a province, and travel about at a moment's notice when the problems of a new difficulty arise? It was always foreign to the spirit of man to inquire into the life of others for reasons of greed, to plot against the work of neighbors, to make friends guilty, to rob friends and strangers alike, in order to please someone, or when it would be to his gain;

¹ See Matt. 6.24; Luke 16.13
but now, with the help of God, it will be most foreign. I am not writing these things to harm anyone, but I am portraying an instrument of Satan which we sometimes see concealed under the covering of this name; concealed, I say, but I should say more correctly, raging and revelling. For an upright and beneficial name has been established by our holy fathers, but under the veil of piety and of befitting duty, shameless conduct rages, blind ambition, impious cruelty, notorious greed, shameless and infamous profit. What is more disgraceful or shameful or wretched than an old priest who is an informer? Will he effect further damage to his reputation and conscience in order to please the satellites of the court? Or how will he manage if he should displease them? In short, he will make either them or you his enemies, when neither is useful to him or to his. Therefore, spare your friend, and do not procure for him the enmity of many persons, and (as we especially fear) the enmity of God. Furthermore, you should know that our Lord, the archbishop, disapproves entirely of your petition, nor will he permit any of your friends to become a dean of this kind, that is, an informer against his fellow-villagers.
SUMMARY: John writes to an intimate friend who is suffering from a grievance.

Sometimes he injures his own nose or plucks out his eye who determines to guard his countenance with a healing sign. "To what purpose are these words?" you ask. I am answering those points that you wrote to me. I am not, however, taunting your misfortune. Rather I am amazed and I compassionate your sorrow, so much the more bitter as I love each one very sincerely. For, in the case of one of these if the complaint is a just one, work and expense have been spent in vain, and the vice of ingratitude has dishonored the other very perniciously. Furthermore, the loss of one is much more serious, for on one side there is the loss of material goods, but on the other the loss of honor. But, if you are wise, this injustice of a changing fortune serves your own uses, for in the judicial examination of matters it pays back what the injury seemed to have taken away by the vice of ungrateful people. Therefore, it has increased prudence which wished you to be aroused by this stimulus.

Leaders order mercenary soldiers away from the court if fortune draws the enemy away; but when the same enemy threatens again, the soldiers are recalled very eagerly. Whoever, therefore, desires to rejoice in yearly pay, let him not withdraw from the soldiery. That is the kindness not only of the leader but also of the enemy. Indeed, unless you prefer to dissemble, you are sailing in port, and fortune will change the gentle breeze at your own good pleasure although it may be hazardous.

1 See Ter. Andria, 3.1.22.
Your wind shall blow and waters shall run. Hail will fall, thunder and lightning will threaten. The minds of men will be moved at these things and they will be led back to a knowledge of their condition.

2 See Psalm 147.18.
SUMMARY: John writes to a bishop on some obscure matter of business. R.L. Poole conjectures that it is the Bishop of Rochester. See Studies in Chronology and History, p. 285.

I should have been reproved, Father, if necessity rather than negligence had not hindered my attempts in the execution of your mandate. Indeed, I have not been able to see Master William since I left you, before I had him summoned, after seeing your letter, through the Lord Archbishop to procure a cessation of personal quarrels. The archbishop has labored toward this end and I have worked together with friends who had been used, but our effort found no part in him. Therefore, he will come on the day appointed by himself, and perhaps he who has despised our pleas will give hearing to your entreaties if there still is need. We assembled before the Lord of Chichester about this business, seeking to discover his mind, which, without a doubt, ought not to be fearful in this matter, because he promised us on oath that, although you inflicted a great injury upon him, he wished no revenge to be made for him, unless it was so enormous that he could not disregard it with honor preserved for he knows your innocence and what affection you have for him. Therefore, he ordered me to write to you that he would not be displeased if you follow out the mandate of our Lord, the Pope, perfectly. He even knows that it is necessary that you fulfill it. He also ordered A., your friend, in a mandate to tell you to what extent you may trust my writing. Per-

1 Archbishop Theobald of Canterbury
2 See John 8.37.
3 Hilary, bishop of Chichester, 1147-1169.
haps, you know why it was not fitting to write this very thing. Indeed, he wishes that it be kept secret. On the feast of St. Magdalen there will be a trial before the Lord Archbishop concerning the things belonging to the Church of Chalk which belongs to your jurisdiction. I suggest that on that day someone of you be present, at least a courier, with rescripts of your defence so that we can testify to your right. If there is anything which your messengers have reported that pertains to the Bishop of Worcester, let it be presented without delay both to him and to the Archbishop.

4 July 22.
5 Chalk, in Kent?
6 Either Bishop John Pagham (1151-1157), or Bishop Alfred of Worcester, 1158-1160.
SUMMARY: John intercedes with Pope Adrian IV for the canons of Merton who complain that Bishop Henry of Winchester has despoiled them of two of their churches.

I would be ashamed to knock at the door of Your Majesty so many times unless the sincerity of my devotion and the kindness of Your Eminence encouraged my shame, and unless the importunity of those whom I can in no way fail impelled me to write, even against my will. I compassionate the trials and the injuries of the holy brethren who serve the Lord at Merton and who illumine our island by the light of good works, the more so as I am certain that those same monks refrain from injury to all others and that they are devoted with all their energy to the service of their neighbors, a fact which is evident to our island inhabitants. They are obliged, therefore, to flee to your Apostleship for refuge, that you may extend the hand of mercy to their hardships. Among other things to the injury of the Apostolic Majesty and to the confusion of the holy canons, the bishop of Winchester transferred the church of Effingham which the aforesaid bishop presented to them at the request of the lord of the estate and which your glorious predecessor, Eugene, in compliance with the written order of the same bishop confirmed under ordinance, to a certain tax collector, scarcely a layman, a son of a priest who had ministered in that church. Also

1 Merton, a priory of Austin canons in Surrey.
2 Henry of Blois, bishop of Winchester, 1129-1171.
3 Effingham, Surrey.
4 Pope Eugene III, 1145-1153.
a certain soldier with impunity and with the bishop disregarding his act despoiled their church of Upton of its tithes. Furthermore, since the rank of certain ones who are pulling down justice is a hindrance, and the malice of many is growing stronger, this cannot be corrected except by your urgent order. Therefore, may it please Your Honor to receive kindly the cause of the aforesaid brethren and the priests in charge of these churches, and to send them back quickly, because the poverty of those who expend for the use of the poor more than they have at home brooks no further delay. Certainly if you become acquainted with the bearers of these presents more intimately, you will be able to admire in the one a humble receptacle of many great virtues, and since the spirit commends both to your love, flesh and blood will win favor for the other. Let it be to the advantage of the monks of Merton that their good odor of sanctity came all the way to you while you were in the church of St. Rufus, and that between your conferences Your Honor was accustomed to communicate with me, your servant.

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5 Upton, near Andover, Hampshire.
6 The Austin monastery of St. Rufus at Avignon, which was removed to Valence in 1158. Adrian IV became a canon here and was elected abbot in 1137. See William of Newburgh, Historia Anglicana, 2, p. 6.
SUMMARY: John recommends the cause of William, the bearer of the letter, who has been cited a second time by a malicious enemy.

I for whom it ought to be sufficient that I merit to be heard even in my own difficulties presume to knock at the ears of Your Clemency in the difficulties of my friends. But you bestowed this daring on my timidity when you instructed me to seize an opportunity from the business of many to write to you. Furthermore, since I cannot now fail the need of the bearer of this letter, William, prostrate at your feet and with all my heart, I beg Your Majesty with as great reverence as I am able to put a just end at last to his difficulties. For the second time now he is being dragged to the Apostolic See by the malice of his adversary, who, swift to cite for a summons, but slow to prosecute, who, not more ignorant of the sacred canons than one who despises them, a patron of the court, a persecutor of the Church, is attempting to weaken the strength of Catholic unity with the assistance of secular powers. This man by a new type of subterfuge has contrived to summon our countryman before the Roman Pontiff and in like manner before the king and queen, so that in the presence of Your Reverence he may escape the hands of the bishops and that he may provoke the indignation of the king or queen for the purpose of destroying innocence.
SUMMARY: Theobald writes to the monks of Christ Church, Canterbury, and to their deposed prior, Walter Parvus. He justifies the deposition, commands the monks to obey their superiors, and forbids Walter under pain of punishment to aspire to any high office in the monastery. John could not have written this letter, for the case occurred in the years 1150-1151, and John was still employed in the papal chancery as late as the beginning of the winter of 1153. See R.L. Poole, Studies in Chronology and History, p. 257. For an account of this case, see Gervase of Canterbury, 1, pp. 141-146, ed. Stubbs.

He offends seriously against Christ, for Whom this place has been made a charming spot in the unity of brethren, who attempts to disturb that which has been established for peace in the house of the Lord. Furthermore, we of the Church of Canterbury have always loved peace, and with the help of God our disposition of love toward our brethren progresses each day, and we wish every occasion for scandals to be withdrawn from them after our time. Therefore, in accordance with our conscience we placed superiors suited for the position in charge of the order; through the Grace of God, by the ministry of these men, religion had advanced now for many years, and the administration of external possessions has been cared for in a manner more praiseworthy than is customary. Therefore, we command that what we have decided by the authority which we execute remain intact, that the priors apply themselves to the love and service of their subjects, and that the subjects obey their superiors in all humility and reverence. We also remove Walter forever, whom we have withdrawn from the priorship through his own fault and not that of the Church, from the office of the prior-
ship and the subpriorship and every superior office of rank in the Church of Canterbury, but we grant him fellowship and dwelling with his brethren if he will be peaceful. But if as a private individual he shall conduct himself in a praiseworthy manner, we do not forbid him to rise to other obediences of our Church or to the direction of another church, provided that he does not aspire to the priorship or subpriorship and to other keys of rank that have been forbidden. Indeed, if he should ever aspire to this, we condemn as excommunicated all whom he considers supporters of this attempt. Under penalty of excommunication we forbid you also, Walter, on the authority of the omnipotent God to do this, and on whatever day you shall attempt this, we order all our brother bishops, all parishioners, and our subjects in virtue of obedience not to presume to communicate with you in any way until you yield and make worthy reparation. Also, if you attempt anything to the detriment of this order of ours, you may know that you are subject to the same sentence together with all your accomplices. Therefore, do not go astray, my brother, do not. For God is not mocked; have peace with your brothers, and God will pardon you what you committed against us who did not deserve it. May He be a God of peace and consolation to you, my dearest brethren, and may He make us to rejoice with Him in everlasting happiness whom the weakness of human contriving separates at present.

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1 See Galatians, 6.7.
SUMMARY: John writes humorously to Peter of Celle, the abbot of Montier-la-Celle, near Troyes, whose Letter 69 (see P. L. Migne, 202, p. 515) appears to be an answer. R.L. Poole conjectures that this letter may have been written in 1154 or 1155, but gives no reason for his belief. See Studies in Chronology and History, p. 270.

When I was writing this, the inscription at the head of the salutation caused laughter to my secretary. When I inquired into the reason for this, he advised me in my foolish greeting to speak more carefully, to be discreet, and not to mingle bitter or tasteless things with the sweet; for, he says that as you accept the "greeting", so you reject what is added, "and himself", (the writer) perhaps because it is bitter, perhaps because it is insipid, especially to one abounding in very sweet things at his home. But what could I say to that? Indeed, it seemed a shame to change the inscription but it seemed rash to send it without an explanation. Besides, it was doubtful to whom the discussion should be entrusted, for if I myself shall take it in hand, I shall be suspected of being easy on myself; if it should be given over to a man who is opposed to me, I recall that the mouth of a calumniator does not speak truth. If it were given to you, my derider does not assent to this, saying that you cannot give a sincere opinion, who are an enemy of recent date, or a friend of long standing; for personal affection cannot arrive at an unbiased decision. Therefore, after much deliberation it was settled finally that I select a judge at your home, where during your absence the matter could be discussed intimately in the presence of Walter of

1 The inscription of the letter
2 John of Salisbury himself.
Calne, who could also be accused of trickery. I do not fear the supporters of the opposing party; and although Mandrogerus grunts, Trimalchio pines away, Bromius laughs, and the group of Mercury's clients withdraws its patronage from me, or, aided by the support of Corydon, I do not avoid the examination of the venerable tribunal. I would never reject your decision, who believed me at one time to be worthy of love, and truly I was (as was said) even then worthy to be loved. The fact that I do now decline your decision must be imputed to you, who looking upon the face of a person preferred a new love to an old friendship. As for me, I am still as I was and I possess more than we two had at Provines. Indeed, I sing not worse than usual, and unlike many at Salisbury, although they may be excellent singers....

"Nor indeed am I hideous; for a long time ago I saw myself on the Pisan shore, When the sea stood quiet from the winds."

3 Calne, Wiltshire.
4 See Pseudo-Plautus, Querolus; and John Long's elegiac poem "Entheticus" lines 153-166, 1563-1578 (and 1683-1690).
5 See Petronius, Satur., "The Supper of Trimalchio." This was not included in the copies of Petronius known to scholars of the Renaissance, but came to light in the year 1650, when Marino Statile found it in a manuscript preserved at Trau in Dalmatia. Now a little more than two centuries before this date, in 1420, Poggio Bracciolini mentioned in a letter that he had found and sent to his friend Niccolo Nicoli from England "a bit of Petronius"; and Prof. A.C. Clark has given (Classical Review, Sept. 1908, vol. 28, pp. 178-9) good reasons for suspecting that the scribe of the Trau manuscript, which is dated just three years after Poggio's letter, had transcribed the "Supper" from this very find of Poggio's. It is, as Prof. Clark points out, noticeable that an English scholar should have been the only person known to have been acquainted with the "Supper" during the Middle Ages.
6 Surname of Bacchus.
7 Patron of scholars. See Horace, Odes 2.17.28.
8 Juvenal, Satires 9.102.
9 Vergil, Eclogues, 5.89.
10 Provines, where Peter had entered the Cistercian monastery of Aigulf.
Other things I shall unfold and discuss more fully in the ear and mouth of the judge before whom I shall either stand or fall, so that when he has pronounced a decision kindly I may write freely "and himself". Whatever sentence I undergo, no one shall hear an appeal from me, but I shall bend every effort to summon before a court the venerable party of the opposition before I appeal from its troublesome decision. However great the shock may be, in accordance with my rule of life it shall never be carried to the ears of a stranger. But if Walter should be unable to be present, I shall agree that he is beyond a doubt absent with you, unless he should prefer to fulfill the part of a supporter. Therefore, may you have a greeting and "me myself", and write back what you wish. Let my devotedness still undergo judgment in such a way that you may receive the gift offered, or that chosen during your absence.
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