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**Regnal consolidation and regional networks:
charters and religious benefactions in
the diocese of Glasgow, *circa* 1120 to 1270**

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March 2008

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Abstract

It has been argued that the development of royal government and legal concepts in twelfth and thirteenth century Europe was closely linked to the emergence of national identity amongst people belonging to each kingdom. Medieval Scotland is no exception. Many studies on the establishment of Scottish identity, especially its territorial spread in the thirteenth century, have been done hitherto from the viewpoint of consolidation of the kingship, settlement of Anglo-Continental landholders, and the common law. On the other hand, given the number of surviving charters (either royal or private) recording religious benefactions to major churches, it would be also a sensible way to approach this issue by investigating these donors and their gifts. The diocese of Glasgow is a province in which numerous transactions and negotiations between secular powers and ecclesiastic institutions were recorded from the time of the future David I's reorganisation in the 1120s. Furthermore, the chronicle of the monks of Melrose is a remarkable testimony to the change of identity of the Scots. These facts make the diocese and a few surrounding divisions key areas of research. According to surviving documents, many of which have been collated in cartularies, the charters granted to Glasgow Cathedral, Melrose Abbey, and Paisley Abbey (which had an indirect royal connection through the Stewart foundation) demonstrate distinctive patterns of social networks between the institutions and donors or witnesses. Typically these networks grew both in local and cross-regional terms, and connected the nobility, even those of different socio-political background, together. Undoubtedly the geographical spread of benefactions of each establishment reflects the development of personal or familial interrelationships of this kind. Also, in the case of confirmations, instructions, and lawsuits, some higher authorities such as the king, bishop, and Pope issued their own documents. It is likely that their involvement created a common legal awareness in the whole province. In particular, the increasing reference to *regnum Scotie* in charters is strong evidence for the definition and consolidation of regnal authority, especially in the new, relatively unsettled territory such as Carrick, the Lennox, and Argyll where sovereignty and the common law of the Scottish king were established during the thirteenth century. In this way it can be seen that the sovereignty and identity of Medieval Scotland were gradually developed and spread through a mechanism of religious benefactions whose legal and socio-political aspect was discernible in the local activities by each landholding family as well as the top-down governmental policy of the king.

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Abbreviations

<i>Acts Parl, Scot.</i> [APS]	<i>The Acts of the Parliaments of Scotland</i> , edd. T. Thomson and C. Innes (Edinburgh, 1814-75).
<i>Arbroath Liber</i> [Arb. Lib.]	<i>Liber S. Thome de Aberbrothoc</i> (Bannatyne Club, 1848-56).
<i>Ayr Burgh Chrs.</i> [Ayr Chrs.]	<i>Charters of the Royal Burgh of Ayr</i> (<i>Archaeological and Historical Collections relating to Ayrshire and Galloway</i> , 1883).
<i>Ayr-Wigton Coll.</i>	<i>Archaeological and Historical Collections relating to the Counties of Ayr and Wigton</i> (1878-84, Edinburgh).
<i>Charters of King David I</i> [ChDI]	<i>The Written Acts of David I King of Scots, 1124-53 and of his son Henry Earl of Northumberland, 1139-52</i> , ed. G. W. S. Barrow (Woodbridge, 1999).
<i>Chron. Fordun</i>	<i>Johannis de Fordun, Chronica Gentis Scotorum</i> , ed. W. F. Skene (Edinburgh, 1871-2).
<i>Chron. Holyrood</i>	<i>A Scottish Chronicle known as the Chronicle of Holyrood</i> , ed. M. O. Anderson (SHS, 1938).
<i>Chron. Howden</i>	<i>Chronica Magistri Rogeri de Hovedene</i> , ed. W. Stubbs (London, 1868-71).
<i>Chron. Melrose</i>	<i>Chronica de Mailros</i> (Bannatyne Club, 1835).
Cooper, <i>Select Cases</i>	<i>Select Scottish Cases of the Thirteenth Century</i> , ed. Lord Cooper (Edinburgh and London, 1944).
<i>Crossraguel Chrs.</i> [Cross. Chrs.]	<i>Charters of the Abbey of Crosraguel</i> (AHCAG, 1886).
<i>Cumberland Trans.</i> [TCWAAS]	<i>Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society</i> (1866-).
<i>Dryburgh Liber</i> [Dryb. Lib.]	<i>Liber S. Marie de Dryburgh</i> (Bannatyne Club, 1847).
<i>Dumfriesshire Trans.</i> [TDGAS]	<i>Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society</i> (1862-).

<i>Dunfermline Registrum</i> [Dunf. Reg.]	<i>Registrum de Dunfermelyn</i> (Bannatyne Club, 1842).
<i>Glasgow Registrum</i> [Glas. Reg.]	<i>Registrum Episcopatus Glasguensis</i> (Bannatyne and Maitland Clubs, 1843).
<i>Guisborough Cartularium</i> [Guisb. Chrs.]	<i>Cartularium Prioratus de Gyseburne, Ebor. Dioeceseos, Ordinis S. Augustini: Fundati A. D. MCXLIX</i> , ed. W. Brown (Durham, 1889-94).
<i>Holyrood Liber</i> [Holy. Lib.]	<i>Liber Cartarum S. Crucis</i> (Bannatyne Club, 1840).
<i>Inchaffray Chrs.</i> [Inchaff Chrs.]	<i>Charters, Bulls and other Documents relating to the Abbey of Inchaffray</i> (SHS, 1908).
<i>Innes Review</i> [IR]	<i>The Innes Review</i> (1950-).
<i>Kelso Liber</i> [Kel. Lib.]	<i>Liber S. Marie de Calchou</i> (Bannatyne Club, 1846).
<i>Lawrie, Charters</i> [ESC]	<i>Early Scottish Charters prior to 1153</i> , ed. A. C. Lawrie (Glasgow, 1905).
<i>Melrose Liber</i> [Melr. Lib.]	<i>Liber Sancte Marie de Melros</i> (Bannatyne Club, 1837).
<i>North Berwick Carte</i> [N. B. Chrs]	<i>Carte Monialium de Northberwic</i> (Bannatyne Club, 1847).
<i>Origines Parochiales</i> [OPS]	<i>Origines Parochiales Scotiae</i> (Bannatyne Club, 1851-5).
<i>Paisley Burgh Chrs.</i> [Pais. Chrs.]	<i>Charters and Documents relating to the Burgh of Paisley 1163-1665</i> , ed. W. M. Metcalf (Paisley, 1902).
<i>Paisley Registrum</i> [Pais. Reg.]	<i>Registrum Monasterii de Passelet</i> (Maitland Club, 1832: New Club, 1877).
<i>Recs. Scot. Church Hist. Soc.</i> [RSCHS]	<i>Records of the Scottish Church History Society</i> (1923-).
<i>Regesta Regum Scottorum</i> [RRS]	<i>Regesta Regum Scottorum</i> edd. G. W. S. Barrow and others (Edinburgh, 1960-).
<i>Reg. Mag. Sig.</i> [RMS]	<i>Registrum Magni Sigillii Regum Scotorum</i> , edd. J. M. Thomson and others (Edinburgh,

1882-1914).

Scone Liber

Liber Ecclesiae de Scon (Bannatyne and Maitland Clubs, 1843).

Scot. Hist. Rev. [SHR]

The Scottish Historical Review (1903-28, 1947-).

Scots Peerage [SP]

The Scots Peerage, ed. Sir J. Balfour Paul (Edinburgh, 1904-14).

St Andrews Liber [St A. Lib.]

Liber Cartarum Prioratus Sancti Andree in Scotia (Bannatyne Club, 1841).

Introduction

Kingdom and nation in twelfth- and thirteenth- century Scotland

In the High Middle Ages, the making of new kingdoms evoking a sense of community or nationhood was common amongst the various parts of Western and Central Europe.¹ During this period, kings not only conquered and colonised specific territories, but also had a 'people' corresponding to each kingdom, which was assumed to be a natural and inherited community of tradition, custom, and law territorialised and enforced by a common royal authority.² During the twelfth and thirteenth century, community, kingdom, and people gradually began to coincide, and formed a basic entity of nation in the modern idea. In Scotland, this process seems to have been more gradual than other kingdoms like England. Originally 'Scotland' (in any language) was used to denote the limited region north of the Firth of Forth, south of Moray and east of Argyll. The other areas than this core part were, even though under the control of the king of Scots, referred to as separate countries, and those inhabitants did not regard themselves as Scottish. This was the case until the later thirteenth century.³ By around 1300, however, Scotland, both its territory and people, had been so extended and unified that they almost corresponded to what today's nation means. For the country which had hardly experienced such severe military conquest or immigration as was the case with other nations in Britain and Europe, Scotland's remarkable transformation in the twelfth and thirteenth centuries, especially in the governmental integration and emergence of national identity, is a quite unique and even puzzling example, which has interested a number of scholars.⁴

¹ R. Bartlett, *The Making of Europe: Conquest, Colonization, and Cultural Change, 950-1350* (London, 1993), 39; S. Reynolds, *Kingdoms and Communities in Western Europe, 900-1300* (Oxford, 1984), 262.

² *Ibid.*, 250.

³ D. Broun, 'Defining Scotland' in D. Broun, R. J. Finlay, and M. Lynch (eds.), *Image and Identity: The Making and Re-making of Scotland Through The Ages*, (Edinburgh, 1998), 7-8.

⁴ D. Broun, 'Becoming a nation: Scotland in the twelfth and thirteenth centuries', *Medieval Nations Symposium*, Keio University (Tokyo, 2007); S. Reynolds, 'Fiefs and Vassals in Scotland: A View from Outside', *The Scottish Historical Review [SHR]* 82 (2003) 192; R. R. Davies, *Domination and Conquest: The experience of Ireland, Scotland and Wales 1100-1300* (Cambridge, 1990), 116: The impact of immigration in Scotland was surely less than that of similar people to England, Wales and Ireland, where they came in a violent conquest and discriminated against the natives. In the case of Scotland, in contrast, settlers from England, France and Flanders came and served as friends or supporters of the king of Scots and some native rulers, like the earls. Despite occasional hostilities or conflicts, generally, natives and newcomers assimilated with each other and played together a crucial role for consolidation of the Scottish realm and creation of 'Scottishness'.

In this thesis, I will focus on the situation of the provinces south of the Forth-Clyde line. Provinces like Lothian, Northumbria, Cumbria, and Galloway are known to have been distinguished from Scotia in people's minds far into the thirteenth century, not only because of the geography bordering England, but also because of differences in cultural and linguistic aspects. Surviving place-names and recorded personal-names demonstrate that the basic population and its speech through these provinces were probably something of a mixture of Gaelic, Brittonic, Anglo-Norman, and Scandinavian elements.⁵ These local people of diverse ethnic origin, even though under the control or lordship exercised by the kings of Scots, seem to have retained their own identity associated with each southern province.⁶ In fact, in creating medieval people or nations, ethnicity, whether biological or cultural, was not as decisive a criterion as custom and law legislated by a common authority like kingship.⁷ So, though the process itself was gradual and lengthy, it is not beyond comprehension at all that these diverse identities and localities were eventually unified into a single people and kingdom of Scots by the territorial and legal control of the royal government. Nevertheless, it will help further our understanding of Medieval Scotland to examine how the king of Scots actually controlled these provinces, how he made the inhabitants, particularly those in positions of power, feel his regnal authority, and how each local community and lordship, whether of natives or newcomers, had a series of relationships with each other, which is what I will consider in the main chapters.

⁵ G. W. S. Barrow, 'The Scots and the North of England', in E. King (ed.), *The Anarchy of King Stephen's Reign* (Oxford, 1998), 235; G. W. S. Barrow, *The Anglo-Norman Era in Scottish History* (Oxford, 1980), 33-4; D. Broun, 'The Welsh identity of the kingdom of Strathclyde, ca 900-ca 1200', *The Innes Review* [IR] 55 (2004), 120: As names can live on in a new linguistic environment, survival of names, of either places or persons, in different linguistic origins in a certain region is not secure indication that all these languages were contemporaneously spoken there. But that should be evidence for the people, with diverse background of culture and ethnicity, having settled in and associated with the area.

⁶ D. Broun, *Scottish Independence and the Idea of Britain: From The Picts to Alexander III* (Edinburgh, 2007), 184n; G. W. S. Barrow, 'The Army of Alexander III's Scotland', in N. H. Reid (ed.), *Scotland in the Reign of Alexander III* (Edinburgh, 1990), 136; *Chronica de Mailros* [Chron. Melrose] (Bannatyne Club, 1835), 123, 184: In ca 1180, the prior of Dryburgh Abbey on the north bank of the River Tweed described himself as living in the land of England and the kingdom of Scotland. Also the monks of Melrose, in their accounts of the King Alexander II's army in the thirteenth century, seem to have considered Scotland as a separate country and the Scots as people to be distinguished from themselves or their local people near the abbey.

⁷ Bartlett, *Making of Europe*, 197; A. A. M. Duncan, *The Kingship of the Scots, 842-1292: Succession and Independence* (Edinburgh, 2002), 5.

It has been argued that the Chronicle of Melrose contains some apparent references to ‘Scotticisation’ of the kingdom’s territory through the thirteenth century.⁸ Therefore regions to which the monks of Melrose had connections should be a key area for understanding the growth in royal authority and Scottish identity. In this sense, it would be sensible to consider the whole diocese of Glasgow and the south-eastern part of St Andrews diocese as a potential limit of the investigation.⁹ The boundaries of Glasgow diocese which corresponded to that of the ancient kingdom called Cumbria, that traditionally had a strong associations with royalty.¹⁰ The province was also the area where the early infeftment of Anglo-Continental landholders was made. Some charters granted to the bishop narrate the potential coexistence of different ethnic groups, different languages and ways of life in the twelfth and thirteenth centuries.¹¹ Most analysis is based on data drawn from charters granted to particular religious institutions in the diocese, not only because of their availability but also because of general agreement that the churches and monasteries in this period played a central part in the community or social networks which comprised various ranges of local people. Thus it may be expected that many recorded transactions with these establishments contain the evidence for connection and association within these social circles, which will offer us a certain picture of locality or political geography in this part of the kingdom of Scots.

The relationship between the laity and religious in the Middle Ages has been a common theme for many historians. Especially patronage to monastic houses is being

⁸ D. Broun and J. Harrison (eds), *The Chronicle of Melrose Abbey: A Stratigraphic Edition*, vol. i, Introduction and Facsimile Edition (Woodbridge, 2007), 10-12; Broun, *Scottish Independence*, 7, 11.

⁹ Although the situation in Galloway, in which Melrose Abbey had properties, should not be dismissed, very few records relating to its diocese survive, as the archives of all monasteries in Galloway have been lost.

¹⁰ G. W. S. Barrow, *The Kingdom of the Scots: Government, Church, and Society from the eleventh to the fourteenth century*, second edn. (Edinburgh, 2003), 205; Broun, *Scottish Independence*, 125: The kingdom of Cumbria was regarded as a part of Wales, rather than either Scotland or England. The diocese was frequently referred to as a ‘kingdom’, and, by the twelfth century, its domain was under the control of the king of Scots or his close family.

¹¹ *Registrum Episcopatus Glasguensis* [*Glas. Reg.*] (Bannatyne and Maitland Clubs, 1843), nos. 1, 104; Barrow, *Kingdom*, 59; W. M. Aird, ‘Northern England or Southern Scotland? The Anglo-Scottish Border in the Eleventh and Twelfth Centuries and the Problem of Perspective’, in J. C. Appleby and P. Dalton (eds.), *Government, Religion and Society in Northern England 1000-1700* (Stroud, 1997), 35: In the 1120s, conducted by David, the ruler of Cumbria, the Inquest into the lands of the bishopric of Glasgow was undertaken by inquisitors including certain local judges with names indicative of native Cumbrian origin, as well as David’s Anglo-Norman adherents. Also the perambulation of boundaries between Stobo, Happlew and Kirkurd (Orde), arranged in ca 1200, was witnessed by ten local knights including both Cumbric or Gaelic native family and Continental incomers.

researched with a number of impressive case-studies. Amongst the recent works, Emilia Jamroziak examines how Rievaulx Abbey, a Cistercian house in Yorkshire, functioned in the network of social connections with its patrons or neighbours.¹² With the cartulary of the abbey scrutinised, she has successfully identified some distinctive patterns of interaction between the abbey and lay landholders or secular churchmen from various aspects of contacts, such as the spiritual mission, the economic activities, and disputes or agreements over possessions. In some parts of this thesis, particularly in the analysis of the cartularies, patterns of dispute resolution, and the use of witness-lists, I will take a similar approach to her and, if necessary, mention the Rievaulx data itself as one of comparable examples in the same period of time. Nevertheless, while Rievaulx, a private foundation by an English baron, typically dealt with local and non-royal issues, the investigation of the institutions like Glasgow Cathedral and Melrose Abbey, a royal foundation, might show another aspect of socio-political landscape in the region with potential presence of the royal or episcopal authority.

In terms of possessions mentioned in our Scottish materials, I will rely on some useful accounts by G. W. S. Barrow and I. B. Cowan to identify most place-names or parish churches in the whole region, and to trace the transfer of their possession through the period.¹³ Additionally, in his recent work co-authored with Richard Fawcett, Richard Oram has explored all estates and possessions that belonged to Melrose Abbey.¹⁴ With his remarkably detailed references, Oram demonstrates the location and actual use of each property, and the process of transactions with the patrons or neighbours. These previous studies enable us to grasp the general view of possessions and territories which the cathedral church and the leading monasteries possessed in the extensive areas consisting of Glasgow diocese and a part of St Andrews diocese. What I will actually attempt in this thesis is, ultimately, to review the accumulation of these possessions, as Jamroziak has done for Rievaulx, from the viewpoint of the social contacts between individual persons who were involved in the transactions as donors, claimants, and witnesses, and to examine how their networks

¹² E. Jamroziak, *Rievaulx Abbey and its Social Context, 1132-1300: Memory, locality, and Networks* (Turnhout, 2005); E. Jamroziak, 'How Rievaulx Abbey Remembered Its Benefactors', in E. Jamroziak and Janet Burton (eds.), *Religious and Laity in Western Europe 1000-1400: Interaction, Negotiation, and Power* (Turnhout, 2006), 63-76.

¹³ Barrow, *Kingdom*, chapter 11-2; G. W. S. Barrow, *The Anglo-Norman Era in Scottish History* (Oxford, 1980), Maps 1-10; I. B. Cowan, *The Parishes of Medieval Scotland* (Edinburgh, 1967).

¹⁴ R. Fawcett and R. Oram (eds.), *Melrose Abbey* (Stroud, 2004), 209-71.

functioned in the local community, especially in the relationships with the higher common authority such as the royal government and episcopal jurisdiction, which had spread and consolidated their influence during the period.

Methodology

Concerning the diocese of Glasgow and a couple of neighbouring areas, I am going to focus on the documentary sources belonging to three particular religious institutions, namely Glasgow Cathedral and the two monasteries of Melrose and Paisley. Although, if necessary, I shall mention some charters relating to other monastic houses such as Kelso, Dryburgh and North Berwick or a few non-monastic collections, this thesis will be largely based on an analysis of the charters of those three ecclesiastical establishments. As most of original title deeds have not been available, we can only deal with their copies in a later period which were typically collated to form a cartulary. At the time of Reformation, some parts of ecclesiastic records which must have been stored by Glasgow Cathedral were taken to France by James Beaton, the archbishop who went there in 1560. Before his death in 1603, Beaton had deposited some of his papers at the Scots College in Paris and some with the Carthusians of Paris. This Glasgow archive included two cartularies, a protocol book, a rental, and five or six hundred original charters.¹⁵ Though almost all the original charters, except for five documents, were lost about the time of the French Revolution, the two medieval cartularies, along with the protocol book and rental, were found later in Scotland as the surviving part of the collection.¹⁶ Amongst them, the older one will be considered as our main source.

The manuscript of this cartulary, quoted by antiquaries as *Registrum Vetus Ecclesiae Cathedralis Glasguensis*, contains eighty-six folios and 175 documents in total written in a hand no later than the middle of the thirteenth century.¹⁷ Judging from the handwriting, the folios of the original cartulary are only those from fo. 4 to fo. 34, which include eighty-two documents about the possessions and privileges of the see. They begin with the record of the Inquest by David and end with the record of a settlement regarding the land of Stobo in the name of Walter Olifard, justiciar of Lothian. The oldest charter, I assume the Inquest, is probably dated to the beginning

¹⁵ G. G. Simpson and B. Webster, 'The Archives of the Medieval Church of Glasgow: An Introductory Survey', *The Bibliothek* 3 (1962), 195-6.

¹⁶ *Ibid.*, 197; A. A. M. Duncan, 'The monk and the medieval archives of Glasgow Cathedral' *IR* 49 (1998), 143: Those five original documents from the lost archives were collected by an eighteenth-century monk Dom. Villevieille and included in Bibliothèque nationale MS Français 26286. None of them, datable to the late thirteenth century, has been copied in our cartulary.

¹⁷ *Registrum Vetus Ecclesiae Cathedralis Glasguensis* (Scottish Catholic Archives [SCA], JB/1/3): The number of folios mentioned here includes two leaves at the beginning and seventeen at the end of the volume which are modern.

of the 1120s and the latest one is dated at 11 January 1242. Nevertheless most charters are not arranged by chronological order. Instead the order of documents seems to depend on principally who made the grants. It is generally said that medieval cartularies are usually arranged by subject matter relating to precise topographical areas.¹⁸ In the case of the Old Cartulary of Glasgow, however, categories of donors are likely to be more important for the arrangement of documents than lands or properties themselves. In fact, the first five folios are used almost exclusively for grant and confirmation charters by three successive kings of Scotland, followed by another five folios with documents by some lay magnates, higher ecclesiastics, and papal legates. And then, in fos. 14 to 26, the charters of general confirmation or bulls of three Popes are collected, which are followed again by some records by other high ranking donors including the bishops of Glasgow and King Alexander II. In each group, typically, the charters are arranged without regard to their relevant places. In her analysis of a similar structure of the cartulary of Rievaulx Abbey, Emilia Jamroziak suggests that the compiler, by placing the charters in a specific order relating to the benefactors, indicated whose donations mattered more than others, which expresses the establishment's perception of its social environment.¹⁹

Compared with the number of printed texts in *Registrum Episcopatus Glasguensis*, published by the Maitland and Bannatyne Clubs in 1843, it is obvious that the Old Cartulary has omitted quite a few charters.²⁰ In the period with which this research is concerned, from the Inquest to *ca* 1270, forty-two documents out of 217 are absent from the Old Cartulary. The omission of charters in the late thirteenth century is understandable, because they were probably dated after the Old Cartulary had been

¹⁸ D. Walker, 'The Organisation of Materials in Medieval Cartularies', in D. A. Bullough and R. L. Storey (eds.) *The Study of Medieval Records: Essays in honour of Kathleen Major* (Oxford, 1971), 134; T. Foulds, 'Medieval Cartularies', *Archives* 18 (1987), 7.

¹⁹ Jamroziak, *Rievaulx Abbey*, 24; Jamroziak, 'How Rievaulx Abbey Remembered', 66-7: According to Jamroziak, the cartulary of Rievaulx Abbey opens with the charters of the abbey's founding family, followed by the copies of the bishops of Durham's charters and another group of documents produced by the most important lay benefactors and their relatives or tenants. She argues that this editorial technique was commonly used in the late medieval period, but was a very unusual form for a cartulary before the fifteenth century.

²⁰ *Registrum Episcopatus Glasguensis*, 2 vols (Edinburgh, 1843), xi-xii; N. F. Shead, 'Benefactions to the Medieval Cathedral and See of Glasgow', *Innes Review* 21 (1970), 3; Duncan, 'Monk and medieval archives', 143; Simpson and Webster, 'Archives of Medieval Church', 198-200: This printed edition covers the whole period from the twelfth century to the sixteenth century, and the documents are drawn, as well as from the Old Cartulary, from some transcripts of medieval cartularies and eighteenth-century collections.

created. But it seems a little strange that some charters in the twelfth century also cannot be found in the folios of the original cartulary, especially ones which might have had huge authority and importance, such as a charter of David I which grants the church of Cadzow (no. 8 in the *Registrum*), or a general confirmation of Pope Alexander III dated March 1173 (no. 28). As Trevor Foulds warns, not all the documents were transcribed and the compilers and scribes of medieval cartularies could and did have varying degrees of selectivity in the number and type of charters transcribed.²¹ At the moment, it is difficult to prove whether those charters have been excluded because of the scribes' selection or just archival loss.

Even for the documents copied in the Old Cartulary, not all of them were collated at the same time when the cartulary was created. The number of charters mentioned in the contents-list of the cartulary apparently differs from that of documents actually contained in its body. This disparity suggests that more than seventy charters out of 175 in total were added after the list of contents was written (see Appendix 1). In the earlier folios, up to fo. 34, twenty-two charters including thirteen papal bulls and one king's *briefe* have been omitted from the contents-list. Another eight deal with transactions relating to some particular possessions. Where there are several documents relating to the same possession, for example the initial transaction and its confirmation, the contents-list characteristically records only one of them. With the brief titles of each charter which indicate only the name of the possession, it seems difficult to tell which document the list of contents exactly mentions.²² In the later folios, approximately a half of all ninety-three documents seem to have been added in afterwards; again, most consist of papal bulls, especially those dated after the 1220s. In fact, because of illegibility and extremely brief or incomplete titles, it is not evident how many charters the contents-list actually includes, and some of the titles cannot be convincingly identified with the full texts transcribed in the folios. All that can be said is that a significant number of charters, for some reason, were not initially included in the Old Cartulary. And this first, more selective cartulary of Glasgow Cathedral, which might have contained only documents mentioned in its contents-list, seems to have been lost. Some of the charters which are likely to have been omitted

²¹ Foulds, 'Medieval Cartularies', 8-9.

²² *Registrum Vetus*, fo. 1: Exceptionally the charters of agreement and king's confirmation anent the churches in Annandale have been listed in the contents with two identical, but separate titles.

from the original collation were eventually copied into the manuscript with different handwritings or distinctively irregular layouts. Despite this uncertainty in its physical make-up, considering the date of the material, it seems appropriate to use the Old Cartulary, particularly the eighty-two charters in the earlier folios, as the primary source for the transactions relating to Glasgow Cathedral in this period.²³

The Register of the Monastery of Paisley is a manuscript on paper of a small folio size, consisting of 289 leaves including some blanks and additions. Each folio typically has twenty-eight lines on each side. At the beginning, there are sixteen folios before the texts of the charters. Five are blanks, and nine folios are used for a table of contents which lists the titles of the documents up to fo. 271. The remaining two folios contain trials by the scribe. The cartulary proper begins on fo. 16 recto.²⁴ From that folio onward, 274 have Roman numerals on the right corner of the leaves, probably when the text had been completed. Amongst those numerals, 107 (CVII) has been strangely omitted. Judging from the continuity between the documents on fos. 106 and 108, however, this omission seems to be a scribal mistake in counting. Beyond those numbered folios, there are additions of two folios of documents, contemporary but not in the same hand, dated between the 1490s and 1519.²⁵ Whether by mistake or not, the scribe has left quite a few noticeable gaps between the documents.²⁶ Although some blanks seem to be deliberately made to separate two documents which have entirely different subjects or remarkable chronological gaps, why these blanks should have been left is not evident.

²³ SCA, JB/1/4; NAS, GD45/31/3; The Mitchell Library, G. 941.435 B832163 (Innes, T. ed. *Codex Civitatus Glasguensis*, Paris, 1739) ms; Glasgow University Library, Sp Coll MS Gen 1245: I have also consulted four transcripts of *Registrum Vetus*; one fifteenth-century cartulary known as *Liber Ruber* and three eighteenth-century manuscripts stored at National Archives of Scotland, the Mitchell Library of Glasgow, and Glasgow University Library respectively. The development of these transcripts, including minor variations in spelling and the order of documents, corresponds to the references in the article by Simpson and Webster. While none of them has copied the unidentified documents in fos. 41-2 of the Old Cartulary, several later documents have been included in each transcript.

²⁴ Edinburgh, National Library of Scotland [NLS], MS Adv. 34.4.14., fo. i.

²⁵ W. W. Scott, 'The Register of Paisley Abbey: A Reappraisal', in J. Malden (ed.), *The Monastery and Abbey of Paisley* (Renfrew, 2000), 150.

²⁶ Particularly many of them appear towards the end of the cartulary, as follows; blank of 20 lines at fo. 73 recto, 14 lines at fo. 146 verso, 22 lines at fo. 249 verso, 15 lines at fo. 251 recto, 28 lines (totally blank folio) at fo. 252 verso, 11 lines at fo. 253 verso, 26 lines at fo. 264 verso, 16 lines at fo. 267 verso, 13 lines at fo. 269 verso. Finally fo. 285 has three and half lines blank in the text (recto), and 20 lines blank after that same text (verso).

In terms of scribe or method of composition, there is no apparent change throughout the cartulary. This suggests that the manuscript was written consecutively from beginning to end, in a uniform character which is apparently of the earlier part of the sixteenth century, between 1505 and no later than 1530. The most likely date for the compilation is said to be the mid or late 1520s.²⁷ The cartulary must have passed into the hands of the Dundonald family when they became proprietors of the Abbey and lordship of Paisley. Any cartulary of Paisley in a more ancient shape has not been known to historians and antiquaries.²⁸ In terms of size and accuracy, in particular of the pre-1300 texts, it is argued that Paisley is the best-documented example for the tracing of the history of a non-royal Scottish abbey.²⁹

The situation of the muniments of Melrose Abbey is a little unique. Of 350 documents in our period, as many as 245 survive as contemporary single sheets. *Liber S. Marie de Melros*, edited by Bannatyne Club in 1837, consists of these 'originals' and other documents from two cartularies of the monastery. Each of them contains thirty-eight and sixty-seven charters respectively which have been lost as 'originals'. Of those cartularies, the more ancient one, though very imperfect, is preserved in the National Library of Scotland ([NLS], MS. Adv. 34. 4. 11), and consists of forty-four leaves of vellum of a small quarto size, not always in proper order. The charters, from the grant by David I down to the reign of King Alexander III, are written uniformly and at the same time, if not by one hand. Obviously this cartulary contains a lot of documents which have survived as 'originals' as well as thirty-eight other charters included in the *Liber*. But, due to the lack of a number of folios, it is impossible to find how many documents have been originally compiled in total, and how many of them have survived as 'originals'. The other and more complete cartulary is in the British Library ([BL], MS. Harley 3960). Its 119 leaves are well written and in a good state of preservation. It is of much later date, with charters down as far as the reign of King James IV.³⁰ In the printed source, the charters have been disposed, with some difficulty caused by lack of the dates, under the different kings' reigns to which they seem to belong. And afterwards they have been arranged in reference to the various areas which form their subjects.

²⁷ Scott, 'Register', 151.

²⁸ *Registrum Monasterii de Passelet* [*Pais. Reg.*] (Edinburgh, 1832), Preface vii.

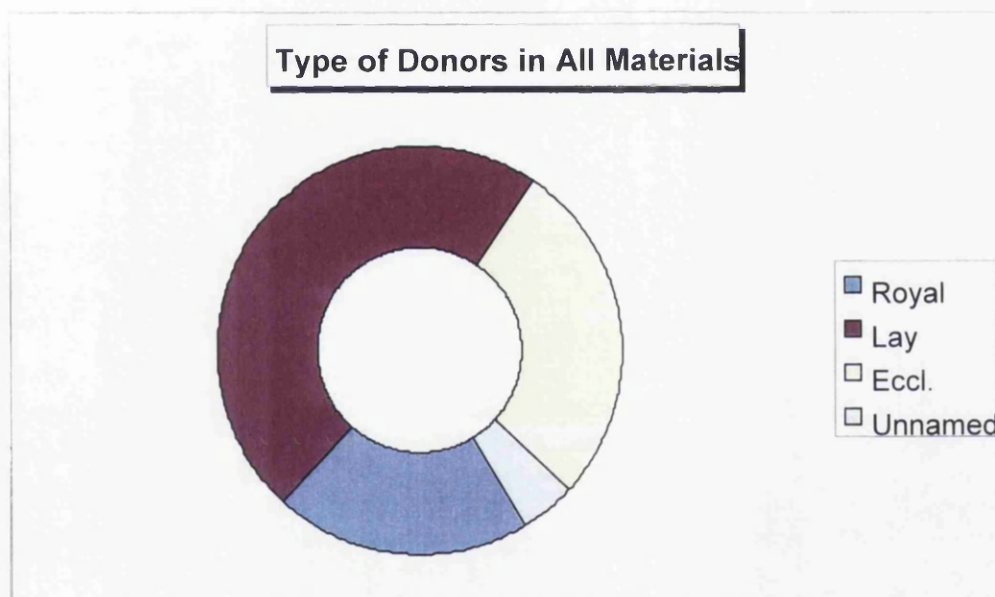
²⁹ Scott, 'The Register', 156.

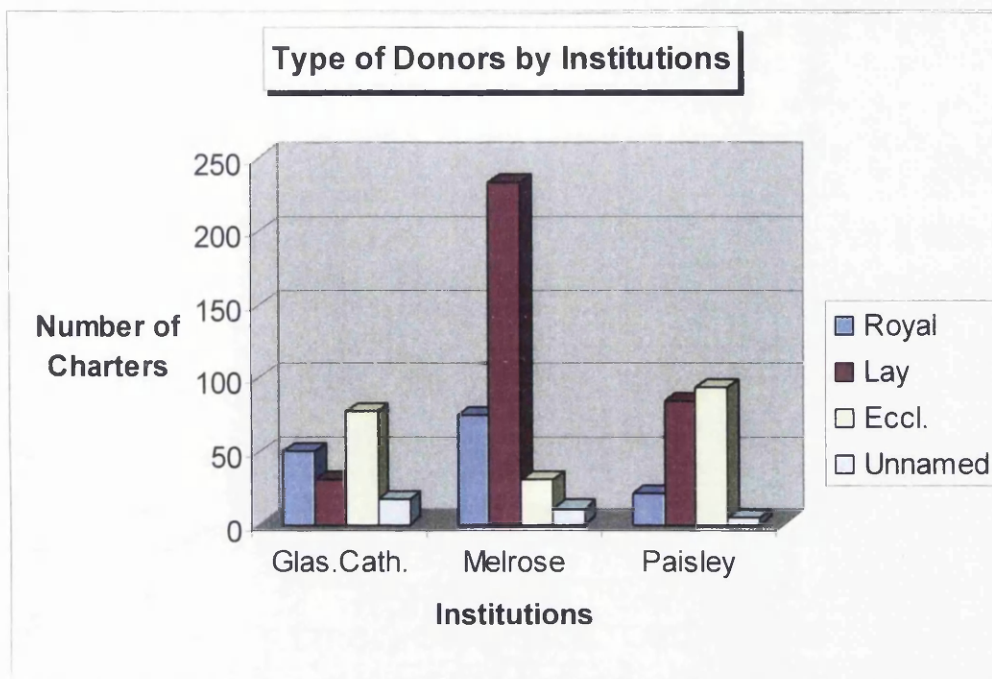
³⁰ *Liber Sancte Marie de Melros* [*Melr. Lib.*] (Edinburgh, 1837), Preface, vi.

The total number of documents in our period, which are available from those three main sources, is 728 (Glasgow Cathedral: 175, Paisley: 203, Melrose: 350). Amongst them 146 are royal acts including kings' briefs. 201, with papal bulls included, are provided by ecclesiastics. And 348 are charters of lay landholders. There is a remaining group of documents in which no particular personal name has been mentioned as an author or a drafter.

Table 1: Type of Donors

	Royal	Lay	Ecclesiastic	Unnamed
<i>Glas. Cath.</i>	50	31	77	17
<i>Melrose</i>	75	233	31	11
<i>Paisley</i>	21	84	93	5
<u>Total</u>	<u>146</u>	<u>348</u>	<u>201</u>	<u>33</u>





In terms of defining the character of these documents, Professor Barrow has offered a useful method based on their diplomatic.³¹ I have used this in order to arrange the charters into some basic categories. Charters in which the dispositive clauses consist of the formula '*dedisse, concessisse et confirmasse*' are classified as grants recording original gifts of possessions, either church, land or other property rights. Some other transactions like sale, lease and exchange are also put into this group as acts of transferring possessions. In a similar way, the use of the formula '*concessisse et confirmasse*' can be regarded as confirmation charters of original grants. Although there are a few exceptional cases, the absence of the verb, '*dare*' can be seen as evidence that the grants were not regarded as new gifts. Charters with some specific verbs such as '*quietam clamasse, renunciasse*' and '*resignavisse*', will be separated from more straightforward grants. I will classify them as quitclaims. Records of settlement of dispute between two parties on some particular issue, which include distinctive phrases like '*facta est hec conventio*', '*controversia conquievit*' or even '*inter A ex parte una et B ex altera*', form another group: agreements. In fact, many of these documents are likely to have been written following someone's quitclaims or resignations, and some of them clearly mention those transactions. But,

³¹ *Regesta Regum Scottorum* [RRS], ii, 69-70; J. Hudson, 'Legal Aspects of Scottish Charter Diplomatic in the Twelfth Century: A Comparative Approach', *Anglo-Norman Studies* 25 (2002), 124; According to Hudson, English charters have a similar pattern between types of grant and choice of dispositive verbs.

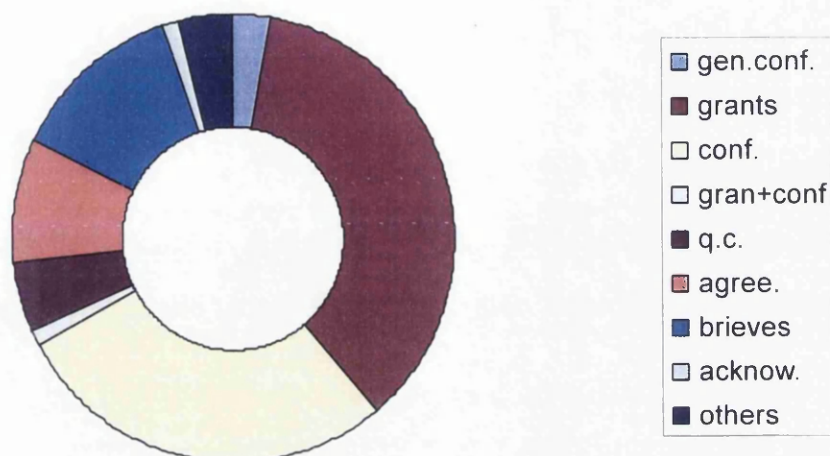
as long as documents are provided by third person(s), I would categorise them as agreements, not quitclaims. Most of the possessions transferred to the cathedral and monasteries through grants, confirmations, quitclaims and agreements are regularly listed and reconfirmed in documents issued by popes, kings, bishops, and occasionally some leading nobles. These general confirmations have been put into a different group from that of normal confirmations, most of which deal with one particular grant.

There is another category for documents concerning legal and administrative matters such as taxation or protection rather than possessions themselves. Kings' brevies and papal bulls are dominant forms in this kind of document. Some of them are letters or commands addressed to specific persons or offices, to guarantee the see or abbacy some certain rights or liberty, typically other than individual properties. Unlike charters anent transfer or distribution of possessions, these brevies could offer evidence as to how the authorities and their law, whether secular or ecclesiastic, administered contemporary society. Finally, all other documents which have no direct reference to either possessions or jurisdictions in the diocese form the last group of classification. The charters of foundation, election and some general instructions about Christianity or monastic orders are included in this group. Most of the documents can be divided into each suitable category quite straightforwardly. However there are a couple of complicated cases in which the donors seem to have made several transactions in one charter or to have just recorded their own or other's transactions which had been made or will be made. I have listed separately such documents as 'grant + confirmation' and 'acknowledgment' respectively.

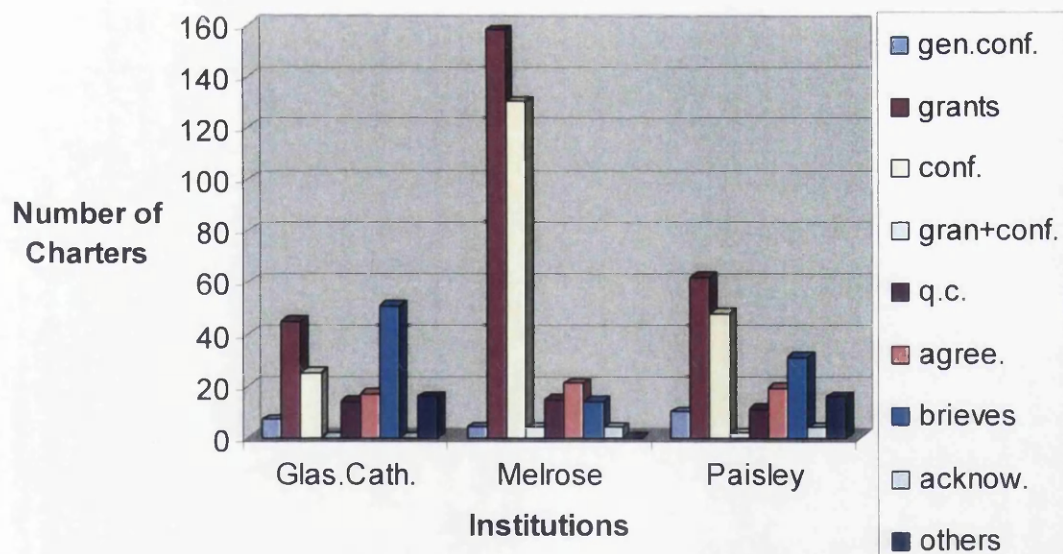
Table 2: Type of Documents

	gen. conf.	grants	conf.	grants + conf.	q. c.	agreement	brevies	acknow.	others
<i>Glas. Cath.</i>	7	45	25	0	14	17	51	0	16
<i>Melrose</i>	4	158	130	4	15	21	14	4	0
<i>Paisley</i>	10	62	48	2	11	19	35	4	12
<u>Total</u>	<u>21</u>	<u>265</u>	<u>203</u>	<u>6</u>	<u>40</u>	<u>57</u>	<u>100</u>	<u>8</u>	<u>28</u>

Type of Documents in All Materials



Type of Documents by The Institutions



To give a further picture of archival characteristics of those three sources, I am going to investigate the chronological and topographical distribution of the charters. First I divide the charters into some distinctive periods: the reigns of the successive Scottish kings. Except for papal bulls and some records of agreements or acknowledgement, most of the charters have no reference to their date of issue. But,

by relying on the relatively limited dates which The Syllabus of Scottish Cartularies has given, it seems possible to arrange each document into a particular king's reign.³² As the table shows (see the end of this section), the vast majority of charters belong to the times of William I and Alexander II, from around the last quarter of the twelfth century to the middle of the thirteenth century. It is obvious that a large increase of non-royal charters by lay landholders in the cartularies of Paisley and Melrose, which overwhelmingly surpasses the number of royal ones, causes this remarkable change from the earlier period, although that is not the case with Glasgow Cathedral.

Next I take a look at the geographical aspect of charters, focusing on place-names mentioned in grants, confirmations, quitclaims, and agreements. The diocese of Glasgow mainly corresponds to the south-western part of Scotland, called Scottish Cumbria. The whole territory was made up of large compact lordships to which both royal and papal documents in the twelfth century refer by some specific terms such as '*singulis Cumbrie provinciis*' and '*parte et parochie*'.³³ Most of them possessed obvious divisions, physically or geographically, with 'natural boundaries' of river valleys or the sea. Also they have strikingly close correspondences to the earliest ecclesiastical divisions: the deaneries.³⁴ In his discussion of the Inquest by King David I, Barrow has named some of these territorial units and successfully divided the diocese into several provinces.³⁵ Based on him again, I have geographically defined some provinces in and around the diocese with which our three cartularies are concerned.

In the central part, there are three divisions: the Glasgow area including the abbey of Paisley, Upper Clydesdale, and Tweeddale. They correspond to the deaneries of Rutherglen, Lanark, and Peebles respectively. The eastern part consists of two divisions: Teviotdale including the abbey of Melrose and the south-eastern area of the diocese of St Andrews including possessions such as Berwick and Loquhariot. The southern part facing the Solway has been divided into two by the River Annan: a

³² The syllabus of Glasgow Cathedral and Paisley Abbey are available online: <http://www.arts.gla.ac.uk/scottishstudies/charters/index.htm>. As for Melrose, I follow the disposition in the *Liber*.

³³ *Glas. Reg.*, nos. 1, 51, 57, 62.

³⁴ G. W. S. Barrow, 'The pattern of lordship and feudal settlement in Cumbria', *Journal of Medieval History* 1 (1975), 126-7.

³⁵ G. W. S. Barrow (ed.), *The Charters of King David I [ChDI]* (Woodbridge, 1999), 61.

province which consists of Annan and Esk deaneries and another corresponding to Nith and Desnes deaneries. Finally the western part has three divisions: the Lennox, lying north of the Clyde, Ayr consisting of the three regions in the west coast which correspond to Cunningham, Kyle and Carrick deaneries, and some parts of Argyll, namely Glassary, Knapdale, and Kintyre.

These classifications and arrangement of the charters based on author, type, date and geography show us some distinctive patterns in the archival character of our main sources. In terms of the donors, the numbers in the section of Glasgow Cathedral look relatively balanced, although the charters in the name of lay landholders seems to be a little less than the other two categories. Compared with this, the small number of royal acts in Paisley, just a tenth of the total, is quite remarkable. So is the huge gap between the numbers of ecclesiastic and lay charters in Melrose. Particularly Melrose's absence of papal bulls is striking. For Melrose, popes seem to issue neither general confirmations nor instructions to the house but just a couple of records of agreement and individual confirmations.³⁶ That causes the lack of general confirmation and documents classified as 'others' in the cartulary. On the other hand, Glasgow Cathedral has another noticeable gap between the numbers of grants and confirmations, especially in the earlier folios. And generally, all three cartularies contain more agreements than quitclaims by a relatively large difference. It is also found in the tables that no agreement, quitclaim, and acknowledgment charters appear until the reign of William I.

As for the geographical distribution, these three cartularies have their own main areas of transactions where more charters concerning grants, confirmations, agreements and quitclaims were produced or survive. These areas would be expected to correspond to the domain of each institution. And some actually do as following; the Glasgow area for the Cathedral and Paisley, Tweeddale for Glasgow Cathedral, Teviotdale and East for Melrose, Ayr for Paisley and Melrose, Lennox and Argyll for Paisley. Also, for each cartulary, there is an obvious absence of documents in particular areas. Paisley cartulary has no charter concerning most areas between the central and southern parts of the diocese. Neither does Melrose regarding the

³⁶ *Melr. Lib.*, nos. 15, 124, 187, 247, 271.

possessions in the Lennox and Argyll. And Glasgow Cathedral's Old Cartulary has no reference to any specific transaction in Argyll, but one king's brieve which provides burgesses and bishop's men in Glasgow with protection in that area.³⁷

However, no matter what patterns may appear in the tables, it should be noted that these cartularies might not have compiled all existing charters. Some charters might have been simply lost and others, as I have quoted T. Foulds, might have been deliberately omitted by the editorial decisions of scribes or compilers. In any monastery's archives, it has been argued, there are at least a few documents that were not compiled into their cartularies, and the surviving ones are only a residual part of what was produced.³⁸ The causes of losses are numerous; from external ones such as war, plunder, and accidental fire, to internal ones like bad conservation practice and deliberate alteration in the archives.³⁹ Therefore, if there is a gap or an absence in some parts in the tables, it does not necessarily mean those charters have never existed.

Dauvit Broun has analysed the poor survival rate of brieves issued by King David I and Malcolm IV, which by their nature seems much less likely to have been kept and copied.⁴⁰ He suggests that the total loss of those earlier documents in the cartularies of Melrose and Glasgow Cathedral might have been caused by their early archives which were probably not maintained effectively until sometime in the thirteenth century.⁴¹ So it seems safe not to conclude that the two kings in the earlier period issued only such a small number of acts concerning the see and Melrose as the table suggests. Even in the case of Paisley, founded in Malcolm IV's reign, there is a lot of possibility that more royal acts had been actually provided to the house during the

³⁷ *Glas. Reg.*, no. 183.

³⁸ C. B. Bouchard, 'Monastic Cartularies: Organizing Eternity', in A. J. Kosto and A. Winroth (eds.), *Charters, Cartularies, and Archives: The preservation and Transmission of Documents in the Medieval West* (Toronto, 2002), 25; L. Morelle, 'The Metamorphosis of Three Monastic Charter Collections in the eleventh century (Saint-Amand, Saint-Riquier, Montier-en-Der)', in K. Heidecker (ed.), *Charters and the use of the Written Word in Medieval Society* (Turnhout, 2000), 171.

³⁹ *Ibid.*, 172, 181: Importantly not all of the charters were necessarily kept in the same place. If some particular charters were kept separately, as L. Morelle points out, those documents might have escaped the cartularist.

⁴⁰ D. Broun, 'The Adoption of Brieves in Scotland', in M. T. Flanagan and J. A. Green (eds.), *Charters and Charter Scholarship in Britain and Ireland* (Basingstoke, 2005), 166.

⁴¹ *Ibid.*, 170-1.

twelfth century, and have been lost before the cartulary was made about three and a half centuries later.

Also the available evidence shows that the survival rate for the originals of private charters was not the same as those for the originals of royal documents, and that more charters to lay individuals have undoubtedly disappeared than charters to the church.⁴² If the archivists of our three institutions had shown less interest in charters issued to or on behalf of the laity, it would be no wonder they did not keep all of them in their cartularies. Those omissions of lay-related documents could have affected the total number of grants, confirmations, and quitclaims, even acknowledgements, which appears in the tables. Thus, though the number of confirmation charters and quitclaims by the laity looks quite small, especially in the earlier folios of Glasgow Cathedral's cartulary, we should recognise the extent of loss of private charters in medieval archives before assuming that laymen made less use of written titles for their transactions.⁴³ Unfortunately, even with the narratives of confirmations and agreements considered, it is not necessarily clear whether more private charters of individual grants or quitclaims had ever been produced before them, as later documents typically need not have had a reference to earlier relevant charters for each and every item.⁴⁴ Moreover cartularists generally included more agreements in the cartularies than quitclaims, surely because final concords were, as a class of documents, treated with greater respect in the disputable case.⁴⁵ Simple preference also could result in the difference between numbers of each type of documents.

Admittedly it is problematic that our surviving evidence, to some extent, has been distorted by its archival history. And presumably, there is no reliable method to distinguish between absent charters because of loss and those because of non-existence. Nevertheless we do not have to dismiss every single possible pattern about our charter evidence and the archival characteristics as dubious or unconvincing. For example, the huge gaps of royal acts and papal bulls between our cartularies seems

⁴² G. Declercq, 'Originals and Cartularies: The Organizations of Archival Memory (Ninth- Eleventh Centuries)', in Heidecker, *Charters and the Use of the Written Word*, 149; D. Broun, *The Charters of Gaelic Scotland and Ireland in the Early and Central Middle Ages* (Cambridge, 1995), 7.

⁴³ Broun, *Charters of Gaelic Scotland*, 9; K. J. Stringer, *Earl David of Huntingdon, 1152-1219: a study in Anglo-Scottish history* (Edinburgh, 1985), 153.

⁴⁴ Broun, 'Adoption of Brieves', 169.

⁴⁵ Walker, 'Organisation of Materials', 135.

not so much the result of losses as the difference of character in each institution, between cathedral and monasteries, or royal and non-royal foundation. In addition, the absence of general confirmations in the case of Melrose might be another point worth considering in its political context rather than archival one. As I have mentioned already, most of Melrose's charters have survived as 'original' single sheets. This good preservation could allow us to think that the absent documents in Melrose's data are more likely never to have existed rather than to have been lost. In the cases with Glasgow Cathedral and Paisley Abbey, for which only later cartularies are available, there is no room for such possible assessments.

On the other hand, our data concerning the geographical distribution of possessions have been probably less affected by documentary survival. For, as long as cartularies are compiled to keep the title deeds of a bishop's or abbot's properties and liberties, cartularists are unlikely to fail to copy any record for possessions which have been granted. Even though some individual charters of each transaction could have been lost or omitted, any other form of documents, general confirmation(s) for example, must have been carefully archived as the evidence of ownership. Therefore the topographical patterns of properties which I have discussed above are likely to reflect the actual distributions of those which belonged to each institution.

Table 3: Charters according to kings' reign

David I (c. 1120- 1153)
[TOTAL: 13]

Donors

	Glas.Cath.<to fo.34>	Paisley	Melrose
royal	8 <6>		1
lay			1
eccl.	2 <2>	1	
unnamed			
Total	10 <8>	1	2

Character

	Glas.Cath.<to fo.34>	Paisley	Melrose
gen.conf.	1 <1>		
grants	9 <7>		1
conf.			1
others		1	
Total	10 <8>	1	2

Malcolm IV (1153- 1165)
[TOTAL: 20]

Donors

	Glas.Cath.<to fo.34>	Paisley	Melrose
royal	4 <3>	1	5
lay	1 <1>	1	4
eccl.			1
unnamed			
Total	5 <4>	2	10

Character

	Glas.Cath.<to fo.34>	Paisley	Melrose
grants	3 <3>		5
conf.		1	4
briefes	2 <1>		
grant+			1
others		1	
Total	5 <4>	2	10

William (1165- 1214)
[TOTAL: 301]

Donors

	Glas.Cath.<to fo.34>	Paisley	Melrose
royal	21 <11>	8	36
lay	16 <10>	24	105
eccl.	36 <34>	26	17
unnamed	9 <6>		5
Total	82 <61>	58	163

Character

	Glas.Cath.<to fo.34>	Paisley	Melrose
gen.conf.	5 <5>	5	0
grants	20 <16>	25	80
conf.	15 <9>	18	62
q.c.	3 <1>	1	3
agree.	9 <6>	1	14
briefes	18 <13>	3	2
grant+	0 <0>	1	1
acknow.	0 <0>	0	0
others	12 <11>	4	1
Total	82 <61>	58	163

Alexander II (1214- 1249)
[TOTAL: 308]

Donors

	<i>Glas.Cath.<to fo.34></i>	<i>Paisley</i>	<i>Melrose</i>
royal	15 <3>	11	35
lay	12 <2>	47	85
eccl.	35 <1>	37	13
unnamed	7 <3>	5	3
Total	69 <9>	100	136

Character

	<i>Glas.Cath.<to fo.34></i>	<i>Paisley</i>	<i>Melrose</i>
gen.conf.	1 <0>	3	1
grants	12 <2>	32	58
conf.	8 <2>	18	41
q.c.	10 <1>	7	12
agree.	10 <3>	16	12
briefes	25 <1>	15	3
grant+	0 <0>	1	1
acknow.	0 <0>	4	8
others	3 <0>	4	0
Total	69 <9>	100	136

Alexander III (1249- 1286)
[TOTAL: 93]

Donors

	<i>Glas.Cath.<to fo.34></i>	<i>Paisley</i>	<i>Melrose</i>
royal	2	1	7
lay	2	13	27
eccl.	5	28	2
unnamed	0	0	3
Total	9	42	39

Character

	<i>Glas.Cath.<to fo.34></i>	<i>Paisley</i>	<i>Melrose</i>
gen.conf.	0	2	0
grants	2	5	15
conf.	2	11	10
q.c.	0	3	2
agree.	0	2	5
briefes	4	17	3
grant+	0	0	1
acknow.	0	0	3
others	1	2	0
Total	9	42	39

Table 4: Charters and geographical divisions in the diocese
(appearance in grants, conf., q.c., and agreements)

[central]

	<i>Glasgow area</i>	<i>UpClyde</i>	<i>Tweed</i>
<i>Gla.Cath.</i>	23 <15>	4 <3>	24 <8>
<i>Paisley</i>	53		
<i>Melrose</i>	3	1	5
Total	79	5	29

[east]

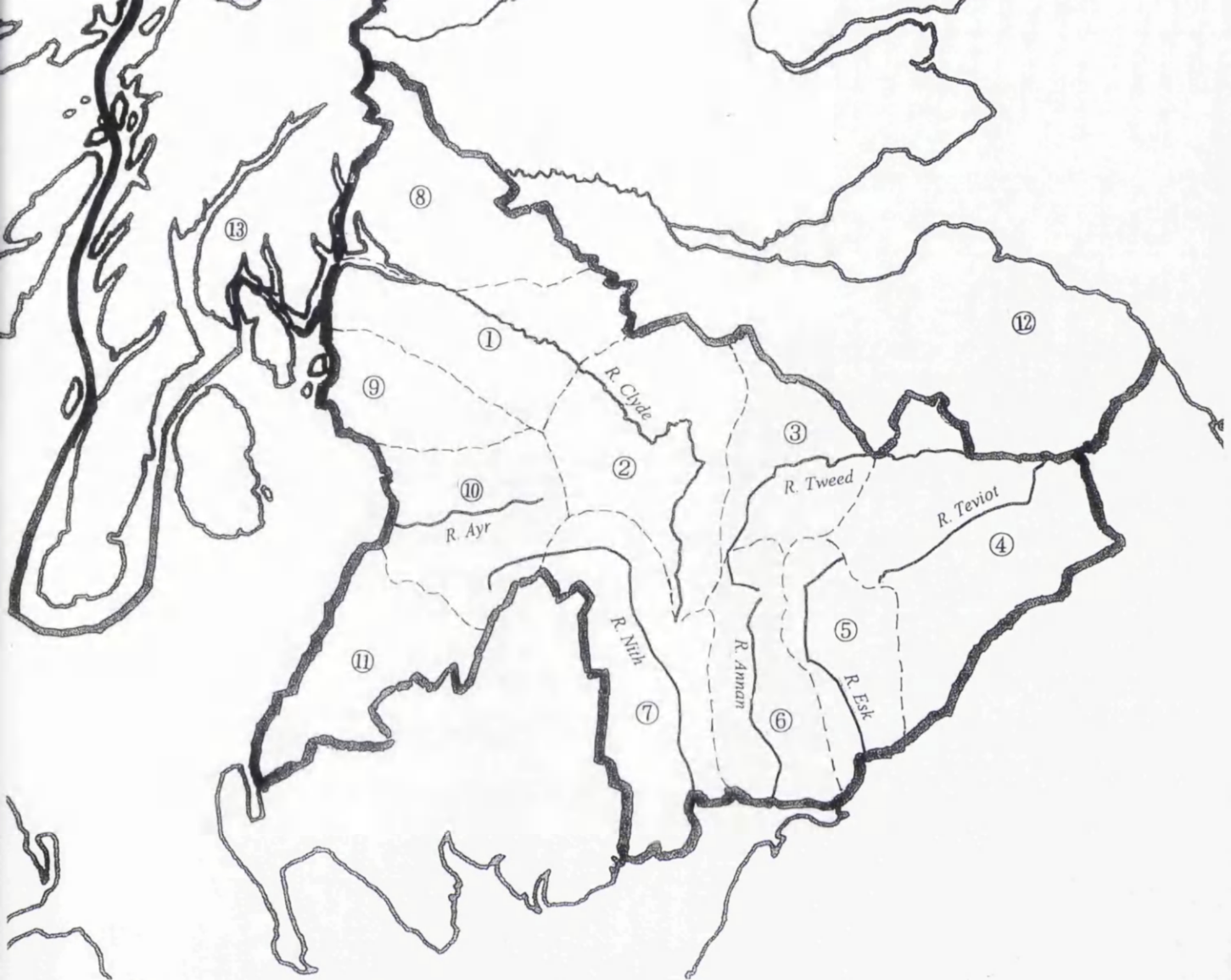
	<i>Teviot</i>	<i>East (dioc.of St A.)</i>
<i>Gla.Cath.</i>	11 <4>	1 <1>
<i>Paisley</i>		18
<i>Melrose</i>	177	83
Total	188	102

[south]

	<i>Esk. & Annan.</i>	<i>Nith. & Desnes.</i>
<i>Gla.Cath.</i>	14 <6>	7
<i>Paisley</i>		
<i>Melrose</i>	9	14
Total	23	21

[west]

	<i>Ayr</i>	<i>Lennox</i>	<i>Argyll</i>
<i>Gla.Cath.</i>	5 <1>	6 <3>	
<i>Paisley</i>	23	43	22
<i>Melrose</i>	41		
Total	69	49	22



Map 1: Geographical divisions

- ①. Glasgow area (Glasgow Cathedral / Paisley Abbey)
- ②. Upper Clydesdale
- ③. Tweeddale
- ④. Teviotdale (Melrose Abbey)
- ⑤. Eskdale
- ⑥. Annandale
- ⑦. Nithsdale and Desnes
- ⑧. The Lennox
- ⑨. Cunningham
- ⑩. Kyle
- ⑪. Carrick
- ⑫. East Lothian
- ⑬. Argyll



Chapter One: Church as a part of Social Networks

In medieval society where co-existence of God and man, of the spiritual and the material world, was the fundamental principle, the church took a position as intercessor between them. Particularly after the reform and expansion of Benedictine monasticism in the early eleventh century, its reputation for piety and purity was rapidly secured.¹ Despite this fact, the medieval church was hardly separated from lay society. Rather, throughout our period, clergies maintained close association with lay people, from kings to their magnates, even some lesser nobles. And both parties developed kinds of network through their frequent exchanges. In the late eleventh and early twelfth century, Scotland, like other parts of Latin Christendom, experienced the reconstruction of the church, which was undertaken enthusiastically and purposefully by the members of the royal house. Although they had genuinely pious motives for it, they were also undoubtedly aware of the social impact and benefits that the reform could cause.² Arguably this was a quite common situation throughout Western Europe.

This chapter will explore this interrelationship between major ecclesiastical institutions like cathedrals or monasteries and secular authorities of several social ranks. It aims to find out how they got involved together, what they expected from each other, and how their networks subsequently operated and grew in medieval society. In addition to the situation in Scotland, I will mention some general patterns found in other districts in Britain or Europe with reference to recent studies, which will help the following analysis of individual evidence in the Glasgow diocese.

Reorganisation of the diocese

In the opening pages of his book, *The Making of Europe*, Robert Bartlett has defined the bishoprics of the medieval church as a natural as well as a convenient unit of measurement of Christendom. Although they were very different in sizes, terrain and social composition, these units uniformly recognised the authority of the papacy,

¹ R. Oram, 'Prayer, Property, and Profit: Scottish monasteries, c. 1100 - c. 1300', in S. Foster, A. MacInnes, and R. MacInnes (eds.), *Scottish Power Centres: from the early Middle Ages to the twentieth century* (Glasgow, 1998), 80; L. J. R. Milis, *Angelic Monks and Earthly Men: Monasticism and its Meaning to Medieval Society* (Woodbridge, 1992), 8.

² Oram, 'Prayer', 82.

celebrated the Latin liturgy, and had the internal structure and the legal status which were standard through the wide extent of the western Church.³ Many of the oldest bishoprics were rooted in the cities of Roman origin, and there were bishops who had been recognised as successors to the magistrates of classical Rome. Each of them usually built his church, a cathedral, which expressed not only the glory of God but also episcopal prestige and power over his diocese.⁴ After the Carolingian Empire had crumbled, the co-dependency between bishop and monarch became a common ideology in most parts of Europe. There is a lot of evidence suggesting their symbiotic relationship around the year 1000. The kings and emperors heavily relied upon bishops for political and legal advice or support to administer their kingdom. Particularly the bishops' role of lawgiving was most important for establishing the rulers' authority and well-ordered society.⁵ Bishops, in return, often depended on these secular monarchs for their appointments and protection of church. Rulers were deeply involved in selecting bishops in several dioceses within their domain.⁶

As well as main figures of the governmental body, the bishops had specialised functions as exponents of ritual and setters of norms in a Christian society. By the mid-tenth century, the ecclesiastical hierarchies of several kingdoms took over the conduct of a major part of the inauguration rituals.⁷ Especially the rite of royal anointing and coronation came to be regarded, not only by clerics but also by the candidates themselves, as indispensable to king-making.⁸ These acts of consecration bestowed the power of divine authority on the king and also made him subject to God's law which strengthened the ruler's responsibility for his people's salvation and church's peace.⁹ Also in a temporal sense, bishops were one of the most powerful magnates of the hierarchy of regional secular authority because of their own

³ Bartlett, *Making of Europe*, 5-6.

⁴ G. Duby, *France in the Middle Age 987-1460: from Hugh Capet to Joan of Arc* (Oxford, 1991), 4.

⁵ G. Austin, 'Bishops and Religious Law, 900-1050', in J. S. Ott and A. T. Jones (eds.), *The Bishop Reformed: Studies of Episcopal Power and Culture in the Central Middle Ages* (Aldershot, 2007), 42; R. R. Trilling, 'Sovereignty and Social Order: Archbishop Wulfstan and the *Institutes of Polity*', in *Bishop Reformed*, 61, 66.

⁶ A. T. Jones, 'Lay Magnates, Religious Houses, and the Role of the Bishop in Aquitaine', in *Bishop Reformed*, 23-4.

⁷ J. L. Nelson, 'Inauguration Rituals', in P. H. Sawyer and I. N. Wood (eds.), *Early Medieval Kingship* (Leeds, 1977), 54.

⁸ J. L. Nelson, *Politics and Ritual in Early Medieval Europe* (London, 1986), 248.

⁹ Trilling, 'Sovereignty', 68: In England, as a rule, kings were not consecrated in the early Anglo-Saxon period. However, after King Edgar's elaborate coronation at Bath in 973, consecration became a regular part of confirming royal succession.

considerable amounts of land and jurisdiction.¹⁰ As a result, kings or princes were accustomed to keep in touch with cathedrals out of their political and tenurial interest as well as religious motivation. For example, in some cities in northern Italy and Tuscany, kings officially conferred comital authority on bishoprics hoping to use them as a local base for royal authority. Also in eleventh-century-Normandy, the synodal assembly was usually summoned by the duke. The bishops, the metropolitan and his suffragans discussed various matters concerning the duchy as a whole in the duke's presence as the arbiter.¹¹ In some sense, therefore, the monarch and bishop acted as guarantors of the law and justice, guardians of the Christian people, and representatives of the realm as a whole.¹² They seem to have shared these functions through their governmental and ritual meetings.

In Scotland, where Irish influence remained strong until the twelfth century, the origin of bishops' sees is generally obscure. Some appear briefly and vanish and others may have been without a bishop for a long time.¹³ Though a few bishops could probably have had a leading role within the kingdom by the tenth century, the Scottish church, with little or no contact with the papacy, took an irregular and unsteady position in the Roman Catholic organisation, and, in the time of Queen Margaret, was unlikely to have had anything which could be called a diocesan system.¹⁴ The situation was to change significantly under the twelfth-century kings, especially David I. Even though it is difficult to know how many bishoprics were actually founded or revived by him, as many as thirteen dioceses had been established by the

¹⁰ R. Oram, 'Prelatical Builders: A Preliminary Study, c. 1124-c. 1500', in R. Oram and G. Stell (eds.), *Lordship and Architecture* (Edinburgh, 2005), 2.

¹¹ D. Foote, *Lordship, Reform, and the Development of Civil Society in Medieval Italy: the bishopric of Orvieto, 1100-1250* (Notre Dame, 2004); R. Foreville, 'The Synod of the Province of Rouen in the eleventh and twelfth century', in C. N. L. Brooke, D. E. Luscombe, G. H. Martin and D. Owen (eds.), *Church and Government in the Middle Ages* (Cambridge, 1976), 33; R. H. C. Davis and M. Chibnall (eds.), *The Gesta Guillelmi of William of Poitiers* (Oxford, 1998), 82-3.

¹² Nelson, 'Inauguration Rituals', 62.

¹³ A. A. M. Duncan, *Scotland: The Making of the Kingdom* (Edinburgh, 1975), 104.

¹⁴ Duncan, *Kingship*, 15, 83; T. O. Clancy, 'King-Making and Images of Kingship in Medieval Gaelic Literature', in R. Welander, D. J. Breeze and T. O. Clancy (eds.), *The Stone of Destiny: artefact and icon* (Edinburgh, 2003), 102-3: According to the tenth-century Latin text, in c.906, King Constantin and Cellach, the bishop of St Andrews, were present on the Hill of Faith near Scone and swore to preserve the laws, disciplines and the rights of church. This can be seen as the symbolic moment of the creation of kingdom and the sort of emphasis on helpful interaction of church and state; D. Broun, *Scottish Independence and The Idea of Britain: From The Picts to Alexander III* (Edinburgh, 2007), 109; Barrow, *Kingdom*, 172-3: It remains uncertain whether the queen wished to reform the episcopate. But Barrow suggests that her approach to Canterbury could be evidence of her concern with the issue which would have been inherited by her sons in the later period.

end of the century, and ten of these were recognised by Rome as constituting the *Ecclesiae Scoticana*.¹⁵ Many bishoprics owed their origin to the existence of earlier mother-churches. As for the case of Glasgow diocese, which is relatively well documented, the definitive religious centre of the region, the former Brittonic kingdom of Strathclyde or Cumbria, had been originally the church of Govan. However, after the elevation of Glasgow in 1114 × 1118 to the seat of a bishop, most ceremonial and administrative functions shifted eastward.¹⁶ And then, it is said that the church of Glasgow was rebuilt, under David I and his bishops, on the model of their longer-established counterparts in Norman England or northern France, such as the secular cathedrals of Bayeux, York, Lincoln, and Salisbury.¹⁷

As a conflict over election of the bishopric of St Andrews between 1178 and 1188 suggests, the kings of Scots, like other rulers in medieval Europe, took an initiative in the appointment of their bishops. In 1178 year, after the death of Bishop Richard, John ‘the Scot’ was elected by Augustinian canons of the cathedral priory of St Andrews without consulting the king. Following the election of John, Hugh, a royal chaplain, was nominated by King William and secured consecration by some Scottish bishops at St Andrews later the same year.¹⁸ John appealed to the Pope against the intrusion of Hugh and obtained an annulment of Hugh’s appointment and confirmation of his own election.¹⁹ Hugh, in response, went off to plead his cause at Rome. Compromises were arranged at a council in Scotland held by the king with two papal legates and then at the curia between the two litigants, which led to John’s transfer to the see of Dunkeld and the appointment of Hugh as the bishop of St Andrews.²⁰ Considering that the canons were undoubtedly inspired by the spread of Gregorian ideas favouring free canonical election of prelates and that the king reacted to the ‘St Andrews’ party’ so furiously, it is likely that, in Scotland, the king usually had his own candidate for the see, and allowed him to be elected with the royal

¹⁵ P. G. B. McNeill, H. L. MacQueen (eds.), *An Atlas of Scottish History to 1707* (Edinburgh, 1996), 336: However none of these ten bishops was recognised as archbishop or metropolitan.

¹⁶ A. Macquarrie, *The Saints of Scotland: Essays in Scottish Church History A D 450- 1093* (Edinburgh, 1997), 133-9; N. F. Shead, ‘The Origins of the Medieval Diocese of Glasgow’, *SHR* 47 (1969), 221; S. T. Driscoll, ‘Church archaeology in Glasgow and the kingdom of Strathclyde’, *IR* 49 (1998), 114.

¹⁷ Barrow, *Kingdom*, 210.

¹⁸ *Fasti Ecclesiae Scoticanae*, 378-9.

¹⁹ *Scotia Pontificia*, no. 90.

²⁰ *Ibid.*, nos. 100-1, 121.

assent.²¹ Unlike other medieval kingdoms, however, there was neither anointing nor coronation in the inauguration of the Scottish kings until 1331. Despite the close association between the bishop and king, the royal rite of inauguration in Scotland was largely secular in our period.²²

It might hardly be unexpected that these reorganised bishoprics, such as Glasgow and St Andrews, consistently denied the subjection to the archbishops of Canterbury and York who had long claimed the metropolitan rights over bishops in Scotland.²³ After a long dispute, Scottish dioceses were finally granted the special protection of the papacy against any archiepiscopal jurisdiction. Glasgow became the first bishopric to obtain this privilege; being made a 'special daughter of the Roman Church with no-one coming in between', by the bull of Pope Alexander III, sometime early in 1175.²⁴ In this context, obviously, both kings and bishops saw the common interest in the ecclesiastical liberty to the kingdom, and firmly cooperated to oppose their English counterparts and, when necessary, popes. On the other hand, dioceses like Galloway, Orkney and the Isles were not subject to the Scottish church in this period, but to the archbishops of York and Trondheim respectively, because of their closer political links to the church or kingship of England and Norway than that of Scotland.²⁵ These facts suggest that the presence of neighbouring secular power, especially kingship, characteristically had an important influence on either its foundation or jurisdiction of each diocese.

Even if every attempt was not successful, it is certain that the setting-up of dioceses contributed to the definition and expansion of the domain of the Scottish church. Presumably this was also the case with the domain of the kingdom itself. Some new bishoprics in the north and west such as Morray, Ross, Caithness, and Argyll were established, using the boundaries of secular lordships, as the twelfth-century Scottish kings and their subjects extended their control into the regions. Arguably, it was the king's strategic motivation to give these frontier provinces a

²¹ *RRS*, ii, 9.

²² A. A. M. Duncan, 'Before Coronation: Making a King at Scone in the Thirteenth Century', in *Stone of Destiny*, 139; Duncan, *Scotland*, 557-8.

²³ *Ibid.*, 258.

²⁴ Broun, *Scottish Independence*, 130, 138.

²⁵ Duncan, *Scotland*, 275; R. Oram, 'In Obedience and Reverence: Whithorn and York, c.1128- c.1250', *IR* 42 (1991), 92.

powerful ecclesiastical authority which could also act as the agent of the royal government.²⁶ To sum up, building or rebuilding of the diocesan system was nothing but the work of coordination by the kings and bishops who enthusiastically sought to consolidate the kingdom both physically and spiritually. Association of such dominant figures, two of the highest in the medieval socio-political hierarchy, could be the most remarkable case of correlation between religious institution and secular power. But, as distinct from their jurisdiction and authority, bishops and their cathedral clergies might have had much more contact, positive or negative, with lay society as a whole. That should be a sound premise to the further investigation of Glasgow Cathedral's privileges in the next chapter.

Appropriation of the parish church

The diocese comprised parishes, another basic unit of ecclesiastical organisation. Before the parish system, in either Scotland or England, there was an older structure, centred on a mother-church or minster which had subordinate chapels and a collegiate body of clergy to serve a much wider area.²⁷ But in the twelfth century, following continental practice, the new framework of independent churches responsible for much smaller units, the parishes, gradually emerged. In Scotland, the term *parochia* was originally applied to an area within episcopal authority, especially in the case of Glasgow. Over the twelfth century, its use is characterised by a lack of precision and it was not until the thirteenth century that the term *parochia* became commonplace to denote a particular area covered by the jurisdiction of a baptismal church.²⁸ By 1300, or a couple of decades earlier in England, the whole country came to be divided into parishes whose boundaries and number were to remain virtually unchanged till the nineteenth century.²⁹

Though the initiative for this reform probably came from king or bishop, its development and expansion owed much to the desire or need of lay landholders who built proprietary churches on their own estates for the service in the immediate

²⁶ Barrow, *Kingship and Unity*, 68.

²⁷ I. B. Cowan, *The Medieval Church in Scotland* (Edinburgh, 1995), 2.

²⁸ *Ibid.*, 1, 30-1.

²⁹ *Atlas of Scottish History*, 347; B. Golding, 'The Church and Christian life', in B. Harvey (ed.), *The Twelfth and Thirteenth Centuries: 1066- c.1280* (Oxford, 2001), 139.

locality.³⁰ Many of them, whether tenant-in-chiefs or their vassals, had recently acquired new estates through infeftment. For these newcomers, erection of a church, like that of a castle or burgh, was a matter of deliberate policy for the sake of their settlement and lordship.³¹ They assumed the patronage of that church, appointed a resident priest, and moreover endowed it with, as well as the ploughgate, definite dues from their estate: teinds. Undoubtedly the boundaries and jurisdictions of each parochial unit were created through these arrangements by lay lordships. Thus it is not a coincidence that, in particular areas of eastern and southern Scotland, parochial limits corresponded to the boundaries of secular territorial units such as fief and vill.³²

Under this widespread system, local people effectively adopted Christian life. To quote Susan Reynolds, lay society was itself Christian.³³ She has also suggested that common access and submission to a single church and its priest must have promoted some degree of communal sense amongst people living inside the parish.³⁴ In fact, by the thirteenth century, many parishes formed very effective communities, probably through, not only religious meetings, but also administrative and legal issues in the locality, such as protection of the church or collection of tithes. The appropriation of a parish church was a major occasion in which other ecclesiastical institutions like a cathedral or monasteries got involved in these local communities.

The practice of appropriation originated in the continent. Before the eleventh century, the organisation of the church was largely under the ownership of founding lay landholders, as has already been mentioned in the last page. However, being frequently condemned for the holding of ecclesiastical benefices, the laity came to relinquish their churches to some ecclesiastical corporation or to a bishop. From at least the ninth century, this general pattern began to be discernible and eventually

³⁰ T. Tatton-Brown, 'The Churches of Canterbury Diocese in the Eleventh Century', in J. Blair (ed.), *Minsters and Parish Churches: The Local Church in Transition, 950 – 1200* (Oxford, 1988), 105, 111; C. J. Bond, 'Church and Parish in Norman Worcestershire', in Blair, *Minsters*, 134: Archbishop Lanfranc of Canterbury and bishop Wulfstan of Worcester were responsible for a substantial programme of parish creation in Kent; S. Reynolds, *Kingdoms and Communities in Western Europe* (Oxford, 1997), 6.

³¹ Cowan, *Medieval Church*, 7; Foote, *Lordship*, 37.

³² Duncan, *Scotland*, 298; Cowan, *Medieval Church*, 7-8: However certain parishes in Tweeddale and Teviotdale, had older boundaries.

³³ Reynolds, *Kingdoms and Communities*, 6.

³⁴ *Ibid.*, 79.

developed into systemised appropriations in the late twelfth century.³⁵ It has been accepted that the appropriation of parish church was much more widespread in Scotland than in most other countries. Of the nine hundred to a thousand parishes of medieval Scotland, almost seven hundred were annexed to some institution or prebend, and approximately 260 were left as free parsonage.³⁶ The appropriation involved the transference of the income of the church, derived from its endowed land and its teinds, and caused a change of parson in charge. After appropriation, some churches were left with only a vicar and others were served by monks or canons regular. As a systematic method of serving the parish church gradually evolved in the thirteenth century, however, churches came to be resided in and officiated by the parson or rector. Where this proved impossible, a perpetual vicar was to be canonically instituted.³⁷ In this way a number of irregular local patterns were made uniform into one authorised system, which benefited the spiritual welfare of each parish.

As we will see in the further chapters, our three institutions annexed many parish churches, and their ploughgates and revenues. It is not unusual to find some churches relatively distant from the see or abbacy to which they were appropriated. By all means, there is no reason to doubt that, through these numerous transactions, each religious house effectively increased their territorial domains and economic power, and most importantly, took a dominant role in the local community in each parish along with the secular lordships.

Reformed monasticism

Over the course of the High Middle Ages, it is obvious that the development of the new monastic orders, as well as the restoration of the papacy, provided a vital backbone in the general process of reconstruction within Latin Christendom, both institutionally and intellectually.³⁸ Under Pope Gregory VII (1073-85), as a reaction to lay disorder and interference, the Church needed to establish a purer and simpler form of the monastic life following a common basic rule. The reform of the

³⁵ Cowan, *Medieval Church*, 14-15: It was not until after the Norman Conquest that this continental movement reached England and Scotland.

³⁶ *Ibid.*, 12.

³⁷ *Ibid.*, 17; I. B. Cowan, *The Parishes of Medieval Scotland* (Edinburgh, 1967), iv.

³⁸ Bartlett, *Making of Europe*, 255; Oram, 'Prayer', 82.

Benedictine monasteries whose Rule emphasised stability and obedience met this demand.³⁹ Between the twelfth and thirteenth centuries, its organisation continued to be elaborated and a number of new orders flourished. Consequently monks were viewed as closest to God of all clergies and each order had an international reputation. These movements were introduced to Scotland with consistent royal encouragement from the time of Queen Margaret: the end of the eleventh century.

Except for the reference to the Canterbury monks sent to Margaret's new church, later a priory, at Dunfermline, there is little certain evidence about the earlier foundations, such as the priories of Coldingham and Scone.⁴⁰ And, as generally accepted, most, though not all, new abbeys were actually founded or endowed by King David, Margaret's sixth son. By all means, it is remarkable to see how rapidly such various orders were instituted and how widely they were distributed in the kingdom.⁴¹ In his reign, David I was a patron of the Benedictines of Canterbury at Dunfermline and of Durham at Coldingham; of the monks of the Order of Tiron at Selkirk (removed to Kelso c. 1128); and of several communities of the Augustinian canons. Also he was a founder of three Cistercian abbeys, a Cluniac priory and possibly a Cistercian nunnery.⁴² His successors followed this example. By 1164 Malcolm IV had founded two Cistercian houses and one Augustinian hospital. William the Lion also founded the Tironensian house of Arbroath in 1178. In the early thirteenth century, King Alexander II patronised three further Cistercian foundations and a projected establishment of the Gilbertines at the Dalmilling in Ayrshire, which was eventually abandoned.⁴³ In addition, the Cistercian nunnery at Haddington, the largest of the Scottish houses of women, and another Tironensian monastery at Lindores were founded by Countess Ada, Malcolm IV's mother, and Earl David, William's younger brother, respectively.⁴⁴

³⁹ D. Knowles, *The Monastic Order in England: a history of its development from the times of St Dunstan to the Fourth Lateran Council, 943- 1216* (Cambridge, 1940), 197; Duncan, *Scotland*, 133-4; Milis, *Angelic Monks*, 13.

⁴⁰ A. C. Lawrie, *Early Scottish Charters prior to A. D. 1153* (Glasgow, 1905), ix.

⁴¹ I. B. Cowan and D. E. Easson, *Medieval Religious Houses, Scotland: With an Appendix on the Houses in the Isle of Man* (London, 1976), 6; Barrow, *Kingdom*, 167.

⁴² *Ibid.*, 165.

⁴³ Cowan and Easson, *Medieval Religious Houses*, 6-7, 105.

⁴⁴ *Ibid.*, 69-70, 147.

It was not only the royal family who planted new monasticism in their own territory. In fact, quite a few religious foundations took place in some parts of the kingdom through the initiative of the ruling magnates. The earlier examples in the Glasgow diocese are a Cluniac house at Paisley founded by Walter FitzAlan, the king's Steward, a Tironensian house at Kilwinning, and a Premonstratensian house at Dryburgh, both founded by Hugh de Moreville, the king's constable. Later, c. 1214, the Cluniacs of Paisley were brought into Crossraguel Abbey in south Ayrshire by Duncan son of Gilbert, the lord of Carrick.⁴⁵ Elsewhere the early foundation of Inchaffray was converted into an Augustinian priory by Gilbert, earl of Strathearn, in 1200.⁴⁶ In Argyll, Ranald, son of Somerled, brought Benedictine monks to refound the ancient abbey on Iona, settled Cistercians at Saddell, and founded an Augustinian nunnery on Iona.⁴⁷ Also the successive lords of Galloway had founded, or helped to found, two Cistercian abbeys at Dundrennan and Glenluce, three Premonstratensian houses at Souleseat, Tongland and Whithorn, and an Augustinian priory at St Mary's Isle, by 1230s.⁴⁸ Frequent endowments of church, land, and other property would follow these foundations. It should be noted that these regional powers, as well as the crown, were deeply associated with European monasticism and consistently involved in its settlement and expansion into Scotland from early on.

As for the episcopate or diocese, it has been pointed out that, despite the fact that bishops and senior clerics typically had an aristocratic background and tenurial status, its development has hardly been studied from the socio-political viewpoint as much as in the context of church history.⁴⁹ Compared with that situation, it seems that more various approaches have been made to the study of monasteries. Many researches focus on social, economic, and legal aspects of each house's resource or connection to its founding family and local community. Here I am going to review several recent

⁴⁵ *Pais. Reg.*, 1-2; I. B. Cowan, 'Ayrshire Abbeys: Crossraguel and Kilwinning', Ayrshire Archaeological and National History Society Collections, vol. 14 (1986), 267; *Dryburgh Liber [Dryb. Lib.]*, no. 14; Cowan and Easson, *Medieval Religious Houses*, 63.

⁴⁶ *Inchaffray Chrs. [Inchaff. Chrs.]*, no. ix.

⁴⁷ R. A. McDonald, 'Scoto-Norse Kings and the Reformed Religious Orders: Patterns of Monastic Patronage in Twelfth-Century Galloway and Argyll', *Albion* 27 (1995), 212; R. A. McDonald, 'The Foundation and Patronage of Nunneries by Native Elites In Twelfth- and Early Thirteenth- Century Scotland', in E. Ewan and M. M. Meikle (eds.), *Women in Scotland, c. 1100- c. 1750* (East Linton, 1999), 8.

⁴⁸ K. J. Stringer, 'Reform Monasticism and Celtic Scotland: Galloway, c. 1140- c. 1240', in E. J. Cowan, R. A. McDonald (eds.), *Alba: Celtic Scotland in the Middle Ages* (East Linton, 2000), 128; D. Brooke, 'Fergus of Galloway: Miscellaneous notes for a revised portrait', *TDGAS* 66 (1991), 48.

⁴⁹ Broun, *Scottish Independence*, 113; Oram, 'Prelatical Builders', 2.

studies to discuss the significance of benefactions from the laity and the pattern of interrelationship between religious houses and their secular neighbours, which actually grew after each foundation.

In general, the personal motives of the aristocracy for religious patronage included the desire for prayers, burial in the abbey ground, and the wish for the donor or kinsman to take up the monastic habit, such as entering a fraternity.⁵⁰ Frequently many of the gifts were made when the donor felt he was dying or when one of his relatives or close friends had just died, to ask for prayers for them. Through the intercession of the church, it was believed, the mercy of God could be called down on the souls of the dead. And because of the exceptional purity and piety of their spiritual life, monks' prayers were regarded as most efficacious in that case.⁵¹ A lay man also made a burial gift while alive or hoped his relatives would make such a gift for him after his death, to be buried at the monastery, close to the monks' or the saint's cemetery. Where a man was buried was an important message of his identity, such as his political alliance, social prestige, and family tradition, to future generations, and such a site was chosen on the strength of his or his family's donation to the monastery.⁵² Some donors, after their death, could be entered in a monastery's necrology with annual prayers offered by the monks at their Anniversary.⁵³ Even though direct requests for prayers were rarely spelled out in charters, those spiritual services were always assumed. And the phrase '*pro anima*' in charter documents could indicate a donor's specific intention to gain salvation from the recipient.⁵⁴

On the other hand, most scholars agree that donors hoped for a whole range of benefits, in return for their gifts, not only spiritual but also material and social.⁵⁵ By giving a religious house a large amount of property, a noble could demonstrate his

⁵⁰ E. Cownie, *Religious Patronage in Anglo-Norman England, 1066-1135* (Woodbridge, 1998), 152.

⁵¹ C. B. Bouchard, *Sword, Miter, and Cloister: Nobility and The Church in Burgundy, 980-1198* (New York, 1987), 190; Oram, 'Prayer', 81.

⁵² Bouchard, *Sword, Miter, and Cloister*, 192; M. Cassidy-Welch, *Monastic Spaces and their Meanings: the Thirteenth Century English Cistercian Monasteries* (Turnhout, 2001), 218, 240; Jamroziak, 'How Rievaulx Abbey Remembered', 71.

⁵³ S. D. White, *Custom, Kinship, and Gifts to Saints* (Chapel Hill, 1988), 26.

⁵⁴ Jamroziak, *Rievaulx Abbey*, 58; Cassidy-Welch, *Monastic Space*, 238.

⁵⁵ J. A. Green, *The Aristocracy of Norman England* (Cambridge, 1997), 421; Cownie, *Religious Patronage*, 157.

territorial power and increase his “control” over either the house or the region.⁵⁶ Similarly the spiritual confraternity of monks and laity through the salvation of souls and the commemoration of the dead was, in essence, an important benefit for the social status of donor. Received into monastic fraternity, laymen and women shared in the whole observance of the monks and enjoyed the special things which the monks did on their behalf.⁵⁷ Even though there was a little separateness in appearance, living quarters, and liturgical duties, the spiritual status of lay brothers was represented as the same as that of choir monks.⁵⁸ Both groups were to expect the same spiritual redemption and salvation such as masses for deceased members and processions or other devotional practice. Also they might gather together all the parishioners, the members of a local community, to partake in a common dinner and distribute foodstuffs once a year.⁵⁹ Moreover the names of benefactors and lay brothers were entered in a *Liber Vitae* or “Confraternity Book” which was used in church for the liturgical part of their commemoration.⁶⁰ It would be hardly unlikely that each of these privileges could have raised the donors’ reputation and authority, which undoubtedly helped their lordship in this world.

Apart from the spiritual interaction, the monastery and lay people had another reason to make contact in more socio-political aspects. As the abbey was a large landowner like its secular counterparts, both the monks and laity had to negotiate terms of landholding and their subsequent contacts as neighbours.⁶¹ Particularly it was important for them to make an agreement on joint use of land, pasture, and woods. In many charters, no matter of what character they are, drafters were likely to be

⁵⁶ Bouchard, *Sword, Miter, and Cloister*, 230.

⁵⁷ H. E. J. Cowdrey, ‘Unions and Confraternity with Cluny’, *The Journal of Ecclesiastical History* 16 (1965), 158; Jamroziak, ‘How Rievaulx Abbey Remembered’, 74: Confraternity admission was an important tool in maintaining positive relationships with beneficiaries and was requested by various people like bishops, barons, and knights.

⁵⁸ Cassidy-Welch, *Monastic Spaces*, 170-1: The Cistercian lay brothers were physically and visually distinguished from monks by a beard and black clothing. They were also forbidden either to take part in the election of the abbot or to be present in the chapter house except on certain feast days.

⁵⁹ P. Duparc, ‘Confraternities of the Holy Spirit and village communities in the Middle Ages’, in F. L. Cheyette (ed.), *Lordship and Community in medieval Europe: selected readings* (Holt, 1968), 343: Common meals and general distribution were the dominant traits appearing in all confraternities without exception.

⁶⁰ Cowdrey, ‘Unions and Confraternity with Cluny’, 159; H. Tsurushima, ‘Forging Unity between Monks and Laity in Anglo-Norman England: The Fraternity of Ramsey Abbey’, in Arnoud-Jan A. Bijstervelt, H. Teunis and A. Wareham (eds.), *Negotiating Secular and Ecclesiastical Power: Western Europe in the Central Middle Ages* (Turnhout, 1999), 135.

⁶¹ Jamroziak, *Rievaulx Abbey*, 57.

concerned about precise description of the boundary of possessions and the rights of common pasture or forest. As I will mention in the following chapters, it was not unusual that charters contain a detailed perambulation of the alienated estate. This fact suggests that their interaction had a direct effect on the landscape of the local economy and administration.

Characteristically these connections, through either benefactions or negotiations, were not limited instances between an individual donor and monks. Rather they grew into broader networks with the family and tenurial context. Marriage between families brought people outside the donors' closest kin into contact with the relevant monasteries.⁶² Those new members would support the same religious house and share the spiritual and social relationships with the donors' family. Also a number of tenants customarily donated grants to monks who were already benefiting from their lords. According to surviving documents, some superior landholders, at least occasionally, confirmed their vassal's grant. Presumably monks were keen to keep any information about the familial and tenurial circle of their patron- neighbours in their hands, which was crucial for the effectiveness of their efforts to acquire further privileges. Such extended networks were maintained over the generations. It is entirely common that sons or heirs provide the same grants as their predecessor did. And the usual reference to 'the salvation of all ancestors and heirs' in charters certainly expresses the concept of the continuity of the networks.⁶³ Thus it should be emphasised that the links based on religious patronage could have been ones between the local community connected with either kinship or lordship and the house, which were developed and sustained beyond the lifetime of the initial donor.

Unsurprisingly the contacts between the two parties were not necessarily positive throughout the period. In fact, because of a number of interlinked interests in each possession, many transactions could cause problems afterwards. The majority of conflicts seem to result from lay people's desire to reclaim properties alienated by their ancestors or refusal of a donor's lord or dependants to consent to the donation

⁶² White, *Custom, Kinship*, 90-95.

⁶³ Jamroziak, *Rievaulx Abbey*, 59-60.

which they considered to be excessive and damaging to their economic interests.⁶⁴ Emilia Jamroziak has offered detailed case studies of such disputes over land possessions of Rievaulx Abbey in the twelfth and thirteenth centuries. According to her, some of these claimants had suffered from a sudden change of the financial situation of the family, but others, motivated by greed, simply changed their attitude to religious patronage.⁶⁵ Indeed, fearing the diminishment of their inheritance through the gifts, these laities could even see the abbey as an intruder or rival.⁶⁶ Interestingly, Jamroziak also mentions Rievaulx Abbey's new, more liberal, format of landholding as another cause of frequent conflict. In the twelfth century, land was accepted by the abbey only as a grant, a free gift. In the next century, however, it became common that land was held for some form of payment in return or just leased for limited periods of time. She suggests that this kind of transactions often led to prolonged and complicated conflict between grantor and recipient.⁶⁷

When disputes arose, it was not infrequent that laymen resorted to violent actions, such as plunder, assault, devastation of an abbey's land, and demolition of property, and monks appealed to higher ecclesiastic authorities for divine punishment, such as excommunication, of the offenders.⁶⁸ Apart from such a hostile approach, however, it can be fairly sure that more peaceful negotiation and mediation in reaching a compromise were tried as well. The baronial benefactors and their courts were usually instrumental in finding a settlement. The lords acted as mediators or judges and helped to resolve many neighbourhood disputes.⁶⁹ However, in the thirteenth century, as the abbey's landholding pattern had been changing, this form of arbitration also gave way to a new type of conflict resolution based to a much greater extent on the official power and authority of the tribunal courts held by persons from other institutions, who were appointed by the bishop or pope as judge delegates. Our materials of Paisley and Melrose include abundant evidence for such a new pattern of settlement procedure.⁷⁰ Probably the involvement of these figures from outside,

⁶⁴ Arnoud-Jan A. Bijstervelt, 'Conflict and Compromise: The Premonstratensian of Ninove (Flanders) and the Laity in the Twelfth Century', in Bijstervelt, Teunis and Wareham (eds.), *Negotiating Secular and Ecclesiastical Power*, 173.

⁶⁵ Jamroziak, *Rievaulx Abbey*, 112.

⁶⁶ Bijstervelt, 'Conflict and Compromise', 174.

⁶⁷ Jamroziak, *Rievaulx Abbey*, 121.

⁶⁸ Bijstervelt, 'Conflict and Compromise', 178.

⁶⁹ Jamroziak, *Rievaulx Abbey*, 115.

⁷⁰ For example, *Pais. Reg.*, 134, 139-40, 164-5, 168-70; *Melr. Lib.*, nos. 129, 133, 145, 186.

similar to the laity's marriage or infeudation, added a new element to the social environment around the monastery.

As we have seen, many recent studies have argued that the relationships between monks and lay aristocracy were maintained and grew, after the foundation of the monastery, in various aspects, through not only simple transactions such as donations, confirmations, and exchange or selling but also some kind of interactions such as entrance to fraternity, negotiation or dispute over property-rights and settlements with the third party involved. Each of the contacts, as Barbara H. Rosenwein suggests in her research into the Cluniac community, unquestionably can be seen as instrumental in creating a web of interconnection and relationships which consequently defined and enforced social cohesion in the neighbourhood around the relevant house.⁷¹ It cannot be overemphasised that this integral function of the new monastic orders must have played a significant role in the development, both intellectual and institutional, of medieval society on the whole.

Cathedral and monastery

So far, I have discussed how directly and deeply the ecclesiastical world and lay society were connected with each other in many aspects, from the reorganisation of Church and State in the European context to the establishment of local networks through the tenurial settlement and religious patronage. In each case, the constant and cohesive links, whether amicable or not, between bishop and king, or between abbot and his neighbouring landholders are quite remarkable. For further understanding of the Church in medieval society, this section will deal with relationships between two ecclesiastical parties, the cathedral church and monastic house. Under the bishops, the twelfth century dioceses were usually administered by archdeacons and deans of Christianity; the former acted as the bishop's deputy and had the duty of supervising the parish churches of his archdeaconry; the latter were nominated either by the bishop or archdeacon as executive and judicial officers and, almost certainly, had the responsibility of the cure of souls within the cathedral.⁷² Also bishops required in

⁷¹ Barbara H. Rosenwein, *To be the Neighbour of St Peter: the social meaning of Cluny's property* (Ithaca, 1989), 48.

⁷² R. Bartlett, *England under the Norman and Angevin kings, 1075- 1225* (Oxford, 2000), 388-9; M. Franklin, 'The cathedral as parish church: the case of southern England', in D. Abulafia, M. Franklin, and M. Rubin (eds.), *Church and City, 1000- 1500: in honour of Christopher Brooke* (Cambridge,

their cathedral a body of ecclesiastics, known as canons, who usually included relatives of bishops, deans, or lay officials, and who ensured the maintenance of worship, administered the cathedral's possessions, and, at least in principle, elected each new bishop. This cathedral's ruling body was called the chapter. Under the restored canon law, cathedral chapters became a group with considerable power with whom the bishop had to have most constant, and sometime tense, relations.⁷³

The association of bishop's see and monastic community went back to the tenth century in England, when the bishops of Winchester, Worcester, and Canterbury had introduced monks in their cathedral churches. Although there were no cathedral monasteries in either Italy or Normandy, those bishops, who had previously been a monk or an abbot, supposed that the full liturgical service for their cathedral should be carried out by the monks, and that their successors would be monks too. These monks in every case occupied the place of a chapter, or shared rights with another capitular body.⁷⁴ Although the proportion of bishops of monastic provenance was to decline, introduction of monks continued after the Conquest and in 1133, the diocese of Carlisle was created as the tenth monastic see out of seventeen dioceses in the English kingdom.⁷⁵ On the other hand, the situation north of the Border shows a striking contrast. Even though the tendency towards monastic cathedrals was apparent in some dioceses, most cathedral chapters of Scotland consisted of secular canons and there are only two exceptions, St Andrews and Whithorn, where the bishops possessed a chapter of Augustinian and Premonstratensian canons respectively.⁷⁶ The number of bishops drawn from monastic houses is not high either, particularly in the twelfth century.⁷⁷

The relationships between an abbey and the diocesan remained very indeterminate throughout western Europe during the first half of the Middle Ages. It was developed

1992), 173; Duncan, *Scotland*, 283-4: The role of deans became remarkably obscure from the late thirteenth century probably due to the increase of *magistri*, a trained clerical staff, and the Official, a specifically judicial deputy of the bishop.

⁷³ Bartlett, *England*, 389.

⁷⁴ Knowles, *Monastic Order*, 621-2.

⁷⁵ *Ibid.*, 710: Between 1066 and 1215, the number of episcopal appointments of monks is only 23 out of approximately 150; Bartlett, *England*, 398-9.

⁷⁶ Cowan, *Medieval Church*, 77.

⁷⁷ *Fasti Ecclesiae Scoticae*, 1, 188, 278, 346, 377-8: In the mainland dioceses before 1200, ten bishops were elected from monastic communities out of fifty appointments; one in Aberdeen, Morray and Ross; two in Glasgow; five in St Andrews.

gradually through the power struggle in the Church hierarchy in which both institutions took a dominant part from the earlier period. In principle, monasteries were, from the time of St Benedict, in practical independence of all external authority, both secular and ecclesiastical, and virtually outside the boundaries of parochial and diocesan organisation. Popes continuously issued typical monastic privileges such as freedom of abbatial election and an abbot's right to appoint his officials.⁷⁸ Though none of these instruments clearly gave exemptions from diocesan control, as the Roman Curia gradually completed the canonical development, the criteria of monastic freedom ultimately came to be characterised as the concession from the bishop. By the reign of Pope Alexander III (1159-81), some new papal exemptions were added, which can be generally summarised as follows;

- i) In all cases the abbot was exempt from the oath of obedience to the bishop.
- ii) The abbot might be permitted to be blessed in the abbey church, not in the bishop's cathedral, and allowed to apply for consecration directly to the pope.
- iii) The monastery became free from the bishop's excommunication and general interdicts.
- iv) The abbot was freed from attendance at the diocesan synod, from observing its decrees, and from paying its tax.⁷⁹

Moreover the diocese conceded any jurisdiction over the extensive monastic properties granted by secular powers. Accordingly, a bishop's contacts with the monks were almost limited to his occasional visitation to the house just for disciplinary purposes or to perform ordinations and consecrations to the officiant at the abbot's request.⁸⁰ Even on such an official visitation (*procuratio canonica*), monks were likely to be exempted from the duty to offer hospitality to the visiting bishop and his retinue. It is unquestionable that monastic houses were taking huge advantage of these liberties and immunities for their social status and financial power.

⁷⁸ Knowles, *Monastic Order*, 561, 576.

⁷⁹ *Ibid.*, 585-6.

⁸⁰ *Ibid.*, 649: In the case where a community had elected an unworthy abbot, the bishop, together with neighbouring abbots and lay people, was to step in and appoint a more suitable figure. In fact, however, this practice had been totally abandoned in many countries.

Understandably bishops, archbishops, and even their chapter were frustrated by such a special position of the new orders who enjoyed a lot of liturgical and fiscal exemptions from the diocesan control. Particularly monastic freedom from tithes payment became a major concern which caused conflicts between monasteries and cathedrals. With its special nature as God's property, tithes were originally paid only to churches where holy baptism was given.⁸¹ Thus it tended to become a parochial revenue and its distribution was supervised by the diocesan bishop.⁸² However, in as early as the middle of eighth century, monks were known to own the tithes occasionally from their own demesne or certain types of revenue. Even though these monastic tithes were intended to be devoted for charitable use, like alms for supporting pilgrims or the poor, monks hardly made such specific payment and most of them simply put it into their general economy.⁸³ From the ninth century onward, many monasteries clearly derived a considerable proportion of their revenue from tithes.⁸⁴

By the late twelfth century, as competition for land and property amongst landholders was increasingly serious, the secular church officials became really concerned with recovery of tithes from the monks. Consequently tension between cathedral and monastery grew and some approaches to a solution were considered.⁸⁵ Again Jamroziak has offered an example of Rievaulx Abbey relevant to this matter. In that case, the chapter of Durham and York claimed the right to extract the tithes from Rievaulx's properties. The form of the agreement was characteristically a compromise. In the charter issued by the episcopate, the monks of Rievaulx were obliged to make some annual payments as compensation for the loss of tithes from the abbey's vill or grange. In return, bishops and their cathedral clergies preserved, at least nominally, the exemption of the house.⁸⁶ Similar to the disputes with the laity over land, sometimes the intervention of the highest Church authority was required. Papal bulls and judges could either offer the suitable compromise or confirm the agreement between the two parties afterwards.⁸⁷ Generally the papacy in this period

⁸¹ G. Constable, *Monastic Tithes: From Their Origins to the Twelfth Century* (Cambridge, 1964), 36-7.

⁸² *Ibid.*, 44.

⁸³ Milis, *Angelic Monks*, 85.

⁸⁴ Constable, *Monastic Tithes*, 59.

⁸⁵ Jamroziak, *Rievaulx Abbey*, 195.

⁸⁶ *Ibid.*, 188, 196.

⁸⁷ *Ibid.*, 197-8.

is said to have had a definite policy of freeing monks from tithes. Though the motives of this policy are not clear, it is likely that the pope supposed to win the support of the new monastic orders, especially the Cistercians, for the benefit of his own power struggle at the Holy See.⁸⁸

Despite potential friction between them, monks and secular clergies, in some aspects, saw the common interest and depended on each other. Monks needed their diocesan bishop to support their title to lands and income, and to authorise the institution of their nominees to churches of which they held the advowson. It was very common for Cistercian houses to secure confirmation charters from their diocesan hierarchy.⁸⁹ Whilst the monasteries had a desire for complete independence from the secular church in their internal matters, the monks surely recognised the prelates as powerful allies whose authority would benefit their privileges. Bishops also regarded involvement of the reformed monastic ideals as an important element in their task of spiritual revival and diocesan reorganisation. They encouraged the new monasticism to be involved in their reform of the secular church or cathedral, and were keen to bring the monks into a 'missionary' role at a local area of the diocese, where the order could have flourished with new foundations.⁹⁰ The expansion of the medieval Church was carried out in such a parallel way at both an episcopal and monastic level. This pattern of reform can be recognised as European mainstream and, in the Scottish church as well, there was no area left without its influence by 1250.⁹¹ The cases in Scotland will be investigated further in the following chapters with some charter evidence.

Witnesses and their networks

In the medieval West, either transaction of properties or production of charters was generally processed in a symbolic ceremony. In the vast majority of cases, such ceremonies were held in some public place, like a church or a great hall of the castle

⁸⁸ Constable, *Monastic Tithes*, 247.

⁸⁹ E. Mason, *Westminster Abbey and Its People, c. 1050- 1216* (Woodbridge, 1996), 134; Jamroziak, *Rievaulx Abbey*, 171.

⁹⁰ Oram, 'Prayer', 83.

⁹¹ Bartlett, *Making of Europe*, 18, 258; Oram, 'Prayer', 87: In the Baltic, the ideology and organisation of the Roman Church were introduced and developed by a missionary role from German and Polish institutions in which both the monastic sees and the local Cistercian houses took a significant initiative.

of the lord who issued the charter.⁹² Typically, in addition to the grantors, the recipients, and the judge-delegates, some other individuals were involved in the ceremony to consent or testify each transaction. These witnesses, according to Barrow, could give added corroboration and authentication to a formal transaction and to the written statement narrating or describing such a transaction.⁹³ Most, if not all, medieval charters have recorded the names of the witnesses which are listed at the foot of the document. The compilers of late medieval cartularies typically copied these lists in full, since witnessing the donation ceremony was regarded as an act of affinity to a religious institution which is worth being preserved.⁹⁴ Some recent researches have focused on not only the charter itself, but also the relationships amongst all the parties involved in the grant and accompanying ceremony. And they have almost all agreed that such a public ceremony had social character and had social influence upon those who were taking part.⁹⁵ Presumably, as a part of a ceremony, charter attestation also had some social, as well as legal, significance which could reflect the relationships between each participant. Thus witness-lists in each charter can be used as the evidence of social networks around the relevant institution. Just before moving to the next chapter, I would like to review some general accounts of witness-lists and define how I will deal with them in the analysis of our own materials.

As E. L. G. Stones and K. J. Stringer point out, in fact, there were neither absolute rules nor legal requirements for a witness to be present in person when grants were made, augmented, or confirmed by charter.⁹⁶ In the twelfth and thirteenth centuries, the presence of the witness was immaterial, provided that they knew that the transaction had taken place, and they were ready to testify.⁹⁷ So we need to be cautious in using witness lists as evidence of the whereabouts of witnesses unless

⁹² Jacques Le Goff, *Time, Work, and Culture in the Middle Ages*, trans. A. Goldhammer (Chicago, 1980), 273.

⁹³ G. W. S. Barrow, 'Witnesses and the Attestation of Formal Documents in Scotland, the Twelfth-Thirteenth Century', *The Journal of Legal History* 16 (1995), 1-2.

⁹⁴ Jamroziak, 'How Rievaulx Abbey Remembered', 70: The practice was less normal in thirteenth-century cartularies.

⁹⁵ J. Hudson, *Land, Law, and Lordship in Anglo-Norman England* (Oxford, 1994), 163-4; S. T. Driscoll, 'Formalising the mechanisms of state power', in *Scottish Power Centres: from the early Middle Ages to the twentieth century*, eds. S. Foster, A. MacInnes, and R. MacInnes (Glasgow, 1998), 43; F. Watson, 'The Thirteenth century Scottish Castles', in *Scottish Power Centres*, 71; M. Thompson, *The Medieval Hall, The Basis of Secular Domestic Life, 600-1600 A. D.* (Aldershot, 1995), 78-98; A. G. Rutherford, 'A social interpretation of the castle in Scotland', a thesis submitted to the Department of Archaeology, Faculty of Arts, University of Glasgow, in fulfilment of the degree of Doctor of Philosophy (1998), 141.

⁹⁶ K. J. Stringer, *Earl David of Huntingdon 1152-1219* (Edinburgh, 1985), 294, n. 85.

⁹⁷ E. L. G. Stones, 'Two Points of Diplomatic', *SHR* 32 (1953), 47.

their presence is put beyond doubt by the express statements of the text. Nevertheless, as far as the choice of witnesses, which was never random but for a specific purpose, is concerned, it is certain that witness-lists can be solid evidence of association and networks amongst nobilities, either between witnesses and the grantor or between witnesses and other witnesses to the same charter. Where particular people appear together frequently as witnesses, indeed, there is a very definitive suggestion that they moved in the same social circles.⁹⁸

One of the common categories of witness is the donor's family, particularly his or her spouse and potential heirs. If there was no issue at that time of the donor's life, the brothers, and, in the case of no sons amongst the issue, the daughters would be included respectively. Other wider relatives also can be found as frequent witnesses. Presumably their consent and attestation were supposed to prevent potential familial claims, such as those for rights of dowry.⁹⁹ Even out of the kin group, a donor's household retainers, officials of the estates, tenants and dependants, and, when religious houses are being given, its representatives or lay servants would join to the list. The witnessing and presence at a ceremony, if it was the case, of these persons could be an indication of a kinship or household solidarity.¹⁰⁰ Other categories of witness were attestation by the honorial baronage. These secular magnates not only testified each other's endowments, but also appeared as witnesses to the royal acts or offered the consent to their vassal's gift as superior lords. With involvement of these figures, the transaction could have borne an effect of proclamation in the honorial court, which would increase the legitimacy of the document.¹⁰¹ Charters in favour of the religious, such as those compiled into our cartularies, were usually attested by high-ranking ecclesiastical dignitaries. We will find many cases, particularly with foundation charters or large benefactions, where bishops, diocesan officials, and heads of monastic houses join the same witness-lists.

⁹⁸ J. Walker, 'The Motives of Patrons of The Order of St Lazarus in England, in The Twelfth and Thirteenth Century', in J. Loades (ed.), *Monastic Studies* (Bangor, 1990-1), 177.

⁹⁹ D. Postles, 'Choosing Witnesses in the Twelfth Century England', *The Irish Jurist* 23 (1988), 335-6.

¹⁰⁰ E. C. Hamilton, 'The acts of the Earls of Dunbar relating to Scotland c.1124-1289: a study of Lordship in Scotland in the twelfth and thirteenth centuries', unpublished Ph. D. Thesis (University of Glasgow, 2003), 275.

¹⁰¹ Postles, 'Choosing Witnesses', 337-8.

Either the number or character of witnesses might vary with the circumstances of the charter. In terms of a legal value, it was certainly important to have witnesses drawn from all interest groups which might be concerned in the transaction. The record of those names would have offered assurance and corroboration in the case of any further dispute. On the other hand, it should be remembered that witnessing of charters was a public and social activity. Many distinctive figures who had no direct interest to the issue also participated in attestation, obviously because of their positive relationships with the grantor or recipient. Even if they would not always meet each other at the occasion, their appearance in the witness-lists could be important indications of networks or communities to which various families and institutions belonged.¹⁰² Due to the lack of information in the documents, it is impossible to identify convincingly all listed witnesses in our charters. So I will focus on some particular figures, secular or ecclesiastic, whose status, kin group, and locality have been, to some extent, argued and defined. Analysis of their appearance and absence in the charters could be another effective approach to examine the situation of social-networks in Medieval Scotland. Therefore, along with possessions and donors, I will consider witnesses in each investigation of our cartularies from the next chapter.

¹⁰² Jamroziak, *Rievaulx Abbey*, 138-9.

Chapter Two: Glasgow Cathedral

Creating a unitary ecclesiastical authority for his principality, David, as a ruler of Cumbria, ordered an inquest to determine the possessions of the bishopric of Glasgow.¹ With the assistance of a small panel of local jurors, the initial possessions of Glasgow diocese were confirmed to the bishop and his church, probably in 1120-21 or 1123-24.² After this inquest, as a number of grants were made by various benefactors, the church of Glasgow acquired numerous new possessions from lands or churches to annual payments for some specific purposes. In this chapter, based on charter evidence in the Old Cartulary, I will investigate the interrelationships between the institution and its neighbours, lay or ecclesiastic, whose involvement in the transactions has been recorded in the charters, and try to find out some patterns of social networks amongst them which must have been discerned and developed on each occasion.

To begin with, I will discuss the changes in number and distribution of the diocesan possessions. Similar to Earl David's Inquest, some general confirmation charters issued by the pope contain the lists of the possessions that appear to belong to the bishop of Glasgow. Though there are a few place-names which cannot be convincingly identified, these lists will help us to trace the increase and geographical extension of the possessions in chronological order. Then I will move to the individual charters to discuss when and by whom each possession was granted to the see. Obviously not all transactions have been recorded in the Old Cartulary. But I am going to deal with as many as possible the surviving cases, and consider to what extent each kind of transaction and document (initial grants, confirmations, quitclaims, and agreements) is related to each other and is reflected in the possession-lists in the later papal bulls. And finally, I will focus on the socio-political networks between the

¹ A. P. Forbes (ed.), *Lives of St Ninian and St Kentigern: compiled in the twelfth century* (Edinburgh, 1874), 55; P. A. Wilson, 'On the use of the terms "Strathclyde" and "Cumbria"', *TCWAAS* 66 (1966), 83; Shead, 'Origins', 222-3; J. Durkan, 'Glasgow Diocese and the claims of York', *IR* 50 (1999), 91-2; R. Oram, *David I: The King Who Made Scotland* (Stroud, 2004), 67: Although the boundary of the bishopric has been regarded as corresponding to the limits of the old Cumbrian kingdom, it seems to have excluded some divisions in lower Tweeddale which lay within the jurisdiction of the bishop of St Andrews, in part of Teviotdale which was confirmed to the bishop of Durham at the end of the eleventh century, and in the area around Carlisle which had been detached from the principality in 1092 and brought under the English lordship.

² *ChDI*, no. 15.

bishop, cathedral clergy, and their benefactors or neighbours including the king or pope. This will be discussed based on either the data from the administrative documents, such as king's briefs, papal bulls, and judicial decisions by papal legates, or witness-lists in charters in the whole cartulary. I hope, at the end of this chapter, to offer an example of how religious establishments at an episcopal level formed and maintained the social connections with other ecclesiastical institutions, secular lordships, and local communities through transfers of liberties and properties between each other.

Charters – classification and interpretation –

The charter of the Inquest begins with a memoir which narrates the foundation of the church of Glasgow and the ordination of St Kentigern as bishop of the Cumbrian region.³ St Kentigern is known as a British saint in the sixth century whose historical life is very obscure. He seems to have been the bishop of the old kingdom of Strathclyde during the reign of Rhydderch Hael and probably died *ca* 614. His body was buried at Glasgow where he is alleged to have established his cathedral seat after his consecration.⁴ In the twelfth-century *Life*, drawn together from fragmentary materials and oral traditions, the bishopric contains several St Kentigern dedications in various areas.⁵ Although not all of these places were genuinely associated with him, such dedications were taken seriously in the twelfth century as evidence that 'a church or parish either formed part of the possessions of Glasgow or at least fell within its jurisdiction'.⁶ In fact, the initial possessions confirmed at the Inquest are not David's own endowment but presumably a part of the properties which had been believed to have belonged to the church of Glasgow dedicated to St Kentigern. It is obvious that the subsequent accumulation of property-rights and reorganisation of the see were also inspired by this traditional cult of the saint. With a few exceptions, most of the grants and confirmations by the king and laity referred to 'God and the church of St Kentigern of Glasgow' as their recipient.

On the other hand, in the six papal bulls in the Old Cartulary, it is clearly stated that the confirmations have been made to the bishopric itself. In these texts, the pope

³ *Glas. Reg.*, no. 1; *ESC*, xl.

⁴ Macquarrie, *Saints*, 134, 139.

⁵ *Ibid.*, 118.

⁶ Barrow, *Kingdom*, 206.

characteristically addresses, instead of the local saint, the bishop of Glasgow by his personal name, his successors, and the chapter as the beneficiaries.⁷ Particularly our first general confirmation issued by Alexander III in 5 April 1170 has a distinctive formula ‘*ad mensam tuam*’ to emphasise that the privileges he confirms properly belong to the bishop. Originally the word *mensa* meant the table at which the bishop, or the abbot, dined together with his clergy. As an extension of this sense, it came to be used to designate the income used to support the bishop and his household.⁸ Although none of the other general confirmations use a word or phrase corresponding to episcopal *mensa*, judging from the similar character and contents in each bull, it appears that all named privileges indicate the bishop’s own revenue.

As I have mentioned already, there is another general confirmation which survives in the later manuscripts but has been excluded from the Old Cartulary. That is no. 28 in the printed *Registrum*, provided by Alexander III on 25 March 1173, which confirms the possessions, not to the bishop, but to the dean and canons, the members of the chapter of the cathedral. The chapter consisted of a body of ecclesiastics, known as canons, who formed together a corporation which held in a common fund, property and other endowments, the profits of which were shared amongst the members of the chapter. These canons had also assigned to them an individual allowance known as a prebend, the revenues of which were frequently derived from a parish church or churches.⁹ In the charter in question, Pope Alexander III confirmed that Bishop Herbert has assigned the following seven property rights as prebends of Glasgow Cathedral; the parish of Glasgow with its teinds, and with a carrucate of land next to Renfrew which was erected by Herbert; the church of Govan with the whole of Partick; the church of Renfrew with its teinds as erected by Bishop John; one carrucate of land in Glasgow with the church of Cadzow; Barlanark with Baldernock; the prebend which the bishop instituted of one carrucate of land in Glasgow, and 1/7 part of the benefices pertaining in common which had been divided previously among six canons; the prebend which Bishop John instituted from certain revenues including the teind of the eighth penny of the pleas of the crown.¹⁰ According to I. B. Cowan, at

⁷ *Glas. Reg.*, nos. 26, 32, 51, 57, 62, 111: Amongst these bulls, no. 111, which is dated to the thirteenth century and has been copied in a later folio in the cartulary, addresses the bishop only by its title.

⁸ E. U. Crosby, *Bishop and Chapter in The Twelfth Century England* (Cambridge, 1994), 17.

⁹ Cowan, *Medieval Church*, 83-4.

¹⁰ *Glas. Reg.*, no. 28.

least five prebends of Glasgow Cathedral were erected during the episcopate of John, probably following the dedication of the cathedral, and therefore between 1136 and 1147.¹¹ Considering the unique character of this bull, which addresses the cathedral chapter, not the bishop, the omission of this document from the Old Cartulary could be seen as a result of the editorial decision by the cartularists rather than simple archival loss. Although this charter might not exactly be one of our main sources, I will mention these named properties again in the discussion of possessions in the next section.

Turning now to other categories of charters: The Old Cartulary contains forty-five charters relating to individual grants. Amongst them twenty-nine are in the earlier folios up to fo. 34. Unlike general confirmations, not all of these charters are granted to the bishop of Glasgow. In fact, as many as fourteen charters have other recipients, such as certain religious establishments, diocesan clergy, and lay people. Even the bishop himself issued six charters in which he made gifts.¹² Also there are two other private charters which clearly indicate that the lay magnates have received the properties from the bishop.¹³ The remaining six grants are found without the bishop either as a recipient or as a donor.¹⁴ This data alone would be enough to suggest how diversely and interactively the grants of the diocesan properties were being made. Understandably the numbers in each category of donors are relatively balanced through the period; the kings: eighteen (fourteen, to fo. 34), the laity: seventeen (ten), the ecclesiastics: eleven (five), even though it has been generally argued that there is a remarkable difference in pattern of charter production between royal and non-royal benefactors.¹⁵

The number of confirmation charters in the Old Cartulary is twenty-five in total. Divided according to the donors, sixteen are royal acts, three are papal bulls, and four

¹¹ I. B. Cowan, 'The Organisation of Scottish Secular Cathedral Chapters', *Recs. Scot. Church Hist. Soc.* [RSCHS] 14 (1960-63), 26.

¹² *Glas. Reg.*, nos. 7, 99, 144, 155, 172, 217.

¹³ *Ibid.*, nos. 44, 120.

¹⁴ *Ibid.*, nos. 45-6, 78, 85, 173, 179.

¹⁵ N. F. Shead, 'The diocese of Glasgow in the Twelfth and Thirteenth Centuries with an edition of the Bishops' Acta c. 1140-1258.', B. Litt. Thesis (University of Glasgow, 1966), 48-9: It is not until *ca* 1200 that a number of non-royal grants appear in the record. They are increasing in the thirteenth century, as royal benefactions, which were dominant in the twelfth century, are confined to confirmations of previous grants.

private charters in the name of lay landholders. In addition, there are two short *notitiae* announcing confirmations by the king and bishop respectively. That shows, in this category, the king is a relatively predominant figure. Similar to the case with original grants, the recipient of charters is not always the bishop and church of Glasgow. In one of William I's act, pasture in Ashkirk, Teviotdale, is confirmed to Orm of Ashkirk, a tenant of the church of Graskow, as well as the cathedral church.¹⁶ Also two royal acts and one by Earl Henry confirmed the grants to a local parish church or a subordinate chapel. A private endowment to Jedburgh is confirmed by William I and the bishop, though they survive only as short announcements. And there is one secular donee to whom his lord has confirmed a portion of land as a feu. All these seven confirmations have been compiled in the later folios in the cartulary. Typically the confirmation charters are produced after the previous donation or quitclaim. But not all documents include in their texts reference to the original endowment or dispute which might have happened beforehand. On the other hand, there are two papal confirmations of parish churches clearly supposed to safeguard the properties against future claims from other establishments.¹⁷

In the earlier folios of the Old Cartulary, only two quitclaims have been included. In both cases, the donors are lay landholders and the recipient is the bishop of Glasgow or the parson of the church which the bishop patronised. One charter narrates that the transaction has been made before the bishop of Whithorn and his fellow judges authorised by the pope. The other mentions William I's court at Alyth as the arbiter.¹⁸ After fo. 34, the number of the charters increases to twelve, including one which records only witnesses to a previous charter. Two charters are royal acts and the other two are produced by diocesan officials. The remaining documents are the private charters by lay persons. All possessions are received by the bishop of Glasgow or, just in one case, his official. These charters are not necessarily dealing with separate issues. In fact, some of them are linked to each other with a certain transaction. For example, in one charter, Master Hugh de Potton resigns the church of Dryfesdale to Robert de Hertford, precentor of the cathedral, who gives it up to the

¹⁶ *Glas. Reg.*, no. 30: Though this charter might be also interpreted as a grant, it has been categorised as a confirmation here, because of the formula '*concessisse et confirmasse*' and the reference to the perambulation by Malcolm IV which can be seen as a part of the previous gift of that possession.

¹⁷ *Ibid.*, nos. 53, 66.

¹⁸ *Ibid.*, nos. 84, 90.

bishop in another charter.¹⁹ And, in the laity's case, the same quitclaim is assigned by the heirs of the initial donor with two charters in which they make an oath that they would never lay any claim to the relinquished property.²⁰ As for mediators or judges, not all charters include clear reference to them. But two private charters seem to have been provided at an assembly or court held by the donor's superior and local sheriff respectively.²¹ Another two charters concerning the same quitclaim suggest the involvement of the same ecclesiastics for attestation.²² Two royal acts and two resignations between ecclesiastics have no mention about any particular occasion or arbiter at the transaction and its documentation.

Agreements issued in the name of the third person(s) are seventeen in total. Unlike quitclaims, there is no huge gap in number between earlier and later folios. Amongst them, eleven are written by unnamed scribes; one by John, cardinal legate; one by Walter Olifard, justiciar of Lothian; and four by judge delegates consisting of several ecclesiastics. In as many as ten documents, all of which are from the thirteenth century, the drafters record the date of agreement. Unsurprisingly most of these charters concern agreements in which the bishop of Glasgow takes one side of two opposing parties; seven are settlements between the bishop and laity, from great landholders to lesser knights; six between the bishop and ecclesiastics, who are, in contrast, limited to an abbot or canons of certain monastic houses, namely Guisborough, Kelso, Jedburgh, Kilwinning, and Paisley. Apart from them, there are two agreements between local priests, and one which involves a lay magnate and canons of Jedburgh. All of these three charters are anent patronage over the church of Hutton.²³ Exceptionally, one full secular agreement between members of a family surnamed 'of Ashkirk' is included. They, the brothers of Henry and Alexander, are surely the descendants of the aforementioned Orm of Ashkirk and still held lands within the parish as tenants of the bishop.²⁴

¹⁹ *Ibid.*, nos. 152, 154.

²⁰ *Ibid.*, nos. 170-1.

²¹ *Ibid.*, nos. 105, 130.

²² *Ibid.*, nos. 167-8: The latter document records the presence of William, bishop of Glasgow, and Henry, prior of St Andrews, while the former mentions the attachment of their seals to the charter.

²³ *Ibid.*, nos. 81-3.

²⁴ *Ibid.*, no. 148-9; *Origines Parochiales [OPS]*, 313: The Old Cartulary contains a brief account of the genealogy of this family (no. 149). Henry of Ashkirk and his younger brother Alexander are great grandsons of the aforementioned Orm.

In the charters of other categories which we have seen so far, it is quite obvious who is a donor or a recipient. But that is not necessarily the case with agreements. Indeed, nine charters out of seventeen show a simple pattern of transaction such as grants, confirmations, and quitclaims, in which one particular privilege is given from one to another. With regard to these transactions, especially concessions to the bishop from lay magnates or the head of a monastery, which are six out of nine, the relation between donor and recipient is clear. And there is even the possibility that the donors had actually provided the individual charters in their name for those agreements, though they have not survived in the cartulary. In the remaining eight charters, however, both relevant sides can be found making some kind of concession to another. For example, while Roger de Valognes and the abbot of Kelso quitclaim to the bishop of Glasgow the churches of East Kilbride and Campsie respectively, the bishop also concedes to them a chapel or annual payment.²⁵ In these cases, considering the bishop offers something other than spiritual benefit, each transaction could have a different character and circumstance from normal grants or confirmations. Similar to quitclaims, most of the agreements seem to have been arranged and witnessed by third parties. As far as the reference in our charters is concerned, two agreements are made at the royal court; one in the presence of a papal legate; two arranged by several ecclesiastics; one in front of seven knights; and three in the presence of or arranged by the bishop of Glasgow.

Out of fifty-one documents classified as briefs or mandates, thirty-four, exactly two thirds, are papal bulls. Twelve are issued by the king; two by John, a cardinal legate, or other judge delegates; another three charters are written by unnamed drafters. All these briefs can be divided into two categories: one group consists of documents of announcements which are issued without any particular addressee. It is clearly indicated in each of them whether religious or lay people are concerned with the matter. But there is no further specification about them. Another group is letters of decisions, instructions, and commands addressed to certain named person(s), officials, or other specified groups of people. Understandably the bishop of Glasgow, his chapter and canons are the most frequent addressee of these documents. They have twenty-four briefs or mandates, out of which twenty-three are from the pope

²⁵ *Glas. Reg.*, nos. 55, 116.

and one from the king. Amongst them, seven address the bishop with his personal name. In other instances, there are eight royal acts commanding royal secular officials such as justiciar, sheriff, and bailies. Six papal bulls are issued for prelates and clergy outside the see of Glasgow. And three of them address the bishops of other dioceses, such as St Andrews, Brechin, Dunblane and Dunkeld. Two other papal bulls are commands addressed to the king of Scotland and people in a certain region who are referred to as ‘Galwegians and others’.

As I have already mentioned, these briefes and mandates, whether announcements or commands, guarantee the bishop and his church several kinds of privilege or liberty rather than particular possessions or properties like land or church. It is obvious that each privilege confirmed by Pope or king benefited the administration within the diocese. Dividing them into some particular issues, twelve briefes relate to collection of revenue from beyond the see itself, such as teinds and subsidies. Twenty-two are concerning freedom and protection for the bishop, which exempt him from certain dues, such as presence at lawsuits outside the kingdom. Fourteen mention the bishop’s or his official’s rights over ecclesiastical matters from the administration of local churches to the finance of the cathedral chapter. Also there are two briefes or mandates confirming to the bishop his jurisdiction over secular society and people. One remaining papal bull does not deal with the Glasgow diocese in particular, but commands all religious in the province of York and the kingdom of Scots not to duel between clergy.²⁶ Each brief represents an interrelationship between the bishopric and society through the workings of administration and law. In the later sections, I will try to explore some of them in detail, linking with other charters in different categories.

Finally I would like to mention a group of charters which has been omitted from the Old Cartulary but survives in later manuscripts such as *Liber Ruber Ecclesiae Glasguensis*, known as The Red Book, perhaps written about the beginning of the fifteenth century.²⁷ Though a couple of documents dated around 1260 are exceptionally included, most of the Old Cartulary consisted of charters written

²⁶ *Ibid.*, no. 110.

²⁷ Simpson and Webster, ‘Archives’, 198: *Liber Ruber* was another cartulary which had been included in the Glasgow archives in Paris. About half of this volume consists of a transcript of the *Registrum Vetus*.

between the twelfth century and 1240s. As I have discussed, the latest charter in the original handwriting is dated 1242 (see 13 above). So if there are charters which are dated earlier than the 1240s and not in the Old Cartulary, they can be seen as the omitted ones which have been excluded from the compilation despite the fact that they had existed. According to the dating by The Syllabus of Scottish Cartularies, the Old Cartulary does not contain twenty-five charters produced by the early 1240s. Amongst them, eight are twelfth-century documents.

Even those charters have various donors and categories like the ones surviving in the Old Cartulary; seven are royal acts; four are papal bulls; six and seven are written by lay and ecclesiastic persons respectively; and one agreement is drafted by an unnamed scribe. As for the categories, they include one general confirmation, twelve grants, five confirmations, one each of quitclaim and agreement, three brieves and two documents which should be separated as 'others'. Typically the recipient is the bishop of Glasgow or his chapter. In terms of the gifted possessions, three are churches, three are lands including other property-rights such as toft, fishing, and peat cutting, and twelve are annual payments of money or wax for some purpose connected with the cathedral's construction or up-keep, the maintenance of the clergy, and the provision of lights.²⁸ As this data shows, quite a large number of charters are dealing with annual payments, while not so many charters of this subject can be found in the folios of the Old Cartulary. Possibly this kind of grant was separated from other endowments in the archive, and then, were omitted from the Old Cartulary. It seems impossible to know whether such discrimination was intentional or accidental. In the further discussion of the possessions and transactions in the following sections, I will have cause to mention, when necessary, these omitted charters as well as the original sources in the Old Cartulary.

Possessions – appearance and distribution–

Earl David's charter of the Inquest and some papal general confirmations have lists of the episcopal possessions in the twelfth century inside and around the diocese of Glasgow. Owing to the almost exact dates given to each document, these lists could

²⁸ N. F. Shead, 'Benefactions to The Medieval Cathedral and See of Glasgow', *IR* 21 (1970), 9-10: In the early thirteenth century, three or five marks per annum seem to have been regarded as adequate provision for inferior clergies of the cathedral.

be useful sources which enable us to trace the increase and extension of those possessions chronologically as well as geographically. The aim of this section is, through the investigation of what is found in all available lists, to discuss the possible patterns of distribution of those confirmed possessions in each area of the diocese in the course of the century. First of all, I am going to revisit the Inquest and name the listed possessions which Barrow has divided into several groups of topographical areas. According to him, nine possessions relate to the Glasgow area, mostly in the later barony; four in the upper ward of Clydesdale; two in Tweeddale; four in Teviotdale; six in Annandale; three probably in Nith and Urr valleys. In addition, Peebles, Traquair, and Morebattle are listed separately in the charter. Amongst them, some place-names have not yet been identified with enough certainty.²⁹ Especially, the situation in the vicinity of Glasgow is found more problematic. While Barrow mentions just four places as almost certainly identified properties, such as *Pathelanerhc* as Barlanark, *Cunclut* as the west part of what became the parish of Old Monkland, *Carnetheyn* as Carntyne, and *Caruil* as Carmyle, John Durkan has argued that the first four places named in the Inquest could be located in Ayrshire, Argyll, and the Lennox, rather than in Glasgow area.³⁰ Fortunately the identification of place-names in the other areas seems to be relatively easy except for that of *Brumescheyd* and *Treuergylt* which were held probably in the Urr valley. On the whole, the identified place-names in each group show that the lands belonging to the church of Glasgow were distributed almost throughout the diocese even at that early date.

Before moving to the popes' general confirmation charters, there are some points to be noted to interpret the information in the lists more precisely, especially about what the listed place-names in the general confirmations actually indicate about their properties. In fact, the endowed possessions are not always the same kind of

²⁹ *ChDI*, no. 15: Furthermore there is a real possibility that the account of the possessions in the Inquest may be incomplete.

³⁰ J. Durkan, 'The Bishops' Barony of Glasgow in Pre-Reformation Times', *RSCHS* 22 (1984-86), 278; J. Durkan, 'Cowal part of Strathclyde in the early twelfth century', *IR* 54 (2003), 230-3: Given the proposition that the distribution of the cathedral's possessions represents the areas of the old kingdom of Strathclyde/Cumbria, it may not be improbable that David, the contemporary ruler of the province, could confirm the lands in Cowal or the Lennox to the bishop of Glasgow. However, as no other references to these particular place-names, including later papal bulls, have survived, these early possessions in the west will not be mentioned further in the following sections. It is unlikely that either Argyll or the Lennox, at least during the twelfth century, was established as part of the diocese as the other division.

properties. Usually most of them consist of a church and land. But there are also some transactions of properties without a church, just land itself. Additionally, those lands, whether their churches are attached to them or not, are often divided into two categories; lands of whole estates belonging to the bishop, and lands as parts of someone else's estates. The Inquest makes a clear distinction about the form of the episcopal possessions. In that text, twenty-eight place-names appear without any mention of a church. In the end of the list, three other possessions are found, and each of them is described as a plough-land with a church in Peebles, Traquair, and Morebattle.³¹ This information seems to suggest that most of the possessions correspond to the whole lands of the named estates, while the last three could be just parts of an estate like the church and its glebe. This pattern of distinction is repeated in the later documents, in which two forms of property are listed separately.

In the later general confirmations from the Popes, such a clear description as 'one carrucate of land and church in Peebles: *In Pobles una carucata terre et ecclesia*' is not used. Instead they record simply 'the church of Peebles: *Ecclesiam de Pebles*'.³² There is no mention of one carrucate of land which is probably still attached to the church. Nevertheless it is quite likely that the place-names listed along with those of Peebles, Traquair, and Morebattle indicate the same kind of possessions as those, which consist of the church and a piece of land all within someone's estate. On the other hand, some of the estates found in the Inquest are also confirmed by popes. Unlike David's Inquest, most of the papal confirmations state that this group of possessions should be 'with the whole of their lands, churches, chapels and other appurtenances', which suggests that the lands confirmed as possessions are not just a piece of plough-land but the whole territory of the named estates.³³ In the place-names listed in almost every general confirmation, a church with a portion of land and churches with whole estates are clearly divided.

Now I am going to take a look at each possession in these confirmations and examine how the bishopric's portfolio of property and privileges grew. Our first general confirmation charter is given by Pope Alexander III, fo. 15 in the Old

³¹ *Glas. Reg.* no. 1; *ChDI*, no. 15.

³² *Glas. Reg.* no. 26.

³³ *Ibid.*, no. 32.

Cartulary (no. 26 in the printed *Registrum*), dated 5 April 1170. The Pope confirms eight churches, ‘*ecclesiae*’, at first, including Peebles, Traquair, Morebattle. The churches of Old Roxburgh, Hassendean, Wilton, Orde (Kirkurd), and Cadzow (Hamilton) are added to them. And then, he names the seventeen mensal churches, ‘*ecclesias villarum*’, such as Glasgow, Govan, Shettleston, Kinclaith, Cadder, Badermonoc (Monkland), Carstairs, Stobo, Gillemoreston (Eddleston), Lilliesleaf, Ashkirk, Ancrum, Troneyhill, Hoddom, Castlemilk, Dryfesdale, and Esbie, with all their appurtenances, such as ‘lands, churches, chapels and other appurtenances’. That suggests these possessions included estates comprising the churches. It is obvious that these churches almost correspond with the properties mentioned in the Inquest Charter, though some might have changed their name into those of the later parishes. The second general confirmation is issued by the same Pope, on fo. 16 (no. 32 in the *Registrum*). Although its dating clause is corrupt, it is generally accepted that this charter was issued in February or April in 1175.³⁴ The mensal churches in and around Annandale, Hoddom, Castlemilk, Dryfesdale, and Esbie have been omitted, while others are included. Partick, *Roder* (Riddrie?), Dalmarnock, and Hermiston have been added as the new possessions. The churches listed separately are Morebattle, Old Roxburgh, Traquair, Peebles, Carnwath, Moorfoot, Hassendean, Wilton, Ashkirk, and Loquhariot (Borthwick). It is unclear why the church of Ashkirk is listed twice in both the separated section and the earlier part. This is not the case in the other charters.

The later general confirmations add more acquisitions to the original possessions. In another bull by Alexander III (no. 51), dated at 14 April 1179, the burgh of Glasgow, Bedley, and Torrance appear for the first time. The number of churches listed separately is remarkably increased from eight and ten in the two previous bulls to eighteen churches and one chapel. It is noteworthy that some churches in Annandale are confirmed again here, including Dryfesdale and Hoddom which are omitted in the previous one. The next Pope, Lucius III, confirms almost the same possessions to Bishop Jocelin on 17 March 1182 on fo. 20 (no. 57). He just adds Castlemilk to the churches listed separately. Finally, in the general confirmation by

³⁴ *Scotia Pontificia*, 76-77.

Urban III (no. 62) dated at 12 June 1186, fifty-one properties in total can be found. Amongst them eighteen churches and eight chapels are listed separately.

As the lists show, all place-names are not put on all the lists consistently. Rather quite a few possessions are included in just a couple of lists and often omitted from the others. It seems difficult to find proper reasons for the presence and absence of such place-names. But distinctive patterns of appearance probably can indicate some particular process in which twenty churches appropriated with neighbouring plough-land and twenty-five mensal estates with their appurtenances were finally confirmed as the privileges of the see of Glasgow in 1186. Next I will compare the contents of each list with others in more detail, especially focusing on the geographical distribution of these possessions.

It seems obvious and quite understandable that there is much difference between the lists of the first two charters, David's Inquest and Pope Alexander III's general confirmation, because the latter was issued nearly fifty years later than the former document. Amongst thirty-one place-names in the charter of the Inquest, which Barrow identifies and categorises, nine including the three churches in Tweeddale and Teviotdale are all found in the list of the papal confirmation. Also four out of six in Annandale and two out of eight in or near Glasgow are recorded in the following general confirmation. On the other hand, five in the Upper Ward of Clydesdale and three probably in the Nith and Urr valleys are all omitted from the general confirmation, and most of them never appear again as the bishop's possessions. This first papal confirmation has some new place names, four in Tweeddale and Teviotdale, two in upper Clydesdale, and five in the Glasgow area. The total number of the place-names in its list is twenty-five.

As I have already mentioned, the next general confirmation, *Glas. Reg.* no. 28 is exceptional. Its list is much shorter than the others, because that bull only confirms privileges erected into prebends. Nevertheless three new place-names inside the Glasgow area can be found there, though only one of them appears in the following charter. Compared with the previous bulls, many changes can be recognised in *Glas. Reg.* no. 32, dated 1175. First, three place-names outside the diocese, Moorfoot, Loquhariot (Borthwick) and Hermiston, are added there. Second, four in Annandale

are all omitted. Though the two churches, Cadzow and Renfrew, which had been assigned as prebends are not found, the church of Carnwath which has been omitted after the Inquest returns on the list, together with two rare names such as *Roder* (Riddrie?) and Dalmarnock. And as I have pointed out, Ashkirk in Teviotdale is strangely named twice.³⁵

Glas. Reg. no. 51, dated 19 April 1179, has the list of more churches and estates, either churches as part of estates or churches with only glebes. Some of them are those omitted from no. 32, such as the two prebendal churches and the churches in Annandale, and others are new grants probably made between the dates of the two confirmation charters, such as Bedley. Loquhariot is still there, but Moorfoot and Hermiston are not. The contents of the list of no. 57, dated 17 March 1182, are little different from that of no. 51.³⁶ These privileges remain in no. 62, our last general confirmation before fo. 34, dated 12 June 1186, where a couple of new estates are added, while Dalmarnock, Barlanark, Baldernock, and Hermiston are all back.³⁷ After fo. 34, there is another general confirmation by Pope Honorius III, dated 14 October 1216. Even with two new possessions in Tweeddale and the Lennox granted in the beginning of the thirteenth century included, this bull is relatively short and, accordingly, omits many possessions listed in the previous confirmations. Compared with no. 62, fifteen possessions in the Glasgow area; two in Upper Clydesdale; one each in Tweeddale, Teviotdale, and Annandale are excluded here. Though the named possessions are divided into two groups, the difference between them is not whether they are along with estates or with only glebes. But in this charter, while the first group consists of the churches as a part of estates, the place-names in the second group indicate the churches whose benefice was erected into a prebend of the cathedral church.³⁸ Presumably, similar to no. 28, this papal bull should be regarded as an exceptional one which is unlikely to name all possessions of the see on that date.

Obviously some place-names move in and out so frequently and randomly that there seem to be no rules for the arrangement of the see's privileges. However,

³⁵ *Glas. Reg.*, nos. 26, 28, 32.

³⁶ *Ibid.*, nos. 51, 57.

³⁷ *Ibid.*, no. 62.

³⁸ *Ibid.*, no. 111: Amongst twenty-six named possessions, Glasgow, Carstairs, Stobo, Ashkirk, Lilliesleaf, Ancrum appear in the both groups.

focusing on the geographical location of each possession, it is not so difficult to interpret some patterns of busy transactions within the diocese. First of all, it can be said that the churches or estates in Tweeddale and Teviotdale are securely settled in each list. Once they are recorded, except for the church of Orde in no. 32, they are never excluded all through the period. In Tweeddale, the number of possessions confirmed in 1186 is five. After the Inquest, only the church of Orde is added. In Teviotdale, the number of listed possessions increases to nine in 1186 from five in the time of the Inquest. The churches of Hassendean, Old Roxburgh, chapel of Roxburgh Castle, and the church of Wilton have been appropriated since the Inquest, though the chapel, endowed at the same time as the church of Roxburgh, appears in only three lists after no. 32.

In the opposite way, the case of those in the Nith and Urr valleys could be easy to understand, because they never seem to appear in any lists after the Inquest. The district between the Rivers Nith and Urr which corresponds to the deanery of Desnes, had encompassed ancient ecclesiastical estates within the church of Cumbria. As the Inquest suggests, these religious centres from the time of the early church were preserved into the twelfth century with some care by the laity who had presumably been inspired by the saint's cult.³⁹ Given these facts, it seems strange that those possessions have been totally excluded from general confirmations after the 1170s. With regard to Edingham in Urr, the only potential identified place-name in the area, there is evidence suggesting that Uchtred, son of Fergus, the lord of Galloway, annexed the church of Edingham with its chapel and plough-gate to Holyrood Abbey in *ca*1164.⁴⁰ It is also evident that the district of Desnes, which originally formed part of the lordship of Nithsdale, was confirmed to Uchtred soon after 1160.⁴¹ So it is hardly surprising that he, at that time, seized the patronage of churches within the territory. And equally it is understandable that he endowed one of them to the royal abbey to which his father, Fergus, had entered as an Augustinian canon after

³⁹ Brooke, 'Fergus of Galloway', 55; D. Brooke, 'The Deanery of Desnes Cro and the Church of Edingham', *Dumfriesshire Trans.* [TDGAS] 62 (1987), 65.

⁴⁰ *Liber Cartarum S. Crucis* [Holy. Lib.] (Bannatyne Club, 1840), no. 23: In this individual charter, Edingham is called 'Colmanele'.

⁴¹ R. Oram, *The Lordship of Galloway* (Edinburgh, 2000), 169.

submission to the royal army.⁴² Thus it seems unquestionable that these possessions were out of the bishop's control by the time of the general confirmations by popes.⁴³

On the other hand, however, we find a church called *kirkcolemanel* in the lists of general confirmations between 1179 and 1216. Whereas the place-names mentioned in the later papal bulls can be typically identified straightforwardly, *kirkcolemanel* is an unfortunate exception. Some researches have suggested that this church is probably the same property as the church of St Constantine of Urr, the parish church of Urr, and came to have sufficient power locally after Edingham, the old mother church, was granted to Holyrood and subsequently relegated to the status of a chapel.⁴⁴ If this is the case, it means that, even after the annexation of Edingham, the bishop of Glasgow held one possession in the distinctive area of Nith and Urr. In ecclesiastical terms, unlike its secular division, Desnes Cro had been a part of the Cumbrian church whose local churches traditionally belonged to the bishop of Glasgow, the successors of St Kentigern.⁴⁵ Therefore it seems possible that *kirkcolemanel* (Colmonell) had remained as the diocesan property towards the beginning of the thirteenth century.⁴⁶ Although there is still uncertainty with the place-name, it could be unsafe to conclude that the papal bulls have not confirmed any possessions in the south-west of the diocese.⁴⁷

The properties in Upper Clydesdale and Annandale seem to share the notable period of absence from the lists, in the early 1170s, although they finally keep their status as the episcopal possessions at least since 1179. In 1186, there are three possessions in Upper Clydesdale. After the Inquest, while lands of Wandel and Wiston are lost, the estates of Carstairs, where a dwelling place of the bishop is likely

⁴² *Chron. Fordun* i, 256, ii, 251; *Chron Holyrood*, 137: Fergus died at that monastery in 1161.

⁴³ *Holy. Lib.*, no. 52: Even the bishop of Glasgow himself provides a charter confirming to Holyrood the patronage of this church.

⁴⁴ Brooke, 'Deanery of Desnes Cro', 53.

⁴⁵ *Ibid.*, 62.

⁴⁶ *Holy. Liber*, nos. 80-81: In the thirteenth century, even this '*kirkcolemanel*' has been appropriated to Holyrood.

⁴⁷ Oram, *Lordship of Galloway*, 168-9; Cowan, *Parishes*, 34: In the Inquest text, '*Edyngaheym*' lies in a list of places located in Annandale, and, while Barrow has considered this as a misplacement, an alternative identification with 'Ednemland' in Annandale has been suggested. Also, as for the place-name of '*Kirkcolemanel*', Cowan has mentioned another Colmonell in Carrick as the relevant church belonging to the bishopric of Glasgow.

to have existed from a remote date, have been added to Carmichael and Carnwath.⁴⁸ In Annandale, five churches appear in the list of 1186. While Colehtaun, Trailtrow, and Esbie have not been confirmed since the Inquest or no. 26, the churches of Kirkpatrick-Juxta and Moffat have been added since no. 51. As I will investigate in the next section, it is evident that the situation in these areas is reflected in the royal policy of infestment to numerous lay tenants who were often to dispute with the bishop over land and patronage.⁴⁹ Probably, in most cases, the Pope could not confirm such privileges, even if they had dated from as early as David's Inquest, until relevant landholders officially conceded them to the bishop of Glasgow.

In and around Glasgow, the pattern is possibly much more complex and confusing. From this area, not so large in size, no less than twenty-two place-names come to our lists. Unlike any other areas, it is not clear enough even how place-names found in the Inquest, such as *Carcleuien*, *Camcathetheyn*, and *Canetheyn*, which are still difficult to identify, correspond to those in the lists of the Papal confirmation, such as Glasgow, Govan, Partick, and Shettleston.⁵⁰ Also it is difficult to determine with certainty whether the portion of the district, such as Crag, Garrioch, and Newton, were subdivisions of original possessions or new names for properties formerly designated by another name.⁵¹ In 1186, this area has twenty possessions. Most of them, after the middle of the twelfth century, seem to appear as separate estates with churches through the subdivision of the Glasgow baronies.⁵² Except for some regular estates, their appearance is nothing but inconsistent. Especially no. 32 is remarkable where Cadder, Bademonoc, Barlanark with Baldernock which should be there are all excluded, and instead very rare names, *Roder* (Riddrie?) and Dalmarnock, are put in. J. Durkan explains such a situation as a result of temporary uncertainty of possessions in this area by the excesses committed by William I, Earl David of Huntingdon, and his officers against the church since the death of Bishop Ingram, such as the seizure of Bedley.⁵³ Indeed William I, in his charter of the grant of Bedley, admits that he has

⁴⁸ *OPS*, 125.

⁴⁹ Shead, 'Benefactions', 3.

⁵⁰ Durkan, 'Bishops' Barony', 279: According to Durkan, Shettleston is a notable absentee from the Inquest and seems to have been still in private hands at the time.

⁵¹ *OPS*, 11.

⁵² Durkan, 'Bishops' Barony', 280: The divisions of barony for administrative purpose are not discernible before the sixteenth century, but appear to originate three or four centuries earlier.

⁵³ J. Durkan, 'Cadder and environs, and the development of the Church in Glasgow in the twelfth century', *IR* 49 (1998), 132.

made that grant as a compensation for uncertainty caused by him and his officers.⁵⁴ Quite similarly, on his grant of Kinclaith, Malcolm IV mentions the transgressions perpetrated by David I, Earl Henry, and himself against that church and its bishop and servants, especially on account of the lands which the king granted to his barons and knights.⁵⁵ Although that explanation cannot solve all the irregular appearances, it could be one of potential reasons for the uncertain situation of the territorial privileges near the cathedral.

After the Inquest, a few possessions outside the diocese are also confirmed by the popes. These two churches and one whole estate, namely Loquhariot, Moorfoot, and Hermiston, are all located in Mid or East Lothian, in St Andrews diocese. Loquhariot, according to the narrative in the *Life*, is known as the place where St Kentigern lived for eight years in his episcopacy, preached, and erected the cross of Christ.⁵⁶ Sometime after his succession to the throne, David I granted some land to its parish church.⁵⁷ And then, by the middle of twelfth century, this church was appropriated to the see of Glasgow by the bishop of St Andrews.⁵⁸ In fact, this grant was ineffective, because David I granted it to Scone priory and Malcolm IV confirmed this in 1163 × 1164.⁵⁹ But as far as the reference in the papal bulls is concerned, the bishop of Glasgow seems to have recovered this possession by 1175, although in the time of the first general confirmation in 1170, the church had still belonged to Scone.⁶⁰ Hermiston in Saltoun and Moorfoot in Temple appear in the same charter in which Loquhariot is confirmed, but both were omitted from the following general confirmations. While the former is back to the list in 1186, the latter is never confirmed to the see again. Hermiston is known as one of the Morevilles' estates.⁶¹ Like the cases with Clydesdale or Annandale, it seems possible that the existence of a

⁵⁴ *Glas. Reg.* no. 39; *RRS*, ii, no. 192; N. F. Shead, 'Jocelin, abbot of Melrose (1170-1174), and bishop of Glasgow (1175-1199)', *IR* 54 (2003), 11.

⁵⁵ *Glas. Reg.* no. 15; *RRS*, i, no. 265.

⁵⁶ Forbes, *St Ninian and St Kentigern*, 110.

⁵⁷ *ChDI*, no. 232; *RRS*, i, no. 68; *Scone Liber*, no. 51.

⁵⁸ *Glas. Reg.*, no. 11.

⁵⁹ Shead, 'Benefactions', 4; *ChDI*, no. 225; *RRS* i, no. 243.

⁶⁰ *RRS*, ii, no. 20; *Scone Liber*, no. 23: William I confirms David I's initial grant to the future abbey in 1165 × 71.

⁶¹ *RRS*, i, 35.

great landholding family made it difficult for the bishop to hold its possession consistently.⁶²

In this section, I have focused on general confirmations and investigated the appearance of possessions in their lists. I have then made it clear, to some extent, the difference in patterns of listed possessions according to the date of issue and the location in the diocese. To sum up, generally the number of possessions increases towards the end of the twelfth century, particularly in the Glasgow area where many new portions of land are likely to have been arranged by subdivisions of the original possessions. Also competition for possessions with other landholders, including the crown and other religious institutions, seems to have occurred everywhere and clearly had a significant effect on the accumulation of the bishopric's properties. In addition, in later bulls, the bishop's patronage is described not only as individual property like church or land, but also as regions within the diocese. In no. 32, these consist of Teviotdale, Tweeddale, Clydesdale, Annandale, Dryfesdale, the Lennox, Kyle, Carrick, Galloway, and Lothian. In the texts of the following three bulls, Eskdale, Ewesdale, Liddesdale, Strathgryfe, Mearns, Largs, Cunningham, Glenken, Strathnith, and Desnes have been added.⁶³ This seems to have been a consequence of Bishop Jocelin's appeal to Rome to secure his jurisdiction over some border districts, especially the south-west.⁶⁴ In these references, we can see that the bishops' influence and authority, at least nominally, has extended to almost every part of the diocese, whether they held any particular possession there or not.

All these data drawn from the general confirmations are certainly important historical evidence. Although a little inconsistent and less informative, it should be recognised that they provide us with knowledge of the remarkable process of the physical development of the bishopric which continued since its reconstruction by the future David I. The data and discussion in this section offers a suitable background to the next subject concerning individual charters of each transaction.

⁶² *Ibid.*, no. 218; *Dryb. Liber*, no. 6: Richard de Moreville granted the church of Saltoun with the whole land, a property in the same district of Hermiston, to Dryburgh Abbey, Morville's founding monastery.

⁶³ *Glas. Reg.*, nos. 32, 51, 57, 62: In no. 62, Cunningham is missing, which seems accidental.

⁶⁴ Oram, *Lordship of Galloway*, 179: Jocelin's letter to the pope has not survived.

Transactions –initial grants and confirmations–

In the previous section, I have discussed how many and what form of properties belonged to the bishopric of Glasgow since the Inquest. Like most ecclesiastical properties in the medieval period, these possessions were transferred through charter documents. These charters potentially include information about when, by whom, and in what circumstance each possession was granted or confirmed to the bishop and his church. So what I will do here, at the beginning of this section, is to find and specify as many as possible of the individual charters in the Old Cartulary. First, I am going to focus on the individual charters relevant to the possessions listed in the general confirmations, especially those classified as grants, confirmations, and quitclaims which donors themselves provided. Then, I will turn to documents of agreement written by someone other than the donor to search for any further reference to initial grants. After that, I will move to some other individual charters dealing with the possessions which the papal bulls have not confirmed.

In Earl David's Inquest, the first charter of the cartulary, there is no reference to the initial grants of the listed possessions. Some of the place-names had been undoubtedly ancient religious centres and probably associated with St Kentigern.⁶⁵ But none of them has its individual record suggesting how it had actually been endowed to the saint and his church of Glasgow prior to the Inquest. In contrast, between the Inquest and our first general confirmation by the pope, no. 26 dated 1170, nine gifts of new possessions were provided with their charter documents. Of these individual charters, all but one are royal acts, and the relevant properties are, except for the two of Old Roxburgh and Loquhariot, within the Glasgow area. Amongst them, three are issued by David I granting land in Govan (1128 × 1136); land in Partick (1136 × 1141); and the church of Cadzow (Hamilton, 1150 × 1152), although the last charter has not survived in the Old Cartulary.⁶⁶ Malcolm IV, his successor, made three grants with surviving records; the church of Old Roxburgh and the chapel

⁶⁵ Forbes, *St Ninian and St Kentigern*, 93, 95, 217; Cowan, *Medieval Religious Houses*, 48-9; J. G. Scott, 'Bishop John of Glasgow and The Status of Hoddum', *TDGAS* 66 (1991), 41: For example, Stobo was the site of a sixth-century episcopal church in the Tweed valley, with a large number of dependent chapels. Also Hoddum, according to the twelfth-century *Life* of St Kentigern by Jocelin of Furness, for a time had been the episcopal see of Kentigern, before he later transferred it to Glasgow. The saint reputedly built a church there.

⁶⁶ *Glas. Reg.*, nos. 3, 6, 8; *ChDI*, nos. 34, 56, 200.

in Roxburgh castle (1153 × 1156); the lands of Kinclaith (1165).⁶⁷ Although the individual charter is not surviving, one of William I's confirmation charters (1166 × 1170) refers to the charter of Malcolm IV of two other grants, Cadder and Badermonoc (Monkland), in his reign.⁶⁸

The only non-royal individual charter in this period is provided by the bishop of St Andrews dated between 1147 and 1151. In this charter, Bishop Robert concedes the possession of the church of Loquhariot (Borthwick) to Herbert, the bishop of Glasgow, with the presence and assent of David I and his son, Earl Henry, on condition that the church of St Andrews had all episcopal services in that church.⁶⁹ Some of these grants, despite their dates, have not been confirmed in no. 26. In the previous section, I have already discussed the reason for the absence of Loquhariot (see above p. 68). But it is not so clear why Partick and the chapel of Roxburgh castle have also been omitted from that bull. The former appears in no. 28 as a prebend and then, is listed as a church along with estates in no. 32. The latter is not included in the general confirmation until no. 51 dated 1179.

In the list of no. 32, despite quite a few additions and absences, it is only the church of Carnwath whose grant has survived as an individual record. According to this charter, no. 52 of the *Registrum* (fo. 7 of the Old Cartulary), William de Somerville, the donor, clearly states that he had granted the church with a half carucate of land and other pertinents to the church of Glasgow and Bishop Ingram in the past. And then he confirms, with the present document, the same possessions to the next bishop, Jocelin, and his successors.⁷⁰ Therefore, though this charter is dated between 1180 and 1185, it should be noted that the initial grant of the church was made before Bishop Ingram's death in 1174. Carnwath has been confirmed by papal bulls consistently since 1175. Amongst the new possessions in the next bull, no. 51, two grants of Bedley and the burgh of Glasgow were made by William I whose individual charters are issued in almost same years (1175 × 1178), and were included in the Old Cartulary.⁷¹ After no. 51, no individual charter has been provided for some

⁶⁷ *Glas. Reg.*, nos. 12, 15; *RRS*, i, nos. 114, 265.

⁶⁸ *Glas. Reg.*, no. 29; *RRS*, ii, no. 106.

⁶⁹ *Glas. Reg.*, no. 11.

⁷⁰ *Ibid.*, no. 52.

⁷¹ *Ibid.*, nos. 39-40.

years until no.62 in 1186, as there is almost no change in the confirmed possession. As I have mentioned, our last and exceptional general confirmation dated as late as 1216 (no. 111) includes two of the recent donations from the laity, the land of ‘Scrogass’ near Stobo and the church of Campsie in the Lennox. Interestingly both benefactions have surviving charters. Concerning ‘Scrogass’, Robert of Line confirms to Bishop Walter his tenant’s quitclaim of the land. Also about Campsie, an individual charter of the grant was produced in the name of Ailin II, the earl of Lennox.⁷² Compared with the earlier period between the 1120s and 1150s, relatively few individual charters by donor’s own hands have survived from after the 1170s.

Apart from donor’s charters provided at the occasion of grant or confirmation, however, there are some charter records written by third person(s), which contain references to individual endowments of other possessions. The two papal bulls, one dated 1173 and another issued in 1186, are the kind of documents in which the popes mention a couple of specific churches endowed to the see in the past, presumably to legitimate and protect their status against current or future claims from others. No. 24 issued by Pope Alexander III in 1173, confirms churches of Carmichael, along with the chapel of Roxburgh castle and the church of Carnwath, to Bishop Ingram. Although the pope has not stated who is the benefactor, as far as the date of original grant is concerned, this bull is offering us a little more limited period than the general confirmations.⁷³ Another bull by Pope Urban III contains much clearer reference. In July 1186, he confirms the church of Renfrew to the bishop, dean, and chapter of Glasgow Cathedral, suggesting that this church were originally donated by David I in the episcopacy of Bishop John. Accordingly the date of benefaction must have been between the Inquest and John’s death in 1147, though David I’s act anent this grant is not available.⁷⁴

Along with charters of grant and confirmation, agreement or settlement of dispute could be another form of evidence suggesting the occasion on which the original transaction has been made. The text of no. 55, the agreement between Roger de

⁷² *Ibid.*, nos. 87, 101: The former document is included in fo. 47 of the Old Cartulary, and the latter is in fo. 27.

⁷³ *Ibid.*, no. 24: In the list of general confirmations, it is not until 1179 that the church of Carmichael appears.

⁷⁴ *Ibid.*, no. 66; *Scotia Pontificia*, no. 137.

Valognes and Bishop Jocelin over the church of East Kilbride, announces that the church had formerly pertained to Bishop John and his successors, which has been proved by older men and witnesses at the royal court of Lanark.⁷⁵ Thus, like the church of Renfrew, the church of East Kilbride had once been endowed to the see when John was still alive, though the donor at that time has not been named. Also according to the ratification of another agreement between Robert de Brus and the bishop of Glasgow, the lord of Annandale had already conceded five churches in his territory to the see in the time of Bishop Ingram.⁷⁶ While two of them, Moffat and Kirkpatrick-Juxta, are obviously the original gifts from Robert de Brus, the other three, Dryfesdale, Hoddum, and Castlemilk, seem to have been endowed in the earlier period by unknown donor(s), because they have been listed in the 1170's general confirmation as churches as a part of estates. Neither Roger de Valognes nor Robert de Brus had their own charters concerning their concessions of these churches, or at least, they have not survived in the Old Cartulary. Given such remarkable accumulation of the diocesan possessions as that we have found, the number of donors' charters surviving in the cartulary seems small, whether they have been lost or never existed. But, as I have discussed, some particular references in papal bulls or agreements also provide the potential dates and donors of initial grants.

Out of forty-five possessions listed in the general confirmation dated 1186 and two confirmed in another dated 1216, twenty-two possessions have their individual documents concerning their inclusion to the diocesan properties. Amongst them, ten are granted or confirmed in eight royal acts, including the donation of the church of Cadzow which has survived only in the fifteenth-century cartulary. Four are granted with private charters (three by laity and one by an ecclesiastic). Two are confirmed by two papal bulls. And six are mentioned in two agreements. It is difficult, if not impossible, to find some distinctive patterns between the production of individual charters and appearance of the relevant possession in general confirmations. In the case of the royal acts, most possessions, except for Partick and the chapel of Roxburgh castle, are listed in the first possible general confirmation after their

⁷⁵ *Ibid.*, no. 55.

⁷⁶ *Ibid.*, no. 72: This document is dated between 1175 and 1189, and the present recipient is Bishop Jocelin.

endowments. So are the three possessions granted with private charters, Loquhariot, 'Scrogass', and Campsie.

For the church of Carnwath which had been listed since no. 32 dated 1175, the first possible general confirmation could have been no. 26 in 1170, because the date of transaction was clearly between 1164 and 1174, corresponding to the episcopacy of Bishop Ingram, the recipient. Though both Renfrew and Carmichael are presumably early gifts, and the pope confirmed them in separate bulls in 1173, it is not until 1179 that they appear in the proper general confirmations.⁷⁷ Agreement between Bishop Ingram and Robert de Brus seems to have resulted in the recovery of the relevant churches in Annandale in the list of no. 51. On the other hand, judging from the date of agreement, the church of East Kilbride seems to have been included in general confirmations before Roger de Valognes' quitclaim and subsequent composition with the bishop. If this is the case, it seems the confirmation with the papal bull would have been a cause, rather than result, of the concession from laity, which is quite unique and could be in contrast, not only to the pattern of Annandale, but also to any other transaction mentioned here.

Evidently not all individual charters are related to the listed place-names in the general confirmations. While the Pope confirms a couple of churches and lands outside the diocese, no general confirmation contains the tofts in four royal burghs, Montrose, Forfar, Dumfries, and Stirling, which William I granted with his acts between 1175 and 1195.⁷⁸ Also papal bulls typically do not mention some acquisitions of land or subordinate chapels. Though there are a few exceptions, such as the land of 'Scrogass' and chapel of Roxburgh castle, transactions of minor properties like a piece of land (nos. 30, 99, 105), patronage of chapels or smaller churches (no. 84), annual payments or provisions (nos. 2, 98, 100, 179) and rights over serfs (no. 34) are, even with relevant charter records provided, hardly given a reference in general confirmations. Not surprisingly, it is churches and their appurtenances that the bishop really claims, other landholders concede, and the papal bulls count. Usually individual charters relevant to appropriated churches, even in

⁷⁷ *Ibid.*, no. 24: Given its number and variety of listed properties, no. 24 could be, like nos. 28 and 111, considered as another exceptional general confirmation.

⁷⁸ *Ibid.*, nos. 33, 50, 74, 77: All charters have been included in the earlier folios of the Old Cartulary.

agreements as well as grants, refer to attached property like plough-land, pasture, and fishery. On the other hand, charters of churches in the Glasgow area, which are all royal acts, also have common understandable keywords, *cum suis divisis* or *per rectas divisas*, which can be translated as ‘by the right marches or boundaries’.⁷⁹ Obviously that indicates that the bishop has been granted whole estates including the church as a part of it.

Next I will consider links between transaction and documentation. I am going to mention some transactions for which several charters are produced, and try to find out the circumstances of documentation, for example, who confirms whose initial grant, who drafts or arranges which agreement, and if there is potential loss of documents in the process of transactions. I will start with royal grants. Amongst eighteen royal grants, eight charters have been confirmed, or at least acknowledged by other documents in later periods. David I’s two charters granting teinds of cain and share from royal pleas are confirmed by one papal bull issued in 1173. The same bull also confirms the chapel of Roxburgh castle, one of the possessions granted by Malcolm IV in the 1150s, though the pope does not mention the donor. As already suggested, David I’s grant of the church of Renfrew to Bishop John, while it is mentioned in a papal bull dated 1186, has not survived in the Old Cartulary. Malcolm IV’s grant of the land of Kinclaith is confirmed by his successor, William I. And, in the same confirmation, William I clearly announced that Malcolm IV granted two other possessions, Cadder and Badermonoc. If Malcolm had issued his act for this endowment, that would have been another one of the lost acts in the cartulary. William I’s act granting Bedley to the see has not been confirmed by any individual documents. But the same king issued another charter in 1201 or 1202, acknowledging that Bedley still belonged to the bishop of Glasgow.⁸⁰ William’s grants of the burgh of Glasgow and the privilege of the eight-day fair are confirmed by his successor Alexander II.⁸¹ As for the grants whose recipient is not the bishop, David I’s earlier donation to the church of St John of Roxburgh is confirmed by his son, Earl Henry in

⁷⁹ *Ibid.*, nos. 3, 6, 15, 29, 39.

⁸⁰ *Ibid.*, no. 90-1: There was a lawsuit over the land called Muckcroft to which both the bishop and William Cumin had made a claim for the ownership. Eventually the land was proven to belong to Bedley, one of the bishop’s possessions and William Cumin renounced it.

⁸¹ *Ibid.*, nos. 132-4.

the 1150s, and by William I in 1189 × 95.⁸² In addition, William's confirmation to Orm de Ashkirk (no. 30) could have related to the earlier document, possibly issued by the previous king. If this is the case, that charter should be another missing document.

In terms of documents of transaction by the laity, it would be appropriate to start with a couple of distinctive cases with dispute and composition, especially Annandale and Upper Clydesdale, which has been studied in relative detail based on a couple of surviving charters. The grant to Robert de Brus of Annandale and Annan castle as a feu is well-known as one of the first significance of evidence of military feudalism in Scotland, which was probably made between 1116 and 1120.⁸³ Also the charter of this grant, issued at Scone in *ca* 1124, is recognised as the first surviving record of an infektment by David I. In that document, Robert de Brus is given all the land from the march of Nithsdale as far as the march of Carlisle and Cumberland.⁸⁴ Moreover, with another charter dated between 1150 and 1153 at Staplegordon, David I adds the area between the marches with the forest of Selkirk and the Clyde to the family's possessions.⁸⁵ Consequently, as A. C. Lawrie suggests, his territory was to be bounded in the north by Lanarkshire and Peebleshire, in the north east by Selkirkshire, in the east by Eskdale, in the west by Nithsdale, and in the south by the Solway Firth. It also includes the parishes of Annan Deanery.⁸⁶ In addition, the fact that, sometime before 1175, Robert de Brus granted Guisborough priory, his own family foundation, rights in several of the churches of Annandale suggests that the patronage of churches, as well as lands, was regarded as a part of his possessions.⁸⁷

From the bishop's viewpoint, however, it was unacceptable that the Brus family seized all lands and properties in Annandale permanently. Six place-names in that region had been confirmed as the possessions of the church of Glasgow by David's Inquest in the early 1120s, and four of them, Castlemilk, Dryfesdale, Esbie, and Hoddum appear in the first papal bull dated 1170 as the privileges consisted of churches and whole named estates. In such a situation, it seems to have been

⁸² *Ibid.*, nos. 5, 75.

⁸³ Barrow, *Kingdom*, 251.

⁸⁴ *ChDI*, no. 16.

⁸⁵ *Ibid.*, no. 210.

⁸⁶ *ESC*, 307.

⁸⁷ R. M. Blakely, *The Brus Family in England and Scotland, 1100-1295* (Woodbridge, 2005), 167-75.

inevitable for the bishop to claim his ancient properties against the Brus, which might have caused a dispute between the church and the lay magnate.⁸⁸ Unfortunately there seems to be no evidence to tell either when their dispute started or for how long it actually continued. However the absence of the churches from the general confirmation dated 1175 seems to indicate the temporary uncertainty of those possessions. As I have already mentioned, the ratification of an agreement between two parties records that Robert de Brus relinquished his claim to some privileges in his territory and donated all churches, including new ones of Kirkpatrick-Juxta and Moffat in upper Annan, to the bishop probably about 1175, soon after Bishop Jocelin had succeeded Bishop Ingram. But presumably he had the lands restored to him on doing homage for them to the bishops.⁸⁹ In fact, this chirograph might have been written more than ten years after the actual transaction, probably around the same date as William I's confirmation in 1187 × 1189.⁹⁰ Though these two charters are the only surviving documents linked to the whole transaction, it should be noted that there is a possibility for Robert de Brus to have produced his own charter concerning this important and substantial concession.

William de Somerville is recognised as a magnate who held the estate of Carnwath. The Somervilles are one of the families who migrated to Scotland from Yorkshire in the twelfth century. William's father, whose name is also William, served kings David I and Malcolm IV from 1124 to 1165.⁹¹ Carnwarth, east of the royal castle of Lanark, was one of the estates which he was given in Scotland, presumably by David I. He also held the estate of Linton, south-east of the royal castle of Roxburgh.⁹² Unlike the Brus's case, the royal charter of these infeftments has not survived. Although William II's own charter, dated between 1180 and 1185, mentions neither any particular claims from the bishop of Glasgow nor disputes with him, the fact that the place-name of Carnwath has been excluded from the general confirmation dated to 1170 suggests that, at least during a particular period between the Inquest and then, the bishop's possession of Carnwath must have been relatively uncertain, probably because of the settlement of new landholders, the Somervilles. It was the advice of

⁸⁸ Scott, 'Bishop John of Glasgow', 44.

⁸⁹ Shead, 'Jocelin', 18.

⁹⁰ *Glas. Reg.*, no. 73; *RRS*, ii, no. 260.

⁹¹ Barrow, *Anglo-Norman Era*, 107.

⁹² *Ibid.*, no. 194; *Glas. Reg.*, no. 16: From this estate and church of Linton, he gave three acres of land and teinds to Glasgow cathedral.

his father, William I, to grant the church and land of Carnwath to the bishop of Glasgow.

In 1173, Pope Alexander III confirms the church of Carnwath, along with a couple of possessions, to the see. That suggests that William II de Somerville's initial grant must have been made by that year, and thus, his individual charter of that transaction, if it existed, should have been dated around that year. As far as the charters in the Old Cartulary are concerned, William's surviving charter (no. 52) has not been followed by any confirmation by the king. Instead one papal bull dated 1186 seems to have a link with that document. In that bull, Pope Urban III acknowledges William's donation and authorises the bishop's possession of the church to nullify any future claim from the neighbouring parish, Libberton.⁹³ Thus, it is likely that, in the time of two surviving documents by William II and the pope, the bishop's competitor over the church was not the Somervilles any more, but other landholders who had a patronage for Libberton at that period.

Roger de Valognes belongs to a family from western Normandy which had been settled in England, especially in East Anglia and Essex, since soon after the Conquest.⁹⁴ His case with the church of East Kilbride may be more difficult to deal with than the previous ones, because the Old Cartulary has no records of that land and church other than the agreement between Roger and Bishop Jocelin. Although the agreement has proved that that territory belonged to the see as early as the time of Bishop John, neither East Kilbride nor Kilbride is included in the list of the earlier confirmations including the Inquest. Also it is uncertain when de Valognes was infefted in the estate by the king, due to the lack of the royal act. So, in this situation, for both the bishop and the lay magnate, the source of claim to the patronage of the church has not been available, at least in the Old Cartulary. Judging from the almost same witnesses, the agreement and the following confirmation by William I are likely to have been drafted at the same occasion after the mentioned royal court at Lanark, where Roger had quitclaimed the church and possibly could have provided some relevant documents in his name. The ratification states that Roger has been allowed

⁹³ *Scotia Pontifica*, no. 143; *OPS*, 135: The church of Carnwath was constructed within the parish of Libberton, whose territory and church is ancient of great extent.

⁹⁴ Barrow, *Anglo-Norman Era*, 23.

to have his own chapel and chaplain at his castle of Kilbride, supposedly independently of the parish church, but all teinds from Roger's land should be received by the mother church.⁹⁵

The charter anent the church of Campsie written by the earl of Lennox is a normal donation, neither quitclaim nor agreement. Although the bishop's jurisdiction over the whole region had been confirmed by papal bulls, there is no convincing evidence suggesting whether any other possessions actually belonged to the see. The earl Ailin II's initial grant is confirmed by his son and heir Maoldomhnaich probably on the same day, but neither royal acts nor papal bulls were involved. In fact, however, it is not clear whether this grant was effective, because Earl David, the son of William I, who was once holding the earldom, had granted the churches of Campsie and 'Altermucin' to the monks of Kelso. That grant appears to have been confirmed by the king as well as by Bishop Jocelin.⁹⁶ Regarding these clashing rights between Glasgow and Kelso, the cartulary contains only a final agreement which took place in the chapel of Roxburgh castle in 1221. According to the text, in the presence of the chancellor and other magnates of the king's court, the abbot quitclaimed to the bishop the church for an annual payment from the benefice of ten marks of silver to the monastery.⁹⁷ It is not evident whether the abbot provided his own charter of the concession or not.

The lengthy process of endowment of 'Scrogass' has produced four surviving charters, which start with the David de Line's infeftment of the land to his vassal Simon, son of Robert of Scrogass, dated 1164 × 1174. Robert de Line, son of David, confirms this grant, but after Simon's quitclaim, he confirms the same land to Bishop Walter of Glasgow in his other charter dated after 1208.⁹⁸ Moreover, in 1218 or 1219, he provided one more charter to the same recipient, the bishop of Glasgow (unnamed). Interestingly, this time, it seems that either rent or service for which the bishop had held the land has been exempted. With this charter, Robert has actually granted the

⁹⁵ *Glas. Reg.*, nos. 55-6.

⁹⁶ *Kelso Liber* [*Kel. Lib.*], nos. 226, 386, 413.

⁹⁷ *Glas. Reg.*, no. 116; *OPS*, 45.

⁹⁸ *Glas. Reg.*, nos. 85-7: Partly identical texts, including perambulation, of these charters show that the bishop had been confirmed in the same territory for the same rent and service as Simon had held.

land as a free gift from himself, presumably responding to the bishop's claim.⁹⁹ Given its benefit for the bishop and his church, it is hardly surprising that this Robert's latest benefaction has been kept in the earlier folios of the cartulary as a more important title deed, while all other documents concerning 'Scrogass' have been included only in the later folios. A quitclaim or sale from the initial tenant, Simon, son of Robert of Scrogass, is the potential missing document. And, if it is the case, Bishop Walter also could have issued some form of document claiming freedom from secular charges he had owed.

Though it seems not to have affected the total number of diocesan possessions, a couple of charters written by the de Morevilles, the king's hereditary constable, are another example of the twelfth-century transactions in which a great landholding family was involved. In *ca* 1170, Richard de Moreville rented the land of Gillemorestun, called *Penteiacob* in the Inquest, with its appurtenances except for the church, from Bishop Ingram for fifteen years by paying three hundred marks. With another charter, Richard grants this estate to his knight, Edulf, son of Uhtred, and William de Moreville, Richard's son and heir, repeats this infeftment with his own charter.¹⁰⁰ Despite this documented transfer, the church and estate of Gillemorestun has never been absent from general confirmations, from the Inquest to no. 111, probably because it was only rented and would be given back in fifteen years or it was nothing with the mother church which would remain in the bishop's hands. The only effect of this Moreville's transaction on the general confirmations is the name of the possession, which has turned to Eddleston after no. 62, apparently taken from the name of the knight who held the estate.

In this section, I have explored some of surviving individual charters written in between the Inquest and the beginning of the thirteenth century. Most of them, grants, confirmations, quitclaims, and agreement, have offered potential circumstances of transaction and documentations in each area of the diocese, which typically corresponds to regional patterns of property accumulation found in the general confirmations. In Tweeddale and Teviotdale, where most possessions are dated from the Inquest and remain to the see through the period, it is only a couple of Roxburgh

⁹⁹ *Ibid.*, no. 88.

¹⁰⁰ *Ibid.*, nos. 44-6.

properties which have been granted with a charter. Even before this royal grant, the church was with all pertinences held by Ascelin, the archdeacon of Glasgow, at least from the episcopacy of John.¹⁰¹ Thus, as far as the record of the Old Cartulary is concerned, the possessions, especially churches, in this area typically seem to have been free from annexation by secular power, although it should be noted that, as we have seen in Stobo and Eddleston, some local lordships had a right over portions of land and sub-infefted it to their lesser tenants.¹⁰²

In the Central and South of the diocese, in contrast to the previous areas, quite a few individual charters have been kept. Given the regions where, after the Inquest, the tenorial settlement of lay magnates with English and Continental background is remarkable, it is not surprising that the charters are not straightforward donations, but the records of laity's quitclaim or agreement with the bishop. Popes also issue some confirmations with reference to the original grant. These documents are typically provided long after the initial transactions, probably as a proof or warrant which would be offered at a current and future lawsuit with other landholders like monasteries. Unfortunately, except for the case with the appropriated churches of Kirkpatrick-Juxta and Moffat, it is not evident whether the laities produced their own charters concerning the original grant at the time of transaction.

Most of the possessions around the see, particularly the earlier endowments, have individual charters concerning their initial grants. Except for the reference to the church of Renfrew and the agreement over the church of East Kilbride, all these documents are royal acts granting churches within whole estates. As far as the charters relevant to possessions of this kind are concerned, it seems that neither papal confirmation nor settlement by other ecclesiastics have been provided, but these acts are typically confirmed by the king's son or successor. In terms of many other portions of land, especially the later acquisitions, there is no surviving individual charter in the Old Cartulary. However, the fact that general confirmations by popes have listed those lands, such as Newton, Crag, Dalmarnock, along with the estates of

¹⁰¹ *OPS*, 45; *RRS*, i, no. 114.

¹⁰² *Glas. Reg.*, nos. 126-8: In 1223, another lawsuit anent the land of Stobo was settled by the judgement of ecclesiastics, such as the bishop and archdeacon of St Andrews and the dean of Lothian. As a result, Jordan of Currokes has quitclaimed the land with all equipment to Bishop Walter. This agreement is confirmed by King Alexander II and recorded again in the charter of Walter Olifard, justiciar of Lothian, in which Walter has added that the bishop paid Jordan a hundred pounds for peace.

royal grants may suggest that both properties are quite similar in character or donor. In 1242, Alexander II issued a charter granting lands around Glasgow to Bishop William and his successors. In this act, the king named ten places which consist of either existing ones, such as Kinclaith, Shettleston, and Bedley, or new ones including the new acquisition such as *Kenmor* and *Possele* (Possil?).¹⁰³ Presumably in the Glasgow area, the creation or subdivision of new estates and properties was usually carried out with the king's initiative like the establishment of royal burgh or forest. And most of these possessions, as the surviving records suggest, are likely to have been endowed to the see without any interference by another secular power. Although not all charters might have survived and not all evidence is so convincing, it can be safe to consider such royal presence as a distinctive character in the transaction and documentation in this region.

The other areas have such a small number of surviving documents that any distinctive pattern cannot be offered here. In the south-west, there is no individual charter linked to the church of Kirkcolemanel, the potential addition to the papal bulls from this region. The endowments of the church of '*Wintertonegan*' by Affrica, lady of Nithsdale dated 1228, and the forest of '*Dalquhairn*' in the fee of Kirkpatrick-Irongley by Isabel de Valognes, lady of Kilbride, are the only surviving transactions in our period. Also in the Lennox, only two possessions, the churches of Campsie and Cardross are related to the see of Glasgow.¹⁰⁴ Nevertheless it is interesting to see the way the earl of Lennox endowed the church. Unlike the twelfth-century lay landholders in other areas, he has made the benefaction quite straightforwardly, without either a dispute with bishop or a quitclaim, and had it confirmed by his son, the future earl. In fact, including the aforementioned two endowments in Nithsdale and one donation by John, son of the earl of Carrick, the thirteenth-century individual charters begin to deal with possessions in the south-west or north-west which the earlier charters hardly covered.¹⁰⁵

¹⁰³ *Glas. Reg.* no. 180; *RRS Handlist [Hdl] of the Acts of Alexander II*, no. 260: In the Old Cartulary, it is exceptional for royal acts to deal with as many as ten possessions in one document.

¹⁰⁴ *Glas. Reg.* no. 108: The latter church was endowed by Earl Maldoven in 1221x 1229.

¹⁰⁵ *Ibid.*, no. 187; *RRS Hdl, Acts of Alexander II*, no. 270: The record of John's grant has been survived only as King Alexander II's confirmation to Bishop William of one pennyland called *Hachinclohyn* in land of *Stractimer* and patronage of the church of *Stractimer*.

Now, with the evidence of individual charters added on, we can sum up a geographical and chronological pattern of transaction and documentation of the diocesan possessions, as follows; 1. The East of the diocese: Typically, at least churches, in permanent tenure of the bishopric from the time of the Inquest. 2. Glasgow area: Relatively early donation and confirmation by the kings, sometimes with dispute. Additionally, an increasing number of new estates, which are probably royal grants too, have appeared towards the 1180s. 3. Central and South: Many early establishments and endowments to the see, though the charters have not survived. Probably by the middle of the twelfth century, most possessions have been taken away by lay magnates who had settled in the districts. Through documented agreements and quitclaims, they have been regained as diocesan possessions. 4. West: Some possessions in the south-west have their origin in the Inquest. After a period without record, only Kirkcolemanel, if this church is in Urr, might have been recovered by the bishops. In the thirteenth century, three benefactions by the local lordships were made with individual documents, including two original grants. In the north-west, two churches are granted by successive earls in the thirteenth century with individual charters. It should be remembered that the survival of charters is potentially affected by archival losses or selections. Nevertheless this conclusion about the possessions and the relevant charters could, to some extent, define the influence of the bishops of Glasgow in this period, particularly the process and pattern of its spread into almost all through the diocese, which closely interacted with secular authorities in various levels from the king and his followers to some local families. Next, in the last section of this chapter, I will investigate further networks between these authorities, both lay and ecclesiastic, from more social and local aspects.

Networks –bishop’s jurisdiction and witnesses–

This section will deal with charter evidence of relationships between the bishopric and other institutions or individuals outside the cathedral. Apart from the endowment of properties, Glasgow Cathedral had many important occasions to relate to its lay and ecclesiastic neighbours. Even after a transaction had been made, jurisdiction over some kinds of privileges, such as revenue from local churches or estates, often needed to be fixed with further negotiations. The Old Cartulary includes documents of these negotiations in the form of agreements and brieves. In the earlier part of this section, I am going to investigate these records to make it clear who, whether monastic houses

or secular lordships, actually negotiated with or confronted the bishop of Glasgow in terms of the law and custom of the diocese, and how they settled it. That could provide evidence suggesting how the episcopal authority was effective, or not, in relation to each neighbouring institution and its domain. Then I will focus on the witness-lists of charters to discuss the involvement of individuals as attestors of transactions or negotiations. That analysis aims to identify patterns of personal relationship beyond bishops and donors, which seems to have actually formed socio-political networks within the diocese.

I have already mentioned the process of dispute and agreement between the bishop and monks of Kelso over a church in the Lennox. Kelso is not the only monastery whose involvement with the see has been recorded in the cartulary. Except for a charter by the abbot of Kilwinning granting the annual payment of three stones of wax to a bishop elect, most of the documents in which bishops and heads of monasteries are involved are negotiations or settlements concerning the patronage over parish churches of monks located within the diocese.¹⁰⁶ The relevant religious houses are Guisborough, Holyrood, Jedburgh, Kelso, Kilwinning, and Paisley. All of them seem to have had their churches in specific areas corresponding to the diocesan units. Guisborough Priory had many churches in the south of Annandale. These churches are apparently Robert de Brus' endowments to the house. His son, William de Brus made the same grant with his own charter.¹⁰⁷ With some churches in Annandale recovered before 1175, the bishops had evidently conceded the five churches, namely Annan, Lochmaben, Cummertrees, Redkirk, and Gretna to Guisborough. But after 1223, while retaining the teinds for the use of canons, Prior Michael renounced their patronage.¹⁰⁸ The abbot of Holyrood mentioned four churches in Nithsdale including 'Kircostentyn' of Urr. In two charters dated 1229, he and Bishop Walter have negotiated about the vicarages of these churches.¹⁰⁹

¹⁰⁶ *Ibid.*, no. 98: This Kilwinning's grant is dated 1202 × 1207.

¹⁰⁷ *Guisborough Cartularium*, no. 1176; *RRS* ii, no. 450; G. W. S. Barrow, *Robert Bruce: and The Community of The Realm of Scotland*, fourth edn (Edinburgh, 2005), 29: The Bruces held land in County Durham and family loyalty and piety kept their love for Guisborough Priory so strong that they never tried to found a monastery of their own in Annandale.

¹⁰⁸ *Glas. Reg.*, no. 125.

¹⁰⁹ *Ibid.*, nos. 144-5.

The churches of Jedburgh Abbey were scattered in the areas between Teviotdale and Annandale. After a vicarage settlement in 1220, seven churches had their patronage and vicarage revenue were annexed to the abbey.¹¹⁰ In terms of Kelso, there is an agreement dated 1208 × 1232, between the bishop and abbot anent a vicarage following a decision by John, cardinal legate.¹¹¹ This document does not refer to any particular churches. The aforementioned church of Campsie, which was conceded to the bishop, is the only named church in the relationship between the two institutions. In 1226, after dispute and settlement, Bishop Walter conceded the church of Ardrossan in Cunningham to Kilwinning Abbey for sixteen shillings. The church of Dalry in the same region which the monks had claimed also remained in the abbey's hands as a chapel of Ardrossan.¹¹² The suit between Bishop Walter and William, abbot of Paisley, was settled in 1227 by the judges, which consisted of the archdeacon and precentor of Glasgow, the king's chaplain, one certain clerk, and the rector of Rutherglen. This agreement assigned procuration of two churches in the Lennox, six churches in Strathgryfe, three in Kyle-Stewart, and one in Carrick. In addition, the church of Erskine was transferred from the abbot to the bishop for a pension of two marks.¹¹³

It is surely no coincidence that the date of these negotiations or agreements between the bishop and these monasteries is concentrated in the relatively short period of the 1220s. In fact on the ecclesiastic side, since the Lateran Councils of 1179 and 1215, there had been the need for reform and reorganisation not only of the episcopate as a whole but also of the relation between monasteries and secular cathedrals. It was a period when some local problems, such as the recruiting and discipline of the clergy, the proper administration of the sacraments, the founding of vicarages and the boundaries of parishes, were required to be solved.¹¹⁴ Typically the relevant churches with which the mentioned settlements deal are absent from charters in the twelfth century. Though several papal bulls confirmed the bishop's jurisdiction over areas such as Eskdale, Cunningham, Kyle, and Carrick, popes never mentioned any specific possessions, church or land, located there. Even so, it can be presumed that the

¹¹⁰ *Ibid.*, no. 114.

¹¹¹ *Ibid.*, no. 93-4.

¹¹² *Ibid.*, no. 140.

¹¹³ *Ibid.*, no. 143.

¹¹⁴ M. Gibbs and J. Lang, *Bishops and Reform 1215-1272, with special reference to the Lateran Council of 1215* (London, 1934), 2-3.

bishop of Glasgow had continued to pursue possessions in these regions and to cause problems with local patrons and monasteries. In some agreements, churches have been transferred from monks to the bishop, and in others, they have moved the other way. These documents are undoubtedly remarkable evidence suggesting further spreading networks amongst ecclesiastics in the thirteenth-century diocese.

Papal bulls and royal acts, which I have classified as *briefes*, also contain decisions or instructions concerning the bishop's proper administration of churches or lands. These documents, especially those in the earlier folios, hardly deal with individual possessions like local churches, but deliver the bishop certain liberties to be acknowledged and protected in the much wider area of the diocese. Even with the bishop of Glasgow, either named or unnamed, addressed, it cannot be doubted that some specific matters, such as establishing a vicarage and the appointment of a parsonage, could have affected religious men in the whole diocese. This suggests that the cathedral and other ecclesiastic institutions were closely and directly related to each other in terms of law and custom provided by king and pope, as well as transactions of properties. Nevertheless it does not seem that all regions within the diocese uniformly adopted to episcopal control and jurisdiction. Some *briefes* anent the collection of the bishop's revenue reveal a seemingly difficult situation, especially in the areas further from the cathedral church.

In between 1136 and 1141, David I granted the *teind* of his *cain* from Strathgryfe, Cunningham, Kyle, and Carrick to Glasgow Cathedral.¹¹⁵ Considering that neither Malcolm IV nor William I issued a confirmation, it might be expected that this benefaction was almost ineffective. The statement of two papal bulls issued sometime between 1166 and 1179 also proves another difficult case regarding the revenue. In one bull, Pope Alexander III commands the 'Galwegians' and others to pay *teinds* owed to the churches in their parishes.¹¹⁶ It is not necessarily certain what the term 'Galwegians' precisely indicated in this period. But, as generally argued, during the reign of David I, all the inhabitants of Scotland south and west of the Clyde

¹¹⁵ *ChDI*, no. 57.

¹¹⁶ *Glas. Reg.*, no. 17; *Scotia Pontificia*, no. 88.

were likely to be known as Galwegians.¹¹⁷ Indeed, in two of David I's early charters, the scribes have described Irvine, the place-date of the documents, as '*Strathirewin / Strathyrewen in Galwegia*', which allows us to presume that Galwegians could have been, or could have included at least, men of Cunningham and the neighbouring districts.¹¹⁸ Thus, it should be suggested that, in the relevant regions, the bishop of Glasgow was hardly successful in collecting his rightful revenues, whether the teinds from the king's *cain* or those owed to parish churches.

The other bull contains an even clearer reference. In the text, the same pope has informed the bishop and canons of Glasgow of the previous mandate to the Galwegians and advised them to prohibit Richard de Moreville, Walter, son of Alan, and others from supporting those detainers of teinds.¹¹⁹ Obviously these two great magnates had been infested by the crown with a couple of lordships in the west, namely Strathgryfe, Cunningham, and Kyle-Stewart.¹²⁰ And they were certainly responsible for the collection of dues from the relevant districts. Even though Malcolm IV issued two briefs commanding all his officials to pay teinds, these two papal bulls with a threat involving excommunication suggest apparent difficulty in achieving obedience and securing revenue, particularly in the west.¹²¹ It is not until these bulls have been issued that the general confirmations include teinds of *cain* into the bishop's possessions, which suggests that, by the end of 1170s, the payment to the bishop was finally, at least nominally, accepted in the west as a custom due.¹²² But, as the later briefs reveal, this is not the end of the story.

In between *ca* 1193 and 1195, William I had to mandate, with his brief, his sheriff and bailies of Galloway, Carrick, and the Lennox to allow the episcopal officer to receive the dues and teinds belonging to them without obstruction.¹²³ And the king issued two more instructions, addressed to those dwelling in the diocese, to render teinds and other dues to the bishop's officers or parish churches. These briefs are

¹¹⁷ W. E. Kapelle, *The Norman Conquest of The North: The Region and Its Transformation, 1000-1035* (London, 1979), 130.

¹¹⁸ *ChDI*, nos. 17, 37.

¹¹⁹ *Glas. Reg.*, no. 18; *Scotia Pontificia*, no. 89.

¹²⁰ *RRS*, i, 39; Barrow, *Anglo-Norman Era*, 72.

¹²¹ *RRS*, i, nos. 242, 258.

¹²² *Glas. Reg.*, nos. 51, 57, 62: However, only Kyle and Carrick have been mentioned as the districts from which the due would be collected.

¹²³ *RRS*, ii, no. 374.

dated at the end of the twelfth century and the 1210s.¹²⁴ Moreover one document of this kind was issued again in 1225 by King Alexander II.¹²⁵ The last three briefs are almost identical. They name some particular products which should be rendered based on Christian law, and give a detail of penalties for disobedience. Soon after Alexander II's brief, as the notification in the Old Cartulary shows, the earls of Carrick and Lennox promised the payment of their teinds in the presence of Bishop Walter.¹²⁶ The king's command has been addressed to the whole of the diocese and never mentioned any particular region, either the Lennox or Carrick. But it may be presumed that the earls had promised payments and other favours to the church as a result of the relevant kings' mandates.

Probably these two promises by the earls can be seen as the first positive, from the bishop's viewpoint, reaction from the west to the jurisdiction of the church of Glasgow. Before this agreement, as a series of charter records suggests, there must have been a lot of opposition and lengthy dispute between the see and local authorities. Given no surviving evidence of this kind in the east or central area, presumably, there were significant differences, in terms of administration as well as the number of possessions, amongst the diocesan districts. And it is understandable that the western units such as the Lennox, Cunningham, Kyle, Carrick, where only very few territorial and ecclesiastical properties had belonged to Glasgow, were an especially difficult area to administer. In this way, briefs can provide another form of the bishop's pursuit of privileges and interaction with other establishments, either ecclesiastic or laity. They typically concern the distant areas or the issue affecting the whole diocese, which is not always the case with the other charters. Particularly collection of teinds seems to have been so crucial in the relationships with local secular society that the see needed such frequent support from the pope and kings.

Next I am going to discuss witness-lists of the charters in the Old Cartulary. The analysis of those witness-lists will enable us to find out what kind of people were involved in each attestation, who appeared more often, and if character, contents, and donors of charters had any effect on the choice of their witnesses which could have

¹²⁴ *RRS*, ii, nos. 189, 507.

¹²⁵ *Glas. Reg.*, no. 138.

¹²⁶ *Ibid.*, nos. 139, 141.

reflected social networks around the cathedral. Amongst all 175 charters available in the cartulary, the number of charters which record transactions or jurisdiction in Glasgow possessions is 160. Here, as I focus on witness-lists and relationships between witnesses, the charters without certain attestation by men in a Scottish context, many of which are papal bulls, will be excluded. As a result, I am dealing with 101 documents in total. Again all charters can be divided into some geographical groups according to their subject. This time, in addition to the eight divisions within the diocese and one for charters concerning possessions outside its bounds, I have set another category for documents of acknowledgement or mandate relevant to the bishopric in general, into which the Inquest and many kings' *briefes* should be included. Initially the appearance of some distinctive witnesses in all 101 charters will be counted and listed to make it clear who were frequent witnesses in our materials, whether as title or as individual. And then, I would explore further to find out whether there is any pattern of witnesses according to the character of each document.

As forty-nine out of 101 relevant charters are royal acts, the royal family member or king's chancellor appears as witnesses quite a few times as one would expect. In some early charters, the donor's wife or heir not only attests the document but also give their assent to the benefaction with words like '*concedente*' or '*assensum probente*'.¹²⁷ Typically this kind of approval by relatives, which modern scholars call the *laudatio parentum*, is found in simple gifts and its confirmations relevant to church or landed property.¹²⁸ Apart from this practice, which seems to have died out after William I's 1170s endowment, the member of the royal kin-group, including the king's stepbrother or illegitimate son, take a relatively high place in each witness-list. There is even an exceptional case in which William I himself appears as the first witness to the agreement anent the church of East Kilbride.¹²⁹ In terms of geography, these witnesses appear particularly prominent in the royal acts anent the Glasgow area and Teviotdale. Especially each of the two endowments of Roxburgh properties has more than one witness from the king's relatives, which is not the case with the other acts. The chancellor, as has been said, is the most important office in the royal

¹²⁷ *Ibid.*, nos. 1, 2, 6, 8, 12, 15, 29, 39: Though I have excluded it from this analysis, no. 8 has the same formula in the reference to Earl Henry's attestation.

¹²⁸ White, *Custom, Kinship*, 1-2.

¹²⁹ *ChDI*, no. 42; *RRS* ii, no. 430; *Glas. Reg.*, no. 55.

household, who had charge of the king's writing-office, kept the king's seal, and was responsible for the production and issue of most of the charters, briefs and letters in the king's name. The chancellor, an office exclusively or customarily held by churchmen, ranked as one of the leading councillors of the king and would normally expect to be rewarded with a bishopric at the end of his official term.¹³⁰ Therefore it is hardly difficult to find a person with this title in royal acts to the see of Glasgow. There are seven chancellors witnessing seventeen royal acts and two private charters written by the bishop of St Andrews and Robert de Line. Though chancellors do not witness all royal acts, similar to the pattern of the king's documentation, they are involved in more charters concerning the Glasgow area and general issues in the diocese.

The number of times a bishop appears in witness-lists is thirty-two in total. The bishop of Glasgow himself witnesses four charters which are three royal acts and one private endowment. Given the close connection between royal government and each episcopate through the appointment, it may not be surprising that bishops are frequent witnesses to royal acts. But also, as no. 11 and no. 93 in the *Registrum* suggests, they needed to attest transactions or negotiations between other bishops probably for sufficient corroboration and authentication. Even in private charters written by lay landholders, the bishop's name can be occasionally found as a witness. For example, Bishop Arnold and William Malveisin of St Andrews attested concessions to the see of Glasgow made by William de Somerville and Helena, daughter of Alan of Galloway.¹³¹ This could be because the relevant possessions, the land of Linton and Eddleston, are near the border of the two dioceses, and, in the process of transaction, a certain assent from the see of St Andrews was required by the donor or recipient.

The appearance of other diocesan clergy as witnesses shows a remarkably different picture from that of bishops. In fact, archdeacons, deans, and other officials at the cathedral chapter are hardly involved in attestation of royal acts. They typically appear in the lists of private charters concerning either an endowment or the settlement of dispute, probably as deputies of bishops. As a result, they deal with the possessions in some particular areas such as Upper Clydesdale, the Lennox, and Ayr,

¹³⁰ *RRS*, i, 29; Barrow, *Kingship*, 47.

¹³¹ *Glas. Reg.*, nos. 16, 167-9.

which bishops never cover. Simon, archdeacon of Glasgow, Richard, dean of Teviotdale, and Peter, dean of Clydesdale are common witnesses to private charters anent the church of Carnwath and the chapel of Broughton, a dependency of the church of Stobo.¹³² William, dean of Cunningham, joins the witnesses to the grant from the abbey of Kilwinning. Also deans of Annandale and Dumfries, Carrick and Cunningham, and another dean of the Lennox witness the agreements and acknowledgments concerning privileges in each of the relevant regions.¹³³ This evidence allows us to consider that these dignitaries not only had jurisdiction over local church properties, but also, when transactions were made, took responsibility for their attestation. Some other individual officials in the chapter, such as Hugh de Potton, Gilbert of Cathcart, John de Huntingdon and Robert Hertford, seem to have owed similar duties. Though they were never involved in general legal issues or possessions outside the diocese, when it comes to the matter of individual privileges within the see, they characteristically join many local witnesses in various areas. Obviously they are agents of the bishop of Glasgow, and their presence on the occasion must have played a role as a delivery of the episcopal authority to each locality.

Compared with the pattern of secular cathedral clergy, attestation by heads of monastic houses seems a little less characteristic. Abbots and priors do not witness royal acts as often as bishops do. Neither are they involved in so many local issues consistently like archdeacons and deans. As the list stands, the abbot of Kelso is the most frequent witness by far, and especially the abbot's involvement in Glasgow area-related documents, all of which are royal acts, is remarkable. Amongst other monasteries whose connections with the see have been recorded in the charters, Jedburgh and Holyrood attest relatively many charters. But for the royal foundations, their appearance in royal acts uncharacteristically remains limited in number. On the other hand, the abbots of two private foundations in the west, Paisley and Kilwinning, have made no attestation to royal acts. Even so, however, they do not deal with local issues only, as the abbot and prior of Paisley are involved in the agreement and quitclaim over the possessions in Annandale or Tweeddale, and the abbot of

¹³² *Ibid.*, nos. 48, 52; *Fasti Ecclesiae Scoticanæ*, 234-5; *Holy Lib.*, no. 53; *Kel. Lib.*, no. 335: On the map, the two parishes churches are found in the bordering area of the two deaneries, Clydesdale and Stobo. Also in other charters, Peter of Clydesdale appears as the dean of Stobo.

¹³³ *Ibid.*, nos. 72, 98, 139, 141.

Kilwinning joins a number of prelates from all parts of the kingdom to attest the decision of John, cardinal legate.¹³⁴

With regard to witnesses of secular background, it cannot be argued that most of predominant figures belong to the king's entourage, and are chiefly responsible for attestation to the royal acts. Richard de Moreville, our most frequent witness with fifteen appearances, is the king's hereditary constable. The individuals who follow him are Duncan, earl of Fife, William de Lindsay, justiciar of Lothian, Patrick, earl of Dunbar, Walter, son of Alan, the steward, and two chamberlains of William I, namely Philip de Valognes and Walter de Berkeley. Evidently every one of them is taking an important position relative to the royal government or provincial administration in the whole kingdom. Even apart from them, some leading nobles such as Robert de Brus, Hugh de Breton, the lords of Galloway and Nithsdale consistently appear in the witness-lists of royal acts, undoubtedly because of their or their families' political connection to the king. Actually the witnesses of this kind are so ubiquitous that one can presume that the kings were used to selecting them regardless of the subject matter of their acts, just as is customary in royal charters. Nevertheless, considering many of these great magnates had held powerful lordships in various districts south of the Forth, it is not necessarily the case that they had neither relation nor interest in the property rights and jurisdiction of Glasgow diocese which the royal acts concern.¹³⁵ No. 11 in the *Registrum* is one of a few non-royal charters to which several highly-ranked nobles have attested together. This document written by the bishop of St Andrews granting the church of Loquhariot named no fewer than eleven secular magnates including the king's chancellor as witnesses, followed by two bishops, four abbots, three priors, and two archdeacons of Glasgow and Lothian. In terms of number and social status of attesters, this relatively long testing clause is nothing short of that in royal acts.

¹³⁴ *Ibid.*, nos. 83, 93, 147: This decision (no. 93) anent administration of parish churches of monks of Kelso in the dioceses of Glasgow and St Andrews have been witnessed by three bishops and six abbots from various parts of the kingdom, followed by nine cathedral clergies of both bishoprics. Hardly is the attestation by such a large number of prelates the case with other monasteries.

¹³⁵ *RRS*, ii, 43; Barrow, *Kingdom*, 82-3; A. Young, *Robert the Bruce's Rivals: The Comyns, 1212- 1314* (East Linton, 1997), 16: In addition to the Stewarts, Morevilles, and Brus, David and Walter Olifard, William and David Lindsay, Robert and Gervase Avenel, Richard Cumin, Robert Quinci, and Geoffrey de Melville, all styled 'justiciar' sometime between ca 1165 and ca 1251, are known as substantive landholders of estates in Lanarkshire, Eskdale, Peeblesshire, and Lothian.

Even though the appearance in the witness-lists is much less frequent, we should not dismiss some distinctive names outside the king's entourage. This group typically consists of sub-tenants of great landholding families and local officials such as sheriffs. With Kilbucho in Peebles and Hutton in Dryfesdale held in chief, Adam, son of Gilbert was also granted Tarbolton in Kyle from Walter, son of Alan for one knight's service.¹³⁶ As a witness, he appears in the testing clause of one agreement over the church of East Kilbride, one royal act confirming the same agreement, and one private charter by Richard de Moreville. In all three occasions, his name has been listed together with that of his lord, the Stewarts. The de Ros family served as steward to de Moreville, and became firmly established as tenants of knights' feus at Ardneil and Stewarton in Cunningham.¹³⁷ Godfrid de Ros attests all three charters by Richard and William de Moreville concerning the land of Eddleston to which other de Moreville tenants in Cunningham, Teviotdale, and Lothian jointly witness.¹³⁸ As far as the surviving evidence is concerned, he was never involved in any other attestation.

Ivo de Crosby is known as the prominent member of the Brus entourage, who had connections with the Cumbrian region from the early period. He is the recipient of an early grant of a fishery on the Esk and witnessed more than half of the surviving charters of Robert de Brus.¹³⁹ Understandably this Ivo and Richard Crosby witness the agreement between Robert de Brus and the bishop of Glasgow anent the churches of Annandale. The former also appears in the testing clause of William I's confirmation of Bedley, with Robert de Brus. Characteristically, these vassals attest on only limited occasions. Most of their involvements are concentrated on possessions within their lord's domain, even though sometimes they follow their lords to witness transactions concerning other territories.

In our period, sheriffs were the king's primary intermediary official for judicial, administrative, and fiscal affairs. And they were undoubtedly a powerful figure in the

¹³⁶ Barrow, *Anglo-Norman Era*, 176.

¹³⁷ G. W. S. Barrow, 'Some Problems in Twelfth and Thirteenth Century Scottish History – A Genealogical Approach', *The Scottish Genealogist* vol. 25 (1978), 101.

¹³⁸ *Glas. Reg.*, nos. 44-6; Barrow, *Anglo-Norman Era*, 129: Stephen, son of Richard, another of de Moreville's tenants in Cunningham, and Henry de Sinclair who held a knight's feu in Hermiston, appear in the list of no. 45 and 46. Also, Alan of Thirlestane, tenant in Lauderdale, and Peter Haig of Bemersyde in Teviotdale join the attestation of no. 46.

¹³⁹ Blakely, *Brus Family*, 142-4.

locality, even though the office was increasingly held by Anglo-Continental incomers rather than by representatives of long-standing local families.¹⁴⁰ Robert, son of Werenbald, the descendant of the twelfth-century Flemish settler in Cunningham, was one of those officials charged in Lanark.¹⁴¹ He joined the attestation of four royal acts anent the Glasgow area and one toft in Stirling, and churches in Annandale. In fact, it is difficult to prove when he was serving as a sheriff of Lanark, because there are very few records which title him as such. But generally, it is recognised that he was holding that office for the most of our period.¹⁴² In addition to him, there is the possibility that Henry of Carmunnock was also appointed as an officer of the same sheriffdom. Even if they are not so styled in the king's acts, some magnates appear in those places and times so appropriate as to suggest they were then holding the sheriff's office. According to Barrow, Henry of Carmunnock is probably one of those 'hidden sheriffs'.¹⁴³ Henry appears in three royal acts, two of which are the ones Robert, son of Werenbald also witnesses. Another document in which Henry is involved is one of three charters by the de Morevilles anent Eddleston. In our charters, there are two other names of witnesses, Gilbert and Alexander, given the title of Sheriff of Stirling. They appear in three royal charters concerning lands in the Glasgow area and in Stobo.

Now I am going to discuss, reviewing some transactions in each locality, potential patterns of networks amongst persons who are involved in charters, such as donors, judge-delegates, and witnesses. In the Glasgow area, as I have already pointed out, the royal presence is predominant, and has been so through our period. Even in Roger de Valognes' quitclaim and agreement with Bishop Jocelin anent the church of East Kilbride, witnesses have been selected from the king's government and household, almost exclusively. This ratification was obviously made at the royal court and has been followed by William I's confirmation with almost the same witnesses, including no churchmen outside his household.¹⁴⁴ Surely no other settlements have been made

¹⁴⁰ N. H. Reid and G. W. S. Barrow (eds.), *The Sheriffs of Scotland, An Interim List to c. 1306* (St Andrews, 2002), xiv-xv.

¹⁴¹ Barrow, *Anglo-Norman Era*, 198: Robert held the feu of Kilmaurs.

¹⁴² Reid and Barrow, *Sheriffs of Scotland*, 28.

¹⁴³ *RRS*, ii, 40.

¹⁴⁴ *Glas. Reg.*, nos. 55-6: Given the fact that East Kilbride had been already confirmed by the papal bull, it is not an improbable situation that, at the time of agreement, only the agreement of secular authority was required to be announced.

by the crown in such a consistent way. This could emphasise the socio-political influence and strength of the royal government in this district. In fact, its involvement in private charters and transactions seems to last into the thirteenth century, at least during William I's reign. William Cumin's quitclaim of the land has been witnessed by some of the king's closest companies and councillors in his last decade, such as Richard *de Prebenda*, king's clerk, Philip de Moubray, Ingram de Balliol, Philip Colville and John de Graham.¹⁴⁵ This charter is confirmed by William I with attestation by his regular witnesses like the abbot of Kelso, the earl of Dunbar, the lord of Galloway, justiciar, and sheriff. On the other hand, as far as the surviving evidence is concerned, two private charters dated to the 1220s, written by David Olifard and Alexander, sheriff of Stirling have not been confirmed by royal acts. And all their witnesses are cathedral clergy, such as the dean of Glasgow, bishops' chaplain and other officials.¹⁴⁶ So it seems that, while the king continues to make his own benefaction, the crown's initiative or involvement in private endowments, even those by important figures, such as David Olifard or sheriff of Stirling, has declined in the later period. And there could have been more direct contact and relationship between individual laity and the church of Glasgow.

The evidence for Upper Clydesdale and Tweeddale shows different patterns. With regard to the possessions or transactions in these areas, there is no royal act surviving in the earlier folios of the cartulary. All four royal acts included in the later folios are issued by Alexander II dated between 1223 and 1244. Probably all witnesses to William de Somerville's grant of the church of Carnwath are ecclesiastics. No bishop is named there, but four abbots of Melrose, Kelso, Newminster and Newbattle have joined the aforementioned diocesan clergy. Also in another of William's charters and one in the name of Ralph le Nain (Nanus), the main witnesses are surely all ecclesiastics, including the bishop of St Andrews, abbot of Jedburgh, and prior of Kelso. Given some of their estates were located in the east of Teviotdale, it is quite likely that both families had created close relationships with their neighbouring religious houses, like Melrose, Kelso and Jedburgh, who would reasonably take part in the laity's benefactions to the see, especially that of the church property, as

¹⁴⁵ *RRS*, ii, 35-6, 64; Barrow, *Anglo-Norman Era*, 24-5, 177.

¹⁴⁶ *Glas. Reg.*, nos. 120-2: Bishop Walter has confirmed Alexander's grant of annual payment to his chapter, but this document has been omitted from the Old Cartulary.

representative of local monastic institutions.¹⁴⁷ Even concerning some transfer of a piece of land, as the surviving evidence for ‘Scrogass’ suggests, many of the relevant witnesses could consist of ecclesiastics, typically local churchmen serving in their parishes.¹⁴⁸

On the other hand, the case with the land of Eddleston could provide evidence for secular networks in the region. The three de Moreville charters have been witnessed by other powerful magnates in the royal government, such as Walter, son of Alan, William de Lindsay, David Olifard, Duncan, earl of Fife and his son, Malcolm as well as the donor’s family member, vassals, and clergymen. Also other familiar witnesses like Adam, son of Gilbert and Henry de Carmunnock join them. The scattered lordships and knights’ feus of each lay witness emphasises how various localities and communities were linked to each other through transactions and documentations by the de Moreville family. Undoubtedly some witnesses to the subjects in this area, lay or ecclesiastic, are associated with a certain fief, office, and institution within Lothian. When a dispute over land in Stobo between the bishop of Glasgow and Jordan of Currokes was settled in 1223, the agreement was arranged by the bishop and two archdeacons of St Andrews diocese. Witnesses to that charter are the abbots of Newbattle and Holyrood, and Walter Olifard, justiciar of Lothian.¹⁴⁹ So it can be presumed that prelates and officials of the St Andrews diocese were involved regularly and reasonably in local issues of the bordering bishopric, not only as attestors to transactions but also as effective arbiters of lawsuits. Probably, like some secular landholders who held their lordships in both dioceses, the St Andrews clergy, from bishops, abbots to local officials and priests, had frequent access to the other bishopric. As a result, in some parts of Tweeddale, especially Stobo and Eddleston, they seem to have been fully taking part in the social networks and legal authorities of the local community.

¹⁴⁷ *Ibid.*, nos. 16, 48; Barrow, *Anglo-Norman Era*, 188: The estates held by the main line of the le Nain family were Broughton and, probably Yetholm in Roxburghshire.

¹⁴⁸ *Glas. Reg.*, nos. 84-8; D. E. R. Watt and N. F. Shead (eds), *The Heads of Religious Houses in Scotland from Twelfth to Sixteenth Centuries* (Edinburgh, 2001), 122: No. 88 exceptionally includes the persons from Alexander II’s household like William de Bois, chancellor, and William de Valognes, chamberlain. They are followed by witnesses from the neighbouring parish churches or monasteries, such as Warin of Soutra, Alan of Crichton and probably Richard, abbot of Kelso.

¹⁴⁹ *Glas. Reg.*, no. 127.

In terms of witnesses' character, the laity and ecclesiastics who attest the agreement between the bishop and Robert de Brus looks well balanced in number, which is exceptional for a non-royal document. The list starts with five clergymen, the archdeacon of Glasgow, deans of Annandale and Dumfries, and bishop's clerks. And then, the sons of Robert de Brus, his knights and household officer are named. There is no bishop, abbot, earl, and royal household officer. But, with the possible exception of John de Vaux who seems to be the lord of Dirleton in East Lothian, the persons in this list are certainly authorities and representatives of the district in both senses of ecclesiastical division and secular lordship.¹⁵⁰ As far as the choice of witnesses and the reference to Robert's son's consent to the endowment are concerned, this document reminds that the settlement and concession had been arranged and proceeded under control of its own community and social networks in Annandale with less involvement from other institutions. In contrast, William I's confirmation to this agreement issued at Lanark is a typical royal act in terms of its witnesses. Following one bishop, one abbot, and some members of royal government, there are the sheriff and local barons of Clydesdale who had been associated with the place-date of the charter. It is difficult to find there any elements which directly link to de Brus or Annandale.

There is another example in Annandale, concerning the status of the church of Hutton. The church was originally a chapel of Sibbaldbie and, after frequent disputes over its dependency to the mother church, had been annexed to Jedburgh Abbey with its own parochial right. Eventually, in a conflict between the abbey and the bishopric, the church is ceded to the see and erected into a prebend of the cathedral, while the church of Sibbaldbie is put into the hands of Jedburgh.¹⁵¹ Some surviving documents relevant to this issue suggest the substantial involvement of Adam, son of Gilbert, who held the estate of Hutton. In the earlier document of the agreement between Sibbaldbie and Hutton, Walter, the parson of Sibbaldbie clearly states Adam and his family's assent to the issue, as well as authorisation and confirmation, by Bishop Jocelin and the abbot of Jedburgh. Moreover he has provided his individual charter granting the church of Hutton with eight acres of perambulated land to Jedburgh,

¹⁵⁰ Barrow, *Anglo-Norman Era*, 19-20; Barrow, *Kingdom*, 331: The Vauxs are one of the families of Norman origin and John appear in surviving royal acts from the second half of Malcolm IV's reign to the first two decades of William I's.

¹⁵¹ *Glas. Reg.*, no. 114.

following another decision by the judge delegates consisting of the bishop of Dunkeld, the abbots of Holyrood and Newbattle.¹⁵² Probably all persons who were involved in his charters are ecclesiastics, including the judge delegates themselves, the abbot of Kelso, prior of Paisley, and archdeacon of Glasgow. This case with the church of Hutton could be evidence for the situation in which the local landholder could take his part in negotiation and decision between prelates over administration of church property in his domain, which shows another picture of contact and network of lay and ecclesiastic communities.

Finally witnesses to the charters concerning the Lennox and Ayrshire regions are to be discussed. In our materials, there is no royal act issued for possessions or transactions in the Lennox. Unsurprisingly the two charters by Earl Ailin II and his son, Maoldomhnaich, granting and confirming the church of Campsie to the bishopric, have many witnesses from the earl's entourage, such as kin groups, clerks and servants. However, along with them, quite a few names of cathedral clergy like canons, chaplains, clerks, officials, and the son of the dean of the Lennox, are also found.¹⁵³ Although the inclusion of Duncan, earl of Carrick into Maoldomhnaich's confirmation is a noteworthy occurrence, as far as these two private charters are concerned, involvement of a number of clergy from the cathedral church is a surely remarkable occurrence. On the other hand, in the late agreement with the monks of Kelso over the same church, several witnesses have joined from the royal government, certainly because it was made at the royal court at Roxburgh.¹⁵⁴ The list starts with Walter de Bois, chancellor, then, four king's clerks, Walter de Lindsay, John de Maxwell, Robert, son of Maccus are named. Apart from them, some Glasgow officials appear again, but none of the Lennox men were involved in this agreement. They are back to the list of another of Maoldomhnaich's grants of the church of Cardross, which includes the precentor of Glasgow, bishop's clerks and servants.¹⁵⁵

¹⁵² *Ibid.*, nos. 78, 81, 83.

¹⁵³ *Ibid.*, nos. 101-2.

¹⁵⁴ *Ibid.*, no. 116; *RRS*, ii, nos. 120, 367, 379: As I have already mentioned, the initial grant of the church of Campsie was made to Kelso by Earl David of Huntingdon, and William I confirmed that endowment a couple of times in the 1190s. Therefore it seems reasonable for the king to arrange this issue of the final agreement at his own court.

¹⁵⁵ *Glas. Reg.*, no. 108.

Earl Maoldomhnaich's promise of teinds was witnessed by, probably except for a thane of Callender (near Falkirk), ecclesiastics only. Amongst them, eighteen named persons other than the dean of Lennox and the earl's clerk are all cathedral officials. This data shows the consistent appearance of diocesan clergy, especially those in the cathedral chapter. Typically they assemble in large number and seem to be associated with the secular society of the earldom. Through their presence and involvement, the lordship of Lennox could have established a close relationship with the cathedral church, and both sides could have shared the sense of community with each other. No one from the external institutions, such as other bishoprics or monastic houses seems to have joined their social network. It is also noticeable that royal authority has hardly been involved in this district, except for the settlement related to Kelso Abbey. Even on that occasion, as I have discussed, someone like the dean of Lennox or the earl's clerks have not been involved, which means, as far as the surviving evidence is concerned, there has been no contact between the regional community and royal government. That could correspond to the potential difficulty for effective administration over the lordship by the crown, which the king's *brieves anent* payment of teinds have suggested.

The two royal charters concerning Cunningham, Kyle, and Carrick are witnessed by persons linked not so much to the relevant areas as the king or the place-date of the documents.¹⁵⁶ In contrast, the witness-list of the charter written by the abbot of Kilwinning includes a couple of clergy associated with the locality around the house, such as the dean of Cunningham and a parson of the church of Stevenston. The abbot's agreement with the bishop *anent* two local churches is attested by some institutions in a district a little further away, like the deanery of Clydesdale and Dryburgh Abbey.¹⁵⁷ Particularly the involvement of the abbot of Dryburgh is noteworthy, considering that Kilwinning and Dryburgh have a common founding family. Moving to Carrick, there is one charter acknowledging a promise of teinds by Duncan, earl of Carrick. In addition to local deans and chaplains of the bishop, this testing clause has included the abbot of Kilwinning, clerks of Alan, lord of Galloway, and, unlike Earl Maoldomhnaich's promise, a few secular witnesses who are likely to

¹⁵⁶ *Ibid.*, nos. 9, 187.

¹⁵⁷ *Ibid.*, no. 140.

be Duncan's knights or vassals.¹⁵⁸ Given that Earl Duncan himself also joins the attestation to one of the Lennox charters, it can be presumed that the authorities and their followers in the Lennox, Cunningham, Carrick, and even Galloway had frequent contact and formed a common social circle in the districts, even if it has not been recorded as often as that of magnates in the king's entourage.

In this section, I have tried to explore some patterns of social networks between authorities from the viewpoint of administration and charter witnessing. In conclusion, I can offer a couple of distinctive patterns in each locality. First, corresponding to the distribution of royal acts, presence and involvement of dominant magnates such as the king's close relatives, bishops, abbots, earls, and holders of royal household office are concentrated in the Glasgow area. These regular members of royal government also deal with transactions outside the diocese or more general issues concerning possessions and jurisdiction. In this situation, as Barrow emphasises, the social or political prominence of the individual in question were commonly recognised as more important criteria for the selection of witnesses than his or her local attachment and local knowledge.¹⁵⁹ Even sheriffs could be seen as not so much localised figures as the king's agents delivering the royal control to some crucial areas of the diocese.

Second, as far as this research into the Glasgow cartulary is concerned, the number of royal acts in other regions is relatively limited. In fact, in most parts of the diocese, some local tenants-in-chief and clergymen were playing a more prominent role in the transactions of property rights and composition of charter records, as some evidence for Upper Clydesdale and Annandale has suggested. In those cases, assent and witness or lawsuit and settlement were typically made in its own social circle of each locality. Particularly in Tweeddale, some charters refer to the association with the neighbouring area within the St Andrews diocese, through the cross-border attestation and judgement by prelates and laymen. This evidence in the central and east part of the diocese could be an example of selection of witnesses or judges based on their locality and sense of community shared with the donors or the litigants, rather than the individual status in the royal government.

¹⁵⁸ *Ibid.*, no. 139.

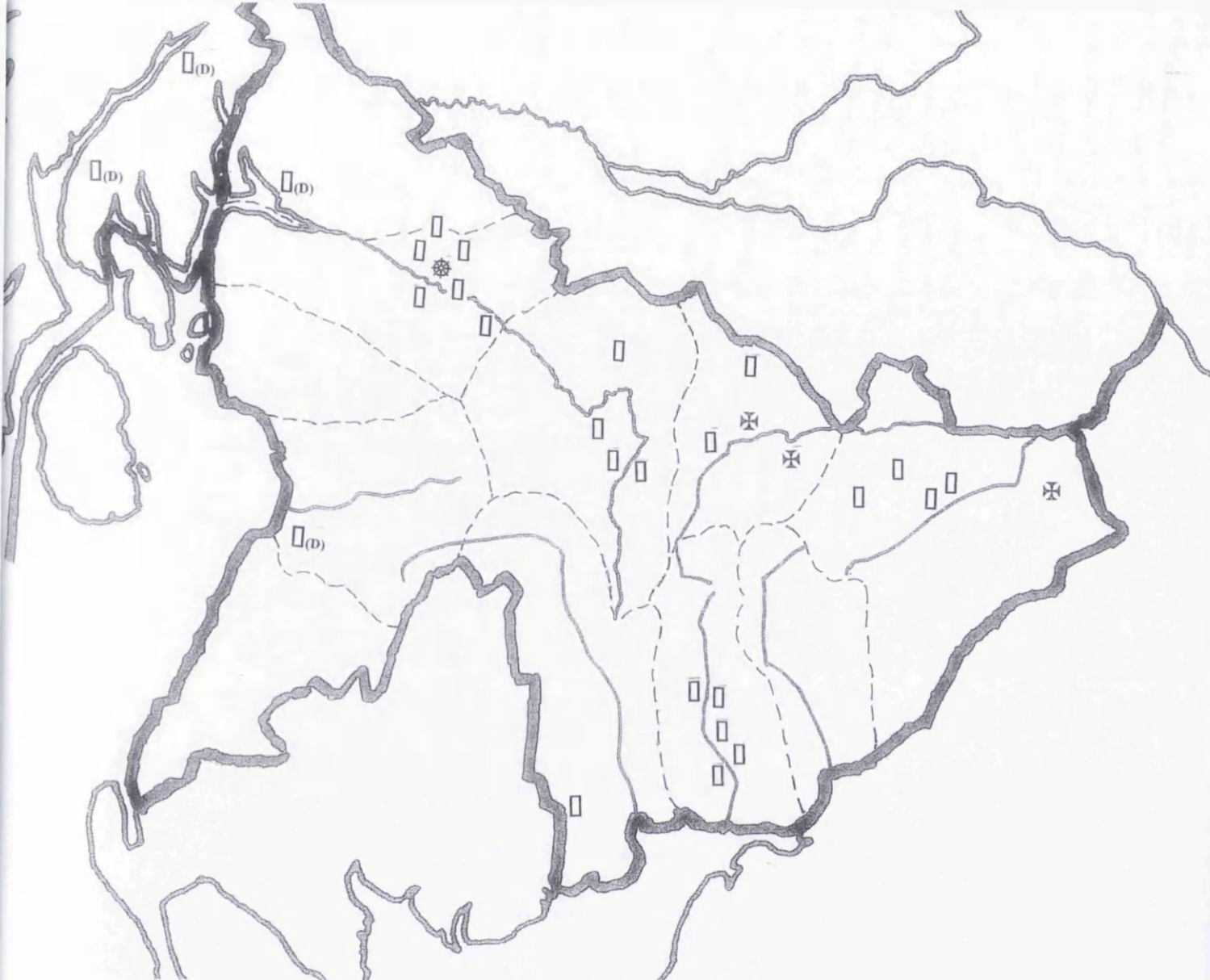
¹⁵⁹ Barrow, 'Witnesses and Attestation', 11.

Finally, we have found out that the charters concerning the Lennox, Cunningham, and Carrick are typically attested by some particular diocesan clergy. Many of them appear in several witness-lists alongside each other. Given a similar situation in the document of agreement between the bishopric and Paisley Abbey, it could be said that the whole western regions including Strathgryfe and Kyle had common regular attestors from the cathedral. In fact, however, the same churchmen are named as witnesses in many thirteenth-century charters anent the regions other than the west. The officials like Hugh de Potton, archdeacon, Ralph, dean of Lothian (?), Robert de Tyndale, treasurer, Hugh, Adam, and Gilbert Cathcart, bishop's chaplains, have been involved in most of the agreements between bishop and monasteries in the 1220s, including Guisborough and Holyrood issues.¹⁶⁰ They are so ubiquitous that one could not consider their appearance as a local phenomenon only in the west. Rather, they could be regarded as the bishop's church court officials who were involved in transactions or lawsuits in the thirteenth-century diocese.

The last point will conclude with the lack of proper evidence in the Old Cartulary, whether the twelfth-century or thirteenth-century charters, for possessions, transactions, and social networks in certain huge areas ranging from the Lennox to Carrick.¹⁶¹ So, from the next chapter, I will explore two monastic cartularies which include documents concerning the relevant divisions. Further investigation and discussion of this distinctive part of the bishopric should enable us to grasp a more complete picture of transaction and documentation in the twelfth- and thirteenth-century Glasgow diocese.

¹⁶⁰ *Glas. Reg.*, nos. 87, 100-102, 114, 142: The agreement with Jedburgh (no. 114) has no testing clause. These persons also witness a couple of private charters dated between the 1210s and 1220s, such as Robert de Line's 'Scrogass' (87), the earl of Lennox's Campsi and Cardross (101-2), John, the lord of Wilton's annual payment (100), and Affrica, the lady of Nithsdale's 'Wintertonegan' (142).

¹⁶¹ *Ibid.*, no. 20: *Registrum* contains a private charter written by Walter, son of Alan relevant to the annual payment from the burgh of Renfrew. Although some Stewart tenants and household officers who probably held lands in Strathgryfe are named as witnesses, this document has been omitted from the Old Cartulary.



Map 2: Possessions of Glasgow Cathedral at the period of the Inquest (the 1120s)

- ☼ Glasgow Cathedral
- ✠ church
- land
- (D) land (places which John Durkan suggests)

Chapter Three: Melrose Abbey

As another part of his major reorganisation of the church, King David I invited the Cistercians of Rievaulx Abbey in Yorkshire to establish a monastery in Melrose. The Cistercians took their name from the first community of the order founded in 1098 at Cîteaux in Burgundy. Because of its extreme austerity and isolation from the secular world, the order had a reputation as holders of special direct relationships with God. The organisation saw a rapid spread throughout Europe, and reached northern England, when Walter Espec brought a colony of monks to Rievaulx in 1132 from Cîteaux's another colony at Clairvaux. Melrose was a second offshoot of Rievaulx Abbey following Warden in Bedfordshire.¹ At its foundation in 1136, Melrose Abbey received from the king the 2,150 ha of land between the Eildon Hills and the Tweed, and in 1143 × 1147, the 900ha of Gattonside together with Gattons Haugh and the right of pasture, timber and pannage in the 7100 ha of 'waste' lying between the Gala and Leader Waters stretching north to the southern boundary of the honour of Lauderdale.² After that grant, a number of donations and confirmations were made by the successive kings and their major magnates who were keen to support the reformed monasteries. As a result, Melrose came to be the greatest Cistercian abbey in Scotland.³

As I have already indicated, the collection of Melrose charters contains many more documents than the Old Cartulary of Glasgow Cathedral. While the Old Cartulary provides relatively abundant evidence for royal grants or relationships between the bishop and other ecclesiastical authorities, namely the pope, cathedral chapter, and monastic houses, most of the documents printed as *Liber S. Marie de Melros* consist of private charters. So, to explore these records could offer many references to laymen, especially barons and their tenants, whose actual transactions and relationships with ecclesiastics have not been included in the Old Cartulary. Also, unlike the cathedral church of Glasgow, the abbey is known to have been granted some possessions in the West, Kyle and Carrick. Therefore, in terms of filling the gap

¹ Fawcett and Oram, *Melrose Abbey*, 14, 17-8.

² *Melr. Lib.*, nos. 1, 258; J. Gilbert, 'The Monastic Record of a Border Landscape 1136 to 1236', *Scottish Geographical Magazine* 99 (1983), 4; Fawcett and Oram, *Melrose Abbey*, 21.

³ Duncan, *Scotland*, 148.

in the Glasgow data, detailed analysis of Melrose Abbey's transactions and charters should be an appropriate stage in this thesis dealing with the patterns of development of local communities and social networks in each region of the diocese. This chapter will be structured in a similar way to the previous one. Beginning with discussion about the number and character of the surviving charters, I am going to investigate distribution and transactions of the possessions in the following sections. And finally, based on the data concerning donors and witnesses, their interrelationships through the benefactions to Melrose will be discussed.

Charters – classification and interpretation –

As in the case of the charters contained in the Glasgow's Old Cartulary, all 350 surviving documents relating to Melrose Abbey can be divided into some categories according to their character. Here I am going to investigate how many charters belong to each category, such as general confirmations, grants, confirmations, quitclaims, agreements and others, and what kind of donors or possessions are involved in each document. In the Melrose materials, the most remarkable difference from the Glasgow charters is the lack of general confirmations issued by popes. Although there are some papal bulls in the surviving documents, all of them deal with individual endowments. In terms of charters functioning as general confirmations, we have only a couple of royal acts which exceptionally confirm several possessions and liberties of the abbey in particular periods. The first one is a charter issued by King William I dated between 1173 and 1177. This is a confirmation of the early grants by his predecessors. In addition to David I's donation, some new endowments from Malcolm IV probably made in the early 1160s are listed.⁴ King Alexander II, William's successor, has two confirmation charters which could be regarded as 'general'. One of them, with unidentified date, relates to all royal grants made before him. Although any particular place-names are not listed there, judging from the words in the text such as 'all our predecessors have conceded', this charter undoubtedly indicates the equivalent possessions to those mentioned in William I's confirmation.⁵

⁴ *Melr. Lib.*, no. 13; *RRS*, ii, no. 175.

⁵ *Melr. Lib.*, no. 173; *RRS Hdl, Acts of Alexander II*, no. 334.

The other confirmation by the same king, dated 1215, seems much more important, because it deals only with non-royal grants which had never been listed together as the monastery's possessions. In this charter, Alexander II confirms as many as twenty-six possessions and three quitclaims made by quite a few highly-ranked landholders, such as Walter FitzAlan, Robert and Gervase Avenel, Cospatrick, earl of Dunbar, Richard and William de Moreville, Alan, son of Roland, and David and Walter Olifard. The text distinctively narrates who has endowed which possession, which is never the case with the papal bulls in Glasgow's cartulary.⁶ While some other royal founding monasteries have been also granted this kind of general confirmation by the king, it seems it is only these Alexander II Melrose-related acts which list the royal grants and private donations in separate documents.⁷ It is obvious that these royal acts confirm only the donations made by the crown and some particular magnates close to its government and, as a result, have omitted many other possessions belonging to the abbey which typically have surviving individual charters in the name of various donors.

The printed *Liber* contains 158 charters granting individual properties. Amongst them, fifteen are royal acts; 138 are private charters by laity, and five are produced by ecclesiastics including four donations from the bishops of Glasgow.⁸ As I have already mentioned, the predominance of lay private charters is one of the remarkable characteristics of Melrose documents. Particularly in the later period, an increasing number of charters are written in the name of men of lesser social rank as well as earls or members of the royal household. There are twenty-one charters granted to other recipients than Melrose Abbey. Sixteen of them, including two beneficiaries of King Alexander II's grants, are individual persons who are typically donor's tenants or household members. The remaining five are certain religious institutions, such as the hospital of Jerusalem, the prior of May, and Vaudey Abbey in Lincolnshire.⁹

⁶ *Melr. Lib.*, no. 174; *RRS Hdl, Acts of Alexander II*, no. 3.

⁷ *RRS*, i, no. 131; *RRS*, ii, nos. 62-3; *Arbroath Liber*, i, no. 1; *Kelso Liber*, nos. 12-3; *NLS MS.*, 34. 1. 10, ii, 8-10; *RMS*, i, Appendix 1, no. 94; *RRS Hdl*, no. 133: King Malcolm IV issued one general confirmation to Kelso Abbey with each donor mentioned in the text. William I granted similar acts to Kelso (twice), Jedburgh, and Arbroath. Alexander II issued two general confirmations to Arbroath and Jedburgh respectively, in which he names each donor including the central figures in the royal government.

⁸ *Melr. Lib.*, nos. 43-5, 121.

⁹ *Ibid.*, nos. 161, 192-3, 209.

Compared with the data of Glasgow Cathedral, it is evident that most of the surviving charters deal with endowments to Melrose itself.

In terms of confirmation charters, there are 130 surviving documents in total. Except for one charter confirming an agreement between Melrose and Patrick, earl of Dunbar, all charters are in the name of individual donors. Forty-six are royal acts, seventy are produced by lay landholders, and thirteen, including five papal bulls, are written in the name of highly-ranked ecclesiastics, such as the bishop and chapter of Glasgow and the bishop of St Andrews. Most of the charters are granted to Melrose Abbey, except for a couple of the aforementioned donations to laymen or other religious houses.¹⁰ Compared with the numbers of grants, evidently the crown and prelates issue more confirmations than their grants. In contrast, the private charters are not provided for confirmations as many as for grants, and also have a relatively limited range of donors such as earls or king's tenant-in-chiefs, especially in the earlier documents, which seems understandable, considering that one of the functions of confirmation was as a corroboration by superior authorities. In addition, there are four documents in which the donors have made both grants and confirmations of possessions on the same occasion. The charters produced by Malcolm IV, Robert of London, and William de Moreville state the donors' confirmations to their predecessors' donations as well as their own new endowments to the abbey. In the case of Alexander Stewart's document, he made his donation and confirmed possessions which were originally his tenant's gift.¹¹

The printed *Liber* includes seventeen quitclaims with distinctive formulae. Two of them are acknowledgements of the same transaction, and their drafters are not the persons who have actually made the quitclaims. Nevertheless, because of their exceptionally clear accounts concerning each case, I consider them as a kind of document to be mentioned here.¹² One of them is written in the name of the provost and burgesses of Berwick. It narrates that a widow called Elvina, daughter of Richard, son of Daniel, at the full court of the burgh, has relinquished the houses and lands

¹⁰ *Ibid.*, nos. 140, 162, 194.

¹¹ *Ibid.*, nos. 3, 88, 99, 325.

¹² In the *Liber*, there are another two acknowledgements. The one announces that the rector of Balinclog has sold teinds of the estate of Barmuir in Kyle to Melrose (no. 225). The other relates to a payment of half a stone of wax by a lay landholder (no. 334).

which she held on the Ness in the villa of Berwick to the monks of Melrose in the year of 1212.¹³ In another one, William de Lindsay, the dean of Glasgow notifies that the monks of Kelso have quitclaimed to Walter II, son of Alan and his heirs the rights over lands and pastures of Mow, and the common field in the moor of Innerwick in exchange for a certain part of the same moor. The abbot of Kelso's own charter concerning this issue has also survived.¹⁴ All remaining fourteen charters are produced by the laity who actually conceded their possessions. Again, not all quitclaims have been made to the abbey of Melrose. Roger Lardenarius and Matilda Corbet have renounced certain property-rights to their lords, namely William, son of Patrick, earl of Dunbar and Patrick Ridale respectively.¹⁵

As for occasions in which the transactions were made, eight charters refer to a certain situation or mediators. One quitclaim by Alan, son of Walter has been made at the court of William I, and two private charters have a reference to the court of the donors' superiors as the place of the transactions.¹⁶ As I have mentioned, the burgh of Berwick also had its court for such an occasion. The text of one knight's quitclaim suggests that an assembly of his peers were held before the decision of resignation.¹⁷ Another three lay landholders, in their charters, name a couple of ecclesiastics, such as William, bishop of Glasgow, Hugh, archdeacon of Glasgow, and Walter, dean of Teviotdale, as sureties for their transactions.¹⁸

The number of surviving documents of agreement is twenty-one in total. Though ten of them have not mentioned anything about their scribes, another eleven are written by named ecclesiastics who are typically arbiters of the lawsuit or even one side of the litigants. Dividing the charters according to the character of the opposing parties; five are settlements between Melrose and laymen, five are between Melrose and parish churches, two are agreements with Glasgow Cathedral, and seven are with monastic houses, such as Kelso, Jedburgh, Vaudey, Holywood, Kirkham and Eccles. In one agreement, the abbot of Holywood and archdeacon of Teviotdale are mentioned as Melrose's counterparts. Additionally there is one document concerning

¹³ *Ibid.*, no. 27.

¹⁴ *Ibid.*, nos. 143, 297.

¹⁵ *Ibid.*, nos. 269, 282.

¹⁶ *Ibid.*, nos. 97, 253, 269.

¹⁷ *Ibid.*, no. 280.

¹⁸ *Ibid.*, nos. 189, 224, 293.

the patronage of the church of *Howiltre* (Ochiltree) in which Melrose Abbey has not been involved.¹⁹ According to their texts, five agreements are arranged or ordered by the pope, six by the bishop of Glasgow, and one by that of St Andrews. Not all agreements are dealing with separate issues, as two of them involving the church of Dunbar and Holywood Abbey produce two documents each on the same topic.

Finally I would like to mention fourteen documents classified as *briefes* or mandates which are typically concerned with legal and administrative matters such as the abbey's protection and freedom from tolls. Amongst them, nine are king's *briefes* issued by William I, Alexander II and III. All remaining charters are produced by lay landholders, and neither popes nor cardinal legates issued any documents of this kind. This is another example of the secular character of Melrose charters which shows a striking contrast to the same category in Glasgow Cathedral's cartulary. Six documents can be recognised as announcements relating to certain transactions or privileges of the abbey.²⁰ On the other hand, the remaining charters are letters addressed to some specified persons. Amongst them, five are kings' letters of mandate to the royal officials and other followers concerning protection or remission given to the monks.²¹ Another two, produced by William I and Duncan, earl of Carrick, seems to be a kind of appeal to the Cistercian monks and the bishop of Glasgow respectively, for financial aid or legal security.²² In the Old Cartulary of Glasgow Cathedral, this kind of document is issued only in the name of popes, their legates, and the kings of Scotland, whose addressee is typically the bishop. In the case of Melrose charters, however, they are not letters addressed to the abbey directly, but announcements or mandates to safeguard the abbey's benefits. And even a few local knights, apart from their simple grants or confirmations, also produce documents of this kind which could have secured their links to the institution from a legal or administrative viewpoint. Although the evidence is far from abundant, this could suggest a certain character of relationships between laity and ecclesiastics at monastic level, which should be discussed further in the following sections.

¹⁹ *Ibid.*, nos. 317, 327: The latter relates to a dispute between the hospital of Jerusalem of *Torphehi* (Torphichen) and Reginald le Cheyn, knight, and his wife.

²⁰ *Ibid.*, nos. 112, 220, 299, 307, 309.

²¹ *Ibid.*, nos. 17-8, 175-6, 311.

²² *Ibid.*, nos. 16, 188, 306: The remaining letter written by Robert II de Muschamp is a little unusual. Probably he writes to some particular figures close to him to notify his endowment to Melrose and ask them to be witnesses to his charter of the same grant.

With regard to objects of donation, there is a distinctive feature in the transactions to Melrose. Except for the church of Hassendean granted by the bishop of Glasgow and the chapel of Park donated by Richard de Moreville, the abbey receives only secular properties, such as arable lands, pastures, and net-fishing in particular waters. This fact surely reflects the character of the order of the monastery. In searching for austerity and conformity with the Rule, the early Cistercians rejected many traditional sources of revenue. Their writings and statutes suggest that the monks wanted only agricultural or uncultivated land, and they were not to have any possessions ‘contrary to monastic purity’, such as parish churches, the tithes of other men’s labour, dependent peasants, rents, mills, and ovens.²³ Although, according to Constance Bouchard’s research into the Cistercians in twelfth-century Burgundy, parish churches began to appear with some regularity as gifts to Cistercian abbeys in the 1140s, the Melrose monks must typically have resisted receiving these denied properties.²⁴ Instead of benefits from churches, they were selling their surplus wool to avoid any lack of cash.²⁵ In this unique circumstance, it is little wonder that endowments by the kings and other noblemen have been consistently landed properties, especially pasture and grazing rights for sheep which must have been more important to a developing Cistercian economy. Examinations of the records of boundary settlements and land exchanges suggest that large-scale sheep farming had been developed with higher productivity and greater efficiency by the late twelfth century. Then, in the thirteenth century, Melrose Abbey came to be the largest wool producer in the country and even had a strong commercial relationship with Flanders or Italian merchants.²⁶

The second point to be noticed about the charters is the detailed description of properties, especially about their marches. In the case of grants to the see of Glasgow, possessions are usually referred to only by their relevant place-names with a few words about their unit, such as ‘one carrucate’ or ‘whole estates’ added on. Little

²³ C. B. Bouchard, *Holy Entrepreneurs: Cistercians, Knights, and Economic exchange in twelfth century Burgundy* (London, 1991), 95; Jamroziak, *Rievaulx Abbey*, 58.

²⁴ *Ibid.*, 124: Judging from the witnesses, the aforementioned grants of the church and chapel were presumably made between 1180s and 1190s.

²⁵ Duncan, *Scotland*, 147, 428.

²⁶ *Ibid.*, 149, 429, 507; D. Ditchburn, ‘Saints and Silver: Scotland and Europe in the age of Alexander II’, in R. D. Oram (ed.), *The Reign of Alexander II, 1214-1249* (Leiden, 2005), 189; Fawcett and Oram, *Melrose Abbey*, 246: Berwick is known as the place where the monks of Melrose, possibly joined by those of Couper Angus, arranged for the export of Cistercian wool.

more information than that is given. In the Melrose charters, however, reference to possessions has been made in a quite different way. Typically, after naming a particular estate within which the object of the donation is located, a grantor starts to specify boundaries of the endowed land, which could have taken most of the document. Presumably, as some of the charters clearly mention, this is a record of perambulation which the grantor himself actually carried out before the endowment. In that text, a reference to some other place-names in the estate or boundary marks such as burns, moorlands, and even some memorial monuments like stone crosses, is included, which makes the account very detailed and informative. Take Walter I, son of Alan's grant of Mauchline in Kyle for example. In his accounts of the boundary of that possession, we find thirteen place-names, whether land or water, mentioned. His successor, Alan, confirmed this grant with a narrative of the same perambulation.²⁷ Although not all grants have recorded such detailed accounts; it can be recognised as a pattern of Melrose endowments that most charters, including some royal acts, emphasise the boundaries of the relevant possessions. There are only a limited number of such cases in the Glasgow charters.

Possessions –appearance and distribution–

In this section, I will explore the individual place-names mentioned in each document to find out their geographical locations within the diocesan boundaries, and after that, I will discuss when and by whom Melrose acquired these possessions through analysis of individual charters. In terms of the number and distribution of possessions belonging to the institution at the period, unfortunately, the Melrose documents have not included sources as useful as Earl David's Inquest and papal general confirmations in the Old Cartulary of Glasgow Cathedral. As we have already seen, even the two kings' confirmations which have exceptionally named several possessions do not necessarily appear to be complete records of the abbey's properties, because of their selective character towards each gift. Nevertheless, as an opening discussion of this section, it seems appropriate to start with the possessions and their distribution mentioned in these sources. Though I am going to refer to the same topographical areas in the diocese as ones that I have discussed in the Glasgow chapter, further divisions in some particular areas will be needed. This seems

²⁷ *Melr. Lib.*, nos. 66-7.

necessary for the purpose of clear and detailed distinction of locality relating to each property and its charter, since a number of them tend to concentrate in the same geographically large region. Teviotdale should be divided into its western part and eastern part by the River Teviot. The former encompasses the abbey and its adjacent lands, and the latter consists of estates like Hownam and Mow where many transactions were made. Also in East Lothian belonging to the diocese of St Andrews, properties near Dunbar, Innerwick, and Berwick can be separated into the northern and southern parts by the boundary of the deaneries of Haddington and the Merse. As in the case of the chapter on Glasgow, Kyle-Stewart and Carrick in the Ayrshire region will be regarded as two distinct areas. Turning to the south, the locality of Eskdale or Nithsdale should be distinguished from those of Annandale, and the charters relating to them will be dealt with separately. The remaining divisions, namely Glasgow area, Upper Clydesdale, and Tweeddale, are exactly the same areas mentioned in the previous chapter.

Alongside David I's original endowments, William I's acts in the 1170s list the king's forest of Selkirk and Traquair, pasture right on the east bank of the Gala Water, fishing on both banks of the Tweed within the abbey's marches, the land of Gattonside, and the lower part of Colmslie.²⁸ As I have mentioned, Alexander II's act in 1215 confirms twenty-six possessions granted or quitclaimed by twenty-one donors consisting of twenty lay magnates and the abbot of Kelso.²⁹ Though, in the text, these possessions are named in an order not according to their location but to their donors or kind of transaction, here I have listed them according to the aforementioned topography;

²⁸ *Ibid.*, no. 13; *RRS*, ii, no. 175.

²⁹ *Melr. Lib.*, no. 174; *Handlist of the Acts of Alexander II*, i, no. 3: I recognise each possession basically according to punctuation in the printed text. My counting excludes some portions of land or pasture just attached to the specified properties.

Table 5: Alexander II's general confirmation (non-royal gifts); 1215

Teviotdale – west	6
Teviotdale – east	6
East Lothian – north	4
East Lothian – south	1
Tweeddale	1
Eskdale	2
Annandale	2
Kyle-Stewart	4
<u>TOTAL</u>	<u>26</u>

Comparing the two royal acts, it is obvious that there is a remarkable difference between them, not only in terms of whether royal grants or not are mentioned, but also where the possessions are situated. In William I's charter, all possessions consist of properties in the vicinity of the abbey, a relatively limited area on the bank of the River Tweed, Gala and Leader Waters. On the other hand, in the confirmation by Alexander II, though some properties around the abbey are still found, most possessions appear to be located in further districts beyond the western part of Teviotdale. One cannot expect, however, that this spread of possessions might have happened exactly in the period between the two documents. Because William I's general confirmation deals with only royal grants, some private endowments mentioned in Alexander II's confirmation could be dated earlier than William I's act. To clarify which possessions were granted in which period of time, it is necessary to analyse individual charters of each endowment.

In contrast to the lack of general confirmations, the abundance of individual charters is surely an advantage of the Melrose documents. Apart from some exceptional documents concerning general issues or possessions outside the two dioceses, all individual charters relate to one of the regional divisions that I have

identified.³⁰ In addition to them, four charters mention possessions in several divisions. One relates to both Selkirk and Berwick, and another three concern either Mow or Innerwick in each document.³¹ In fact, it is not necessarily convincing which possession exactly belongs to which area. Some place-names, such as Ettrick and Ringwood, seem to be so distant and isolated from other properties that one could find it difficult to categorise them into either topographical division. Nevertheless, it seems possible to draw a kind of general pattern of accumulation of Melrose possessions during most of the twelfth and thirteenth centuries from the date and location indicated in these individual charters.

Typically these individual charters have no dating clause. But royal confirmations of these gifts have been given relatively specific dates. Relying on this dating, we can assume a particular period when each possession was granted to the abbey, and when its charter was produced, which will enable us to trace the increase and distribution of the possessions from a chronological viewpoint. All twenty-six simple gifts mentioned in Alexander II's general confirmation have been confirmed by William I with his nineteen individual acts of confirmation. Judging from the probable date of each confirmation, eight private charters are likely to have been produced before the middle of 1170s. So their relevant possessions should have already been in the hands of Melrose when William I issued his general confirmation. Another eleven charters can be dated later in his reign. While the former group of possessions is quite spread out geographically, from Berwick to Eskdale or Kyle, the latter is characteristically concentrated in Teviotdale, either west or east.

Next I am going to move on to many other individual charters which have not been mentioned in the general confirmation by the king. These charters also can be classified according to their possible dates and relevant place-names. Between David I's original endowment and William I's general confirmation, six more charters are granted to Melrose; two relating to the abbey's adjacent lands, one anent land in Upper Teviotdale, two granting properties in Berwick, and one concerning fisheries in Selkirk and Berwick. In the period between the two general confirmations, many

³⁰ There are two charters anent trading liberties in Flanders (nos. 4-5), one relating to Carlisle (no. 172), and four concerning possessions in Northumberland (nos. 305-8).

³¹ *Melr. Lib.*, nos. 11, 143, 297-8.

more individual charters were produced, although these gifts have been omitted from Alexander II's act. Five relate to Kyle-Stewart and four, two of which concern both Maybole and *Bethoc*, mention possessions in Carrick. In terms of the properties of Rainpatrick in Annandale, the *Liber* has not included its individual charter written in the name of William de Brus, but William I's confirmation of this grant suggests that the date of this gift could be limited to between *ca* 1195 and 1200.³² Turning to the central regions in the diocese, three bishops' charters and one royal act have been issued to grant the abbey a toft in the burghs of Glasgow and Lanark respectively, as well as one private charter concerning Eddleston. The number of gifts made in the remaining divisions is as follows; nine in Teviotdale west, eighteen (possibly sixteen) in Teviotdale east, nine within the Haddington deanery, four within the Merse deanery.

Even after Alexander II's general confirmation in 1215, some new possessions are added in each division. Based on the dates of the king's confirmation or witness-lists, the charters concerning these possessions also can be put into a specific period of time. During the reign of Alexander II, nine endowments in Nithsdale, one in Tweeddale, thirteen in Teviotdale west, six (possibly eight) in Teviotdale east, eight in Haddington, and six in the Merse have been recorded in their charters. As for the time of Alexander III, there are eleven charters granting new territorial possessions to Melrose; one each relates to Kyle and Nithsdale, three to Teviotdale west, and six concerning the Merse. Amongst them, at least eight charters are dated before 1264 when the king issued his own general confirmation which mentions only his predecessors' donations.³³ As the data shows, there is a distinctive pattern in numbers of gifts and their charters according to each specific period during the twelfth and thirteenth century. Obviously the most individual charters have been produced in William I's reign, especially after 1170, in which period approximately sixty-five charters are concentrated. Although donations continued to be made during the first half of the thirteenth century, their number decreases to forty-four. And in the reign of Alexander III, except for the regions like Teviotdale west and south of East Lothian, new gifts to the abbey have hardly been made. In terms of the distribution of possessions, as expected, far more charters concern the Teviotdale-related properties,

³² *Melr. Lib.*, ii, Appendix no. 3; *RRS*, ii, no. 425: William de Brus' initial grant has survived in the cartulary of Holm Cultram Abbey.

³³ *Melr. Lib.*, no. 310; *RRS Hdl, Acts of Alexander III*, no. 51.

both west and east of the river. Two of the East Lothian divisions also provide gifts and charters quite consistently. The pattern in other regions seems to depend on the period. In our first period, there are only two private charters by prominent magnates which endowed possessions outside either Teviotdale or the East Lothian. Towards the end of the twelfth century, however, the properties in Kyle and Carrick increase quite remarkably. So do those in Nithsdale during Alexander II's reign. The data from other divisions does not show such consistency.

Now I would like to explore some main estates in each division from the viewpoint of their distribution and the period of their acquisition to Melrose. In the central regions of Glasgow diocese, consisting of the Glasgow area, Upper Clydesdale, and Tweeddale, only a few possessions have been involved. Though the bishop of Glasgow issued three charters granting a possession in the burgh of Glasgow, all documents deal with the same property, a toft built by Ranulf of Haddington. This gift provided the abbey with rental income or a base at the administrative centre of the diocese which encompassed Melrose.³⁴ Another toft in the burgh of Lanark was granted by William I in the end of the twelfth century.³⁵ In Tweeddale, a new land called Harehope in Eddleston was granted by Elena de Moreville, daughter of Richard de Moreville, in exchange for a land in Cunningham bequeathed by William de Moreville, Elena's brother. This transaction was repeated by Alan, son of Roland who succeeded to the de Moreville's lordship.³⁶ All three of these possessions were transferred in the same period of time.

Not surprisingly, in Teviotdale, which encompassed the monastery, many more estates can be found in our individual charters. And it is not unusual for the donors, with the marches specified through their perambulations, to endow several portions of land in one particular estate. Some of the estates, moreover, appear in several periods of time. The abbey's neighbouring estates, like Darnick, Milchside, Blainslie, and Sorrowlessfield, are located on either side of the River Tweed, and between Gala Water and Leader Water. They were the subject of many charters produced by either

³⁴ *Ibid.*, nos. 43-5; *Glas. Reg.*, no. 40; Fawcett and Oram, *Melrose Abbey*: The burgh of Glasgow became bishop's possession after the royal grant in the late 1170s.

³⁵ *Melr. Lib.*, no. 78; *RRS*, ii, no. 389; Fawcett and Oram, *Melrose Abbey*, 250: Lanark was, at the period, one of the chief markets in south central Scotland.

³⁶ *Melr. Lib.*, nos. 82-3: The original name of the estate is 'Kilbeccokestun', which is obsolete.

the king or his prominent noblemen, such as the de Morevilles, the Stewarts, and the earl of Dunbar. In the thirteenth century, however, there is no added estate in this part of the division. To the south, estates like Lessudden, Elliston, Selkirk and Hassendean are located. In an earlier period, Robert of London confirmed his father's grant of a half ploughgate in Lessudden with his additional grant from the same estate. Ten acres of land in Elliston was granted for an annual payment of ten pence by Thomas, son of Gilbert, who seems to be another landholder in Lessudden.³⁷ A fishery near Selkirk has been mentioned in two royal acts of Malcolm IV and Alexander II. The latter king, in his grant, has added some properties like pasture or forest in the same area.³⁸ Though its location is quite distant and isolated the waste around the upper side of the River Ettrick, spreading as far as the borders of Eskdale to the south and St Mary's Loch to the north, is another donation from Alexander II.³⁹ As I have mentioned, the church of Hassendean was a gift from Bishop Jocelin of Glasgow. This transaction was surely made after the pope's general confirmation of Glasgow Cathedral's possessions dated 1186 in which the church was still listed.⁴⁰ As for properties in other estates like Farnington, Lilliesleaf, Makerstoun, and Maxton, they have been endowed several times by some lay landholders, typically through the generations.

Except for the land of Ringwood between the River Teviot and its tributary, the Alan Water, granted by Osulf, son of Uchtred and his son, Uchtred, all donations in the east to the River Teviot were concentrated in the area consisting of the parishes of Morebattle, Hownam, and Mow, especially alongside the streams of Beaumont and the Kale running through the region from south to north. Again, each estate is divided into several portions of land and granted to the abbey by various donors in separate occasions. As the lord of Hownam, John, son of Orm and his son, William de Hownam (or de Laundeles) are involved in gifts within the feu of Hownam. Between them, five straightforward gifts are made, through which estates like Hownam Grange, Raeshaw, and Bruncholleflat are given to Melrose. Judging from their perambulations, Hownam Grange and Raeshaw seem to have lain on the northern and

³⁷ *Ibid.*, nos. 88, 263.

³⁸ *Ibid.*, nos. 11, 266.

³⁹ *Ibid.*, no. 264; *OPS*, 260.

⁴⁰ *Glas. Reg.*, no. 62.

southern edges of the parish respectively.⁴¹ Eight charters granting lands in Mow were produced by more various landholding families, such as Anselm of Whitton (or of Mow), Richard of Lincoln who married the daughter and heiress of Anselm, Walter II, son of Alan, Adam de Hetun (Heiton?) who married Helen, daughter of Simon de Lindsay, and his son Richard. The account of the perambulation in the charters by Anselm and Richard of Lincoln, though it is less clear than that of the Hownam family, suggests that their endowed land was in the area between Mow and Hownam. The other charters include no reference to perambulation.⁴²

A lordship or barony of Whitton was, for many centuries, an old possession of the family of Ridale. Probably between 1150 and 1153, Walter de Ridale had been granted it by David I.⁴³ Amongst nine individual charters, three are written in the name of Isabel, wife of William Ridale or their son, Patrick. Except for one by Robert de Brus, all remaining donations were made by tenants or sub-tenants of the Ridale family. A land called *Rauenessen* has been mentioned as an object of donation in several cases. Though this place-name has not been identified, its neighbouring land called Heavyside seems still to exist. According to a perambulation in one of Patrick de Ridale's charters, it is obvious that the estate of Whitton, now divided into Over Whitton and (Nether) Whitton, was an individual territory bordering Morebattle and Hownam.⁴⁴ The estate of Clifton is also given its specified boundaries in several private charters whose perambulations reach the marches of Mow, Hownam, *Grubbeheued* (Grubit Law?), and Primside. In addition, the abbot of Kelso conceded to Melrose two oxgangs of land and two acres of meadow land in Primside, though this charter does not include any account relating to the boundary of the estate.⁴⁵

The situation in the northern part of East Lothian seems similar. With a possible exception of two tofts in the west of Haddington, all possessions are located in a limited district south of Dunbar. Most of the charters concerning these gifts describe

⁴¹ *Melr. Lib.*, nos. 127, 130-1, 275, 277; *RRS*, ii, no. 382: The marches of Raeshaw partly coincided with the Anglo-Scottish Border.

⁴² *Melr. Lib.*, nos. 134-7, 142-4, 292, 294: I do not have any certainty about the date of these two Stewart charters. Although the *Liber* has put them in the time of William I, evidence in the document, such as witness-lists, does not seem so convincing.

⁴³ *ChDI*, no. 177.

⁴⁴ *Melr. Lib.*, no. 166*.

⁴⁵ *Ibid.*, no. 146.

the boundaries of the relevant estates with distinctive names of landmarks or streams, which can be, unfortunately, hardly identified in modern maps. Understandably the Stewarts and their vassals, as well as the earl of Dunbar, are found as frequent donors in this division, since Walter I, son of Alan had been granted, by both David I and Malcolm IV, some local estates like Innerwick and Stenton in 1161 or 1162.⁴⁶ Apart from them, some prominent figures such as Eva, wife of Robert de Quinci and Roland, son of Uchtred have been involved in granting of properties in *Edmundestun* and *Preston* respectively.⁴⁷ Philip of Pitcox, another local landholder, also granted a part of his territory. Judging from the *pro anima* clause in his charter, he was apparently a tenant of the earl of Dunbar.⁴⁸ Similar to the previous division, after the time of Alexander II, there is no record of additional endowment.

Possessions in the southern part of East Lothian are relatively scattered on the map. As many as fourteen transactions are relating to properties in Berwick, from land, toft, to fishing net. As Berwick was an important base for Melrose's wool export, it is no wonder that such a number of properties concentrate there to accommodate the monks. Donors are also various, from kings and one of his close councillors, Walter, son of Alan, to some burgesses of Berwick. Especially the involvement of each king before Alexander III suggests the political importance of this place, which had been situated on the Anglo-Scottish Border as one of the richest burghs in the kingdom with one of the largest castles.⁴⁹ On the other hand, the monks were clearly given a pasture-right of empty moorland known as Lammermuir for their sheep grazing.⁵⁰ Two charters are granted by the earls of Dunbar and one by Alan, son of Roland in exchange for the land of Carsphairn in Galloway. In fact, Lammermuir is too large an area to distinguish whether it belongs to the northern part or southern part of the district. For example, a part of this area which Earl Waltheof endowed, according to the donor's description, is located just south of the border of Innerwick.⁵¹ Another couple of possessions are found in the estates much closer to the abbey, such as Wedale and

⁴⁶ *RRS*, i, no. 184.

⁴⁷ *Melr. Lib.*, nos. 49, 65.

⁴⁸ *Ibid.*, nos. 218, 221.

⁴⁹ *RRS*, ii, 8; *Chron. Howden*, ii, 133: Between 1177 and 1189, under the terms of the submission of Falaise, the castle of Berwick, together with those of Roxburgh and Edinburgh, was placed in the custody of English garrisons. It is likely that, during this period, the burgh was also outside William I's power.

⁵⁰ Barrow, *Kingdom*, 121; Barrow, *Anglo-Norman Era*, 122.

⁵¹ *Melr. Lib.*, nos. 76-7, 227: Alan's charter has no reference to its boundaries.

Legerwood. The relevant charters by Alan of Galloway and Walter II, son of Alan, mention some distinctive place-names, probably of sub-divisions of the estates. In a later period, through a couple of private endowments, lands in the estate of Hassington, between Eccles and Hume, were added to the abbey's possessions.⁵²

Turning to the south, one individual charter has been produced to grant land in Eskdalemuir. Though the donor names two particular place-names, Tomleuchar and Watcarrick, his perambulation which starts from the meeting point of the Black and White Esk seems to cover quite a large area of the district.⁵³ This is a renewed grant by Robert Avenel, the lord of Eskdale. His initial charter, if it existed, has not survived but, as he recounts in the text, Malcolm IV had confirmed that transaction in 1165.⁵⁴ As I have mentioned, William de Brus's charter anent a fishery near the church of Rainpatrick, afterwards called Redkirk, in Annandale is given in the *Liber's* Appendix from the Holm Cultram cartulary. He describes the boundary of this donation as up to the midstream of the River Esk from the southern part of the estate. As far as surviving evidence is concerned, Melrose has been endowed on only one occasion each in these divisions. In terms of the number of donations, the lordship of Eskdale and Annandale are not so frequent benefactors to Melrose as the Stewarts, de Morevilles, the earl of Dunbar, and the lord of Galloway. In contrast, in the case of Nithsdale, several possessions were endowed with a couple of charters. Villa and a certain part of the estate of Dunscore were gifts from Affrica, lady of Nithsdale. Also King Alexander II endowed the now drained Loch of Dunscore and the pennyland associated with it.⁵⁵ Across the River Nith, John Avenel, son of Gervase Avenel, granted a half carucate of land in his holding of Torthorwald.⁵⁶ Moreover Alexander II and Thomas de Auney are involved in another grant of three named lands.⁵⁷ Surely it should be noticed that all these charters are produced in the time of Alexander II, and the king himself issued his acts concerning these transactions. In 1250, another

⁵² *Ibid.*, nos. 234, 330, 333.

⁵³ *Ibid.*, no. 39: In modern maps, Tomleuchar exists only as a stream. This is likely to be the case with other place-names in the charter, such as Tima, Borthwick, and Harewood.

⁵⁴ *RRS*, i, no. 292.

⁵⁵ *Melr. Lib.*, nos. 199-203; *R R S Hdl*, nos. 132, 227; Fawcett and Oram, *Melrose Abbey*, 240.

⁵⁶ *Melr. Lib.*, no. 204.

⁵⁷ *Ibid.*, nos. 206-7; *RRS Hdl*, no. 234: Probably two of these place-names, '*Hauchyncref*' and '*Dergauel*' correspond to Auchencrieffe and Dargavel, found north and east of Dumfries respectively. Barnscarth is another land.

grant of liberty concerning the estate of Dalswinton, north of Dumfries, was made by John Comyn.⁵⁸

The historic counties of Ayrshire consist of three divisions, Cunningham, Kyle, and Carrick, bordered by some of the main rivers. Hugh de Moreville was given the whole of Cunningham by King David.⁵⁹ The area of Kyle was subdivided by a boundary made of two rivers, the Ayr and the Lugar. The northern part came to be one of the Stewart lordships, though it is not known whether that was the gift of David I or Malcolm IV. The other division was formed as royal demesne called King's Kyle.⁶⁰ Carrick was under the rule of Duncan, son of Gilbert, a grandson of Fergus, the lord of Galloway.⁶¹ Amongst Melrose's charters, there is no individual charter which relates to Cunningham. All charters by Richard and William de Moreville, successors of Hugh, deal with transactions made in their other great lordships of Lauderdale and the Tweed valley, not Cunningham. While one charter by Alan, son of Roland, whose father had succeeded to de Moreville's lands and constableness, suggests that William de Moreville, Alan's uncle, had bequeathed land in Cunningham to the abbey, probably just before his death in 1196, this is the only evidence for Melrose's possession in the area.⁶² Thankfully that is not the case with Kyle Stewart. From Walter I, son of Alan, the four successive Stewarts issued eight Ayrshire-related charters. Amongst them two documents written by Walter I and II deal with simple gifts to Melrose. Also their vassals made their own grants on a couple of occasions with their individual charters.

In the individual charter granting the land of Mauchline, which I have taken as an example of a perambulation, as many as thirteen boundary marks including two main rivers appear. Most of them remain unidentified, except for some major rivers or

⁵⁸ Young, *Comyns*, 14, 23: Dalswinton was one of the sizable possessions accumulated by Richard and William Comyn before 1212 and the family's important base in the south.

⁵⁹ Barrow, *Anglo-Norman Era*, 72: No charter of the grant survives, but presumably Moreville lordship started from ca 1130, because there is no trace of royal lordship later than that period.

⁶⁰ *RRS*, ii, no. 462: In ca 1205, William I founded a burgh and castle at the mouth of the Ayr, as a centre of royal administration in this region.

⁶¹ *Melr. Lib.*, no. 32; Oram, *Lordship of Galloway*, 104: Duncan styled himself as the earl of Carrick as early as prior to 1199 in one of his charters.

⁶² *Melr. Lib.*, no. 83: In the text, this land is specified as Simon de Beaumont's fief. The individual charter of that grant is lost. Apart from Melrose, an endowment of the church of Kilmaurs from Robert, son of Wernebalde, the twelfth-century Flemish settler, to Kelso Abbey is known as one of the earliest recorded Cunningham charters dated in 1174. Generally, however, documents relevant to this area have survived in only limited rate.

streams, such as the River Ayr, Lugar Water, and Cessnock Water.⁶³ At the beginning of the perambulation, Walter I states that those marches were between Mauchline and the land of Gilbert, son of Richer, who certainly acquired Tarbolton, west of Mauchline, to be held of the Stewart.⁶⁴ Therefore it can be assumed that the perambulation starts from a particular area between the two estates, Mauchline and Tarbolton. Even though none of the place-names found at the beginning of the perambulation corresponds to the names of lands or streams which actually appear in that area today, you could recognise some potentially surviving place-names, such as *saxnoc* (Cessnock Water) and *acchenebron* (Auchenbrain, about three miles NE of Mauchline) in the middle of the text.⁶⁵ In addition to them, there is the possibility that *Ned* and *dufpol* represent Burn O'Need and Dippol Burn respectively, not only because of similar spellings but also because the description of their connection to major rivers such as the Ayr or the Lugar corresponds to their actual geographical positions. Although a couple of place-names, probably the names of smaller streams, such as *polmulin* (pow of the mill) are not identified, it can be said that some of the marches, especially in the direction of the North East, of which the territory of Mauchline consists, could match the lines of some particular waters or hills remaining in the present landscape.

Apart from the estate of Mauchline with the stated marches, Walter I also granted some untitled lands on the north side of the River Ayr, which the monks would cultivate, and a fishery in the mouth of the same river with one net. Moreover he grants all rights of pasturage in his forest which spreads from the River Ayr to the boundaries of Douglas, Lesmahagow, and Glengavel. Another Stewart charter issued by Walter II, the third Stewart, might be described as an additional gift to that from his predecessor. This time, Walter II confirms to the abbey the forest in the south side of the River Ayr. Although he states that the original grant of this was made by his father Alan to another Alan '*parvus*' or Little, described as a *conversus* or lay-brother

⁶³ *Charters of The Royal Burgh of Ayr* (AHCAG, 1883), xix-xxv; *RRS*, ii, no. 462: As some analysis of the royal burgh of Ayr, particularly that of the marches of some pennylands belonging to the town, suggests, quite a few place-names in this region have changed since the twelfth and thirteenth centuries. And some have been completely lost.

⁶⁴ Barrow, *Anglo-Norman Era*, 176.

⁶⁵ W. J. Watson, *The Celtic Place-Names of Scotland*, paper-back edition (Edinburgh, 2004), 187.

of Melrose, that individual charter seems to have been lost.⁶⁶ In Walter II's perambulation, again, some boundary-marks, such as the first stream called *pollecornerburne*, cannot be identified, which has made difficult to tell how much land may have been actually added to the previous grant. But, if *garpo* and *carnetabel* represent Garpol Water and Cairntable respectively, that means the Stewarts' gifts could have spread further south and east to the remarkable hill range which divides the modern counties of Lanarkshire and Ayrshire.⁶⁷

Amongst all surviving charters which mention Ayrshire endowments, four have been written in the name of the Stewart vassals or their family members. And there is only one original gift amongst them, dealing with two possessions in two identical charters. Richard Wallace is the donor of both instances. Richard is known as a tenant endowed by the Stewart with the land south of Kilmarnock on which he founded Riccarton.⁶⁸ In this case, however, his grant seems to be made in other fiefs. Unfortunately Richard's perambulation, regarding both of two lands which he donated, does not seem so helpful. The uncertainty of each place-name is even worse than that in the Stewart's one.⁶⁹ Nevertheless, thanks to Barrow's identification, we can assume that those two territories might have been situated near the north or west end of the later Mauchline parish. He suggests that *God'nehc*, one of Richard's gifts, could be a land near Galston mentioned in the seventeenth century record.⁷⁰ Regarding another one, *Baremor*, he confidently identifies it as Barmuir in Tarbolton parish (formerly in Mauchline).⁷¹ Seeing possessions in Kyle Stewart as a whole, it is clear that gifts to Melrose are located in the east side of the region. Most of them, if not all, come to form the abbey's expansive barony of Kylesmure in the later Middle Ages, whereas Mauchline is to achieve urban status and to be created a burgh of barony on 30 October 1510.⁷²

⁶⁶ *Melr. Lib.*, no. 74; Fawcett and Oram, *Melrose Abbey*, 211, 228, 231: With men like this lay-brother employed, presumably, Melrose had established a local administrative centre at Mauchline from which they managed the estates in the West far removed from the monastery. This was a situation very unique to Melrose.

⁶⁷ *OPS*, i, 110, 152: Cairntable is a hill on the borders of Kyle, 1650 feet above the level of the sea.

⁶⁸ Barrow, *Anglo-Norman Era*, 66.

⁶⁹ *Melr. Lib.*, nos. 69, 71.

⁷⁰ T. Thomson (ed.), *Inquisitionum ad Capellam Domini Regis Retornatarum*, i, Ayr, 4.

⁷¹ Barrow, *Kingdom*, 323.

⁷² *Reg. Mag. Sig. [RMS]*, ii, 3514; M. H. B. Sanderson, 'The Mauchline Account Books of Melrose Abbey 1527-1528', *Ayrshire Collections*, vol. 11, no. 5 (1975), 88.

Out of seven charters by Duncan, earl of Carrick, three deal with his grants of possessions to Melrose Abbey. His charter anent the lands of Maybole Beg, which lie to the north and north-east of Maybole and the adjoining hill district of Beoch, includes detailed perambulations of the properties' marches.⁷³ Duncan makes that grant twice and produces two charters which seem almost the same. In fact, however, the description of boundaries in each document is apparently different in both cases with Maybole and *Bethoc*. In terms of the marches of Maybole, two perambulations begin with the same route to a place called *Duuah* / *Dufah*. But after that point, while one perambulation is going through a road called *Enahconecal* and getting back to *Crumder* / *Crubder* where the perambulation starts, another goes to a different place called *Brockelaue* through a bog, and then walking around woods or valleys which are not mentioned in the first perambulation, before finishing at *Crumder* / *Crubder*. In the case with *Bethoc*, on the other hand, the marches in two charters correspond only in the last part of perambulation. Before reaching *Tunregaith* / *Tunregaid*, two perambulations seem to have totally different places or boundary marks on their courses from the beginning. Presumably that difference in two documents suggests the possibility that Earl Duncan added some extra parts of lands to his another grant, although it is not obvious which charter was produced earlier. Because of so many unidentified place-names, again in Carrick, it seems impossible to find out whether their boundaries have actually changed or not between the two charters. Nevertheless it is interesting to see the earl of Carrick carries out different perambulations concerning the same possessions, while that is not the case with the aforesaid Richard Wallace, who also has produced two charters anent the same object of donation.

The other grant by Duncan is some properties in the estate of Turnberry, namely two saltpans, eight acres of arable, and pasture for animals working there. There is no perambulation in this document.⁷⁴ Duncan also mentions, in the same text, woodland which the monks had held. This woodland is described as located towards another saltpan in Greenan, an estate on the mouth of River Doon, which means that Melrose had another possession in that part of the region. As a secular estate, Greenan had been held by one of Duncan's tenants, Roger de Skelbrooke, a south Yorkshire knight

⁷³ *Melr. Lib.*, nos. 29-30; Fawcett and Oram, *Melrose Abbey*, 232.

⁷⁴ *Melr. Lib.*, no. 37.

and a vassal of the lord of Carrick since the time of Gilbert, Earl Duncan's father.⁷⁵ Roger produced two charters, at the end of the twelfth century, anent the endowments to Melrose. In one of them, he names three lands, *Drumeceisrive*, *Alesburc*, and *Auchnephur* as gifts to the monks, and informs how those marches are designated.⁷⁶ Though most of the place-names found there remain unidentified at the moment, some particular references suggest that those territories lay in some parts of the area between Greenan and Dunduff including the coast line. Roger states that all woodlands, plains, pastures, and saltpans inside his perambulation would belong to the monks of Melrose. His other gift is a fishery in the mouth of River Doon. In that charter, he also grants the right to take timber from nearby forest for necessary use, and a couple of tofts, both arable and pasture. There is no perambulation for these properties but the grantor implies that all of them are located in his holding of Greenan.⁷⁷

Even with some toponymical difficulty, the patterns of distribution of Melrose possessions in Carrick are obvious. Almost all possessions are concentrated in the vicinities of some major local estates, such as Maybole, Turnberry, and Greenan. Judging from the reference to some similar stream-names such as *polnetyberes*, and *polnesalahari* in perambulations of Maybole, *Bethoc* or Greenan, each territory could have had common borders at some points of the marches, which suggests that the distribution of Melrose possessions in Carrick are characteristically limited to the extreme north-west area in the region, much as those in Kyle Stewart are concentrated into the eastern side. In terms of the period of these Ayrshire-related endowments, except for that of Mauchline by Walter I and Alexander Stewart's late charter granting general liberties in the estate, all transactions were made no earlier than the 1170s, and, probably no later than 1215, though dating of some grants, such as those of forest of Ayr, Turnberry, and fishery in the River Doon, is not certain.

Finally, I would refer to some other possessions south of the Solway-Tweed line. Melrose Abbey was granted by a person called Henry Bradfoot his entire tenement

⁷⁵ Oram, *Lordship of Galloway*, 91.

⁷⁶ *Melr. Lib.*, no. 31.

⁷⁷ *Ibid.*, no. 34; Fawcett and Oram, *Melrose Abbey*, 232-3: Oram argues that the monks completely exhausted some of these properties at Greenan, and that the aforesaid grants relating to Turnberry from Duncan, including two new salt-works, was the rescue to them who needed a secure supply of salt or other fuel sources to continue the economic development of the western estates.

(*totum managium*) in Carlisle. These possessions were important footholds in the trading network within the later twelfth- and thirteenth-century British Isles, as Carlisle was the chief commercial centre in north-western England. Though, due to its incomplete condition in parts of the text, it seems difficult to date this document, the *Liber* put this charter into the section of William I's period.⁷⁸ In Northumberland, a certain part of land and pasture in the estate of Hethpool was granted by Robert de Muschamp of Wooler. His perambulation narrates that the relevant territory is encompassing land between modern Hethpool and Clifton or Yetholm.⁷⁹ Though he held a lordship at Hassington under Patrick, earl of Dunbar, the de Muschamps are one of the Northumberland families and Robert's *pro anima* clause names kings of England, not Scotland.⁸⁰ In addition, two charters anent estates of *Kilnum* and *Scottun* could be included in this geographical division. Both endowments, eight acres of arable in each estate, have been made by the same family holding Shotton and probably Kilham. The *pro anima* clause in one of these charters by Walter de *Kilnum* (Kilham?), son of Robert de Shotton, clearly names Robert de Ros, another influential Northerner, as his lord. Though the contents in the *Liber* has categorised these grants as issues in Teviotdale, as the reference in their other charters granted to Kelso Abbey suggests, Shotton should be recognised as an estate in Northumberland whose southern marches seem to have corresponded to a rivulet which descends from Coldsmouth and divides Scotland and England.⁸¹

Obviously, there are some other possessions which I have not mentioned in this section, as I have dealt with only identified estates given to the monastery through straightforward endowments. Nevertheless the list of these possessions could reflect a kind of general pattern of accumulation and distribution of Melrose's belongings. In central and southern divisions, firstly, grants are recorded in relatively limited occasions, especially compared with Glasgow Cathedral's case. As far as surviving evidence for identified place-names is concerned, there is only one possession or two located in each division of the Glasgow area, Upper Clydesdale, Tweeddale, Eskdale,

⁷⁸ *Melr. Lib.*, no. 172; Fawcett and Oram, *Melrose Abbey*, 250: Towards the end of thirteenth century, with most of the Abbey's interests in the Solway region, this property was given to its daughter-house at Holmcultram, for an annual rent and hospitality at the abbot's visitation.

⁷⁹ *Melr. Lib.*, no. 305: The estate of Yetholm is described as the land of Ralph le Nain.

⁸⁰ K. J. Stringer, 'Kingship, Conflicts, and State-making in the Reign of Alexander II: The War of 1215-17 and its context', in Oram, *Alexander II*, 104.

⁸¹ *Melr. Lib.*, nos. 303-4; *Kel. Lib.*, nos. 362-4.

and Annandale. Typically these grants are made in a particular period of the later twelfth century. In contrast, estates in Teviotdale, and East Lothian provide the abbey with extremely abundant properties which have been consistently accumulated through the periods by the time of Alexander II or even later. This data certainly shows that these eastern divisions should be seen as the main area of Melrose's transaction. On the other hand, the situation in the Nithsdale and Ayrshire regions also appears quite remarkable. Though most instances are concentrated in a relatively limited period, such clear connections through benefactions between these localities and the monastery are noteworthy, especially considering that Glasgow's cartulary has hardly included individual records prior to *ca* 1200 relating to possessions in these south-west districts.

Except for one future David I act, there is no surviving charter granting the bishop of Glasgow properties outside his diocese.⁸² In Melrose's case, we have found a couple of private gifts from the English Border estates like Carlisle, Shotton, and Hethpool. As generally pointed out, the Anglo-Scottish Border line was not confirmed as a frontier until around the middle of the thirteenth century. In the years following 1136, David I took possession of Cumberland, Westmorland, and Northumberland. Throughout the period, relations between the Scottish king and local English barons had been generally good.⁸³ And even after Malcolm IV's surrender of the northern counties to Henry II in 1157, Border society retained its criss-crossing character in landholding and kinship.⁸⁴ Donations from Robert de Muschamp and Walter de *Kilnum* (Kilham?) to Melrose could suggest that an ecclesiastical network was also shared amongst these regions. The monasteries like Melrose, Jedburgh, and Kelso had strong links with northern England, and many northern houses were property owners in southern Scotland as well.⁸⁵ On limited

⁸² *Glas. Reg.*, no. 2; *ChDI*, no. 3: Before his accession, David, earl of Huntingdon had conceded to the church of Glasgow the annual rent of a hundred shillings from Hardingstone, Northamptonshire.

⁸³ Aird, 'Northern England', 36.

⁸⁴ Barrow, *Kingdom*, 112, 118-9; Stringer, 'Kingship', 103; Aird, 'Northern England', 29-32: King Alexander II himself held the lordship of Tynedale which enveloped much of west Northumberland and expanded into Cumberland. In fact, for the social and territorial structures of Cumbria, Northumbria and Southern Scotland, the border had little meaning.

⁸⁵ A. Young, 'The North and Anglo-Scottish Relations in the Thirteenth Century', in Appleby and Dalton (eds.), *Government, Religion, and Society*, 79.

occasions, though, this kind of cross-border transaction is another point hardly reflected in the possessions or individual charters relating to the see of Glasgow.⁸⁶

In terms of donors, again, Melrose's data demonstrates a clear pattern in its distribution. Apart from waste around the Upper Ettrick and a couple of portions of land between the Gala and Leader, all the kings' grants have been made in his demesne where the royal castle and burgh had been built, namely Lanark, Selkirk, Berwick, and Dumfries including their neighbouring estates. This could make the total absence of the abbey's possession in King's Kyle, which encompasses the burgh and new castle of Ayr, look a notable exception.⁸⁷ Except for some particular magnates and religious institutions, most non-royal donors were likely to hold their lordships within one estate, from which they drew gifts to the monastery. To name a few overlapping landholders, the Stewarts and their vassals made grants relating to the part of land between the Gala and Leader, northern part of East Lothian, Mow in Teviotdale and Mauchline in Kyle. The de Moreville family and the lords of Galloway, their successors, are involved in the donations of several lands between the Gala and Leader, Eddeleston in Tweeddale, Preston, Wadale and Lammermuir in East Lothian, and an unnamed fief in Cunningham. They, moreover, received a land called *Keresban* (Carsphairn, on the boundary of Carrick and Galloway) from Melrose in exchange for their donation.⁸⁸ The earl of Dunbar granted not only properties in East Lothian such as Spott, Hartside, and Lammermuir, but also west bank of the Leader Water, called Sorrowlessfield. In addition, Robert de Brus has provided one charter granting land in Whitton, while his son, William, made a gift drawn from the family's more familiar lordship, Annandale.

Transactions –confirmations and conflictions–

In the previous section, I have discussed the possessions belonging to Melrose and their geographical distribution through the analysis of King Alexander II's general confirmation and a certain number of individual charters relating to each donation. Obviously, however, Melrose charters have included many more documents dealing

⁸⁶ *Glas. Reg.*, no. 125: Though the bishop of Glasgow evidently made some negotiations over property-rights with Guisborough priory, all subjected churches are within the boundary of Glasgow diocese.

⁸⁷ *Melr. Lib.*, nos. 397-400; *RRS*, v, no. 100; Cowan, *Parishes*, 158: As for private endowments, in 1316, the church of Ochiltree, the patronage of which had pertained to the family of Colville, was granted to Melrose by Eustacia de Colville, wife of Reginald le Cheyne.

⁸⁸ *Melr. Lib.*, no. 227.

with other kinds of transactions, such as confirmations, quitclaims, agreements and mandates. Here I will look at these charter records to consider the process or particular circumstance in which each possession was transferred to the monastery. As I have mentioned, monastic houses had frequent contacts to some other figures than the donors through confirmations or settlements of conflicts. With those who were involved in this kind of transactions scrutinised, we could be provided with a broader picture of the social networks around the abbey. Similar to the discussions about possessions and their individual grants, I am going to start with transactions confirmed by Alexander II's act in 1215. I will explore the *Liber* to find further documents relating to each transaction and analyse them. If it is a confirmation charter, who provided it? If it is a quitclaim or agreement, who is involved in the conflict, and who settled it? Have those transactions had any effect on Melrose's acquisition of the relevant property-rights? Then, I will move on to other individual grants in each division and consider the same subject.

As I have already investigated, most of the possessions mentioned in Alexander II's general confirmation have their individual charters produced by their original donors. Also we have found out that the *Liber* contains William I's individual acts confirming these initial grants. The only exception is a quitclaim of Hartside and Spott made by David Olifard and his son Walter whose individual charter, if it ever existed, has not been included in the *Liber*. Neither is a royal act confirming this quitclaim available in our materials. Presumably these documents were actually produced but eventually lost. At least, that should be the case with the King's confirmation, as the text of the general confirmation refers to William I's charter concerning the transaction by the Olifards.⁸⁹ In terms of other instances, it is not difficult to find their relevant documents including confirmations by William I. The number of charters in the *Liber* confirming these main grants is forty-two in total. Amongst them, twenty-four are royal acts, three issued by Malcolm IV, twenty-one by William I including one printed as no. 96 in the *Liber*, which relates to three de Moreville charters⁹⁰ Other eighteen confirmations are private charters, typically

⁸⁹ *Ibid.*, nos. 6, 53, 57, 174: As for Hartside and Spott, the *Liber* contains two royal acts issued by William I (nos. 53, 57), both of which, however, relate to only the earl of Dunbar's gifts (no. 6). No charter in the *Liber*, in fact, has reference to the Olifard's involvement in these possessions.

⁹⁰ *Ibid.*, nos. 7-8, 10, 96: Amongst three of Malcolm IV's acts, the entry of no. 8 mentions Hartside and *Edmundestun*, though the king actually confirms only Hartside, granted by Cospatrick, earl of Dunbar.

written in the name of the donor's successors. Particularly in relation to the Stewart's endowment of Mauchline and the Avenel's endowment of Eskdalemuir, unlike many other instances, more confirmations are made by the family's subsequent generations than by the king, their overlord. Also there are some confirmations produced more than once by the same person on the same subject. Walter II, son of Alan, for example, provided three documents to confirm his grandfather's endowment of Mauchline. Though one of them is almost identical to the original grant, to another two, he has added a more specific clause concerning the warrant of some property-rights in the estate.⁹¹

Next, I would consider further data of confirmation charters drawn from the *Liber*, by each geographical division. Apart from the Moreville- Galloway's grant of Eddleston, no gifts from the central divisions have been confirmed by other documents. It is not, at least, impossible that some of the cathedral clergy or the later kings have issued their charters to confirm the possessions, namely tofts of burghs of Glasgow and Lanark, granted by the bishops of Glasgow and King William I. But the *Liber* contains neither of those documents. Since Earl Henry's confirmation of David I's first endowment to the abbey, thirty-eight confirmations have been produced for transactions relating to Teviotdale West. Amongst them, seventeen are royal acts issued by William I and both Alexanders. Though not all confirmations include clear reference to their initial grants and donors, thirty-two of them relate to particular charters available in the *Liber*. The most frequent pattern of confirmation appears, as might be expected, to be royal acts confirming laity's initial donation (eleven cases). Nine charters, including each one by Earl Henry and Alexander II, have confirmed grants made by the donor's predecessors. In another five, probably the pattern is that a lord confirmed his vassal's grant. While most initial grants are confirmed just once or twice, Bishop Jocelin's grant of the church of Hassendean has been confirmed as many as eight times by persons like his successors, cathedral chapter, two successive kings, and two popes.⁹² A. A. M. Duncan has discussed a controversy behind these transactions. He suggests that, as the Melrose Chronicle narrates, Bishop Jocelin granted the church of Hassendean to Melrose in 1193, but King William I challenged

⁹¹ *Ibid.*, nos. 72*, 72-3: In the later confirmations, Walter II adds a more detailed statement to the original account of perambulation, which Walter I had defined. This specification, according to the narrative in the charter, is certified by his own men in the presence of the abbot of Melrose.

⁹² *Ibid.*, nos. 122-6, 270-2.

it and compelled the bishop's charter to be surrendered, because the abbey exploited the grazing rights of royal tenants holding a village of Hassendean. After the dispute between the two, the king granted the right of donation to the bishop who eventually granted the church to the abbey in 1195, imposing new conditions about their revenue from it. Given such consistency of the subsequent confirmations, this transaction seems to have remained a potential cause of problems for the crown and bishop throughout the generations.⁹³

It is not only straightforward gifts which have been confirmed, but also agreements between Melrose and its neighbours, lay or ecclesiastic. One royal act and one chirograph confirm an agreement between the abbey and Patrick, earl of Dunbar over pasture on the west bank of the Leader Water, called Sorrowlessfield. This agreement was arranged, by the order of Pope Innocent III, at the King's court at Selkirk in 1208. The determination was issued by Brice, bishop of Moray whom the pope appointed as the judge-delegate.⁹⁴ The narrative of these settlements and confirmations, in which many authorities were involved, mentions Earl Patrick's eventual donation of the relevant possession made in the presence of William I, Earl David, and other noblemen. Apparently this concession was drafted by Patrick himself and confirmed by William I's act and Alexander II's general confirmation.⁹⁵ Another agreement has been confirmed by a papal bull. This time, the parish church of Maxton confronted the abbey over the teinds and all incomes from the whole estate.⁹⁶ Walter, bishop of Glasgow and John de Normanville, a patron of the church, were involved in the settlement as assenters.

East of the River Teviot, seventeen confirmations have been provided. Except for two cases, their relevant initial grants are included in the *Liber*. There are only two royal acts and all other documents are private charters by laymen. Both royal acts by

⁹³ A. A. M. Duncan, 'Roger of Howden and Scotland, 1187-1201', in B. E. Crawford (ed.), *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland* (Edinburgh, 1999), 137-8: According to Duncan, Bishop Jocelin's grant, printed as no. 121 in the *Liber*, was issued in 1195, after the controversy was settled. He suggests that, through the examination of the seals of the documents, no. 121 and the two confirmations by the chapter and William I belong with the same occasion, and that Pope Celestine III's bull (no. 124) has actually confirmed Jocelin's first grant in 1193, not 1195.

⁹⁴ *Melr. Lib.*, no. 101.

⁹⁵ *Ibid.*, nos. 104-5, 174.

⁹⁶ *Ibid.*, nos. 246-7: This dispute was settled in 1229. As a result, Melrose was to hold all privileges, but the monks would pay four marks yearly to the church for good peace.

William I and Alexander II confirm lay landholders in the estates of Clifton and Raeshaw respectively. Six charters are confirmations by sons, a grand-nephew, a spouse, and other family members of initial donors. And, probably, all nine remaining documents are provided by superior lords of whom the initial donors held their feu or household office. In five charters of initial grants, the donors clearly name their lords who actually provide their confirmations, through a *pro anima* clause or accounts of their feu. The family of Ridale confirms five endowments made by two of their vassals and one household member. Another grant of Isabel, wife of William de Ridale is also confirmed three times by each one of the Ridales, Patrick, Walter, and William himself. All transactions relate to the estate of Whitton.⁹⁷ Another prominent lordship in this division is the Vesci family. Eustace, William, and John de Vesci are involved in seven transactions in total. Especially Eustace's charter is quite exceptional, as this document confirms as many as five gifts; three from the estate of Whitton, one from Mow, and another from Primside.⁹⁸ The initial donors of these grants are Patrick Ridale, Robert Bernuldebi, Geoffrey, son of *Walleus* (Waldef?) of Lilliesleaf, Anselm of Mow, and Richard, abbot of Kelso. Eustace de Vesci is known as the lord of the great Northumbrian barony of Alnwick. He became William I's close kinsman through marriage to his illegitimate daughter and obtained the estate of Sprouston, in the north-east corner of Teviotdale.⁹⁹ As Walter II, son of Alan's individual charter narrates that he held the whole land of Mow of William de Vesci, the de Vesci's estates and authority is likely to have spread throughout the division. Though it is not certain to what extent their lordship was superior to those of other local families, including the Ridales or the Stewarts, the de Vesci's involvement in several transactions, both lay and ecclesiastic-related, demonstrates that they were dominant figures in the region with high social status.¹⁰⁰

The grant to Melrose of two oxgangs of arable land and two acres of meadow with pasture for four hundred sheep in Primside was made by the abbot of Kelso as a result of a settlement of dispute between the two houses. At the beginning of the thirteenth

⁹⁷ *Ibid.*, nos. 152, 154, 156, 158, 161, 163.

⁹⁸ *Ibid.*, no. 168.

⁹⁹ *Kel. Lib.*, nos. 23, 208; W. P. Hedley, *Northumberland Families i* (Newcastle upon Tyne, 1968-), 200; J. C. Holt, *The Northerners: A Study in The Reign of King John* (Oxford, 1992), 209; Stringer, 'Kingship', 105.

¹⁰⁰ *Melr. Lib.*, nos. 285-6, 288-9: The connection between the de Vesci and the Ridale families through confirmations is also found in the transactions concerning lands of Lilliesleaf.

century, the monks of Melrose and Kelso were opposing each other over the boundaries between the lands of Melrose and Bowden, both of which had been endowed by the acts of David I.¹⁰¹ According to the chirograph, the first attempt to settle the controversy was made by Pope Innocent III's legate, John of Salerno. But eventually, the issue was, at the instance of the pope and his legate, subjected to decision by King William. In the year of 1204, after an inquisition by local nobilities, the king, in his full court at Selkirk, made a judgement in favour of Kelso, which was confirmed by the bishops of Dunkeld, Brechin, and Dunblane.¹⁰² In return for this settlement, Kelso Abbey made the aforesaid grant to Melrose in 1208. Obviously this is one of the transactions mentioned in Alexander II's general confirmation. William I also confirmed this grant with an individual act.¹⁰³ In addition, as a secular lord of Primside, Geoffrey Ridale provided his own confirmation charter.¹⁰⁴ Then another relevant document by Eustace de Vesci follows. In fact, as far as the charters contained in the *Liber* are concerned, this series of event is the only case of a dispute between the two monasteries, which may sound unlikely as Melrose and Kelso were holding a number of neighbouring possessions in many parts of Teviotdale, East Lothian, and other regions.¹⁰⁵

In the northern part of East Lothian, there are six documents confirming the relevant initial grants all of which are included in the *Liber*. Richard, bishop of St Andrews issued a confirmation of an agreement between the abbey and the church of Dunbar over teinds of the granges in *Edmundestun*, Hartside and Spott. After the issue had been settled, Melrose was allowed to keep these properties for a thirty shilling payment every year.¹⁰⁶ The other five documents deal with simple gifts from laity. Walter II, son of Alan confirms two charters granting the land and pasture of Innerwick. One is written in the name of Roger, son of Glai, and another is also granted by five Stewart tenants in that estate, including John of Montgomery and

¹⁰¹ *ChDI*, nos. 14, 183.

¹⁰² *Melr. Lib.*, nos. 145-6; *RRS*, ii, no. 440.

¹⁰³ *Melr. Lib.*, no. 148; *RRS*, ii, no. 441.

¹⁰⁴ *Melr. Lib.*, no. 147.

¹⁰⁵ *Ibid.*, nos. 143, 297: The *Liber*'s inclusion of two charters concerning a quitclaim by the monks of Kelso to Walter II, son of Alan of the property-rights in Mow and Innerwick could suggest that Melrose abbey was keen to be aware of, at least, some of Kelso's transactions.

¹⁰⁶ *Ibid.*, nos. 50-1: The agreement itself has survived only in the form of a brief chirograph with no reference to judge-delegates or assenters.

Vincent, son of Robert Avenel.¹⁰⁷ Patrick, earl of Dunbar and John, son of Waltheof confirm the same grant made by John of Methkil, probably their tenant or sub-tenant.¹⁰⁸ The confirmation of land of Pitcox was made twice by the same local knight who is apparently the son of the initial donor.¹⁰⁹

Ten confirmations concerning the southern part of the division include four royal acts by Alexander II, one confirming a secular benefaction issued by the bishop of St Andrews, and three by the earl of Dunbar. Two of Alexander II's confirmations relate to two grants of Lauderdale and Lammermuir made by Alan of Galloway.¹¹⁰ In another two, the king confirms Earl Patrick's quitclaim and the earl's own confirmation charter. The former document concerns land and pasture in Lauder which the earl has sold, together with all his horses in the estate, to the monks for payments of a hundred marks to him and twenty marks to his son, Patrick.¹¹¹ The original donor of the latter confirmation by Earl Patrick is Master William of Greenlaw, a tenant in Hassington, who has donated to the house three carucates of land in his feu. From the initial grant to the king's confirmation, all documents relevant to this transaction mention Robert de Muschamp, who held the lordship of Hassington of Earl Patrick.¹¹² Robert is undoubtedly Master William's closest superior lord, though there is no evidence available for Robert's own confirmation of this matter. The remaining two private charters are to confirm the initial grants made by the drafters' fathers.¹¹³

Turning to the west, we have already seen the Stewart's endowment of Mauchline was confirmed several times by Walter I's successors or King William. Another gift of *God'nehc* and Barmuir by Richard Wallace has also been confirmed by successive Stewarts, Alan and Walter II.¹¹⁴ In the later period, King Alexander III issued three confirmations relating to Alexander Stewart's two charters to grant property-rights in

¹⁰⁷ *Ibid.*, nos. 60-1: The latter charter charges the abbey an annual payment of ten shillings for holding a common pasture.

¹⁰⁸ *Ibid.*, nos. 210-3.

¹⁰⁹ *Ibid.*, nos. 218-9, 222.

¹¹⁰ *Ibid.*, nos. 79, 227-9; *RRS Hdl Acts of Alexander II*, nos. 178, 320.

¹¹¹ *Melr. Lib.*, nos. 230-1, 380; *RRS Hdl Acts of Alexander II*, no. 288: Later, this young Patrick provides another confirmation of the same issue.

¹¹² *Melr. Lib.*, nos. 234-7; *RRS Hdl Acts of Alexander II*, no. 289.

¹¹³ *Melr. Lib.*, nos. 329-31: One of these initial grants is not available in the *Liber*.

¹¹⁴ *Ibid.*, nos. 70, 72, 72*: Both of two charters by Walter II confirms this Wallace's grant along with the Stewart's first endowment of Mauchline.

Kyle including those in *God'nehc* and Barmuir.¹¹⁵ There is no confirmation found in the *Liber* relating to either Walter II's other grant with more specific clauses or the lands of Dalsangan and Bargour, sub-divisions of Mauchline, quitclaimed by Peter de Curri, another Stewart vassal.¹¹⁶ In Carrick, except for one royal act of Alexander II confirming Earl Duncan's grant of Maybole and *Bethoc*, all five confirmations deal with Roger de Skelbrook's donation, namely lands in Greenan and the fishery of the River Doon. The charters are in the names of Alexander II, Earl Duncan (twice), and two sons-in-law of Roger.¹¹⁷ At least in the West, it seems quite unusual for vassals or knights, rather than earls or magnates, to have their charters confirmed by the crown. So Alexander II's confirmation of Roger's grant is an exceptional case and obviously made at the same occasion as another of his confirmations to Earl Duncan's grant of Maybole and *Bethoc*. This suggests Roger's relatively high status in Carrick and closeness to the earl which even the king must have recognised.

In another part of the division, there is a record of a couple of transactions made by the Colvilles, another Yorkshire-Lincolnshire family. Thomas de Colville, also known as Thomas 'the Scot', served as constable of Dumfries castle about 1190 and acquired land on the borders of King's Kyle, Carrick and Galloway. His grant of Carsphairn, a part of Dalmellington, was confirmed by his son, William de Colville.¹¹⁸ I have not mentioned this possession in the previous section, because at the moment of transaction, the recipient was not Melrose but Vaudey Abbey, another Cistercian monastery in Lincolnshire. Later, by 1223, the Lincolnshire monks were forced to transfer this possession to Melrose because of a dangerous, lawless circumstance of the area caused, we are told, by the insidious attacks of its barbarous people.¹¹⁹

¹¹⁵ *Ibid.*, nos. 323-4, 326; *RRS HdI Acts of Alexander III*, nos. 52-3, 59.

¹¹⁶ *Melr. Lib.*, nos. 74-5; Fawcett and Oram, *Melrose Abbey*, 231: The grants or quitclaims by these vassals, like Richard Wallace and Peter de Curri, were clearly results of redefinition of disputed boundaries 'encouraged' by the monks.

¹¹⁷ *Melr. Lib.*, nos. 33, 35-6, 185; *Handlist of the Acts of Alexander II*, no. 31.

¹¹⁸ *Melr. Lib.*, nos. 192-4; Barrow, *Anglo-Norman Era*, 31-2.

¹¹⁹ *Melr. Lib.*, nos. 195, 227; Fawcett and Oram, *Melrose Abbey*, 234: It has been argued strongly that there was the mineral wealth, such as coal, iron, and lead, in the region, which drew Melrose's interest. Presumably, Carsphairn was to be conveyed to Alan of Galloway in exchange for the waste of Lammermuir.

As for the two southern divisions, Eskdale and Nithdale, there is a remarkable contrast in the number of surviving confirmation charters. In Eskdale, Robert Avenel's early endowment has been confirmed with five documents, consisting of two royal acts and three private charters provided by his heirs. Despite such frequent confirmations, later, Robert's grandson, Roger Avenel caused controversy with the abbey over possessions of men, animals, household-goods, and timber in the monks' lands. Eventually he conceded all of these property-rights to the monks in the presence of King Alexander II and other magnates.¹²⁰ Apart from this, the *Liber* contained a confirmation by Herbert, bishop of Glasgow, concerning Robert Avenel's grant of teinds from Eskdale.¹²¹ Although I have referred to a case of private endowment in Berwick which has been confirmed by the bishop of St Andrews, generally in Melrose materials, there are few occasions in which ecclesiastics confirm the laity's transactions. Unfortunately Robert Avenel's initial grant of teinds seems to have been lost. Considering such a number of individual charters have been provided, it would have been difficult to expect that there is no charter confirming the donations in Nithsdale. But no surviving document suggests any evidence that this kind of transaction was recorded as a charter. We can only find the land of Barnscarth, one of three possessions near Dumfries granted by Alexander II and Thomas Aunay, in one later quitclaim made by a local landholder called Walter of Welham, in which the possession has been mentioned as 'the monks' land'.¹²²

Except for the case with Nithsdale and Northumberland, in most divisions, individual documents are provided by superior authorities or same kin-groups, to confirm some of the important transactions and negotiations between donors and the monastery. Certainly frequency of confirmation should be seen as characteristic of Melrose charters. However, even in the regions like Teviotdale or East Lothian, not all gifts are followed by this kind of charter. Rather, as far as the data drawn from the *Liber* is concerned, confirmation charters are, whoever produced them, relatively provisional and produced depending on the situation of each grant. In terms of confirmation by prelates, we can see quite clear criteria. Amongst thirteen documents, six relate to the transfer of the church of Hassendean, four are confirmations of

¹²⁰ *Melr. Lib.*, nos. 197-8; *RRS Hdl Acts of Alexander II*, no. 214: In 1236, the king issued confirmation of this settlement.

¹²¹ *Melr. Lib.*, no. 5.

¹²² *Ibid.*, no. 318.

agreements between Melrose and its neighbouring lordships, typically over the revenue from churches or estates, one with a layman, three with the bishopric and parish churches. And another one relates to the resignation made by the abbot of Kelso to the Stewarts. Obviously most confirmations are concentrated on ecclesiastical matters or transactions made by other prelates. The remaining two issued by the bishop of St Andrews and the Pope respectively, confirming the simple gifts from the laity seem quite exceptional.¹²³

On the secular side, the picture looks less comprehensive. Apart from the transactions mentioned in the general confirmation, King William's confirmation shows little consistency. Particularly in the divisions other than Teviotdale west, he was hardly involved in individual transactions. I have once attributed the lack of William I's acts in the Ayrshire-related transactions to temporary political tension between the crown and the lordships of Kyle and Carrick due to a marriage, without William's consent, of the daughter of Alan, son of Walter and Duncan, the earl of Carrick.¹²⁴ In fact, however, the confirmation by William I was also absent in East Lothian since the middle of his reign, despite the fact that some leading magnates in his entourage, such as the earl of Dunbar and Alan of Galloway, made quite a few grants. In contrast, his successor, Alexander II, issued a couple of confirmations anent the transactions in Carrick or Lauderdale, some of which William I could have confirmed.¹²⁵ While William I's involvement is typically concentrating in the transactions mentioned in the general confirmation, the increase and spread of Alexander II's acts could be another characteristic of Melrose materials.

Typically lay landholders confirm their family endowments through the generations. There are some remarkable cases, especially with certain families like the de Morevilles, the Stewarts, the Ridales, the de Normanvilles, and the earls of Dunbar, who have been powerful and close to the kingship since the reign of Malcolm IV or David I. On the other hand the *Liber* does not contain plenty of occasions for

¹²³ *Ibid.*, nos. 15, 179.

¹²⁴ N. Murray, 'Swerving from The Path of Justice', in Oram (ed.), *Alexander II*, 288-9: Murray suggests that the decline of Stewart attestations to royal charters during William I's reign could be due to discord between the two parties. Unfortunately, it is difficult to distinguish if the decline of royal confirmations could be similar evidence for the situation, because of the lack of some necessary dates for the Stewart charters.

¹²⁵ *Melr. Lib.*, nos. 184-5, 229.

these barons to confirm their tenants' benefactions. Indeed, a series of charters by the Ridales and the de Vescis provide remarkable evidence for their lord-vassal networks in each of their lordships. But, as for other magnates, confirmation to their own vassals' transactions does not appear in such a consistent way. For example, Walter II, son of Alan provided confirmation of his vassals' charter granting land of Innerwick. However there is no surviving evidence for him or his predecessor to do the same to the grant of a certain part of Stenton made by Robert, son of Fulbert, another Stewart tenant, and his heiress.¹²⁶ Similarly in Kyle, Peter de Curri's quitclaim of Dalsangan and Bargour, sub-divisions of Mauchline, seems to have been dismissed, while both Alan and Walter II have confirmed Richard Wallace's aforesaid gifts of the neighbouring lands. It cannot be denied that our data could have been affected by potential archival losses. Nevertheless, there is a strong possibility for highly-ranked donors, such as the prelates, the crown, and its close magnates, to have had various approaches to confirmation and its documentation for each of transaction, based on its subject, kind or location of the property, and the relationship with the relevant donor.

Finally I am going to take a look at some cases of disputes in each division, recorded in the form of quitclaims, agreements, and acknowledgements or mandates. In Teviotdale west, other than Alan, son of Walter's quitclaim of Bleinesley in William I's court, two resignations by sub-tenants of John de Normanville and Patrick Ridale are found. The former was made in the superior's court. In both cases, it is assumed that the claimants had insisted on their rights over certain possessions which their lords had been about to grant, or had already granted, to the abbey.¹²⁷ All three agreements with Earl Patrick, Kelso Abbey, and the church of Maxton are, as I have mentioned, confirmed with individual documents.¹²⁸ As an acknowledgement, one act of William I is available which announces a perambulation and definitive demarcation of marches between Melrose and the men of Wedale. However, though this perambulation was surely carried out on 18 October 1184 in the presence of the

¹²⁶ *Ibid.*, nos. 62-4.

¹²⁷ *Ibid.*, nos. 97, 253, 282.

¹²⁸ *Ibid.*, nos. 101, 145, 246: Presumably the last lawsuit with the church of Maxton, like the case with the aforementioned layman, has been caused by a preceding donation made by John de Normanville (no. 244), the lord of the estate and patron of the church, who, along with Walter, the bishop of Glasgow, has been involved in the settlement as arbiter.

king and his responsible men, the relevant royal act is not considered an authentic original act, because of its untimely witnesses.¹²⁹

In Teviotdale east, one tenant seemingly belonging to William, son of Earl Patrick, renounced his rights in Clifton to his lord, William and his wife, Cristiana, who is apparently a family member of Corbet, the original donor of the estate.¹³⁰ The *Liber* contains two more quitclaims by landholders in Chatto and Mow. The latter case was made before the archdeacon of Glasgow and the dean of Teviotdale.¹³¹ Bishop Jocelin issued an agreement between Melrose and a layman called Uchtred of Grubbeheued. Other than that, Melrose made four agreements over the church or estate of Hownam. The litigants are the parson and knight of Hownam, Jedburgh Abbey, and Hugh de Potton, archdeacon of Glasgow. Typically the bishop of Glasgow and heads of some monasteries, appointed by the pope, arrange the settlement.¹³² Also there is one brieve of Alexander II over the forest of Mow which prohibits cutting or hunting without permission. This issue reflects the situation in this period in which conflicts between monks' rights of pasture and lords' rights of hunting were quite common.¹³³

Concerning the properties in East Lothian, there are four quitclaims made by laity, including the aforementioned ones by Earl Patrick and the burgesses of Berwick. One of them deals with land in Berwick which the monks had bought from Robert of Bernham whose relationship with the donor is uncertain. Another donor received thirty shillings from the monks for his concession.¹³⁴ Andrew, archdeacon of Lothian, provided an agreement between the abbey and the church of Dunbar over the teinds of *Edmundestun* and Hartside. Judging from the witnesses, this document was written in the same occasion as the aforesaid Bishop Richard's confirmation.¹³⁵ One unnamed scribe drafted another agreement with Robert of Stenton (son of Fulbert) over the boundary between Stenton and the monks' grange at Hartside. As their involvement

¹²⁹ *Ibid.*, no. 112; *Chron. Melrose*, 44; *RRS*, ii, no. 253.

¹³⁰ *Melr. Lib.*, no. 269: This quitclaim was made in the full court of William, the lord.

¹³¹ *Ibid.*, nos. 280, 293.

¹³² *Ibid.*, nos. 118, 129, 133, 274, 281.

¹³³ *Ibid.*, no. 299; *RRS Hdl*, no. 217; Duncan, *Scotland*, 421: As seen in the Mauchline grant by Walter I, some major landholders emphasise in their charters that they would keep some part of the forest and animals or birds inhabiting there for their recreation.

¹³⁴ *Melr. Lib.*, nos. 180, 216.

¹³⁵ *Ibid.*, no. 52.

in the wool trade grew in the late twelfth century, the monks began to seek to expand their grazing land to enable them to run more sheep. Hartside or Spott was an obvious area for expansion.¹³⁶ Later, in 1236, Melrose negotiated with the prior of Eccles over the teinds of land in Hassington which a couple of laity had granted to the abbey.¹³⁷ Melrose would retain the revenue of an annual payment of a half mark.

In Eskdale, one chirograph has survived in which Robert and Gervase Avenel have relaxed the annual payment of four marks from Melrose. In return, the abbey concedes a pittance which had been given by the Avenels four times a year.¹³⁸ There are three agreements concerning disputes between Melrose and the abbot of Holywood over the Nithsdale issues; one, scribed by the rector of Dumfries, over teinds of Barnscarth; another two relating to patronage of the church of Dunscore; one of them made before Bishop William of Glasgow, and another arranged by the papal legates consisted of the bishop of Glasgow and archdeacon of Teviotdale, also with the bishop's seal and signature of the abbot of Rievaulx attached.¹³⁹ Three charters relevant to Kyle are Richard Wallace's relaxation of two marks, the agreement with the rector of Balinclog over the teinds of Barmuir, and another settlement anent the patronage of the church of Ochiltree in which Melrose Abbey was not involved.¹⁴⁰

Duncan, earl of Carrick also made a relaxation of the monks' payment. Concerning this matter, Duncan has asked William, bishop of Glasgow for surety with another document. The earl's household and tenant in Dunduff produced one quitclaim each. For one of them, by Walter Champenais, Melrose has paid twenty shillings for peace.¹⁴¹ In 1211, a dispute between Melrose and the see of Glasgow over the teinds of Maybole was settled by the judges consisting of Hugh de Mortimer, William, dean of Cunningham, and John, dean of Kilbride, whom Pope Innocent III appointed. This sentence, supported and assented by the Cistercian nunnery of North Berwick, states that Melrose would pay ten shillings of silver yearly to the church of

¹³⁶ *Ibid.*, no. 54; Fawcett and Oram, *Melrose Abbey*, 222.

¹³⁷ *Melr. Lib.*, no. 332.

¹³⁸ *Ibid.*, no. 40.

¹³⁹ *Ibid.*, nos. 317, 320-1: As a result, all teinds in the parish are held by Melrose, and the church of Dunscore have been in proper use of Holywood.

¹⁴⁰ *Ibid.*, no. 224, 226, 327.

¹⁴¹ *Ibid.*, nos. 188-91.

Maybole for the teinds of Maybole and Largs.¹⁴² Additionally in Northumberland, two acknowledgements are written in the name of Robert, son of Robert de Muschamp concerning his father's grant of Hethpool. Over the teinds of this estate, again, a lawsuit between Melrose and Kirkham Priory was settled by the judgement of the papal judge-delegates, who were understandably the Northumbrian prelates. After the agreement, the canons of Kirkham would take 50s 20d yearly from Melrose who retained the revenue.¹⁴³

The data of litigants and mediators in each conflict suggests that the bishop, whether of Glasgow or St Andrews, and his cathedral clergy were likely to deal with the issue in which parish churches have taken a part, and the pope typically intervened in disputes with laity or other monastic neighbours. The commonest subject is teinds from the relevant territories, and settlements usually allow Melrose to keep them for an annual payment to the opposite side. Also there are quite a few references to laity, some of whom sell, not gift, possessions to the monks, and others offer a resignation of payment from the abbey as their benefaction. These facts correspond to the growing tendency of transactions, especially during the thirteenth century, that religious houses would hold their possessions for some form of payment, rather than by free alms.¹⁴⁴ On the other hand, the king is also found involved in some of the disputes. Though he himself does not act as mediator or judge so frequently, in some cases, his court or confirmation acts function as effective instruments for agreements. Moreover the king issues his *briefes* providing liberty or protection to the monks which would be kept by the royal officers, at least nominally, effective everywhere they live. As I have discussed in this section, these kinds of documents, from confirmation to agreement or *briefes*, surely provide us with much positive evidence for interrelationships between Melrose and higher authorities in medieval society, like the bishoprics, the Holy See, and the crown, which could help to consider the monastery as an institution not only in its local networks with its neighbours consisting of lay landholders, parish clergy, and monks of other religious houses, but also within the wider structure of the kingdom and church of Scotland in general terms.

¹⁴² *Ibid.*, no. 186.

¹⁴³ *Ibid.*, nos. 306-8.

¹⁴⁴ Jamroziak, *Rievaulx Abbey*, 121.

Networks – witnesses and their locality–

Similar to the case with the cartularies of Glasgow Cathedral or other religious houses, the charters in the *Liber* typically include the testing clauses in which numerous witnesses from various social ranks are listed. In this section, I will focus on personal-names found in the witness-lists of each document and discuss the social networks amongst them, or between them and donors, tied with benefactions to the abbey. The number of charters with witness-lists available is 259 out of 350. Even the charters with no surviving witness-list typically end with *testibus*, showing that there was a witness-list originally. Thus it should be safe to assume that the most transactions which we have seen so far have been made or documented before witnesses. At the outset, I am going to take a look at the appearance of witnesses according to the geographical divisions I have arranged above. Naming some figures who attest several charters, I will discuss potential patterns of witnesses according to the location of relevant possessions. Then I will focus on some frequent witnesses, especially those who appear in charters relating to different divisions or different donors. This aim is to discover some examples which demonstrate how the social networks between landholding families were actually created and developed, even across the secular and ecclesiastic boundaries. Due to the limited information in testing clauses, some witnesses can not be identified, or even classified as lay or ecclesiastic, so convincingly. Even though most of this analysis will concern relatively distinctive figures in our period, problems, such as lack of an exact date of the documents and the fact that the same name was shared by close kin-groups, could make some of their involvement in charters dubious, in which case, I will mention its limited certainty.

In the central area, where only a limited number of transactions have been recorded, we do not have so many witnesses to deal with. Few of them have been named in several charters. William I's act granting a toft in the burgh of Lanark is attested by six persons mostly consisting of his household members who are the usual witnesses to almost any royal acts. Bishop Jocelin's grant of a toft in the burgh of Glasgow includes more interesting witnesses. While the following charters on the same subject by his successors all have ecclesiastical witnesses, Jocelin's first document has listed, alongside the abbot of Newbattle, the archdeacon and canons of

Glasgow, the bishop's clerks and steward, four attestors from secular landholding families, namely Alan, son of Walter, his two tenants, and Archibald of Douglas. As I have mentioned in the Glasgow chapter, the family of the Stewarts are obviously one of the dominant witnesses in our materials. But, given the evidence we have seen so far, it is quite unusual to see them witnessing to a prelate's charter and being listed as the first of a small number of laity, even followed by their own vassals. The family of Douglas is undoubtedly Flemish in origin and closely related to the founder of the house of Murray who was granted Strathbrock in West Lothian and Duffus in Moray by David I.¹⁴⁵ Their estate of Douglas in Upper Clydesdale is, as mentioned in the Stewart grant of Mauchline, bordering the lordship of Kyle-Stewart. Hugh of Pettinain, one of Alan's tenants, is also considered as Flemish. Though his feu, Houston, is near the Firth of Clyde, the settlement of Pettinain, from which his family name has been taken, is situated in upper side of the river, not too far from Douglas.¹⁴⁶ It seems difficult to find a specific reason for their involvement in this particular issue, but the close connection amongst these local lay families around the Glasgow area is worth considering. As none of the Moreville-Galloway's charters concerning Eddleston records any particular witnesses, this appearance of the Stewarts and Douglas is the only example in this division which suggests potential networks and the locality of witnesses.¹⁴⁷

As the number of charters suggests, witnesses found in charters related to Teviotdale west are numerous and various in character. No fewer than twenty-eight royal acts have been attested by some familiar names with distinctive titles like royal chancellor, chamberlain, and justiciar. Even two kings, or would-be kings, and their closest kinsmen appear in the witness-lists for nineteen times between them. Apart from royal acts, the involvement of this kind of witness is almost limited to Bishop Jocelin's grant of the church of Hassendean and an agreement between Melrose and Patrick, earl of Dunbar over Sorrowlessfield. There are thirty-two witnesses who should be categorised as higher ecclesiastics; twenty-four belong to secular cathedrals and eight are heads of monastic houses. They are certainly a part of frequent

¹⁴⁵ Barrow, *Kingdom*, 290; Duncan, *Scotland*, 189.

¹⁴⁶ Barrow, *Kingdom*, 319-20.

¹⁴⁷ *Melr. Lib.*, nos. 82-4, 238: In a later private endowment of 'Mospennoc' (in Peebles?), Archibald Douglas has been named as a witness. With the charter undated, it might be unsafe to consider him as the same Archibald as the one mentioned above, though they are likely to belong to the same kin-group.

witnesses to royal acts and are also understandably involved in charters issued by the see of Glasgow. Moreover quite a few of them appear in private charters written in the name of secular magnates in the king's entourage, such as Morevilles, Stewarts, and earls of Dunbar. The remaining eighty-six witnesses typically consisted of barons, their knights, and local clergymen, appear in several documents. I would refer to some of them and the donors whose charters they witness to as part of a social circle linking each family or lordship in the division.

John of Maxwell and Bernard of Hadden are both known as sheriff of Roxburgh in the early thirteenth century. Even though very few documents name them with that title, they surely held the office close to the royal government and have attested quite a few royal acts as well.¹⁴⁸ In this division, the former has witnessed ten relevant charters out of which six are private charters, and the latter appears in eleven charters, including eight provided by other local barons. In terms of number of appearance, Hugh de Normanville would follow them. His involvement includes one royal confirmation, three agreements, and four private charters. Gregory Rutherford, Alan of Thirlestane, and Peter Haig witness to non-royal endowments only (five, seven, and five, respectively). Alexander Synton has been listed in four straightforward gifts from laity, two king's confirmations, and one non-royal quitclaim. Robert de Ros also attests four private charters out of his seven appearances. In terms of the lordships or inherited baronies which these witnesses held, modern maps can provide us with some corresponding place-names with satisfying certainty. Additionally, in five charters, the name of Patrick, son of the earl of Dunbar, is found. Regarding the earlier three documents, the witness is undoubtedly the future Patrick II. In the later ones with uncertain dates, it is not clear whether he has succeeded as the earl or not, though that would not cause a problem, because both the current earl and his son appear in these charters.¹⁴⁹

Apart from the king, the donors whose charters are attested by these witnesses consist of the lords of Fairmington and Elliston, a Normanville tenant of Maxton, and some more distinctive families such as the Morevilles, Stewarts, Normanvilles,

¹⁴⁸ *Kel. Lib.*, nos. 207, 395; *RRS*, ii, no. 515; *Chron. Melr.*, 154: John of Maxwell was also royal chamberlain of Alexander II, and buried at Melrose in 1241.

¹⁴⁹ *Melr. Lib.*, nos. 283-4.

Ridales, de Vescis, and Corbets. Presumably our data could demonstrate some patterns of attestation based on location of possessions or relationships with donors. The attestation by the aforementioned two one-time sheriffs covers most of the transactions relating to the estates south of the Tweed, namely West Lilliesleaf, Elliston, Maxton, Fairnington, and Old Roxburgh. This is also the case with Gregory Rutherford. However, except for one instance for John of Maxwell, none of them appears in the charters concerning lands on the north side of the river; between the Leader and Gala Water, which are granted by the Morevilles, Stewarts, and the earl of Dunbar. These transactions are attested by Hugh de Normanville, Alan of Thirlestane, Peter Haig, and the son of Earl Patrick, with little involvement from neighbouring baronies. Seemingly the witnesses to a series of gifts from the Morevilles or a quitclaim by Alan, son of Walter, like those to royal acts, reflect the social circles of donors' own families and lordships, while the issue over Sorrowlessfield has included witnesses like Alexander of Synton and John of Maxwell who are probably representatives of local lay authorities.¹⁵⁰ Robert de Ros of Wark on Tweed is, like Eustace de Vesci, King William's close ally and kinsman in Northumberland.¹⁵¹ His appearance in charters relating to Lilliesleaf and Maxton shows the connection with the families like Ridales and Normanvilles. He was also involved in the matters over Fairnington, and Old Roxburgh through the later royal acts.

In the charters anent Teviotdale east including ten royal acts, attestation by Earl David, bishops, archdeacons, and abbots is not limited to royal acts or episcopal documents. Bishop Jocelin and Simon, archdeacon of Glasgow appear in eleven private charters out of sixteen attestations between them. Amongst other witnesses, Robert of Bernaldebi (seventeen), Richard le Nain (sixteen), William, son of John, son of Orm (eleven), Adam of Chatto (eleven), Simon of Grubbeheued (ten), Bernard of Hadden (eight) and Ralph le Nain (six) can be seen as dominant figures and most of the charters in which they are involved are non-royal documents. Even some of witnesses appear as the donors themselves, which is the case with Robert Corbet, Patrick Ridale, and a couple of Ridale's vassals. Though the donors consisted of many

¹⁵⁰ *Ibid.*, nos. 103-4; *RRS*, ii, 64; *Dunfermline Registrum* [*Dunf. Reg.*], nos. 231; Duncan, *Scotland*, 352: Alexander Synton is never found explicitly styled sheriff, but he has been surely granted the sheriffdom of Selkirk heritably by William I. Alan of Synton appears in records as the sheriff of Selkirk in the 1230s.

¹⁵¹ Hedley, *Northumberland*, 226.

landholding families, the relevant possessions are not so scattered but within the neighbouring estates such as Clifton, Grubbeheued, Mow, Hownam, and Whitton, which seems a contrast to the situation in the west where the baronies of witnesses spread from Lilliesleaf to the border to Northumberland. Most of the frequent witnesses are also local to this area. Robert and Walter Corbet probably inherited the feu in Roxburghshire and Northumberland, such as Yetholm, Shotton and Kirknewton from their predecessor, and the Ridales obviously had been granted Whitton and Hownam by David I.¹⁵² Also the le Nains and Somervilles are more active witnesses here because of the locality of their lordship in a part of Yetholm-Neym and Linton.

On the other hand, there are few, if any, references suggesting involvement of other familiar great landholders like the Morevilles, the Stewarts, and the earl of Dunbar. Walter II, son of Alan and Isabel, daughter of Robert Croc, one of Stewart's tenants produced three charters relating to a part of Mow which was originally granted to the Stewarts by Malcolm IV. The witnesses to these transactions, however, do not include the local figures who attest many other charters in this division, but men of the Stewarts or some officials of the western regions.¹⁵³ This is also the case with Robert de Brus' charter anent Whitton, only witnessed by Bishop Jocelin, Archdeacon Robert, and two men of his entourage called Master Hugh de Brus and Robert of Hoddum.¹⁵⁴ These facts suggest that, in terms of witnesses, some lordships are divided from others, even if they are held within the same estate. As far as the Stewarts, Morevilles, Brus, and Earl of Dunbar are concerned, the members of these circles hardly have contact with their counterparts of Clifton, Mow, Hownam, and Whitton who clearly share one social network, presumably based on stronger locality than that which the Stewarts or Brus have. The remarkable number of attestations by the Avenels, another great landholding family in Eskdale, suggests that this network in Teviotdale east was not necessarily limited to a few local families. But their frequent access across the baronies creating a certain social circle is surely a distinctive character of attestation in this division.¹⁵⁵

¹⁵² *RRS*, ii, 64; Barrow, *Kingdom*, 34; *ChDI*, no. 177; Barrow, *Anglo-Norman Era*, 61.

¹⁵³ *Melr. Lib.*, nos. 142, 144, 295.

¹⁵⁴ *Ibid.*, no. 169.

¹⁵⁵ *Ibid.*, nos. 116, 127-8, 130-2, 135-6, 151.

In the north side of East Lothian, the number of royal acts reduces to five and no royal members appear as witnesses. Three royal chancellors attest four royal confirmations and eleven prelates appear in twenty-two charters including three documents over disputes between Melrose and the church of Dunbar. On the secular side, another English border lord, Roger de Merlay of Morpeth, attests seven charters which is the most appearances in the division. Roger was a son-in-law of Duncan, earl of Fife as well as a kinsman of the Dunbars.¹⁵⁶ Typically the charters which have common witnesses like Roger or Patrick, son of the earl concern transactions over possessions in *Edmundestun*, Haddington, and Pitcox, granted by Earl Patrick and his tenants. Though there are a couple of grants and confirmations relating to Innerwick provided by Walter II, son of Alan and his knights, these testing clauses hardly include witnesses found in the Dunbar's documents. So, as far as the choice of witnesses is concerned, the two lordships do not appear to have had a close connection to each other.¹⁵⁷

Out of ten royal acts issued for transactions in the Merse area, only four of Alexander II's acts include witness-lists. William, bishop-elect of Glasgow and Robert de Ros appear in two of them. The objects of donations are divided into lands of Lammermuir, Haddington, and Berwick. The initial donors consisted of Earl Patrick, Alan, son of Roland, Robert de Muschamp, William of Greenlaw, and burgesses of Berwick. As Robert de Muschamp is tenant of Earl Patrick, and William of Greenlaw is sub-tenant of him, it is understandable to see that the charters provided by these three have some common witnesses, such as sons or brothers of the earl, David Graham, John of Lambeden. Many witnesses mentioned in Alan's charters look like his own vassals and are not involved in other documents, though one of them, Bernard of Ripley who attests Earl Patrick's confirmation of Haddington.¹⁵⁸ Obviously this division also contains the land of Legerwood and Birkenhead held in

¹⁵⁶ Hedley, *Northumberland*, 197; Stringer, 'Kingship', 104: He controlled an estate at Kettle near Cupar in the name of his wife Ada, daughter of Earl Duncan. Their second son served in Dunbar as Earl Patrick's steward.

¹⁵⁷ *Melr. Lib.*, no. 211: However, in one charter granted by a Dunbar's tenant, John, son of Michael of Methkil, Walter II himself appears in the witness-list along with the abbot of Balmerino (?), Malcolm, son of the earl of Lennox, and John Cumin. For a private charter in the name of Earl Patrick's tenant, such a choice of witnesses seems relatively unusual.

¹⁵⁸ *Ibid.*, nos. 227, 235-6; Barrow, *Anglo-Norman Era*, 192: It seems probable that this is the same Bernard who, through the marriage with a Scottish heiress, acquired the estate of Kirkandrews in Borgue, Kirkcudbrightshire, which could have connected him to the Galloway families.

demesne by the Stewarts, and Walter II's relevant charters have survived. But, again, the witness-list, though partly incomplete, includes the Stewart vassals only.¹⁵⁹

In the *Liber*, nine charters including three royal acts concern Eskdale. While one brief confirmation by William I does not contain a witness-list, Robert Avenel's initial grant mentions two sets of witnesses, one of which consists of attestors of his original endowment made in the reign of Malcolm IV, and another names those to the current renewed donation. Unlike the previous divisions, there is no particular difference in number of appearance between witnesses. Despite non-royal documents, Avenel's charters are similar to the Stewart's or Moreville's documents, witnessed by a royal family, royal household officer, and prelates from many regions, which demonstrates his high status as a secular magnate. On the other hand, these witnesses include secular landholders in other divisions like Walter Corbet, William, son of John, John of Maxwell, Roger Burnard, Richard le Nain, and Gregory Rutherford.¹⁶⁰ I have already mentioned that Robert and Gervase Avenel attest charters relating to possessions in Teviotdale east. The appearance of Teviotdale barons provides evidence for a certain connection and interrelationship between two divisions and its lordships.

Fourteen charters relating to Nithsdale are all thirteenth-century documents including four of Alexander II's acts. Here there is no involvement of the bishop or cathedral clergy of Glasgow. Instead Walter, bishop of Whithorn, the canons of Holywood Abbey, and the rector of the church of Dalgarnock witness to Affrica of Nithsdale's two charters anent Dunscore. Another private charter suggests another Avenel connection in Nithsdale. John Avenel, son of Gervase held Torthorwald of William, son of Glai and his charter granting a half carucate land to Melrose has been witnessed by the family of Maxwell and Mauleuerer to whom the Avenels had a family link.¹⁶¹ In addition, Richard Comyn, John de Mundevill, Thomas de

¹⁵⁹ *Melr. Lib.*, no. 81.

¹⁶⁰ *Ibid.*, nos. 39, 41, 196-7.

¹⁶¹ *Ibid.*, nos. 140, 204; *Scots Peerage*, vi, 470; A. Young, 'Noble Families and Political Factions in the Reign of Alexander III', in N. H. Reid (ed.), *Scotland in the Reign of Alexander III 1249-1286* (Edinburgh, 1990), 8-9; Barrow, 'Army of Alexander III', 132: Aymer of Maxwell, son of John of Maxwell, was sheriff of Roxburgh, Peebles, and Dumfries between 1249 (?) - 1266, chamberlain of Alexander III (ca 1259-60), and justiciar of Galloway (ca 1264). Over the transaction in Mow, Gilbert Avenel and Simon Mauleuerer had produced one confirmation jointly.

Normanville, and Thomas, son of Ranulf, sheriff of Dumfries, appear in several charters. Similar to the case with Glasgow's data, the witnesses involved in this division have little in common with those seen in other areas, which is presumably because of geography and the relatively later date of the relevant charters.

As I have mentioned, there is a remarkable lack of royal confirmations concerning transactions in Kyle. No royal acts have survived between William I's early one and Alexander III's three confirmations issued after the middle of thirteenth century. These acts contain no witnesses from the royal family and, in Alexander III's acts, no one has been styled either royal chancellor or clerks. Though the bishops, archdeacons, and other cathedral clergy of Glasgow diocese appear as witnesses, most of them attest private charters. Especially these prelates are dominant in number in the witness-lists of the grant and confirmation relating to *Godnehc* and Barmuir. In terms of other witnesses, it can be said that the earlier charters are typically attested by Stewart retainers. For example, the witnesses to Walter I's first donation of Mauchline consist of his family, household, and his own knights. In Alan's confirmation of that grant, on the other hand, a few figures outside of the Stewart circle, such as William de Lindsay, joins the attestation, although as many as seven witnesses appear in both of the documents. Later, the witness-list of Walter II's confirmation includes more personal-names from other authorities or lordships than the Stewarts, such as Ralph, bishop of Down, Patrick, earl of Dunbar, his son Patrick, and Richard le Nain. Moreover, in the time of Alexander Stewart, his charters have some particular witnesses inside the royal government, like the king's clerk, chancellor, and justiciar of Lothian, a few of whom are common witnesses to the relevant Alexander III's acts.¹⁶² This fact seems to indicate the periodical expansion of the Stewart networks beyond its household and locality, or increase of interest and involvement from other lordships, including the crown, over the transactions in the region.

One of William I's briefes and two of Alexander II's confirmations are the only surviving royal acts concerning men and possessions in Carrick and Galloway. Some of the witnesses to these acts are also found in documents written in the name of local

¹⁶² *Melr. Lib.*, nos. 66-7, 72, 322, 325.

magnates. Roland, son of Uchtred appears as witness to William I's *briefe* styled *justiciar*, and attests one of Duncan of Carrick's grants of Maybole and *Bethoc*. His son, Alan and Patrick, earl of Dunbar are involved in both Alexander II's confirmations and Thomas de Coleville's charters concerning Carsphairn, part of Dalmellington. And Malcolm, son of earl Duncan of Fife is a common witness to three charters issued by Duncan of Carrick and the two royal confirmations. Particularly the close link between the lord of Carrick and earl of Fife, one of the most dominant nobilities in the royal circle, is well known. Earl Duncan has been named in the *pro anima* clause of charters produced by Duncan of Carrick and his tenant, Roger de Skelbrooke, both of whom pray for his soul as well as those of the successive kings and their family. As the generosity of the men of Carrick to North Berwick Priory, presumably founded by Duncan I, earl of Fife, in *ca* 1150, also indicates, the close relationship between Carrick and Fife is beyond doubt.¹⁶³ All private charters granted by Duncan or Roger, are attested by higher ecclesiastics, such as Bishop Jocelin, Archdeacon Simon, Dean Herbert and William, abbot of Holyrood, on a couple of occasions. Duncan's documents have a few more distinctive witnesses outside the region, including Gillebrigte, earl of Strathearn, the earl of Lennox, William de Moreville, Alan and Walter II of Stewart. In addition, quite a few local knights in the south-west, most of whose names have a Gaelic character, join them.

Similarly, the charters by Carrick vassals also have witnesses which consist both of local and non-local figures. Apart from the cathedral clergy and Walter Corbet, witnesses to Roger's charters are typically local and Gaelic. Raderic (Ruaidri) mac Gillescop's charter is witnessed by William, sheriff of New Castle upon Ayr and Walter, king's clerk, while the list has three other local names, some of whom can be found in the witness-lists of the Earl Duncan's charters.¹⁶⁴ Due to confusing and inconsistent forms of Gaelic names, identification of these local vassals is difficult and not necessarily reliable. But some particular names like Gillenem Mac Coleman

¹⁶³ *Carte Monialium de Northberwic* [*N. Berwick Chrs.*] (Bannatyne Club, 1847), nos. 1, 13-4; Oram, *Lordship of Galloway*, 89: Duncan of Carrick makes two donations to the priory; annual payment from the land of *Barrebeth* in Carrick and patronage of the church of Maybole. Moreover, according to Oram, there is evidence suggesting that Duncan of Carrick's mother may have been a daughter or sister of Duncan II of Fife, which is another example of the close link of the two lordships.

¹⁶⁴ *Melr. Lib.*, nos. 31, 34, 36, 191: In a later document, Walter Champenais's quitclaim has only one potential Gaelic witness alongside Earl Duncan of Carrick, David Lindsay, justiciar of Lothian, Alexander Stewart and Robert de Curri, probably kinsman of Peter de Curri, the Stewart tenants.

or Ewein Mac Alewin are apparently mentioned in several witness-lists of different donors. In terms of appearance of Gaelic names, the two Coleville's charters concerning Carsphairn provides us with an interesting picture. Comparing the two sets of witnesses in two charters provided by Thomas de Coleville, although there are a couple of common attestors, it is evident that one of them has many more witnesses of Gaelic origin than another which contain, in contrast, some familiar magnates close to royal government, such as Patrick, earl of Dunbar, Walter II, son of Alan, and Robert de Brus. In the former charter, Thomas has addressed himself 'known as the Scot', but he has not in the latter. Also, while he prays for souls of only himself and his ancestors in the former document, the latter's *pro anima* clause has added reference to David I, Malcolm IV, and William I.¹⁶⁵ So these two documents, from the donor's address to *pro anima* clause and choice of witnesses, undoubtedly reflect Thomas's hybrid character and status as a lord of the Gaelic region. Presumably on this occasion, he styles himself, with two documents, a benefactor representing both the local Gaelic community and royal authority. Duncan of Carrick and Alan of Galloway are found in both of Thomas' charters. It can be considered that, under the control of these overlords who have both Gaelic background and a strong connection to Scottish government, the locality and socio-political landscape of the South-West, in which Gaelic and Anglo-Continental elements seem to have coexisted, have been given its shape.

Finally, I should mention some witnesses who have been involved in transactions across the divisions, to discuss potential relationships amongst nobilities beyond each locality. Apart from those to royal acts, not so many witnesses appear in charters regardless of the location of the transactions. Even the royal members or king's household officers have a pattern of appearance, probably based on a geographical or territorial viewpoint. In fact, their involvement in private charters or non-royal issues is limited to relatively few occasions; seven charters in Teviotdale west, three in Teviotdale east, three in Eskdale, two in Kyle and no appearance in private charters concerning East Lothian, Nithsdale, and Carrick. In the case with witnesses from the secular church, the number of charters in which they have been mentioned is three in the central division, twenty-one in Teviotdale west, twenty-six in Teviotdale east, four

¹⁶⁵ *Ibid.*, nos. 192-3.

in East Lothian-North, four in Eskdale, three in Nithsdale, six in Kyle and three in Carrick. As for the bishop and archdeacon of Glasgow, they never appear as witnesses to the instances in East Lothian and Nithsdale, except for a couple of royal acts. Thus, as far as private issues relating to Melrose are concerned, involvement of both royal and diocesan authorities seem to have concentrated on Teviotdale, the relatively neighbouring area to the abbey, and they have made little, if any, contact with the other divisions beyond or around the diocesan boundaries, particularly East Lothian and South-West.

In contrast, the appearance of secular barons looks relatively borderless. Indeed most of the active witnesses held their estates within both sides of Teviotdale, which obviously has caused their frequent involvement in transactions inside the division. But many of these barons also attest a number of charters, including private ones, concerning East Lothian, Eskdale, and South-West divisions. We have already seen the Stewart lordship having its social circle in Teviotdale, East Lothian, and Kyle. In terms of attestation, these nobilities actually cover the further regions like Glasgow area, Eskdale, Nithsdale, and Carrick, which are almost the rest of our divisions. Characteristically their attestation is made by both the lord himself and his vassals, such as Reginald of Crawford, the families of Croc and Wallace. Though not so spread out geographically as was the case with the Stewart, the Moreville family also appear in either Teviotdale or the north side of East Lothian, together with their knights, namely Alan of Thirleston and Peter Haig.¹⁶⁶ Presumably the similar pattern of appearance of the earl of Dunbar reflects the boundaries of his earldom. The earl also attests a couple of Northumberland charters, which should be no wonder considering his Northumberland barony of Beanley and close relationship or kinship with many local barons.¹⁶⁷ Moreover, though not so consistently, the earls appear in charters relating to the southern and western divisions such as Eskdale, Nithsdale, Kyle and Carrick. Typically the earl witnesses to the documents along with his son(s).

¹⁶⁶ *Ibid.*, nos. 32, 59, 94-5, 107-8, 131, 150: William de Moreville and the two knights witness one charter anent Innerwick provided by one Stewart tenant, Robert of Kent (no. 59), probably along with Richard Wallace, another Stewart tenant at Mauchline. William is also in the witness-list of Duncan, earl of Carrick's confirmation.

¹⁶⁷ Stringer, 'Kingship', 103.

Amongst other magnates, John and Aymer Maxwell, Thomas de Normanville, Thomas de Coleville, Walter Corbet, and Roger Avenel have made appearance in both East and West or South-West sides of the divisions. The title or office which John Maxwell and Thomas Coleville were taking in charge could explain their collaboration with lordships in Kyle or Nithsdale. Thomas de Normanville is styled justiciar of Lothian in the witness-list of Alexander Stewart's charter granting possessions in Kyle. As the jurisdiction of this office is considered to have comprised the sherifffdom of Ayr, his inclusion is likely to have been required from the viewpoint of local administration.¹⁶⁸ Roger Avenel has close kinship with Roger, son of Glai, the Stewart tenant at Innerwick. The family of Avenel was also in possession of lands at Innerwick. So Roger's presence alongside Roger, son of Glai, in a witness-list of Walter II's charter anent Mauchline should not be out of place.¹⁶⁹ Hugh Ridale, Richard le Nain, Bernard of Hadden, sheriff of Roxburgh, Gregory and Nicholas Rutherford, Roger Burnard, the lords of Rutherford and Fairnington respectively are all involved in a couple of confirmations of Avenel's grant of Eskdale. Richard le Nain and the family of Ridale also join Earl Patrick and Roger de Merlay to witness donations of lands in Northumberland made by Robert de Muschamp and the local family of *Kilnum* (Kilham / Kirknewton?) and Shotton.

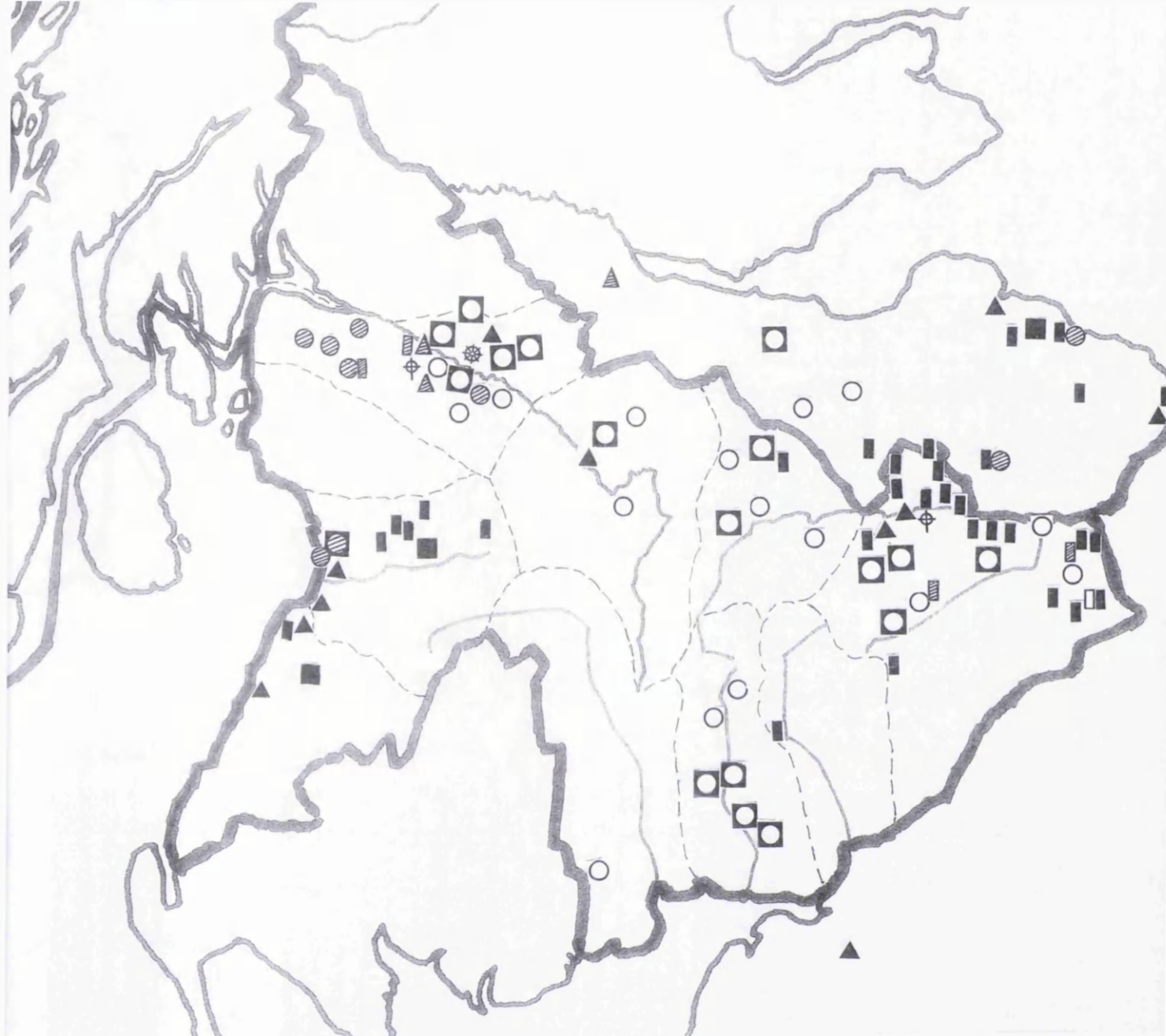
On the other hand, apart from the Stewart tenants, the witnesses in the south-west have made little appearance in charters concerning the other divisions. Not only men of Carrick or Galloway of Gaelic origin, but also the lord of Galloway and the Brus of Annandale can be hardly found in most of the witness-lists, except for those of a few royal acts or private charters by some particular tenant-in-chiefs.¹⁷⁰ This is a remarkable contrast to the ubiquity of some witnesses in Teviotdale and East Lothian, which could suggest potential limitation, if not lack, of interrelationships between the regions' social circles, especially at the level of tenants and subtenants. It would be unsafe to consider these gaps found only in Melrose data as a general pattern of documentation and attestation in the twelfth and thirteenth-century Scotland.

¹⁶⁸ *Ibid.*, nos. 322, 325; Barrow, *Kingdom*, 87: In another Alexander's endowment, Hugh of Berkeley is listed with the title of justiciar of Lothian.

¹⁶⁹ *Melr. Lib.*, nos. 60, 72*; Duncan, *Scotland*, 136; Barrow, *Kingdom*, 351.

¹⁷⁰ *Ibid.*, no. 227; *N. Berwick Chrs.*, nos. 13-4: Judging from the personal names, perhaps there is no witnesses originally from Gaelic regions in Alan, son of Roland's charter concerning Lammermuir, while Duncan, earl of Carrick's grant to North Berwick is attested by two men with Gaelic names, Gillascop, the steward of Carrick, and Nigel Macgilwynin.

Nevertheless, through the investigation in this chapter, the surviving evidence of the Melrose-related transactions or negotiations, most of which are non-royal documents, has demonstrated the development of social networks based on a baronial hierarchy or kinship between local landholders. Some of them seem to have had an access across the regions with attestations to each other's charters, and others had relatively limited areas and members within it, though the situation could have changed frequently according to the relevant region or period of time. It should be emphasised that, with evidence for contacts to East Lothian, the English Borders, and the Gaelic South-West added, this analysis of socio-political relationships in the Glasgow diocese has provided a further picture in terms of both geography and its people.



Map 3: Location of benefactions to the Cathedral, Melrose, and Paisley (the later 12th Century)

Glasgow Cathedral

Melrose Abbey

Paisley Abbey

cathedral

church/chapel (+ glebe)

church/chapel (+ whole estate)

land

whole estate

annual payment

other properties / liberties (toft, mill, fishery and saltpan etc.)



monastery

church / chapel (+ glebe)

land (pasture / forest)

whole estate

annual payment

other properties / liberties



monastery

church / chapel (+ glebe)

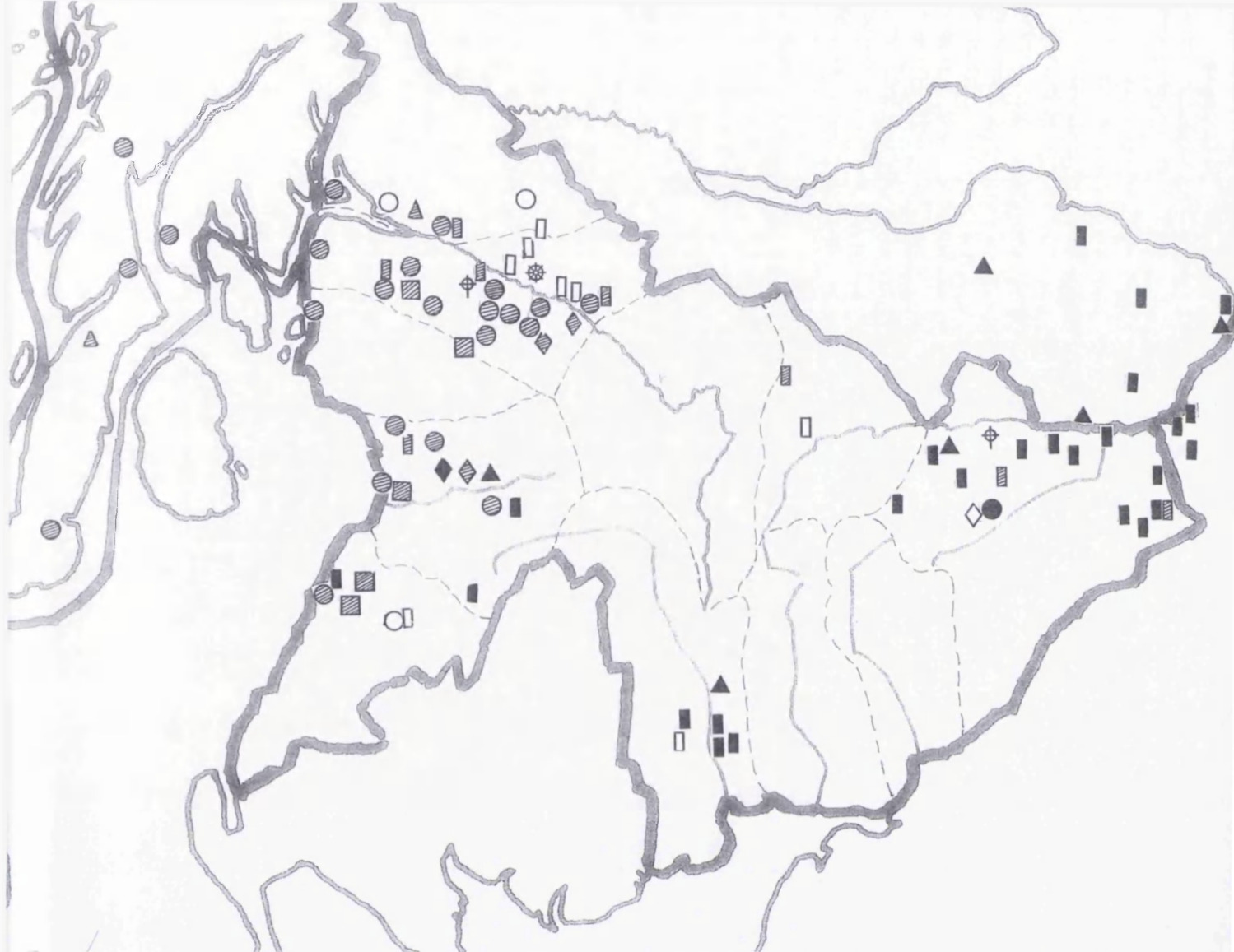
church / chapel (+ whole estate)

land

whole estate

annual payment

other properties / liberties



Map 4: Location of benefactions to the Cathedral, Melrose, and Paisley (the 13th Century)

Glasgow Cathedral

- ⊗ cathedral
- church/chapel (+ glebe)
- ◼ church/chapel (+ whole estate)
- land
- ◻ whole estate
- ◇ annual payment
- △ other properties / liberties (toft, mill, fishery and saltpan etc.)

Melrose Abbey

- ⊕ monastery
- church / chapel (+ glebe)
- land (pasture / forest)
- ◼ whole estate
- ◆ annual payment
- ▲ other properties / liberties

Paisley Abbey

- ⊕ monastery
- ◉ church / chapel (+ glebe)
- ◼ church / chapel (+ whole estate)
- land
- ◻ whole estate
- ◇ annual payment
- ▲ other properties / liberties

Chapter Four: Paisley Abbey

In the previous chapters, I have explored the possessions and transactions relating to two religious institutions in the diocese of Glasgow and considered the social networks surrounding them, based on an analysis of charters and their witnesses. In both the cases of Glasgow Cathedral and Melrose Abbey, the accident of survival means that the areas neighbouring the bishop or abbot's office have produced the most evidence for the relevant transactions. And, while the situation in some other regions, especially East Lothian for Melrose charters, is also well-recorded, the amount of evidence for the western districts from the Lennox to Carrick is still relatively small. Therefore, for a pursuit of further reference to possessions, transactions and local networks in this part of diocese, I am going to investigate charter records of another religious house, rich in twelfth- and thirteenth-century benefactions and potentially local to the West, which is Paisley Abbey. In 1163, Walter son of Alan I declared in his charter the foundation of a monastery in his hereditary estate of Paisley which Malcolm IV had confirmed to him in 1161. About five years later, he summoned Humbald, the prior of Wenlock in Shropshire, and twenty five Cluniac monks.¹ They lived in the Church of St. James for about four years and moved to Paisley Abbey in 1172.² From then on, this abbey gathered a number of gifts from the local lay landlords and became one of the most important monastic houses within the Glasgow diocese.³ In this chapter, like the previous ones, I will discuss the possessions of the abbey, the context of transactions and relationships amongst donors or witnesses. The period of the data drawn from the cartulary will be limited to the period before *ca* 1270, in which 203 charters of full texts out of 396 in total belong.

Charters – classification and interpretation –

The cartulary of the abbey, like that of Glasgow Cathedral, contains some general confirmation charters issued by popes which could be used as lists of possessions with exact dates. There are three papal general confirmations in our period, dated 1173,

¹ W. M. Metcalf (ed.), *Charters and Documents relating to the Burgh of Paisley 1163-1665* (Paisley, 1902), no. 2; *RRS*, ii, no. 184; Duncan, *Scotland*, 180.

² M. McCarthy, *A Social Geography of Paisley* (Paisley, 1969), p. 28.

³ P. E. McWilliams, 'Paisley Abbey and its remains', Ph. D. Thesis (University of Glasgow, 1995), 20.

1226, and 1265 respectively.⁴ Apart from them, Pope Innocent III granted a protection and confirmation of a number of the Abbey's possessions with two bulls dated 1206 and 1207. Additionally another two confirmations by the bishop of Glasgow concerning patronage of more than ten churches each are issued with less exact dates, *ca* 1205 and between 1227 and 1229 respectively.⁵ Although those confirmations are not regarded as 'general', each of them deals with quite a few churches, lands, and other properties which belonged to the abbey on each date. Therefore I will use them together with the original general confirmations as records of possessions which could fill the chronological gap between the documents. Consequently the lists of confirmed possessions have been available at four approximate dates during our period; 1173, 1205-7, 1226-29, and 1265.

In these general confirmation charters, approximately fifty-nine place-names have been mentioned as the abbey's possessions. Amongst them, thirty-one are churches or chapels, fifteen are portions of land or ploughgates, six are whole estates, three are annual payments, one is a fishery, and another one is salt or a salt-pan. The possessions in Paisley and Renfrew consisted of several kinds of properties attached to the estates, including ploughlands, mills, tofts, and a fishery. Churches can be divided further into two categories according to the type of land belonging to them. One church is confirmed along with their whole estates (*cum tota illa terra*). The other thirty are churches to which a portion of land, a glebe, has been attached with all appurtenances (*omnibus pertinentiis suis*). All possessions can be divided into some categories based on geography, as follows; twenty-nine possessions are located relatively near the abbey, in a division corresponding to the Glasgow area. Five possessions, including two churches in the diocese of St Andrews, are found in the eastwards divisions, such as Teviotdale and East Lothian. The third category is twelve possessions in Ayrshire through the regions of Cunningham, Kyle, and Carrick. Four possessions are acquired from the north side of the Clyde, in the Lennox. Another four are from the southern part of Argyll. Additionally five possessions are found in other areas or have not been identified. Obviously the first three categories correspond to the fief of the early Stewart, the founding family of the abbey, and

⁴ *Pais. Reg.*, 308-12, 408-10, 410-14, 430: Pope Alexander III has also issued a separate bull for the witnesses to his general confirmation in 1173.

⁵ *Ibid.*, 113-5, 417-8, 428: The latter bishop's confirmation was reissued by Hugh, dean of Glasgow, at the same date.

understandably, quite a few possessions had been situated in these divisions from the earlier period. In contrast, no possessions in the Lennox and Argyll have been listed in the twelfth century. Most of them appear to be confirmed around the date of 1220s or 1260s.

While the three papal bulls cover all divisions and all characters of the possessions, the two confirmations issued by the bishop of Glasgow contain only churches in the Glasgow area, Ayrshire and the Lennox. Some of the churches omitted from the papal confirmations have been included in the contemporary bishop's acta, which is the case with the churches of Erskine, Inverkip, Killalan, Kilmacolm, Lochwinnoch, Prestwick, Prestwick burgh, and the two churches in the Lennox. The opposite instance is found in the appearance of the churches of Carmunnock, Cathcart, Kilbarchan, Mearns, Pollok, Rutherglen, and Craigie. This situation is a little confusing. But, as far as three proper general confirmations issued by the pope are concerned, the appearance of all possessions has a certain consistency, particularly compared with the case of the papal bulls contained in the Old Cartulary of Glasgow Cathedral. Even if some possessions, like Dalziel and Hassendean, have been exceptionally omitted from the later bulls, there are references in other sources which tell us when and how they were taken away from Paisley Abbey.⁶ On the secular side, William I and Alexander Stewart provided their charters, in the 1210s and 1250s respectively, confirming all Stewart donations, though either has hardly named particular possessions which the pope and the bishop have mentioned.⁷ So these ten charters in total should be classified as general confirmations.

In our period, the cartulary contains sixty-two documents about initial transfers of possessions in the form of grant, annual payment, sale and exchange. Most of them deal with straightforward gifts from laity to the abbey. The four Stewarts have nineteen charters between them and nine charters are written in the name of their tenants or vassals. Another thirteen charters are produced by the earl of Lennox and his brothers, and nine by men of Argyll. In contrast, there are only three royal acts of

⁶ *Glas. Reg.*, no. 112; *RRS*, ii, no. 219: Early in the thirteenth century the church of Dalziel was granted by the abbot and convent of Paisley to the canons of Glasgow Cathedral as a common church. Hassendean seems to have returned to the Crown after the death of Walter, son of Alan. In exchange for that ploughgate, William I granted another ploughgate of arable in Hassendean called Huntlaw to Paisley later in the twelfth century. General confirmations reflect this transaction.

⁷ *Pais. Reg.*, 89-91.

donations issued by William I and Alexander II. Typically the object of donation is land or a church, and other property attached to them, while three gifts of annual payment from the laity are found.⁸ As for the other form of transaction, there are two sales and three exchanges. In some cases, donors refer to their financial difficulty as the cause of a sale.⁹ Though Paisley Abbey is the recipient in most of the charters, Walter II, son of Alan made two gifts to Dalmilling priory, a house for canons and nuns of the order of Sempringham.¹⁰ Also in the earlier period, Walter I produced an exceptional charter granting his tenant, Henry of St Martin, permission to make an endowment from his feu to Paisley. Henry made this grant with his own charter.¹¹ The abbot or prior himself produced two charters granting one carucate of land and permission to two different landholders to construct an oratory. Another charter mentions that the abbey has leased out the whole estate of Fulton to *magister* Anthony 'physicus'.¹² Probably three cathedral clergy also provided their individual documents to concede properties to the abbey.¹³

Forty-eight charters are confirmations to each individual transaction. In this category, similar to the data drawn from Melrose charters, a number of charters are issued by the king and bishop; fifteen royal acts and seventeen episcopal *acta*. On the ecclesiastical side, not only the bishops of Glasgow and St Andrews but also those of Argyll and Sodor appear as a donor of local authority. In one charter, the prior of Paisley confirms that a hospital founded by Robert Croc would have a chapel and chaplain whose stipend would be provided by the same Robert.¹⁴ The number of surviving confirmations by the laity is relatively small; four charters by the Stewarts,

⁸ *Ibid.*, 14, 378-9, 401.

⁹ *Ibid.*, 58, 71, 178.

¹⁰ J. Edwards, 'The Order of Sempringham and its connexion with the west of Scotland', *Transactions of the Glasgow Archaeological Society* 5 (1908), 66, 71-3; G. W. S. Barrow, 'The Gilbertine House at Dalmilling', *Collections of the Ayrshire Archaeology and National History Society* 2nd ser. 4 (1955-57), 55: The order of St Gilbert of Sempringham was the one religious order that was purely English in origin. Its first house was at Sempringham in Lincolnshire, founded by a son of a Norman noble who was born towards the end of the eleventh century. Walter II brought the order into connexion with the west of Scotland. His first grant is the churches of Dundonald and Sanquhar in Kyle. The second includes lands and pastures near the boundaries of Neilston and Dunlop parishes, along with lands near Lochwinnoch. The house might have been established on the north bank of the river Ayr (now a farm in St Quivox parish), though the relevant documents, according to Barrow, do not necessarily prove that it was in fact founded.

¹¹ *Pais. Reg.*, 48-9.

¹² *Ibid.*, 53-5, 76-8.

¹³ *Ibid.*, 100, 104-5, 211-2.

¹⁴ *Ibid.*, 77-8.

five by the earl of Lennox, and one by a man of Argyll. Another two private charters confirm the grant and sale which the donors' fathers had made initially. Except for King Alexander II's act confirming Walter II, son of Alan's grant to Dalmilling or Sixhills priory and the prior of Paisley's own charter mentioned above, the beneficiary of the charters is the Abbey.¹⁵ And most charters have reference to their original transactions and its benefactors. Alan, son of Walter and Maoldomhnaich, earl of Lennox have provided one charter each in which the donors make either a confirmation or new donation in one document.¹⁶

The cartulary contains eleven documents which can be classified as quitclaims. All these transactions were made in the thirteenth century. Probably the earliest one is a resignation by Roger, prior of Paisley to Walter II. The relevant property at Renfrew is obviously one of the Walter I's foundation gifts.¹⁷ Apart from this instance, the abbey is typically the recipient of the renounced possessions. Two charters were produced by Richard, master of Sempringham. One is to concede total rights over possessions which Walter II had granted to Dalmilling priory to Paisley. This resignation followed a similar transfer of gifts between the two houses made by Walter in *ca* 1230. These transactions are obviously relevant to the eventual abandonment of the site of Dalmilling in *ca* 1238.¹⁸ In another document, the master has relieved an unpaid debt of Paisley by a half of the sum which had been fixed as forty merks annually to Sempringham for the transferred properties.¹⁹ The other five quitclaims deal with rights over churches, estates, and lands relinquished by five lay landholders including Robert Croc and Malcolm, earl of Lennox. The number of charters recording the settlement of disputes or lawsuits is nineteen. In all cases, the abbot of Paisley appears to be one of the litigants. On ecclesiastical matters, his opposition is typically bishops and cathedral clergy in the sees of Glasgow and Argyll.

¹⁵ *Ibid.*, 47-8, 402-3; *RRS Hdl*, nos. 129, 141; Barrow, 'Gilbertine House', 51; B. Golding, *Gilbert of Sempringham and The Gilbertine Order, c. 1130- c. 1300* (Oxford, 1995), 253; Sixhills Priory is another Lincolnshire house of the order from which Walter II drew the first canons at Dalmilling. At the same period of his foundation charter to Dalmilling, Walter II and his tenant, Adam of Nes, assigned three merks of rent to the community of Sixhills. Nicholas, the prior, is known to have been a confidential friend of Walter, though how that became the case is not evident.

¹⁶ *Pais. Reg.*, 15, 212-3.

¹⁷ *Ibid.*, 19-20.

¹⁸ *Ibid.*, 24, 26-7; Golding, *Gilbert of Sempringham*, 254: No reason was given for the Gilbertines' cession of Dalmilling, though the strained Anglo-Scottish relations or potential poor support after the foundation, due to its location far from the centre of the order, has been suggested.

¹⁹ *Pais. Reg.*, 24-5.

The agreements with the proctors of Sempringham and Duncan, earl of Carrick, the founder of Crossraguel Abbey, are the only cases in which other monastic houses are involved.²⁰ Disputes between Paisley and the men of Lennox over some properties have produced as many as nine charters of their settlements. Some of them have relatively clear reference to the process of lawsuit, which will be considered in the later sections.

Similar to the case with the Old Cartulary of Glasgow Cathedral, most of the brieves or mandates, twenty-six out of thirty-one, are papal bulls, typically addressed to the abbot. The Holy See issued documents, sometimes at the request of the abbey, delivering the monks some form of liberties and privileges relating to their local administration. The abbey is given confirmations to the patronage of churches, protections to other properties, and agreements between the bishops and chapter of Glasgow anent taxation or procuration. The bulls also state that no lay man is allowed either to hold a secular assembly within the abbey, or to summon the abbot to a secular court.²¹ The cartulary contains one episcopal actum, two of King Alexander II's brieves, and two mandates by Walter II and Alexander Stewart. The king announced a prohibition from cutting and hunting in the abbey's forest without the monks' permission. Walter II ordered the justice, provosts, and burgesses of Renfrew to secure the payment of fees from the mill of the burgh. The remaining two, by Alexander II and Alexander Stewart respectively, are relevant not so much to the abbey as their own lordships, and have been addressed to their local officials and barons.²² In other categories, there are sixteen charters concerning the foundation of the abbey, election of the abbot, and the issue about the Cluniac order, which hardly mention any particular transactions. And the remaining four documents should be classified as an acknowledgement in which donors seem to have just assigned and announced their transactions probably yet to be made.

Possessions –periods and expansion–

As the accounts of general confirmations have already demonstrated, the topographical divisions relating to Paisley Abbey include those with which the

²⁰ *Ibid.*, 25-6, 424-5.

²¹ *Ibid.*, 418-9, 428-9.

²² *Ibid.*, 20, 88, 218, 253.

charters of Glasgow Cathedral or Melrose hardly existed, if at all, such as the Lennox and Argyll. Putting together the charters granting and quitclaiming particular possessions, in which payment to the order of Sempringham is not included, there are seventy-two surviving individual documents available. Dividing them into these divisions, twenty-seven documents relate to the abbey's neighbouring district; four to Teviotdale; one to East Lothian; six to Kyle-Stewart; twenty to the Lennox; and nine to Argyll. Additionally five charters can be considered as 'overlapping' ones which refer to transactions made in several areas in one document, none of which deals with either the Lennox or Argyll. Comparing these individual charters with the general confirmations, it is obvious that all of the possessions confirmed by Pope Alexander III in 1173 are included in the earliest gift of Walter I, son of Alan which consisted of properties near Paisley, in Teviotdale, East Lothian, and Kyle. Surely the reference to 'all churches in Strathgryfe except Inchinnan' in Walter's charter includes the churches of Erskine, Kilbarchan, Killalan, and Kilmacolm mentioned in the general confirmation.²³ Over thirty years later, Pope Innocent III and Bishop-elect Florence confirmed other possessions; twelve in the Glasgow area and one each in Kyle and Carrick. Although it is difficult to date each private charter, ten or eleven individual charters seem to have been produced between these two periods. Amongst them, grants of the churches of Carmunnock, Inverkip, Mearns, Pollok, Rutherglen, Craigie, and land of Moniabrock have been rightly listed in the general confirmations. But other gifts such as the two carucate land in Fulton, the one carucate land in Mow, and the six acre land at Symington (Kyle) have been omitted. Nevertheless it is evident the general confirmations in this period typically deal with patronage of particular churches, though Moniabrock is an exception. Therefore it may be safe to consider that most of the non-church properties, both those confirmed in 1173 and those newly granted after that year, have remained in the hands of the abbey.²⁴ On the other hand, the church of Kilpatrick has also been included in the bishop-elect's confirmation, which suggests that the surviving individual charter provided by the earl of Lennox, probably dated to the later 1220s, is a re-grant. As for the churches like Dalziel and Turnberry, the individual charters are not available in the cartulary.

²³ *OPS*, 80-1, 84-5.

²⁴ *RRS*, ii, no. 219: As I have mentioned, one ploughgate in Hassendean has been exchanged by King William I for land in the other part of the estate, called Huntlaw.

Typically the possessions granted in the beginning of the thirteenth century have been mentioned in the general confirmation by Pope Honorius III dated 1226. And, as expected, the properties other than churches, which had been gifted after 1173, have also been added to the named possessions, though only the six acre land at Symington has still been omitted. Here, the churches of Houston and Neilston, whole estates of Crossraguel and Sutheblan, lands in Orde and Motherwell, other lands called Garin, Carnebro, and Tibiror, annual rent from Cadzow, Kilbride, and Mauchline, and a fishery in the River Leven, are newly confirmed. A few of them, like Alan, son of Walter's gift relating to Mauchline, Robert Croc's quitclaim of Neilston, and Earl Maoldomhnaich of Lennox's document anent the fishery, have their individual charters in the cartulary.²⁵ But that is not the case with the other possessions, even though the papal bull has named the particular donors of each gift.²⁶ In addition, the land of Fulton, originally granted as ploughgate, has been mentioned as a whole estate in this occasion. Between the last two general confirmations, there is little difference in the possessions of the East. In the Glasgow area, the church of Dalziel has been transferred to Glasgow Cathedral, and the church of Eastwood has been acquired without any surviving document. Also some lands and pasture between the boundaries of Neilston and Cunningham, called Drumloy and Swyneshales, granted by Walter II, have been mentioned as possessions of whole estates.²⁷ Moreover Walter II and Dughall, son of Cristin, the judge of Lennox, through exchanges, have given the two lands of Hillington and Knock, providing their charters.²⁸ An unidentified land, called Castleside, is possibly another property belonging to this division, as it is named alongside Hillington. Ayrshire regions also see quite a few new possessions in this period. Walter II granted three churches in Kyle with one individual charter. As for the church of Largs and estate of *Hakyncog* of Dalmilling, there are no surviving documents, though, considering their locations, it is not improbable that a member of the Stewarts had gifted them sometime before

²⁵ *Pais. Lib.*, 14, 105, 213, 216-7.

²⁶ *Ibid.*, 412, Barrow, *Anglo-Norman Era*, 15: The named donors are Uchtred, son of Pagan (Carnebro), Walter Murdac (Orde), Patrick, earl of Dunbar (annual rent from unnamed place), Robert of London (Cadzow), Philip de Valognes (Kilbride), Malcolm, earl of Lennox (Leven, should be Maoldomhnaich?), Thomas Thankard (Motherwell), Ralph de Clere (Garin), Duncan, earl of Carrick (Crossraguel, Sutheblan, and Tibiror). Walter Murdac married Muriel, daughter and heiress of Peter, son of Fulbert, an important tenant of the first two Stewarts.

²⁷ *Ibid.*, 23-4: These are a part of the gift which Walter had originally granted to Dalmilling Priory and then conveyed to Paisley.

²⁸ *Ibid.*, 20-1, 178-80.

the date of the bull.²⁹ The churches of Kilpatrick and Roseneath in the Lennox, both of which are granted by individual charters and could have been named in the previous bull in 1226, have been added together with many other lands in the earldom.

From Argyll, three churches and one chapel are endowed with three charters written in the name of local landholders.³⁰ The West Highlands and Isles of Scotland are known as the regions where the Gaelic elements originated from the Irish tradition and the Norse elements imported by the invasion of the Vikings had blended together in the community, culture, and blood, which made, consequently, its local society markedly different to that of the central part.³¹ In the middle of the twelfth century, it was Somerled, ruler of Argyll, who had governed most parts in this region. After his death, Somerled's three surviving sons divided the whole area of Argyll into three parts and acquired each domain as their inheritance. Amongst them, Ranald, the second son, appears as a donor of annual rents from the whole of his territory to the monks of Paisley sometime around 1200.³² Ranald's donation, though repeated by his heirs, was not mentioned in any papal bulls, but his grandson, Angus, provided another endowment of the church of Kilkerran which is one of the Argyll possessions in 1265's general confirmation.³³ The cartulary also records a couple of grants made by the other kindred in this region. Some of the early members of the kindreds like the MacSween family, Lamont family, and MacLachlan family granted Paisley the right of patronage of churches in their lordships between the 1230s and 1260s. Dugald, son of Suibhne gifted the church of Kilcolmanell with his individual charter. Duncan, son of Ferchar, and Lauman, son of Malcolm provided another document jointly, granting the church of Kilfinnan and the land of Kilmory with its chapel.³⁴ As

²⁹ *Ibid.*, 18-9, 237: The church of Largs is actually to be granted by the later Walter Stewart in *ca* 1318 with his own charter.

³⁰ *Ibid.*, 120-1, 128, 132.

³¹ Duncan, *Scotland*, 86; W. D. H. Sellar, 'Hebridean Sea-Kings: The Successors of Somerled, 1164-1316', in E. J. Cowan and R. A. McDonald (eds), *Alba: Celtic Scotland in the Middle Ages* (East Linton, 2000), 189.

³² *Pais. Reg.*, 125; R. A. McDonald, *The Kingdom of The Isles: Scotland's Western Seaboards, c. 1100-c. 1336* (East Linton, 1997), 70, 79: According to the most widely accepted hypothesis for the distribution of Somerled's lands, Ranald's share was Kintyre, Morvern, Ardnamurchan, Islay, and Jura. It seems possible that Ranald retired to Paisley and lived out his last days there.

³³ *Pais. Reg.*, 126-8: Ranald's heirs were founders of the house of MacDonald, lords of Islay, which was to be a representative clan of southern Argyll and to establish authority in the West of Scotland.

³⁴ *Ibid.*, 120-1, 132; W. D. H. Sellar, 'Family Origins in Cowal and Knapdale', *Scottish Studies* 15 (1971), 22, 27: Originally these families are reputed to have derived from a leading Irish king of the early fifth century, who stands on the borderline between legend and history. The family tree was divided by three brothers in the thirteenth century, who were to be the founders of the three clans.

for secular properties, Donald McGilchrist, lord of Tarbert, granted the rights to take timber in his territory.³⁵

Though some properties are inconsistent in appearance or character, Paisley Abbey undoubtedly increased its possessions and spread the monastery's domain through our period, particularly towards the West. Even though the evidence for Carrick is not as much and as clear as those for transactions with Melrose, the survival of documents relating to Strathgryfe, the Lennox, and Argyll suggests the process by which one religious institution expanded its frontier and comprised further regions, including their society, into part of its community. Especially in the Lennox and Argyll, as found in the cartulary, some new benefactors, apparently outside its founder's lordship, were involved, and their endowments were gradually outnumbering those from the traditional Stewart estates during the later period. Through these transactions, including ones which have not been mentioned in general confirmations, the western divisions, like the central or eastern part of the diocese, could have established a socio-political relationship not only between the donors and the house, but also amongst the donors in different lordships. In the next section, which deals with further charter records including confirmations and agreements, I will consider actual connections between each lordship of the Stewart, the Lennox, Carrick, and Argyll, referring to a couple of particular disputes and settlements over the monastery's possessions.

Transactions –confirmations and litigations–

As the difference in numbers between grants and confirmations suggests, not all grants are followed by the relevant confirmation charters. But in some instances, patterns of confirmation show each lordship's family tradition or links to other authorities. The first Stewart's gift to Paisley has been confirmed by Walter I's

Suibhne, one of them, was recognised as the founder of MacSween family. *Leabhar Chloinne Suibhne*, the sixteenth-century source attributes the building of Castle Sween in Knapdale to him. And Ferchar, a brother of Suibhne, was the ancestor of the Lamont family who controlled much of Cowal and held land on the shore of Loch Fyne. Also the descendants of Gilchrist, another brother, established the MacLachlan family. They gave their name to Castle Lachlan and Strathlachlan. The sons of Gilchrist were granted charters by Alexander II in 1240 and had large estates in Glassary, including the lands of Fincham.

³⁵ *Pais. Reg.*, 157: This gift has not been mentioned in either papal bulls or episcopal *acta*.

successor, the two kings of Scotland, and one bishop of Glasgow.³⁶ Unlike the Stewart descendants' confirmations, the relevant royal acts and episcopal document are limited to relatively early dates. In fact, no confirmation by kings after William I or bishops after Ingram have survived. Nevertheless confirmation of individual charters by the crown or bishopric can be recognised as a characteristic, at least a frequent, pattern in transactions with Paisley, which is not found so remarkably in the Melrose data.

Other than the Stewart's first grant, William I confirmed four individual charters. These initial donors consisted of the Stewart family and their tenants, such as Alan, son of Walter, Eschina of Mow, Peter of Pollok, and Elias, son of Fulbert. The relevant possessions are, unsurprisingly, churches or lands within the Stewart lordships of Strathgryfe and Mow.³⁷ In contrast, his successor, Alexander II, issued only two surviving acts confirming the Stewart's donations. His other seven acts confirm transactions in the Lennox and Carrick, typically made by the earls.³⁸ Even though the accident of survival could have affected the number of royal confirmations as a whole, considering Alexander II's active policy against the West in the 1220s, it is not improbable for him to be increasingly involved in these particular earldoms through transactions and documentations.³⁹ With their eighteen instances, bishops or their officials are much more frequent authors of confirmation charters. As expected, it depends on their jurisdiction in which possession or division they are involved. Throughout all the periods, bishops or deans of Glasgow confirm exclusively possessions within their diocese, while those in the East or Argyll are confirmed by the bishops of the relevant dioceses. Bishop Jocelin of Glasgow issued three charters confirming seven churches near the cathedral, granted by the Stewart and his

³⁶ *Pais. Reg.*, 11-2, 17-8, 89-91, 115, 249; *RRS*, i, no. 254, ii, nos. 218, 518: Though not all individual properties are necessarily named in the text, these charters have clear reference to the Stewarts' family endowment originally made by Walter I.

³⁷ *Ibid.*, 76, 100-1, 106, 253; *RRS*, ii, nos. 184, 220, 310, 378.

³⁸ *Pais. Reg.*, 172-3, 210, 213-5, 427-8; *RRS HdI*, nos. 83, 99, 120-1, 127-8, 225: Except for Duncan of Carrick's grant of churches and lands, including Turnberry, Crossraguel, and Sutheblan, all initial gifts have their surviving charters.

³⁹ MacDonald, *Kingdom of Isles*, 83: Due to the unrest in the Isles, especially the probable involvement of the kindred in Argyll in the insurrections in the north of the kingdom, Alexander II had to turn his attention to Scotland's western seaboard in the early 1220s. In spite of one or two expeditions in 1221-2 followed by a forced redistribution of lands and forfeiture in the territories of Somerled's descendants, the region was unlikely to have been put under control of the royal authority.

tenants.⁴⁰ Also concerning the churches in Kyle, Jocelin and William confirmed John de Hose's grant of the church of Craigie and Walter II's endowment of three other churches. Though their surviving documents are absent from the Lennox, bishops of Glasgow were certainly involved in quite a few churches in their jurisdiction which the king, the Stewart, and their retainers appropriated.⁴¹

The Stewart's original gift of two churches in the East, Innerwick and Legerwood, is understandably confirmed by the bishop of St Andrews. From the time of Walter I to Alexander Stewart, three bishops issued four confirmations relating to these churches, although their texts did not refer to the Stewart's initial endowment. Turning to Argyll, Bishop Alan of Argyll and Stephen [Simon] of Sodor issued confirmations of three churches in the division.⁴² Actually few of the bishops' confirmations, especially in the case of the Glasgow area, contain a reference to the initial grant or donors, which suggests that these documents could be essentially evidence not so much of the author's connection to the initial donor as of the negotiation between the monastery and secular cathedrals over the patronage of their churches.

In terms of confirmations amongst laymen, the pattern within the Stewart lordship is little different from the examples in Melrose charters. As far as the documents contained in the cartulary are concerned, the Stewarts hardly provide confirmations to their vassals' endowments. The only exception is Alexander's confirmation to a sale of land dated, at earliest, *ca* 1260. Also men in the Lennox and Argyll have provided only a limited number of confirmations. The earl of Lennox, in particular, seems to have a consistent pattern of confirming grants which his father or brother initially made.⁴³ Typically all three lordships confirm only endowments concerning their territories. In the 1260s, however, there is an exceptional case in

⁴⁰ *Pais. Reg.*, 99, 101, 109-10: The same churches are confirmed again with two charters which Bishop-elect Florence and Herbert, dean of Glasgow provided respectively.

⁴¹ *Ibid.*, 106-7; *RRS*, ii, no. 221: The church of Rutherglen is a royal grant by William I.

⁴² *Pais. Reg.*, 116-9, 122-3, 129-30, 134-7: The bishop of Sodor confirms the church of Kilfinan. No confirmation has mentioned the land and chapel of Kilmory, another of the abbey's possessions in Argyll.

⁴³ *Ibid.*, 133-4, 160-1, 209, 211, 217: A couple of Earl Maoldomhnaich's confirmations do not mention who is the original donor. One is obviously dealing with the lands which his predecessor Ailin II originally granted to the church of Old Kilpatrick. Another is confirming some parts of the earldom generally.

which a member of the Stewart family, Walter, earl of Menteith, third son of Walter II, confirmed the grant of Dubhghall, son of Suibhne. Walter's charter states that a part of Dubhghall's initial grant had been bestowed on him by the same donor before it was gifted to Paisley.⁴⁴ With this evidence alone, it is difficult to find out the actual relationships between the Stewarts and this kindred in Argyll. But it should be noteworthy that, at least after the middle of thirteenth century, the two dominant lordships in the western regions had a few occasions of contact with each other through the transfer of properties.

Now I move on to some documents concerning disputes and settlements between Paisley and its neighbours with the intention of finding evidence for contact and involvement of local men across the divisions. In the 1230s, the Lennox experienced a couple of litigations over the lands which pertained to the church of Kilpatrick whose patronage was in the possession of Paisley. Originally the lands around Kilpatrick were granted to the church by Earl Ailin II at the end of twelfth century and then were conveyed to Paisley Abbey as appurtenances of the church by Earl Maoldomhnaich in 1220.⁴⁵ Earl Ailin's charter refers to eleven place-names. Some local men of the Lennox, however, were claiming their own rights over these properties, which caused a group of exceptionally well-recorded litigations with the abbey. Following Pope Gregory IX's mandate in 1232, an inquest into 'unlawfully alienated' lands of the abbey was held, which found in favour of Paisley. First, the judges-delegate scrutinised the legitimacy of the secular possession of land known as Monachkennaran. Gille Brigte, son of Samuel claimed that he had held the land by virtue of charters granted by Dubhghall, brother of Earl Maoldomhnaich, and confirmation by the earl himself. But after examination with twelve recognitors, it was proved that the land rightly belonged to the church of Kilpatrick. Consequently Gille Brigte abandoned all his claims to the estate.⁴⁶ Around the same time, another

⁴⁴ *Ibid.*, 121-2; *Scots Peerage*, vi, 130; *Archaeological and Historical Collections relating to the Counties of Ayr and Wigton* (1878-84, Edinburgh), i, 163, 165; Barrow, *Kingdom*, 341: Walter married Mary, countess of Menteith, and was sheriff of Ayr and Dumbarton in ca 1263 and 1271 respectively. The circumstances in which he acquired a large part of Knapdale from Dubhghall are unknown. The earl still possessed that land in 1293 and, against the will of MacSweens, left it to his younger son, Sir John Menteith. Walter also made grants to the monastery of Kilwinning of the church of Kilmachormant in Knapdale, with chapels.

⁴⁵ *Pais. Reg.*, 157-8.

⁴⁶ *Ibid.*, 166-8: The charter and confirmation that he insisted to have received from the earl and his brother have been considered spurious, if they existed at all.

lawsuit over a similar issue was recorded. This time, Dubhghall, the earl's brother, also rector of the church of Kilpatrick, was sentenced to resign another eight lands consisting of part of the original endowment from Ailin II.⁴⁷ Then, another Dubhghall, son of Cristin, judge of Lennox, confronted the monks who intended to recover from him the lands of Cultbuthe and others. Again, the judges-delegate awarded to the pursuers the right of possession, at which point Dubhghall issued his resignation charter. In the end, our last general confirmation dated 1265 has rightly contained these renounced lands in the earldom.⁴⁸

These remarkable records of dispute and settlement demonstrate that several authorities outside the Lennox were consistently involved in the cases. The pope appointed the same persons, Laurence, dean of Carrick, Richard, dean of Cunningham, and Alan, master of schools of Ayr, as his judges-delegate for all three lawsuits. C. J. Neville suggests that deans of Lennox used to be, against the bishop's will, elected by the earl from his favoured tenants, and that the ecclesiastical authority might have avoided the dean of this division deliberately because of their distrust of his loyalty and objectivity in this case.⁴⁹ If that was the case, the series of lawsuits could have had aspects, not only of conflicts between the monastic community and its lay neighbours, but also of an attempt by episcopal authority to strengthen its influence in the division against regional lordship. After the inquest into Monachkennaran, the delegates reported their decision to the bishop of Glasgow and King Alexander II for its enforcement by both ecclesiastic and secular administration, which suggests further involvement of external power in this local issue.⁵⁰

Characteristically, those twelve recognitors who spoke their personal recollection of the property-right over the subjected land consist of local men from the Lennox. The earl's closest family or household members, such as Dubhghall, the earl's son, and Malcolm Beg, the earl's steward are rightly included. But a couple of recognitors belonging to Carrick were also present at the occasion. The fact that men like Rotheric Beg of Carrick, brother of Malcolm Beg, and Gillekonel Manthac, brother of

⁴⁷ *Ibid.*, 164-6: Afterward, in spite of his fraudulent claim, Dubhghall was allowed to retain his position as rector.

⁴⁸ *Ibid.*, 174-6, 310.

⁴⁹ C. J. Neville, *Native Lordship in Medieval Scotland: The Earldoms of Strathearn and Lennox, c. 1140-1365* (Dublin, 2005), 157-8.

⁵⁰ *Pais. Reg.*, 168-70; *Acts Parl. Scot.* i, 96-7.

the earl of Carrick, could witness what had happened in the Lennox a number of decades before, demonstrates that there was frequent access of lordship and people between the two divisions through our period.⁵¹ The relationship between the Stewarts and the earls of Lennox is even clearer in this period, and the marriage of Maoldomhnaich to a daughter of Walter II, Elizabeth, was the most crucial aspect of that process, which formed important social and familial links with each of two neighbours. It is said to have been in connection with this marriage that Maoldomhnaich and his Lennox family settled on Paisley Abbey as the focus of their support for the reform movement.⁵² They must have chosen Paisley because of the family relationship to the Stewarts, the founders of the abbey. Considering these circumstances, it seems no wonder the Stewart was involved in one of the subsequent litigations. When Gille Brigitte, son of Samuel brought a suit against Earl Maoldomhnaich, seeking compensation for the lands of Monachkennaran, Walter II and his vassal, Thomas Croc, were present at the agreement, alongside the abbot of Paisley and Malcolm, the earl's son. Even when styled justiciar of Scotia, Walter almost certainly appeared as a close kinsman of the defender and founding family of the monastic house closely linked to the issue.⁵³ About four years later, moreover, Walter was alongside Earl Maoldomhnaich present at an agreement between Malcolm, the son of earl, and Paisley Abbey over lands near Kilpatrick.⁵⁴

In terms of the connection between the Stewart and Carrick, I have already mentioned, in the Melrose chapter, Earl Duncan's marriage to a daughter of Alan, son of Walter, Avelina. In addition, he established a daughter house of Paisley Abbey at Crossraguel from 1214 on, which was possibly, as is the case with the earl of Lennox, a gesture to secure peace with the founding family of the mother house, whose territory was bordering Carrick.⁵⁵ Though the cartulary of Paisley contains no charter written in the name of the earl of Carrick, one surviving agreement concerning

⁵¹ The Lord Cooper (ed.), *Select Scottish Cases of The Thirteenth Century* (Edinburgh and London, 1944), 38-9.

⁵² Neville, *Native Lordship*, 140; M. Brown, 'Earldom and Kindred: the Lennox and its earls, 1200-1458', in S. Boardman and A. Ross (eds.), *The Exercise of Power in Medieval Scotland, c. 1200-1500* (Dublin, 2003), 212.

⁵³ *Pais. Reg.*, 170-1; Barrow, *Kingdom*, 78: Though historically it formed part of Strathclyde, the earldom of Lennox would normally rank as one of the earldoms of Scotia. So Walter's presence in this case is actually understandable also from the administrative viewpoint.

⁵⁴ *Ibid.*, 161-2.

⁵⁵ H. L. MacQueen, 'Survival and success: the Kennedys of Dunure', in Boardman and Ross, *The Exercise of Power*, 77.

Crossraguel shows that the establishment of the daughter house caused a dispute between Paisley and Earl Duncan which had to be settled by Bishop William de Bondington in 1244. Originally all gifts from Duncan to Paisley, such as the church of Turnberry or the estates of Crossraguel and South Blane, were made on condition that the monks should found an independent monastery at Crossraguel and they should hand over these possessions in Carrick to the new community. As the monks evaded this condition and kept all the wealthy possessions in their hands, the earl accordingly complained to the abbey. As a result of Bishop William's arbitration and writ, the Paisley monks were forced to erect a monastery at the estate, to be governed by its own abbot, and independent from the jurisdiction of Paisley. Further, possessions in Carrick were to be permanently conceded to the house of Crossraguel.⁵⁶ The Paisley monks were dissatisfied with the decision and appealed to the papal court in 1265, which was, at least temporarily, successful since they still retained some of the relevant possessions in the general confirmation issued in the same year.⁵⁷

Exploring documents of confirmations and agreements, we have found some evidence for a connection between Paisley and its secular neighbours in the West. Whether it is positive or not, the lords of the Lennox, Argyll, and Carrick had contact with their local religious house consistently, which was hardly the case with the other two institutions, Glasgow Cathedral and Melrose Abbey. As Walter, earl of Menteith's confirmation and the litigations of Kilpatrick demonstrate, the relationship to Paisley certainly provided the donors with occasions to associate with other donors from bordering lordships. Even though most donors would have been spiritually motivated to make their endowments or other transactions, considering political competitiveness amongst each landowning family, it is obvious that they were aware of the importance of establishing some form of relationship with other patrons, especially the Stewarts, founders of the abbey and predominant figures in the royal government which had been extending its influence towards the West.⁵⁸ On the other hand, the Stewarts, as a newly settled family in part of the Gaelic regions, also seem

⁵⁶ *Crossraguel Chrs.*, i, xxiv.

⁵⁷ *Ibid.*, no. 10; *RMS*, i, no. 486; *RRS*, v, no. 395: In the fourteenth century, however, possessions in the earldom of Carrick were mentioned, in King Robert I's charter, as belonging to Crossraguel Abbey, not Paisley.

⁵⁸ I have mentioned, in Chapter 1, the rulers in the West who have been enthusiastic to patronise reformed monasteries.

to have benefited from the existence of a local political and cultural centre like Paisley Abbey.⁵⁹ With self-interest and the balance of power equally considered, these lordships were connected to each other through social networks surrounding a local religious house. Typically their negotiations or litigations cause intervention from the bishop of Glasgow or, occasionally, the king of Scotland. Thus it can be also concluded that, similar to Melrose's situation, the higher authority like the crown or the episcopal see, at least since the 1220s, came to have a certain link to and influence on local communities and activities in a traditionally difficult area for effective administration, as is evident in the Old Cartulary.

Networks –attestation and association–

In this section, looking for further evidence for the connections amongst each lordship and community, I am going to focus on the appearance of noblemen as witnesses to the charters. Out of our 197 charters, 139 have their own witness-lists to be analysed. Similar to the way I have investigated the Melrose charters, I will start with finding frequent witnesses in each geographical area to which the charters relate. And then, I will discuss some particular witnesses who are involved in attestations concerning several divisions. Especially the common witnesses between the Stewart lordship and other western districts, such as the Lennox, Carrick, and Argyll, should be emphasised. Following the investigation of major donors' transactions and the potential associations with each other, this section could provide a further picture of social networks integrated by Paisley Abbey in which their tenants' or household members' involvement can also be recognised.

Amongst 139 charters with witness-lists, there are fifteen documents not so much as concerning one particular division as overlapping some regions or dealing with the abbey's possessions in general. I have divided them further into two categories according to the donors and subjects. One is a group of documents issued by the bishop or dean of Glasgow relating to patronage of churches and other ecclesiastical matters. Another is a series of the Stewart's gifts and their confirmations including the royal acts and Bishop Ingram's confirmation. Both categories of charters have

⁵⁹ S. Boardman, 'The Gaelic World and the Early Stewart Court' (forthcoming): Boardman discusses the Stewart family's absorption into the Gaelic world through acquainting the Gaelic language and the cult of Irish saints, which is reminiscent of the Thomas de Coleville's potentially similar situation in Galloway.

regular witnesses. Except for Ralph, king's chaplain, and William, abbot of Paisley, who attest four and one charters respectively, the witnesses to documents issued by the bishop or the cathedral chapter typically consist of the prelates themselves or their officials, which is not surprising, given the character of the documents. On the other hand, witness-lists of the Stewart-related charters include noblemen of different background and status, from both secular and monastic clergy to royal household officers, great magnates, and the Stewart's own vassals. Understandably the number of the latter witnesses is as many as over 110, while that of those who attest the charters produced by cathedral clergy is approximately thirty-eight. As each of the documents which these thirty-eight ecclesiastics witness is dated to a relatively limited period, between the 1200s and 1220s, quite a few witnesses appear in several lists. That is not the case with the witnesses to the Stewart-related charters. Most witnesses of this category attest only one document. Though some Stewart vassals attest three or four charters written in the name of their lord, there are only a limited number of witnesses who appear in both Stewart charters and royal acts or Bishop Ingram's confirmation.⁶⁰ There are only three ecclesiastics, namely Herbert, dean of Glasgow, Bishop Walter, and Philip of Partick, who are involved in either category of charters.⁶¹

Except for two papal bulls and two Stewart mandates, forty-one charters anent the Glasgow area mention particular witnesses. As these documents include eleven Stewart charters and ten charters written in the name of the early Stewart tenants, it might be expected that the most frequent witnesses in this division, who are Stewart vassals themselves, appear in those private charters. Some of them, such as Robert and Alan Croc, William de Lyle, Henry of Nes, and William, son of Maidus, also attest, alongside Bishop Walter and William Lindsay, a transfer of properties of Renfrew resigned by Roger, prior of Paisley, while Alan and John of Montgomery are involved, as one of few lay witnesses, in Bishop Jocelin's confirmation of some churches. On the other hand, Bishop Jocelin, Archdeacon Simon, and Dean Herbert,

⁶⁰ *Pais. Reg.*, 5-7, 11-2, 17-8, 47-8, 89, 115: Alan, son of Walter, and William de Lindsay witness either the Stewart gift or royal acts of William I and Alexander II. Bishop Jocelin and Simon, archdeacon of Glasgow, appear in both Stewart's and Bishop Ingram's confirmations.

⁶¹ *Ibid.*, 105: William de Hertford, in his charter, mentions Philip of Partick as a clerk of Paisley Abbey.

witness Peter, son of Fulbert's grant of the church of Pollok.⁶² Even on only limited occasions concerning some particular churches, this exchange of attestation is clearly based on the interrelationship between the ecclesiastics and local tenants through the transactions to Paisley. Although Ralph, the king's chaplain, attests four Stewart charters, which is all of his appearance in this division, witnesses like royal household members, earls, and tenant-in-chiefs are typically involved only in the royal acts. A few exceptions, such as Alan, son of Walter, William de Lindsay, and Henry of Carmunnock, have obvious connections both to the Stewart lordship and royal government.

In the charters anent Mow, Innerwick, and Legerwood, the division of witnesses is even more remarkable. Except for Alan, son of Walter, who attests Eschina's grant of Mow and William I's act concerning a part of land in Hassendean, no one is involved in both royal acts and private charters. Also in terms of charters issued by the bishops of St Andrews who have confirmed Paisley's patronage of the churches of Innerwick and Legerwood throughout the period, witnesses typically consisted of diocesan clergy. It is not until the bishop's confirmation dated 1247 that barons or knights such as Alexander Stewart or David Graham are involved.⁶³ Only a few of the Stewart's vassals, the chaplain of Paisley, and a couple of ecclesiastics in the St Andrews diocese, appear in more than one charter. Even though without any royal acts surviving, some of the Stewart grants in Kyle have been witnessed by the barons in the king's entourage, namely Walter Olifard, Hugh de Normanville, Malcolm, earl of Fife, and Aymer of Maxwell. While ecclesiastical witnesses, particularly those of the secular cathedral, characteristically belong to the Glasgow diocese, Alan the Stewart's grant relating to Mauchline has been attested by the bishop of St Andrews. Similar to the situation in the East, except for some of Stewart vassals, witnesses have been hardly involved in several charters, which is presumably because of the different patterns of surviving documents amongst the divisions. Compared with the charters concerning the Glasgow area, typically dealing with some particular neighbouring churches and concentrated in relatively limited date-ranges, the survival rate of the East and Kyle-related charters is apparently small and each relevant transaction seems

⁶² *Ibid.*, 19-20, 98, 99-101: Especially Herbert is involved in as many as nine charters including the endowments by Alan, son of Walter and Henry of Carmunnock.

⁶³ *Ibid.*, 119.

quite spread in geography or date, which could have resulted in the less frequent appearance of witnesses, even in the case of Stewart vassals.

With only one royal act available, it is difficult to discuss patterns of attestation to transactions relating to Carrick. Witnesses such as Alexander, bishop of Moray, Roger Avenel, David Marshall, and William Lindsay do not appear to have particular links to the relevant region or possessions.⁶⁴ Thankfully that is not the case with the Lennox. As thirty-two charters out of forty-two relevant documents in total have proper witness-lists, we can analyse the appearance of some particular witnesses. According to their donors, the Lennox-related charters can be divided into two categories; the acts of Alexander II and III, and private charters produced by the men of the earldom, including the earl, his brother and vassals. Unsurprisingly both categories of charters have their own regular witnesses consisting of the household officer or close retainers of the donors.⁶⁵ Unlike the patterns of the previous divisions, however, there are a few distinctive witnesses like Walter II, son of Alan, Ralf, the king's chaplain, and the earls of Menteith, who have been involved in either royal or private documents. Especially Walter II often appears, as in the case of his attestations to Melrose transactions, together with some of his vassals. So, in the witness-lists of charters provided by the earl and his brothers, it is not unusual that the men of the Stewart and of Lennox are included almost in equal numbers. Nevertheless, there is one testing clause without any lay person of the Lennox origin, while in another witness-list, all witnesses but Walter seem to be the earl's household or tenants.⁶⁶

Undoubtedly this data demonstrates frequent and substantial access of lay tenants between both lordships. According to Barrow, Earl Maoldomhnaich was recruiting, evidently from the Stewart's circle of vassals, knights of a type which could not yet be provided locally, and these Stewart vassals could have held their feu of the Earl of Lennox, even though, because of the severely limited number of those newcomers,

⁶⁴ *Ibid.*, 427-8: These witnesses were not involved in any Carrick-related transactions, either in the Melrose charters.

⁶⁵ Neville, *Native Lordship*, 56: The Lennox's social circle includes Amelec and Dughall, the earl's brothers, Malcolm Beg and Absalon, the earl's steward, and some tenants such as Maurice of Luss (?), Humfrey of Kilpatrick, and Fergus, son of Cunningham.

⁶⁶ *Ibid.*, 209, 213: In any case, Walter is typically named as the first witness on the list.

their new style of military tenure, knight service, still remained rare in the division.⁶⁷ At this moment, it is not found so convincing yet whether their attestation to charters could be evidence for their status as such a kind of tenant. Nevertheless it is clear that the number of their appearance in the Lennox is outstanding, compared with the situation in other divisions including those discussed in Melrose chapter, which suggests the Stewart's strong connection and association with the earldom, based on not only alliance between the lords, but also their vassals' joint attestation and the Stewart tenants' potential infeftment in the Lennox. Some of the Stewart tenants will be discussed further below as witnesses who were involved in transactions and documentations relevant to the other districts than the one within which they held their family fief.

Amongst twenty charters concerning Argyll, nineteen have witness-lists. During the period of these charters, between *ca* 1200 and *ca* 1270, the choice of witnesses distinctively changed, presumably according to the donors or the object of gifts. Both of the earliest two charters granted by Ranald, son of Somerled and his son, Donald relate to annual payments from their family territory, and are attested by the same three persons. Though only one of them is clearly styled Ranald's chaplain, judging from their Gaelic names, the other two can be assumed as local men in Argyll. Since the time of their successor, Angus, which is *ca* 1230 onward, the number of witnesses has typically increased and more distinctive names come to be found. As most of the gifts in this period are churches, and the bishop of Argyll and his official issued quite a few confirmations, the witness-lists include various ecclesiastics. Some of them probably relate to neighbouring parish churches, and others are associated with Paisley Abbey or churches outside Argyll diocese, though most of the ecclesiastics appear only in one charter. On the secular side, Walter II again witnessed several charters provided by two Argyll families and the bishop of Sodor, all of which relate to the church of Kilfinan. In the 1260s, another Stewart, Walter, earl of Menteith and Dufgal, son of Suibne attested each other's charters anent the church of Kilcalmonell. Similar to the situation in the Lennox, these Stewart appearances suggest substantial presence of their expanding lordship in the division. In terms of attestation by the Argyll kindreds, the aforesaid Dufgal appears in the list of Lauman, son of Malcolm's

⁶⁷ Barrow, *Anglo-Norman Era*, 126; Neville, *Native Lordship*, 57.

charter granting the church of Kilfinan, along with Walter II.⁶⁸ Other than this instance, because of uncertain identification, it is difficult to recognise any particular links between the local families through attestation.

We have already found out Walter II's cross-bordering attestation to the charters relating to the Lennox and Argyll. In fact, there are a few similar examples for other regional lordships. Apart from three charters concerning his own earldom, Malcolm, son of Maoldomhnaich, earl of Lennox, attests no fewer than five charters anent the Stewarts' grants of the lands of Hillington, three churches in Ayrshire, and the annual rent to Sixhills priory. Also he appears in the testing clause of one Argyll charter, together with Walter II, granting the church of Kilfinan.⁶⁹ So it seems clear that one of the dominant figures of the Lennox was a quite frequent witness to the Stewart charters, and, if only occasionally, was also involved in transactions in other divisions like Argyll, as a fellow witness of the Stewart. Moreover, reviewing Melrose charters, the witnesses to Duncan of Carrick's grant of Maybole and Beath include another son of the earl of Lennox, called 'Eth'.⁷⁰ Even Duncan, earl of Carrick, who is hardly found as a witness in Melrose charters, was involved in one of Earl Maoldomhnaich's charters granting a fishery in the river Leven.⁷¹ Though relatively limited in number, this surviving data suggests a strong possibility that the great lords with different backgrounds had regular opportunities to be in company with each other and to share the sense of society or community through their patronage to the same religious house. Except for Dufgal, son of Suibhne's involvement in a charter of Walter, earl of Menteith, there is little convincing evidence that men of Argyll attested the documents written in the name of other regional lordships.⁷² But it can be said that, probably since the beginning of the thirteenth century, the socio-political relationship between the Stewart lordship and its neighbouring rulers was becoming much closer than that in the twelfth century, through this kind of association.

⁶⁸ *Pais. Reg.*, 132-3.

⁶⁹ *Ibid.*, 18-9, 20-1, 132, 401-2: The charters granted to Sixhills include the one acknowledgment written in the name of Adam of Nes.

⁷⁰ *Melr. Lib.*, nos. 29-30: I have not identified him, though, judging from the date of the charter, he should be a son of Earl Ailin II.

⁷¹ *Pais. Reg.*, 216-7.

⁷² *Ibid.*, 216-7: One witness called Duncan, son of Dungal of Argyll is mentioned, along with Duncan, earl of Carrick, in the aforesaid Lennox charter anent fishing in the river Leven, which could be another instance of Argyll's involvement in transactions made by other lordships.

Finally, I am going to refer to the appearance of some particular lesser tenants as well as the great local dynasties. As I have mentioned above, the attestation by the Stewart vassals, along with their lord, covers almost every division. Out of the huge number of personal names in the cartulary, I have picked four families in the Stewart entourage as the most frequent witnesses to the documents in our period. The family members of Montgomery appear twenty-five times in the witness-lists through all periods. They probably came from the Castellany or Honour of Montgomery which was close to the fief held in Shropshire by the FitzAlans, the ancestors of the Stewarts. Robert of Montgomery received a fief from Walter, son of Alan I and this might have been Eaglesham, East Renfrewshire.⁷³ The family of Cotentin were also very probably related to the family of the same name who were tenants of the FitzAlans in Shropshire. Nicholas of Cotentin is known to have held land of the Stewarts, namely Innerwick.⁷⁴ Despite the fact that the family seems to have been of short duration, because of the failure of male heirs, the name of the members are listed as witnesses as many as twenty-three times. The third family is the Crocs. According to Barrow, their family name is in origin Scandinavian, but Robert Croc, a knight of Walter I and Alan, son of Walter, was probably of Anglo-Norman stock.⁷⁵ He and his sons appear in the witness-lists thirty-one times in total. Although the origin of the family of Nes, our fourth family, is unknown, the place from which the family took their name was probably either Little Ness or Great Ness, both of which are in north Shropshire and were closely connected with the FitzAlans. They attest our charters eighteen times.⁷⁶

Those four families appear as witnesses, across two or three generations. Especially they are often listed together in the charters of successive Stewarts, their feudal overlord. In the charter of the first Stewart's donation, the members of all four families join in attestation. Robert of Montgomery, Robert, Geoffrey, Walter and Nigel of Cotentin, Robert Croc, and Roger of Nes appear in the witness-list.⁷⁷ The confirmation to the same donation by Alan, son of Walter has names of Alan of Montgomery, Robert and Walter of Cotentin, and Robert Croc as the witnesses,

⁷³ Barrow, *Kingdom*, 318.

⁷⁴ *Ibid.*, 324.

⁷⁵ *Ibid.*, 316.

⁷⁶ *Ibid.*, 317.

⁷⁷ *Pais. Reg.*, 5-6.

though members of the Nes family have been omitted.⁷⁸ Another confirmation of the original Stewart donation by Walter II is attested by Alan of Montgomery, Alan Croc, and Henry of Nes.⁷⁹ By this time, the male line of Cotentin seems to have come to an end. Those original possessions are confirmed again in the middle of the thirteenth century by Alexander, the fourth Stewart. This time only Thomas Croc appears as a witness to the charter.⁸⁰ In other Stewart charters, the families of Cotentin and Nes successively attest two confirmations by the Stewarts, Walter I and Alan, anent two carucates in Fulton. Robert and Walter of Cotentin and William of Nes are listed on the first, and Walter, Nigel and Geoffrey of Cotentin and Roger of Nes on the second confirmation.⁸¹ In later periods, additionally, Thomas Croc attests both of two successive confirmations of churches in Ayrshire by Walter II and Alexander Stewart respectively. Some of them not only attest documents but also actually authenticate their own charters.⁸² Although, with regard to some individuals, their actual relationship in the family is not always secure, there is no doubt that each of those families were playing an important role for the early Stewart lordship, both as tenants and as patrons of the local monastery, across the generations.

After the thirteenth century, we find some of those family members attesting documents anent the possessions in the Lennox or Argyll. Robert of Montgomery, Alan Croc (twice), his brother Simon, and Adam of Nes appear as witnesses to five charters dealing with churches, lands, and fishery in the Lennox. All of those charters are issued by the earl of Lennox or his brothers. In Argyll, each grant of three churches is attested by figures like Thomas Croc (twice) and Alan of Nes. Some of those witnesses are listed along with their overlord, Walter II, but others are not. It seems that their locality or political backgrounds as the Stewart's tenants of Anglo-Norman origin is found less important in the later witness-lists. Although if they had actually held their feu of the other local lordship than the Stewart is not evident, through these occasions of witnessing, they could have shared, as their overlords do, the sense of society with other witnesses who basically consisted of local figures in

⁷⁸ *Ibid.*, 11-2.

⁷⁹ *Ibid.*, 17-8.

⁸⁰ *Ibid.*, 90-1.

⁸¹ *Ibid.*, 15, 48-9.

⁸² *Ibid.*, 18-9, 225; 105, 116, 401-2: As already mentioned, Nicholas of Cotentin and Robert Croc granted a ploughgate or church in their fiefs to Paisley Abbey, while Adam of Nes was involved in three merks of annual payment to Sixhills priory.

the Lennox or Argyll. Especially for the former division, considering the familial relationship between the earl and the Stewart, it seems quite normal for a few Stewart's tenants to have a connection and access to the earldom. Probably some of them had settled into the region and had been under the control of the earl as his subjects. Whether this settlement and the relationship with the earl were 'feudal' or not, their involvement in transactions and documentations by the province's ruling houses can be recognised, possibly more than that of their overlords, as important evidence of the closer relationship amongst regional authorities in the thirteenth century, which could have caused some social and cultural changes in its local landscapes.⁸³

In the various aspects of the charters, such as possessions, donors, confirmations, litigations, and attestations, we have found out some evidence suggesting that several regions with different origins started to be connected and involved to each other much closer than ever. In terms of surviving evidence for witnesses, particularly those concerning the lay tenants, the involvement of the Stewart, the Lennox, Carrick, and Hebridean kindreds might not have been equally interactive.⁸⁴ Nevertheless, as long as their actual company had occurred, there is no doubt that the local noblemen in different regions, from the great landholders to their followers, formed their common socio-political networks at those occasions. In this sense, Paisley Abbey surely played an important role as the centre of various lordships and communities in the regions which covers the large and less-recorded area of the Glasgow diocese.

⁸³ Brown, 'Earldom and Kindred', 203: According to Brown, from the thirteenth century, the Lennox was a community which combined upland pastoral, Gaelic-speaking areas with Anglicised agricultural districts, held together by the lordship of the native comital dynasty.

⁸⁴ *Pais. Reg.*, 21-4, 127, 132, 158-9, 162-3, 210: Except for the case of Malcolm, son of the earl, there is only one appearance of the Lennox men in the charters relating to other divisions apart from the earldom, which is Gilbert, son of Samuel's involvement in the charter of annual payment from Argyll. On the ecclesiastical side, Roger, vicar of Kilbarchan and Alexander of Smailholm were involved in the transactions in both the Lennox and Argyll. In addition, a potential local cleric called Hector of Carrick attested all three Stewart charters granted to Dalmilling.

Conclusion

Through the previous chapters, I have examined the connection between three religious institutions in Glasgow diocese and their local neighbours or higher authorities like the crown or pope. As a result, it has been demonstrated that the institutions accumulated many possessions through benefactions and litigations, most of which are spread throughout the diocese and its bordering areas. Moreover, I have found out that, in terms of the number of acquired possessions, the character of donors, and the period or process of transactions, there is remarkable difference in patterns according to the geographical divisions. Now, in this concluding chapter, I will sum up these data and try to offer the potential picture of formation and development of social networks amongst the ecclesiastic and secular communities in twelfth- and thirteenth-century Scotland, south of the Forth-Clyde line. Before that, however, I have to admit that, even after scrutinising all surviving charters relating to the cathedral church and two major monastic houses in the diocese, there is one division whose reference has hardly been found in the records of transactions. Probably it is necessary to consider the situation of this particularly poorly-recorded district, that is Cunningham.

Men of Cunningham and Kilwinning Abbey

In the Melrose chapter, I have already mentioned that the evidence for transactions concerning Cunningham is extremely limited. Even located between Strathgryfe and Kyle-Stewart, there is no surviving document suggesting any association of this division with Paisley. Nor, in the cartulary of Dryburgh Abbey which the de Moreville family, the lord of Cunningham, founded in the early 1150s, do we find any gifts from this area. Given the division comprised quite a few parish churches, it is unlikely that no religious institution had any link to their patronage. In fact, in Cunningham deanery, all parish churches except for Kilmaurs and Largs were appropriated to Kilwinning Abbey. So the cartulary of Kilwinning must have recorded some of, if not all, those annexations with the reference to the donors.¹ Unfortunately the cartulary of Kilwinning Abbey has been lost since the beginning of

¹ Cowan, *Parishes*, 350-1: As far as the diocese of Glasgow is concerned, it is unique that most of the churches in a deanery are appropriated to the same monastic house.

the eighteenth century. So we can only rely on the surviving quotations by Timothy Pont, the cartographer who saw the document records of the abbey in 1608, which contain a few references to possessions, landholders and transactions relating to Cunningham in our period.²

According to Pont, Richard de Berkeley was one of the witnesses to the foundation charter of Kilwinning dated 1162 × 1189, issued by Richard de Moreville, in which he was styled '*dominus de Ardrossen*'. He held a castle of de Moreville for many years and is recognised as ancestor of the Barclays of Ardrossan, south-west of Cunningham.³ He seems to be totally unrecorded elsewhere. Philip de Horsey, known as another witness to the foundation, is the earliest recorded member of the de Horsey family. His grant to Kilwinning is said to be of lands in Beith, and it is likely that the Kilwinning cartulary contained the relevant documents.⁴ Though, like Richard de Berkeley, Philip seems to appear in no surviving record, according to Barrow, he married one daughter of Richard de Moreville, Dorothea, and had a son and heir named Walter.⁵ In contrast to those two de Moreville's vassals, Malcolm Loccard is relatively well-recorded in the contemporary sources. Pont suggests that he or his father, Simon, witnesses the record of Kilwinning Abbey and built the burgh and castle at Kilmarnock.⁶ This is a potential indication of his lordship within the division of Cunningham, although, as mentioned in the Paisley chapter, the family of Loccard is obviously not so much de Moreville vassals as Stewart ones.⁷ While there is another member of the Loccard family in Kyle, Stephen, who is said to have established Stevenston, near Ardrossan, his relationship to Simon and Malcolm seems obscure.⁸

² I. B. Cowan, 'Ayrshire Abbeys: Crossraguel and Kilwinning', *Ayrshire Archaeological and National History Society Collections*, vol. 14 (1986), 267.

³ T. Pont, *Cunningham Topographised*, 7; Barrow, *Anglo-Norman Era*, 175; *Glas. Reg.*, no. 140; Barrow, *Kingdom*, 292n: His actual relationship with other family members of de Berkeleys, such as Robert and Walter, is unclear. The patronage of the church of Ardrossan was, as I have mentioned in Chapter 2, cause of a dispute between Kilwinning and the bishop of Glasgow in the 1220s.

⁴ Pont, *Cunningham*, 8.

⁵ Barrow, *Anglo-Norman Era*, 77, 181.

⁶ Pont, *Cunningham*, 16.

⁷ Barrow, *Kingdom*, 323; *Pais. Reg.*, 70-1: The family's lordship of Symington, in Kyle, was presumably held of the Stewarts. Moreover, in his own charter granting land in Symington to Paisley Abbey, Malcolm prays for the souls of three early Stewarts, not de Morevilles.

⁸ Barrow, *Anglo-Norman Era*, 46.

Apart from those families potentially recorded in the Kilwinning documents, there are some landholders who held some particular territories in Cunningham. Robert, son of Wernebald, whom I have mentioned as donor of the church of Kilmaurs to Kelso Abbey, is also involved in a perambulation of William I's grant to Dryburgh.⁹ His son Robert witnesses one Melrose grant of parts of Mauchline by Richard Wallace.¹⁰ The de Nehou family held the fee of Giffen in central Cunningham. At the end of the twelfth century, Alexander de Nehou endowed a half carrucate of land in his territory to Dryburgh Abbey. In that charter, he names Richard de Moreville, William de Moreville, Roland of Galloway, and Helen de Moreville as his superiors. He also appears in the witness-list of one of the confirmations by Roland.¹¹ The lordship of Loudoun, south of the region, was granted to James, son of Lambin Asa, with extra forest and appurtenances by Richard de Moreville for one knight's service.¹² James is found in the witness-list of the confirmation by Robert, son of Robert, son of Wernebald to the church of Kilmaurs along with his lord, Richard de Moreville.¹³ Godfrey de Ros, who held the office of Moreville's steward, obviously established the villa of Stewarton. His son Godfrey issued two charters to grant and confirm the land in Stewarton to Paisley in 1282.¹⁴

As far as the charters which I have explored in the chapters relevant to Melrose and Paisley are concerned, these secular landholders in Cunningham cannot be found in relation to so many transactions or documentations. Especially compared with the case of the Stewart tenants, the men of Cunningham, including the de Moreville family themselves, were hardly involved in local issues in the neighbouring divisions, such as Kyle, Carrick, the Lennox, and Argyll. This might suggest that there was little access and connections between Cunningham and the rest of the western lordships, although the effect of the loss of the cartulary of Kilwinning, in which reference to the involvement of other lordships and their vassals could have been contained, should be remembered. On the other hand, amongst our surviving

⁹ *Dryb. Liber*, no. 47.

¹⁰ *Melr. Liber.*, no. 69.

¹¹ *Dryb. Liber*, no. 226; Anderson, *Selectus Diplomatum*, pl. LXXXI.

¹² *Marquis of Bute, Dumfries House, Loudoun charters*, no. 1; *Stevenson, Illustrations of Scottish History*, 15, no. viii; Barrow, *Anglo-Norman Era*, 129: This infeftment was confirmed by William de Moreville.

¹³ *Kel. Lib.*, no. 284.

¹⁴ *Pais. Reg.* 380-1.

materials, there are some documents mentioning the dean of Cunningham or the abbot of Kilwinning. The former was obviously one of the mediators of the lawsuit between Paisley Abbey and the men of Lennox. The latter can be found in some charters relating to the Stewart's benefactions in Strathgryfe and Kyle, the agreement concerning the chapel of Prestwick, the confirmation of the church in Glasgow area by the dean of Glasgow, and a promise of teinds to Glasgow Cathedral by Duncan, earl of Carrick.¹⁵ Therefore, on the ecclesiastical side, men of Cunningham were relatively active even in the matter of other divisions or lordships.

Patrons' networks and royal authority

Now, with all divisions in the Glasgow diocese and their links to some of the major religious institutions in the kingdom examined, I would like to review our data in the frame of political geography, and focus on the aspect of state-building in this part of the kingdom. I have suggested in Chapter 1 that setting up of dioceses was significant in the political context. As the bishop was a powerful landholder and close advisor of the king, his jurisdiction was regarded as the territory, at least nominally, under the control of the royal government and subjected to the administration and taxation by the king's officials. Especially in a province like Scottish Cumbria, outside the historic core of the kingship (between the Forth, Moray, and the central highlands), the presence of episcopal authority could have been as crucial, for the effective administration under the crown, as the infestment of the king's followers from Anglo-Continental families. Many possessions of the twelfth-century bishopric originated in the future David I's Inquest in the 1120s, and were confirmed as churches along with whole estates. Others were typically granted or quitclaimed by the tenants-in-chief as churches and a portion of land in the donors' estates. Though there are some surviving thirteenth-century documents relating to the transactions or negotiations with monastic houses and some local lordships in Nithsdale and the Lennox, it can be said that the fundamental part of Glasgow Cathedral's networks were formed by the connections with the king of Scotland and his leading subjects, especially Anglo-Continental barons who were infested and settled in the Cumbria region.

¹⁵ *Ibid.*, 17-8, 21-4, 110, 229-30; *Glas. Reg.*, no. 139.

On the other hand, the charters granted to Melrose Abbey demonstrate a much broader range of patrons or benefactors. Though the endowments by the crown and his household barons of Anglo-Continental origin, such as the Stewarts and de Morevilles, still account for a certain part of the benefactions, the consistent involvement of the earls of Dunbar and Carrick, along with the other numerous local families in Teviotdale and East Lothian is remarkable. Because of the Cistercian tradition, these gifts typically consisted of landed properties like arables, pastures, and forest. As a result, the donors often sub-divided their existing feus and granted a certain part of them with a reference to the boundaries. In this particular way of donation, Melrose was connected with the laity in various ranks and regions, from Kyle and Carrick to Dunbar and Northumberland. Presumably, as the founder of the monastery, the king of Scotland could emphasise his authority in those relatively marginal areas, hardly within the jurisdiction of the bishop of Glasgow, which was necessary for the royal control over the whole province. Considering that monastic filiations could reflect political alliance and loyalties, the local patrons are also likely to have recognised the king's presence as a part of their social networks.¹⁶ This kind of interrelationships was, as well as a place of burial, surely what the king had expected of the house.

In terms of political and territorial interest, the situation of Paisley is even clearer. As I have analysed in the previous chapter, the cartulary includes a lot of endowments made by the Stewarts and their vassals who settled in Strathgryfe, Kyle, and the East. In addition to them, the monastery attracted the rulers of the Lennox, Carrick, and Argyll after *ca* 1200. Consequently, as in the case of Melrose Abbey, the status of the Stewart as the founder came to be recognised by these neighbouring patrons, which could secure the Stewart authority, political as well as spiritual, over a potentially problematic part of the diocese. As a number of royal acts concerning Paisley suggest, establishment of the Stewart lordship in the West was of more than just local importance. Rather, there is a strong possibility that the king of Scotland had a keen interest in religious houses like Paisley or Kilwinning, the foundations by his leading household officers, on his western frontiers. Given two royal castles at Ayr and

¹⁶ J. Burton, 'Fundator Noster: Roger de Mowbray as Founder and patron of Monasteries', in E. Jamrozak and J. Burton (eds.), *Religious and Laity in Western Europe, 1000-1400: Interaction, Negotiation, and Power* (Turnhout, 2006), 30.

Dumbarton, and the subsequent expedition to Argyll, it is obvious that the kingship had an intention to secure its control over these areas.¹⁷ In such circumstances, the established domain and networks of religious houses at Paisley or Kilwinning, strongly tied with the respective lordships of the Stewart and de Moreville families, could have functioned as an effective local base of the kingship. This gives a certain impression that, even as a non-royal foundation, the development of Paisley can be considered as contributing to the royal policy of state-building and the process of cementing its local control.¹⁸

To sum up, since David's Inquest, the king of Scotland was consistently seeking to consolidate his power in the less secure territories south from Scotia, through rebuilding or reforming ecclesiastical authority. He combined this process with another strategy of a more temporal and tenurial approach; the colonisation of the region with his Anglo-Continental subjects. As the charter records demonstrate, this royal policy caused the formation of some distinctive cross-regional networks surrounding each institution, at both diocesan and monastic level, in many parts of the province. These networks connected various local powers together who came to share a sense of association, which was surely a mechanism for the geographical spread of benefaction towards the middle of thirteenth century. Presumably the most remarkable example is Melrose's acquisition of Ayrshire possessions or the common focus on Paisley from the earls of Lennox and Carrick, both of which were made clearly because of Stewart connections.¹⁹ I have discussed that, based on the evidence of royal confirmations and royal instructions, each local community was closely tied with the Scottish kings; their tenurial overlord and the biggest patron of the Church of Scotland. In particular, it is quite suggestive that some royal general confirmations to

¹⁷ *ChDI*, 38-41; *RRS*, i, 114-15; *RRS*, ii, 96-105; *Atlas of Scottish History*, 159-63: The fact that the provinces in the West have been typically omitted from the kings' itinerary and places of issue of acts demonstrates that most of the areas remained quite marginal and unfamiliar to the royal government.

¹⁸ M. Chibnall, 'The Changing Expectations of A Royal Benefactor: The Religious Patronage of Henry II', in *Religious and Laity*, 10; E. Cownie, *Religious Patronage*, 63-4; M. T. Flanagan, *Irish Royal Charters: Texts and Contexts* (Oxford 2005), 241: The use of monastic patronage to initiate or consolidate political control in contested territory was a long-established practice throughout western Europe. In England, it has been argued, there was a similar strategic purpose in the royal favour shown to the abbeys of Gloucester and Durham on the frontier with Wales and Scotland. So too in twelfth-century Ireland, the endowment of new monastic foundations by aggrandising Irish kings can be seen as a means of advancing their political aspirations.

¹⁹ Broun and Harrison, *Chronicle of Melrose*, 6: In comparison to the situation of western regions like Kyle, Carrick, Nithsdale, the Lennox, and Argyll, the evidence for Northumberland has been regarded as too small to show consistent spread based on its local networks.

the royal founding monasteries have a reference to each grantor, not only of royal endowments but also of private benefactions.²⁰ It is not difficult to assume how this kind of connection between regional networks and royal authority could be crucial for the regnal solidarity, especially to claim the sovereignty in contested frontier regions bordering England, Galloway, and the Western Isles. This could be seen as another example of collaborations of secular power and ecclesiastical authority in the process of consolidation of the medieval kingdom in Western Europe. Also, in a Scottish context, it could offer a different aspect of state-building, with a more local and bottom-up approach than is created by focusing on the royal infektment of knights or the creation of sheriffdoms by the twelfth-century kingship.²¹

Concept of kingdom and Christendom in the charter records

Finally, in relation to the discussion of the previous section, I would like to draw attention to the regnal and territorial element added to some of the charters which suggests that those who were involved in the transactions perceived the concrete or objective presence of ‘the kingdom of Scotland’; the wider political and geographical structure encompassing their local community. Characteristically this element appears in a statement that the subject of a grant was to be held as freely and fully as any other recipients, such as barons, knights, monasteries and churches, hold any kind of gifts ‘in the kingdom of Scotland’. Before the reign of Malcolm IV (1153-65), except for one charter from David I concerning a possession in St Andrews, we can hardly find documents in which the king’s territory is mentioned in such a context relating to law and custom over a particular property. The earliest instance of this kind of reference in a non-royal charter is relating to the three tofts in the burgh of St Andrews which Robert, the bishop of St Andrews granted to the church and canons sometime between 1147 and 1159.²² After that, in *ca* 1161, Malcolm IV used similar terminology in his act granting Walter I, son of Alan, a couple of estates in the Merse and Teviotdale.²³ The latter document suggests that even property outwith Scotland

²⁰ See above 105n: Although those named non-royal benefactors are relatively limited to some particular magnates in the king’s own entourage, these royal acts with distinctive formulae can be viewed as an expression of a direct link between local religious activities and central government of the Scottish crown.

²¹ Undoubtedly given the legal value of royal confirmations or *briefes*, documents of the highest authority in the secular world, royal involvement in this way would have been sought by major churches as keenly as were papal bulls to strengthen their property-rights further.

²² *St Andrews Liber*, 124.

²³ *RRS*, i, no. 183.

proper had become, by this period, considered as a part of the kingdom in both territorial and legal sense. Thereafter, the use of this formula grew rapidly and was recorded in a number of private charters, especially relating to property south of the Forth-Clyde line and the Lennox. These instances demonstrate that the territorial context of *Regnum Scotie* undoubtedly included those outer provinces and the notion of ‘kingdom’ had been shared in each locality.

The Old Cartulary includes twenty-three charters with the reference to *Regnum Scotie*; thirteen royal acts, six private charters, and four papal bulls. While the kings or laity use the phrase in the same way in relation to the transfer of property-rights, the popes seem to mention *Regnum* to specify the territory in which the Scottish bishops or other prelates live and have an office.²⁴ In terms of the date of issue, there is a difference in pattern according to the type of donors. Unlike the royal acts, which were issued quite consistently during the reigns of Malcolm IV, William I, and Alexander II, the private charters and papal bulls were typically provided in the thirteenth century. Despite this chronological gap, it is hardly difficult to understand that either lay landholders or popes came to recognise, by the thirteenth century, the possessions and men belonging to the diocese of Glasgow as a part of the kingdom of Scotland and subject to the territory and law of the king.

In *Melrose Liber*, thirteen royal acts and forty-five private charters contain this kind of reference.²⁵ These private charters, compared with the instances recorded in the Old Cartulary, deal with more possessions in various areas of the diocese. Though some of them could be dated to the end of the twelfth century, the notion of the kingdom never seems commonplace in the earlier grants. Particularly the charters of donations originally made between the 1160s and the 1190s, which King Alexander II generally confirmed in 1215, hardly mention the kingdom in their texts. Even amongst William I’s acts confirming these grants individually, there are only three documents which contain the phrase.²⁶ With regard to the later charters, the transactions relating to Carrick, Galloway, Carlisle, and Northumberland have been

²⁴ *Glas. Reg.*, nos. 110, 157, 165, 192: Three bulls use the words ‘kingdom of the Scots’, and one addressed to the king refers to the king’s territory as ‘your kingdom’.

²⁵ *Melr. Lib.*, nos. 61, 72, 120: Amongst these private charters, two documents put words like ‘king’s land (*terra regis*)’, instead of *regnum Scotie*, into the statements.

²⁶ *Ibid.*, nos. 42, 128, 170; *RRS*, ii, nos. 72, 195, 264.

recorded without any reference to the kingdom of Scotland, although, because of the limited number of instances, it is not evident whether the reference to *Regnum Scotie* has any distinctive pattern according to the geographical divisions.

As for the instances in the cartulary of Paisley, a similar dating pattern can be found, as most of the relevant documents concentrate on the thirteenth century. But the fact that only one surviving royal act, issued by Alexander III in 1250, mentions his *regnum* is in quite striking contrast to the Melrose data.²⁷ While the donors of the Melrose instances consisted of quite a few families in various localities and social ranks, twenty-one private charters granted to Paisley with *regnum* references are limited to donations and confirmations by the major figures of the Stewart lordship, the Lennox, and Argyll. Except for one document written in the name of Malcolm Loccard, all the charters relating to the Stewart estates were provided by their own family. Also in the Lennox, Earl Maoldobhnaich is the only donor whose charters mention the entity of the Scottish realm.²⁸ Presumably in relation to the expansion of the royal authority toward the region, three charters with similar references were produced by the kindreds of Argyll in 1240s, 1261, and 1270 respectively.²⁹ In addition to them, it should be noted that the bishops of Argyll and Sodor confirmed some private donations using the notion of the kingdom.³⁰

The charters of this distinctive style are not limited to the transactions concerning particular possessions. In fact, the twenty-seven royal acts in this category include nine king's briefs which deal with the administrative issues relating to each institution, such as teinds, freedom from toll, and protection of the clergy. In Chapter 1, I discussed several kings' mandates ordering payment of teinds issued by Malcolm IV, William I (twice), and Alexander II. These documents are almost identical and the kings consistently state that teinds to the churches should be paid as fully as other bishoprics of their 'realm'. As I have mentioned, the two 1220s documents promising payment of teinds provided by the earls of Lennox and Carrick are likely to be reactions from the local rulers to these series of kings' instructions, especially the

²⁷ *Pais. Reg.*, 215; *RRS Hdl Acts of Alexander III*, no. 1.

²⁸ *Pais. Reg.*, 158-61, 171-2.

²⁹ *Ibid.*, 120-1, 127-8, 133-4.

³⁰ *Ibid.*, 122-3, 134-7: Although Melrose charters also include three episcopal acts with this formula, they are simple grants, by the bishops of Glasgow themselves, of the church of Hassendean.

latest one issued by Alexander II, which probably demonstrates the earls' recognition and acceptance of the notion of a kingdom encompassing their lordships. In their promises, the earls also declared that the clergy of the earldoms should be exempted from a local customary duty of giving hospitality to their sergeants, which could be the evidence for these local powers to have followed the law and custom which had been shared in other parts of the diocese and kingdom.³¹ In another *briefe* dated 1242, Alexander II granted freedom and protection to the bishop and burgesses of Glasgow so that they could buy and sell freely in the Lennox and Argyll as well as throughout the kingdom. Again, in terms of the bishop's privilege, some specific areas were put into the same social or legal context as the other part of the province, based on the concept of the king's realm (*regnum nostrum*).³²

With the relatively limited number of instances, it may not be safe to judge how these references to the king's realm were related to the influence of royal authority and effectiveness of its administration in each local division. Nevertheless, it is beyond doubt that, with this distinctive phrase recorded in formal documents, the concept of a unitary Scottish kingdom was spread throughout the province. It was recognised not only as a terminology for transactions but also as the real political substance to which each local community was to be uniformly subjected. In this sense, the concept unified the regions both geographically and socially.³³ In particular, some of the king's *briefes* potentially linked to the areas like Carrick, the Lennox and Argyll should be remarkable examples, considering that the regions had less contact with royal government or other divisions of the kingdom. It is also noteworthy that these documents were typically issued in relation to the privilege of the bishopric of Glasgow rather than the monastic houses of Melrose or Paisley.

On the other hand, there is an impression that the reference to the diocese in charter records had a similar effect on the ecclesiastical side, in terms of consolidation of geographical divisions under the control of specific authority; Latin Christendom.

³¹ H. L. MacQueen, 'Canon law, Custom and Legislation : Law in the reign of Alexander II', in *Reign of Alexander II*, 234.

³² *Glas. Reg.*, no. 183.

³³ Barrow, *Anglo-Norman Era*, 155; K. J. Stringer, 'Periphery and Core in Thirteenth-Century Scotland: Alan son of Roland, Lord of Galloway and Constable of Scotland', in A. Grant and K. J. Stringer (eds), *Medieval Scotland: Crown, Lordship and Community: Essays presented to G. W. S. Barrow* (Edinburgh, 1993), 101.

In Melrose charters, three donors state that they would be subjected to the judgement of the bishop of Glasgow, if they tried to reclaim their original donations or concessions to the abbey.³⁴ Though we have seen the bishop of Glasgow or St Andrews was actually involved in dispute over possessions on many occasions, the case in which the donor mentioned the bishop's jurisdiction in their initial grant is quite remarkable. Another two documents concerning settlement between the monks and the laity name each litigant with the title of 'the knight of Glasgow diocese'.³⁵ Moreover, in another agreement over the teind of Hethpool, Melrose Abbey is referred to as of the Cistercian order in 'Glasgow diocese'.³⁶ It is far from commonplace, but these references, concentrated on the thirteenth-century charters, are interesting evidence that the legal and territorial connection between the monastic houses and bishopric was expressed in formal documents concerning the abbey's possessions.

As for the charters relating to Paisley Abbey, the reference to the diocesan structure is even more characteristic. Amongst thirty-four relevant charters, some use the words concerning the diocese in a statement similar to that for *regnum Scotiae*. They are typically confirmation charters issued by the bishops themselves, stating that the original gift should be held as fully and freely as any other religious, such as monasteries and parish churches 'in the diocese of Glasgow or St Andrews', holds it.³⁷ Another pattern of reference to the bishopric is found in nineteen papal bulls and a ratification of agreement written in the name of several ecclesiastics. In these documents, the authors consistently mention the diocese to which the addressees or the relevant possessions belong. That is not only the case in which Paisley Abbey is styled 'the monastery of Cluniac order in Glasgow diocese', but three papal bulls relating to the church of Kilcalmonell, the priory of Wenloc, and the abbey of Lindores include the reference to the relevant dioceses, namely Lismore, Hereford, and St Andrews.³⁸ Unlike the statement of bishop's confirmation, which was discernible from the 1170s, this kind of formula is concentrated in the documents dated between the 1220s and 1260s.

³⁴ *Melr. Lib.*, nos. 236, 238, 294.

³⁵ *Ibid.*, nos. 133, 247.

³⁶ *Ibid.*, no. 308.

³⁷ *Pais. Reg.*, 98, 229: Apart from the bishops of Glasgow and St Andrews, Peter of Pollok and Pope Innocent III use this terminology in their charters.

³⁸ *Ibid.*, 86, 123, 420.

After the Fourth Lateran Council in 1215 which deliberated new definitions of church practice and active reform for the Christian clergy as a whole, the imposition of authority by the pope was a basic concept in the Scottish Church, as well as elsewhere in Christendom in Western Europe. In particular, the provincial councils held by the bishops once a year had a function to secure the canonical rules at the parish level.³⁹ Despite the fact that the papal bulls of 1225 authorising the Scottish provincial councils addressed only the bishops as a group to establish a council, the attendees of the early councils in the 1230s were not confined to them, but included several abbots, deans, archdeacons, and other clergy.⁴⁰ From the 1240s onwards, following a compilation of its statutes, this provincial council was exercising the legislative function and providing a service for nearly the whole country.⁴¹ Presumably, this particular phenomenon of the thirteenth century relating to the bishoprics gave some stimulus to the emergence of the characteristic formula in the contemporary charters naming the diocese with which the relevant people and possessions were associated. With the bishops and their council seeking uniformity of practice, similar to the case with the word of the 'realm', this kind of emphasis on the bishop's jurisdiction, especially during the thirteenth century, can be seen as an expression of another broadly shared concept unifying Scotland within a coherent structure. Though the king's personal attendance at a council meeting was not recorded after 1242, he usually appointed his proctors to attend meetings and watch over the crown rights.⁴² Also, as I have mentioned above, the bishops of Argyll and Sodor, in some of their confirmation charters, use the term of 'kingdom of Scotland', rather than their diocese. These facts suggest that the two concepts, constituting the Scottish kingdom and church respectively, were closely related to each other and effectively supported a framework of the regnal and spiritual authorities in Medieval Scotland, within which the territory, law and society were defined and consolidated through the period.

³⁹ D. E. R. Watt, 'The Provincial Council of the Scottish Church', in *Medieval Scotland*, 141.

⁴⁰ *Ibid.*, 143-4: The first dated council meeting took place at Dundee some time during 1230-1. And in July 1238, another council was held at Perth.

⁴¹ *Ibid.*, 148-9: Before such a basic and national code was attempted, it had been visiting legates who had handled just current problems during their brief stay.

⁴² *Ibid.*, 153.

In conclusion, the socio-political development of the province south of the Forth-Clyde line proceeded not only by the territorial expansion of the kingship but also by the establishment of a restructured ecclesiastical authority within it. Since David's Inquest, the presence of the Church had taken a significant part in secular lordships in the province. The transactions and negotiations with cathedral and monasteries developed substantial networks amongst benefactors, attestors, and arbiters. And administration and instruction concerning payment or services to the institutions surely integrated each locality into a common legal awareness of the kingdom that emerged in the thirteenth century.⁴³ While the royal element is dominant in the charters in the Old Cartulary, in which the successive kings and their leading subjects deal with relatively traditional areas where there had been association with the ancient kingship, the possessions of Melrose and Paisley include a number of gifts from the local lordships or their vassals who were not necessarily close to the royal government. In both patterns, ultimately, creation and distribution of the concept of a unitary kingdom seem to have been a consistent policy of the king, his magnates, and prelates, all through the period, though this concept was hardly expressed in the documentary records until the mid-twelfth century.

Compared with the institutions within the diocese of Glasgow, some earlier foundations in St Andrews diocese might not show such an expansive and unifying character in their networks. In the recorded transactions relating to the ancient communities like Deer and Loch Leven, whose surviving documents are extremely small in number and limited to the period between the eleventh century and the early twelfth century, the circle of donors is scarcely to be so diverse. While the benefactions to Loch Leven typically consist of those from the king of Scots, his close kin, and the bishop of St Andrews, Deer's six private charters dated to the 1130s were written in the name of several Gaelic, probably local, figures.⁴⁴ Their relevant possessions are also limited to the local properties. As for the twelfth- and thirteenth-century charters of St Andrews Cathedral Priory and Dunfermline Abbey, the pattern of donors and possessions seems to have more variations, especially private charters

⁴³ H. L. MacQueen, 'Regiam Majestatem, Scots Law and National Identity', *SHR* 74 (1995), 1, 7; H. L. MacQueen, 'Scots Law under Alexander III', in Reid (ed.), *Scotland in the Reign of Alexander III*, 84: Evidently at the end of the thirteenth century, there was a good deal of written law in Scotland. This common law of the Scots, invoked by royal acts and administered in royal courts, was closely associated with the kingship and played a role as a marker of Scottish identity in the period.

⁴⁴ *ESC*, nos. 5, 7-8, 11, 14, 23, 95, 97, 223.

after *ca* 1160. While there are some donors like the Stewarts or the earls of Dunbar who were also involved in the transactions relating to Glasgow diocese, the bishops of Aberdeen and Dunkeld, the earls of Atholl and Mar, and the de Quincys or the de Melvilles appear to concentrate on the benefaction to their closer institutions within the bishopric of St Andrews. Most possessions are located in neighbouring areas namely Fife, Gowrie, and Fotherif. Though both priory and abbey had possessions in the regions south of the Forth from the early period, they are not as distant as Ayrshire-properties for Melrose.⁴⁵ Neither does their accumulation show such a distinctive pattern as Paisley which consistently increased its possessions in the western regions undoubtedly in relation to the expansion of lordship of the king and the Stewarts. At the moment, I cannot tell if the relationships amongst donors or witnesses in St Andrews diocese had a cross-regional character like that in the diocese of Glasgow. But, including the use of concept of the realm and diocese, the situation of St Andrews diocese, as the central province of the original Scotland, should be comparable to the contemporary development of Glasgow and Cumbrian regions.

Even though facing England, Galloway, and Western Isles, this particular part of the king's domain remained within the Scottish realm and diocese. The bishop of Glasgow achieved his independent status from the archbishop of York. And the king of Scotland defeated the invaders from the West in 1164 and 1263, namely Somhairle, the ruler of Argyll and King Haakon IV of Norway, with his local common army.⁴⁶ This kind of political coherence and military power can be regarded as the characteristic of south-western Scotland in the twelfth and thirteenth centuries. Presumably, close relationships, cross-regional, as well as local, through religious benefactions and national unity based on the clear concept of kingdom were surely crucial elements in this development. In such a context, it could be hardly coincidence that, from 1249 onwards, Alexander III and his government made a clear-cut expression of the claim that Scotland was a sovereign realm through the inauguration ceremony and royal seals.⁴⁷ His campaign of 1263 and the subsequent

⁴⁵ *Dunf. Reg.*, no. 162: Walter I, son of Alan's grant of a toft in Renfrew is certainly exceptional.

⁴⁶ Barrow, *Kingdom*, 204.

⁴⁷ Broun, *Scottish Independence*, 163, 181-2; Duncan, *Kingship*, 131-4, 138; Duncan, *Scotland*, 554-7; G. G. Simpson, 'Kingship in Miniature: A Seal of Minority of Alexander III, 1249-1257', in Grant and Stringer (eds), *Medieval Scotland*, 138-9: Despite the fact that Pope had not granted coronation and anointment to the Scottish king yet, the established elements of inauguration ceremony and certain royal iconography, such as the crown and sceptre, depicted on the seal are generally regarded as

cession of the Western Isles and Man in the treaty of Perth in 1266, moreover, seems to have been the most explicit and possibly ultimate example of centralisation and expansionism of the Scottish crown, which had sought new territories subjected to the king's law, probably ever since David's Inquest.⁴⁸

John of Fordun, the fourteenth-century chronicler, narrates that, from the early tenth century, each Scottish king placed his intended successor as a ruler of the region of Cumbria until he should obtain the crown of the kingdom.⁴⁹ It is now generally accepted that Fordun's *chronicle* heavily depended on an earlier work, known as *Gesta Annalia* I, datable to the 1260s at the earliest. According to Broun, this narrative written by Richard Vairement, a thirteenth-century *céle Dé* of St Andrews, expresses the idea of Scottish independence in the fullest and most evocative manner, which could lead directly to the sentiments discernible in the Declaration of Arbroath.⁵⁰ In fact, it is certainly doubtful that this arrangement relating to the Cumbrian province was such traditional and systematic practice in the succession of the medieval Scottish kingship.⁵¹ Broun has argued that this narrative is largely fictional and may have been based on the example of Gascony which was held by the heir to the English throne (the future Edward I) between 1259 and 1272.⁵² But this kind of creation or exaggeration in such fundamental and influential material concerning national history gives the strong impression that, by the late thirteenth century at the latest, southern Scotland was recognised as the important territory within the Scottish realm which should be tied strongly with the royal authority, rather than the outer province of the original kingdom consisting of a part of England or

instruments to emphasise the sovereignty of the king of Scots to the participants and onlookers. It is strongly suggested that Alexander III actually bore these insignia at the ceremony, while Scottish kings before him were rarely shown with crown at the inauguration, even if they had used it.

⁴⁸ E. J. Cowan, 'Norwegian Sunset – Scottish Dawn: Hakon IV and Alexander III', in Reid (ed.) *Reign of Alexander III*, 126; MacQueen, 'Regiam Majestatem', 9-10.

⁴⁹ *Chron. Fordun.*, i, 163-4.

⁵⁰ Broun, *Scottish Independence*, 216-7, 224, 236, 262: The most obvious part of Fordun's *chronicle* in which he used *Gesta Annalia* I as the principal source is between chapter 9 and chapter 35 of book V. The relevant reference to the region of Cumbria is recorded in chapter 21 of book IV.

⁵¹ Smyth, *Warlords and Holy Men*, 222-4; A. Macquarrie, 'The Kings of Strathclyde: c. 400- 1018' in *Medieval Scotland*, 15; Barrow, *Kingship and Unity*, 32; Duncan, *Kingship*, 64-5; T. O. Clancy, 'A Gaelic Polemic Quatrain from the Reign of Alexander I, ca 1113', *Scottish Gaelic Studies* 20 (2000), 92-3: The accounts of the later chronicles to tenth-century Strathclyde, especially to the genealogy of its kings, are ambiguous and totally unreliable. Furthermore, it has been pointed out that Alexander I did not recognise David as his heir until the last years of his reign because of the poor relationship between them. Possibly, David only acquired Cumbria in 1113 with the help of Henry I of England.

⁵² Broun, 'Welsh identity', 131n.

Wales.⁵³ This change of perception is undoubtedly a result of the effective incorporation of the province attributed to regnal consolidation and regional networks in the twelfth and thirteenth-century, and must have been the decisive element which caused the emergence of a single country, 'Scotland', whose boundaries were no longer defined by geography but by the people and their unitary authority.⁵⁴ Therefore it can be said that the development of local community and national authority in this province was also a significant process in the state-building of the medieval kingdom of Scotland as a whole, and a potential first step in the creation of its unified national identity.

⁵³ *Chron. Fordun.*, i, 88: Fordun's *chronicle* includes another example of 'made-up' history concerning the limit of the Scottish realm. This narrative claims that Fergus (son of Erc), who was referred to as the first Scottish king in the thirteenth-century king-lists, ruled all regions stretching from Stainmore in the south to the Hebrides and Orkney in the north during his reign. This idea of boundaries, particularly towards the south, could have inspired John of Cheam, the bishop of Glasgow, who, around 1265, insisted that his diocese should extend south to the Rere Cross of Stainmore. Here again, despite an ecclesiastical issue, a dubious narrative of the ancient kingdom was used as a concept to legitimate the incorporation of southern Scotland, or even further, in the current political entity of Scotland, either kingdom or bishopric (see Broun, *Scottish Independence*, 165-70).

⁵⁴ Broun, *Scottish Independence*, 263.

Collation of The Old Cartulary

*Numbers in red are the charters which do NOT seem to be mentioned in the table of contents

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POSSESSIONS AND THEIR APPEARANCE IN GEN. CONF. (Glasgow Cathedral)

INQUEST	no. 26	no. 32	no. 51	no. 57	no. 62
1120s	1170	1175	1179	1182	1186

Glasgow area

Badermonoc*					
Baldernock [preb.]					
Barlanark (<i>Pathelanerhc?</i>)[preb.]					
Bedley*					
Cadder (<i>Camcar?</i>)*					
Cadzow [preb.]					
<i>Camcathetheyn</i> (?)					
<i>Carcleuien</i> (?)					
Carmyle					
Carntyne					
Crag					
Dalmarnock					
East Kilbride*					
Garrioch					
Govan* [preb.]					
Glasgow [preb.]					
Glasgow (burgh)*					
Kinclaith (<i>Conclut</i>)*					
<i>Leugartheyn</i> (unid.)					
Machan					
Newton					
Partick* [preb.]					
Renfrew* [preb.]					
Riddrie (<i>Roder?</i>)					
Shettleston					
Torrance					

Upper Clydesdale

Carmichael* (<i>Planmichel?</i>)					
Carnwath* (<i>Chefcaruenuat</i>)					
Carstairs					
Wandel (<i>Quendal</i>)					
Wiston (<i>Abercarf</i>)					

Tweeddale

Eddleston					
Orde					
Peebles					
Stobo					
Traquair					

Teviotdale

Ancrum					
Ashkirk					
Hassendean					
Lilliesleaf					
Morebattle					
Old Roxburgh*					
(chapel of) Rox. Castle*					
Tronehill					
Wilton					

Cont.

INQUEST	no. 26	no. 32	no. 51	no. 57	no. 62
1120s	1170	1175	1179	1182	1186

Annandale

Castlemilk* (Abermilc)					
Colehtaun					
Dryfesdale*					
Esbie					
Hoddom*					
Kirkpatrick-Juxta*					
Moffat*					
Trailtrow					

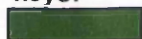
Nith and Urr

Brumescheyd (unid.)					
Edingham in Urr					
Kirkcolemanel (?)					
Treurgylt (unid.)					

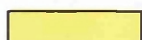
Other (St Andrews Dioc.)

Hermiston					
Loquhariot*					
Moorfoot					

keys:



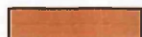
confirmed as land and no mention to its church



confirmed as church and a portion (carrucate) of land



confirmed as church along with estate



appears in both sections in the list (only the church of Ashkirk in no. 32)

* individual charter survived in the Old Cartulary

[preb.] erected to prebend of the cathedral chapter in no. 28 (omitted from the Old Cartulary)

THE MAIN POSSESSIONS AND THEIR INDIVIDUAL CHARTERS (Melrose Abbey)

	1136-	1170s-	1215-	1249-
<u>Glasgow area</u>				
Glasgow (toft)		3		

<u>Upper Clydesdale</u>				
Lanark (toft)				

<u>Tweeddale</u>				
Eddleston (Harehope)		2		

<u>Teviotdale- west -</u>				
Blaineslie		3		
Buckholm				
Elliston				
Ettrick				
Fairnington		2		
Fauope (Drygrange)				
Gattonside				
Hassendean				
Lessudden				
Lilliesleaf			3	
Makerstoun				
Maxton		2	4	
Milcheside				
Old Roxburgh				
Selkirk				
Sorrowlessfield				
Whitelee				

<u>Teviotdale- east -</u>				
Clifton		2		
Hownam			2	
Mow			6?	
Primside				
Ringwood	2			
Whitton		8		

<u>East- north -</u>				
Edmundestun		2		
Haddington				
Innerwick		3		
Pethcox			2	
Preston				
Spott				
Stenton		2		

<u>East- south -</u>				
Berwick	5?	4	4	
Hassington			2	
Lambermuir		2		
Legerwood				
Wedale				

Cont.

1136-	1170s-	1215-	1249-
-------	--------	-------	-------

Eskdale

Tomleuchar				
Watcarrick				

Nithsdale

Auchencrief			2	
Dalswinton				
Dargavel			2	
Dunscor			5	
Torthorwald				


Kyle-Stewart


Bargour				
Barmuir		2		
Dalsangan				
God'nehc		2		
Mauchline				


Carrick

Bethoc		2		
Dalmellington				
Dunduff				
Greenan				
Maybole		2		
Turnberry				

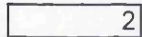
keys:


 granted by royal acts


 granted or quitclaimed by private charters

 granted by either royal or private charters

 transferred through agreements

 2 number of charters where more than one

 6? number of charters including ones possibly overlapping the periods

 **Bleineslei** possessions named in Alexander II's general confirmation

POSSESSIONS AND THEIR APPEARANCE IN GEN. CONF. (Paisley Abbey)

<i>Papal Bulls</i>			
<u>1173</u>	<u>1206-07</u>	<u>1226</u>	<u>1265</u>

<i>Episcopal Acta</i>	
<u>c. 1205</u>	<u>c. 1228</u>

around the abbey

Arclifton*				
Cadzow				
Carmunnock*				
Cathcart*				
Dalziel				
Dripps*				
Drumgrane*				
Drumloy*				
Eastwood				
Erskine*				
Fulton*				
Garin				
Hillington*				
Houston				
Inverkip*				
the Island* (bet. Cart and Gryfe)				
Kilbarchan*				
Kilbride				
Killallan*				
Kilmacolm*				
Knock*				
Lochwinnoch*				
Mearns*				
Moniabrock*				
Motherwell				
Neilston				
Paisley*				
Pollok*				
Renfrew*				
Rutherglen*				

[illegible]

the East

Hassendean*				
Huntlaw*				
Innerwick*				
Legerwood*				
Mow*				

AYR

Auchinleck*				
Craigie*				
Crossraguel				
Dundonald*				
Hakynco (Dalmilling)				
Largs				
Mauchline				
Prestwick*				
Prestwick (burgh)*				
Senechar* (Newton-on-Ayr)				
Sutheblan				
Turnberry				

[illegible]

Cont.

1173	1206-07	1226	1265
------	---------	------	------

c. 1205	c. 1228
---------	---------

LENNOX

Kilpatrick*				
Lynbren				
Neveth*				

ARGYLL

Kilcalmonell*				
Kilfinan*				
Kilkerran*				
Kilmory* (Lochgilphead)				

other

Carnebro (unid.)				
Castleside (unid.)				
Kalantir (Callender?)				
Orde (Tweeddale)				
Tibiror (Ireland)				

keys:

- confirmed as land / ploughland; no mention to its church
- confirmed as church along with whole estate
- confirmed as church and a portion of attached land (glebe)
- confirmed as a whole estate
- confirmed as annual payment
- confirmed as a fishery
- confirmed as a salt-pan
- confirmed as several properties including ploughlands or mill

WITNESSES (Glasgow)

[Charters with wit-lists (author and subjected area)]

	<i>royal</i>	<i>lay</i>	<i>eccl.</i>	<i>other</i>	<i>Total</i>
General	11	0	2		13
Glasgow area	17	3	2	2	24
Upper Clydesdale	1	1	0		2
Tweeddale	3	20	2		25
Teviotdale	6	1	1		8
Annandale	1	1	0	3	5
Nith and Urr	2	3	1		6
Lennox	0	3	0	2	5
Ayr	2	0	1	2	5
other	4	0	1		5
overlapped	2	0	1		3
TOTAL	49	32	11	9	101

[No. of Appearances]

Title

Royal Family	17
Royal Chancellor	19
Bishop	32
Diocesan Clergy	45
Abbot / Prior	56
Earl	28

Bishop

<i>St Andrews</i>	10
<i>Dunkeld</i>	8
<i>Moray</i>	5
<i>Glasgow</i>	4
<i>Aberdeen</i>	2
<i>Caithness</i>	
<i>Dunblane</i>	1

Abbot / Prior

<i>Kelso</i>	18
<i>Holyrood</i>	6
<i>Jedburgh</i>	
<i>Melrose</i>	
<i>Dunfermline</i>	4
<i>Newbattle</i>	
<i>Paisley</i>	3
<i>Kilwinning</i>	2

Earl

<i>Dunbar</i>	9
<i>Fife</i>	
<i>Strathearn</i>	4
<i>Buchan</i>	3
<i>Menteith</i>	

Individuals

Richard de Moreville	15
William de Lindsay	11
Walter Olifard	10
Duncan, e. of Fife	9
Patrick, e. of Dunbar	7
Walter, s. of Alan	
Philip de Valognes	
Robert de Quinci	
Hugh de Moreville	6
Walter de Berkeley	
Ralph de Brade	
Radulf, s. of Dunegal	5
Walter de Lindsay	
Hugh de Potton	
Richard de Prebenda	
William Cumin, e. of Buchan	4
David Olifard	
Henry of Carmunnock	
Robert, s. of Werenbald	
Richard de Brade	
Robert de Tyndale	
Gilbert Cathcart	
William Cumin, chancellor	3
Walter Cumin, e. of Menteith	
Alan, s. of Walter	
Robert de Brus	
William de Somerville	
Fergus of Galloway	
Uhtred, s. of Fergus	
Adam, s. of Gilbert	
Godfrid de Ros	
Ivo de Crosby	
Robert de Sinclair	
Robert de Hertford	
William, bishop's steward	

WITNESSES (Melrose)

[Charters with wit-lists (author and subjected area)]

	<i>royal</i>	<i>lay</i>	<i>eccl.</i>	<i>other</i>	<i>Total</i>
General	7	0	0	0	7
Glasgow area	0	0	3	0	3
Upper Clydesdale	1	0	0	0	1
Tweeddale	0	1	0	0	1
Teviotdale	30	98	9	3	140
Eskdale	2	4	1	1	8
Nithsdale	3	6	1	0	10
Lennox	0	0	0	0	0
Ayr	6	23	0	1	30
other (East+N.umb)	8	46	2	1	57
overlapped	0	1	1	0	2
TOTAL	57	179	17	6	259

[No. of Appearances]

Title

<i>Royal Family</i>	27
<i>Royal Chancellor</i>	51
<i>Bishop</i>	92
<i>Diocesan Clergy</i>	98
<i>Abbot / Prior</i>	107
<i>Earl</i>	67

Bishop

<i>Glasgow</i>	49
<i>St Andrews</i>	9
<i>Moray</i>	10
<i>Down</i>	10
<i>Dunkeld</i>	8
<i>Dunblane</i>	3
<i>Whithorn</i>	2

Abbot / Prior

<i>Kelso</i>	21
<i>Newbattle</i>	14
<i>Jedburgh</i>	12
<i>Dryburgh</i>	10
<i>Dunfermline</i>	9
<i>Rievaulx</i>	9
<i>Cuper Angus</i>	6
<i>Kinloss</i>	6

Earl

<i>Dunbar</i>	27
<i>Fife</i>	9
<i>Strathearn</i>	7
<i>Menteith</i>	6
<i>Carrick</i>	6
<i>Atholl</i>	5

Individuals

Bishop Jocelin	31
Bernard of Hadden	21
Earl David	19
Patrick II, el. Dunbar	18
John de Maxwell	
Walter Ridale	
R. de Bernoluebi	
Richard le Nain	17
Simon, archd. Glasgow	16
Philip de Vaolngnes	
William, s. John	15
Patrick I, el. Dunbar	14 (13?)
William II de Lindsay	12
Walter II de Olifard	
Gervase Avenel	
Robert de Ros	
Roger de Merley	
Thomas de Coleville	11
Adam of Chatto	10
Thomas de Normanville	
Robert Avenel	
Alan de Thirleston	
Ralph, bp. Down	9
Robert, archd. Glasgow	8
Roger Avenel	
Hugh de Normanville	
Peter de la Haig	
Herbert, d. Glasgow	7
Walter II, s. Alan	
William I de Lindsay	
Patrick Ridale	
Richard, bp. St Andrews	6
Hugh, abb. Newbattle	
Alan, s. Walter	
David I de Lindsay	
David II de Lindsay	

WITNESSES (Paisley)

[Charters with wit-lists (author and subjected area)]

	<i>royal</i>	<i>lay</i>	<i>eccl.</i>	<i>other</i>	<i>Total</i>
General	1	1	3	0	5
Glasgow area	5	25	11	0	41
Upper Clydesdale	0	0	0	0	0
Teviotdale	2	2	1	0	5
E.Loathian	0	1	5	0	6
Lennox	8	23	0	1	32
Ayr	1	7	2	0	10
Argyll	0	12	7	0	19
other	1	6	4	0	11
overlapped	3	6	1	0	10
TOTAL	21	83	34	1	139

[No. of Appearances]

Title

Royal Family	2
Royal Chancellor	11
Bishop	23
Diocesan Clergy	50
Abbot / Prior	29
Earl	10

Bishop

<i>Glasgow</i>	16
<i>St Andrews</i>	5
<i>Dunkeld</i>	1
<i>Moray</i>	

Abbot / Prior

<i>Melrose</i>	7
<i>Kelso</i>	6
<i>Kilwinning</i>	
<i>Dunfermline</i>	2
<i>Paisley</i>	
<i>Jedburgh</i>	

Earl

<i>Fife</i>	3
<i>Menteith</i>	2
<i>Angus</i>	1
<i>Atholl</i>	
<i>Buchan</i>	
<i>Dunbar</i>	
<i>Strathearn</i>	

Individuals

Ralph, king's chaplain	16
Walter II, s. Alan	15
Robert Croc	
Roger, s. Glai	13
Herbert, d. Glasgow	12
Luca, chaplain. Paisley	10
Walter Olifard	9
Robert de Montgomery	
John de Montgomery	
Henry de Nes	
Walter, bp. Glasgow	8
William II de Lindsay	
Alan de Montgomery	
William of Partick	
Alex Smalham	
Simon, archd. Glasgow	7
Robert de Costentin	
Malcolm Loccad	
Alan Croc	
Amelec, br. e. Lennox	
Malcolm Beg	
Philip of Partick	
Walter Cumin, e. Menteith	6
Thomas Croc	
Malcolm, s. e. Lennox	
Dubhghall, br. e. Lennox	
Absalon, steward. Lennox	
William, s. Bede	
Roger, vic. Kilbarchan	
Gilbert, cl. Lennox	
Philip de Valognes	5
Alan Insula	
Ralph Insula	
Henry of Carmunnock	

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