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# **THE ENGLISH HOUSEHOLD CHAPEL, c. 1100 - c. 1500:**

## **AN INSTITUTIONAL STUDY**

KENT RAWLINSON

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A thesis submitted in fulfilment of the requirements for the degree of  
Doctor of Philosophy in the Department of History

**UNIVERSITY OF DURHAM**  
ST. CHAD'S COLLEGE

2008



- 6 JUN 2008

TITLE

**The English Household Chapel, c. 1100 - c. 1500: An Institutional Study**

CANDIDATE

**Kent Rawlinson, St. Chad's College, University of Durham**

DEGREE & DATE

**Ph.D., 2008**

ABSTRACT

This thesis examines the English medieval household chapel. Such chapels have only been studied previously in a partial and disjointed manner, as 'private', 'domestic' or 'castle' chapels, to name some categories. Past scholarship has assumed them to be maintained in an *ad hoc* manner, as the extraordinary consequence of individual piety, or the desire for social display.

Instead, this thesis defines, for the first time, a discrete class of chapels based upon their primary function: the religious provision of medieval lordly households. It argues that individual households were instances of a wide-ranging and well-established ecclesiastical institution: 'the household chapel'. It posits that this institution had five principal elements: a basis in canon law; systems of maintenance and regulation; personnel (household chaplains); architectural and material expressions (household-chapel buildings and furnishings); and domestic religious routines. It argues that these elements were common to most household chapels between c. 1100 and c. 1500 (up to the English Reformation).

Although aspects of these elements have received scholarly attention, none has been examined from an institutional perspective. This thesis focuses primarily upon two: the canonical basis of the household chapel; and methods of establishment, maintenance and regulation. It argues that the household chapel possessed a clear remit in canon law, which enabled the widespread and uncontentious maintenance of such chapels; and that this canonical character was shaped in parallel with that of the English parish (and in some respects pre-dated its formation). This thesis also demonstrates that household chapels were maintained in an institutional manner, by the receipt of chapel grants, episcopal licences and papal privileges. Close examination of these demonstrates that household chapels were maintained on a large scale – by the majority of greater and gentle households – throughout this period, and that this maintenance was actively facilitated and supported by the contemporary ecclesiastical hierarchy. Alongside other classes of chapel (as yet unstudied), household chapels were a ubiquitous element of the English medieval church.

This examination of the canonical and regulatory foundations of the household chapel establishes a framework within which chapel buildings, chaplains and domestic religious routines may be further studied, in an interdisciplinary manner, as elements of one institution. For instance, the disposition and form of some 250-350 extant chapel buildings must be considered in light of their institutional functions.

Finally, this thesis challenges the scholarly assumption that household chapels were maintained either for the spiritual satisfaction of individual lords, or as a form of social display. Rather, it argues that the household chapel, as an institution, was a necessary and ubiquitous means of enabling the orthodox religious provision of greater and gentle medieval households who could not, for a variety of reasons, be served by the medieval parish, or fully belong to its communities.

*For he had already heard of the Christian religion, having a Christian wife of the Frankish royal house named Bertha, whom he received from her parents on the condition that she should have freedom to hold and practise her faith unhindered with Bishop Liudhard, whom they had sent as her helper in faith.*

*... On the east side of the city stood an old church, built in honour of Saint Martin during the Roman occupation of Britain, where the Christian queen of whom I have spoken went to pray.*

Sherley-Price, L., and Latham, R.E. (eds.), *Ecclesiastical History of the English People* (London, Revised Ed., 1990), pp. 75-76.

*Now let us speak of the young James earl of Douglas, who did marvels in arms or he was beaten down ... And by him was a gentle knight of his, who followed him all the day, and a chaplain of his, not like a priest but like a valiant man of arms, for all that night he followed the earl with a good axe in his hands and still scrimmished about the earl there as he lay, and reculed back some of the Englishmen with great strokes that he gave. Thus he was found fighting near to his master, whereby he had great praise, and thereby the same year he was made archdeacon of Aberdeen. This priest was called sir William of North Berwick: he was a tall man and a hardy and was sore hurt.*

Bourchier, J., and Macaulay, G.C. (eds.), *The Chronicles of Froissart* (The Harvard Classics; New York, 1910), pp. 92-93

*Amongst other vestiges of its original destination that the chapel still contained was an antique altar. Before this the youthful pair knelt, with the moon shining in upon them in full lustre, through the gorgeous window, beneath which the altar was placed, and which, partly composed of stained glass, still in perfect preservation, notwithstanding the hundreds of years that had rolled by since the erection of the building, threw a rich tinge of various hues upon the old banners, images, and entablatures, that were scattered throughout the place.*

Dalton, R.M., *The Castle Chapel. A Romantic Tale*, 3 vols. (London, 1825), i, 191.

*On Palm Sunday 2002 George Bush and his entourage were flying home from El Salvador. Not wishing to miss church, they decided to improvise. Before long 40 worshippers were crammed into Air Force One's conference room. Condoleeza Rice, then National Security Adviser led the worship, Karen Hughes, then Mr Bush's counsellor, gave the lesson and the service ended with everybody singing "Amazing Grace" and hugging each other.*

'Evangelicals in America. The Bond between God and Power', *The Economist*, 384:8543 (August 25th-31st 2007), p. 83.

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*This thesis is dedicated to the memory of my grandmothers – Betty Leach and Tony Rawlinson. I owe them, amongst so much else, my love of history and some of the patience necessary for its study.*

## LIST OF ABBREVIATIONS

- B.L.                      British Library
- Cal. Misc.*              *Calendar of Inquisitions Miscellaneous*, 8 vols. (H.M.S.O., 1916-2003).
- Cal. Pap. Pets.*        Bliss, W.H. (ed.), *Calendar of Entries in the Papal Registers Relating to Great Britain and Ireland. Petitions to the Pope. I. A.D. 1342-1419* (London, 1896).
- Cal. Pap. Regs.*        Bliss, W.H., Johnson, C., Twemlow, J.A., Haren, M.J. and Fuller, A.P. (eds.), *Calendar of Entries in the Papal Registers Relating to Great Britain and Ireland (Regesta Romanorum Pontificum)*, 19 vols. (H.M.S.O.; Irish Manuscript Commission (vols. 15-19); London; Dublin, 1893-1989).
- Cal. Pat.*                *Calendar of Patent Rolls*, 51 vols. (H.M.S.O., 1892-1916).
- Corpus*                 Friedberg, A., and Richter, E.L. (eds.), *Corpus Iuris Canonici*, 2 vols. (Leipzig, 1879-81).
- Councils*                Whitelock, D., Brett, M., and Brooke, C.N.L. (eds.), *Councils & Synods. With Other Documents Relating to the English Church. I. A.D. 871-1204. Part I. 871-1066* (Oxford, 1981).
- Whitelock, D., Brett, M., and Brooke, C.N.L. (eds.), *Councils & Synods. With Other Documents Relating to the English Church. I. A.D. 871-1204. Part II. 1066-1204* (Oxford, 1981).
- Powicke, F.M., and Cheney, C.R. (eds.), *Councils & Synods. With Other Documents Relating to the English Church. II. A.D. 1205-1313. Part I. 1205-1265* (Oxford, 1964).
- Powicke, F.M., and Cheney, C.R. (eds.), *Councils & Synods. With Other Documents Relating to the English Church. II. A.D. 1205-1313. Part II. 1265-1313* (Oxford, 1964).
- Devine                    Devine, M., and Ross, C.D. (eds.), *The Cartulary of Cirencester Abbey, Gloucestershire*, 3 vols. (London, 1964).
- Dugdale                 Dugdale, W. et al. (eds.), *Monasticon Anglicanum: A History of the Abbies and other Monasteries, Hospitals, Frieries, and Cathedral and Collegiate Churches, with their Dependencies, in England and Wales*, 6 vols. (London, 1817-1830).
- Emery                    Emery, A., *Greater Medieval Houses of England and Wales, 1300-1500*, 3 vols. (1. Northern England; 2. East Anglia,

*Central England, and Wales; 3. Southern England*  
(Cambridge, 1996-2006).

- Hartropp Hartropp, H., 'Some Unpublished Documents Relating to Noseley, Co. Leicester' *Reports and Papers, Lincolnshire Architectural and Archaeological Society [Associated Architectural Societies, Reports and Papers]*, 25 (pt. 1); 26 (pt. 2) (1900, 1901), 431-58; 276-320.
- Hill Hill, R.M.T. (ed.), *The Rolls and Register of Bishop Oliver Sutton, 1280-1299*, 8 vols. (Lincoln Records Society 39, 43, 48, 52, 60, 64, 69, 76; 1948-86).
- L.A.O. Lincolnshire Archives Office
- N.A. National Archives
- Northumberland* Percy, T. (ed.), *The Regulations and Establishment of the Household of Henry Algernon Percy, the Fifth Earl of Northumberland at His Castles of Wressle and Leckonfield in Yorkshire Begun Anno Domini MDXII. New Ed. Edited with Additional Notes* (London, 1905).
- Ordinances* The Society of Antiquaries (ed.), *A Collection of Ordinances and Regulations for the Government of the Royal Household, Made in Divers Reigns. From King Edward III. to King William and Queen Mary. Also Receipts in Ancient Cookery* (London, 1790).
- Patrologiæ* Milne, J.P. (ed.), *Patrologiæ Cursus Completus seu Bibliotheca Universalis, Integra, Uniformis, Commoda, Œconomica, Omnium SS. Patrum, Doctorum Scriptorumque Ecclesiasticorum ...* (Paris, 1844-).
- Provinciale* Hall, H. (ed.), *Provinciale (Sue Constitutiones Angliæ) ... Cui Adjiciuntur Constitutiones Legatinæ D. Othonis, et D. Othoboni, Cardinalium, & Sedis Apostolicæ in Anglia Legatorum, Cum Profundissimis Annotationibus Johannis de Athona, Canonici Lincolniensis* (Oxford, 1679).
- Registrum* Dunstan, G.R. (ed.), *The Register of Edmund Lacy, Bishop of Exeter, 1420-1455, Registrum Commune*, 5 vols. (Canterbury & York Society 60-63, 66; Torquay, 1963-72).
- Rymer Rymer, T., and Sanderson, R., *Feodera, Conventiones, Litteræ...* 4 vols. (Record Commission; London, 1816-69).
- Sayers Sayers, J.E. (ed.), *Original Papal Documents in England and Wales from the Accession of Pope Innocent III to the Death of Pope Benedict XI (1198-1304)* (Oxford, 1999).

- Smith                    Smith, D.M., *Guide to Bishops' Registers of England and Wales. A Survey from the Middle Ages to the Abolition of Episcopacy in 1646* (London, 1981).
- Spelman                Spelman, H. (ed.), *Concilia, Decreta, Leges, Constitutiones, in Re Ecclesiarum Orbis Britannici* (London, 1664).
- Testamenta*            Nicolas, N.H. (ed.), *Testamenta Vetusta: Illustrations from Wills, of Manners, Customs, Etc., from the Reign of Henry the Second to Queen Elizabeth* (London, 1826).
- Wilkins                Wilkins, D. (ed.), *Concilia Magnae Britanniae et Hiberniae, a Synodo Verolamiensi, A.D. CCCCXLVI. ad Londinensem A.D. MDCCXVII. Accedunt Constitutiones et alia ad Historiam Ecclesiae Anglicanae Spectantia*, 4 vols. (London, 1737).
- Wilson                 Wilson, R.A. (ed.), *The Registers or Act Books of the Bishops of Coventry and Lichfield. Book V. Being the Second Register of Bishop Robert de Stretton. A.D. 1360-1385. An Abstract of the Contents* (William Salt Archaeological Society, New Series 8; 1905).
- W.S.R.O.                Wiltshire & Swindon Record Office

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## INTRODUCTION

### THE MEDIEVAL HOUSEHOLD CHAPEL

This thesis examines chapels maintained by English medieval households: 'household chapels'. It treats them collectively, as a distinct institution. It thereby questions existing scholarship which tends to consider them as a reflection of individual piety, or merely as a means of social or cultural display. It attempts to discover if the household chapel was a distinct ecclesiastical institution and, if so, to establish the institutional elements common to individual household chapels. In turn, it seeks to place household chapels in the broader context of the English church and the medieval household.

#### 'THE HOUSEHOLD CHAPEL': DEFINING AN INSTITUTION

A great variety of terms are presently employed to describe 'household chapels'. The most common are 'domestic chapel', 'household chapel' and 'private chapel'.<sup>1</sup> A secondary tier describes subcategories of such chapels: 'court chapels', 'abbatial chapels', 'castle chapels', 'demesne chapels', 'episcopal chapels', 'estate chapels', 'garrison chapels' (insomuch as garrisons may be considered households), 'manorial chapels', 'lordly chapels', 'palace chapels'. The jurisdictional terms *libera capella* ('free chapel') and 'donative' are likewise employed.<sup>2</sup> This eclectic terminology is symptomatic of the disparate nature of the scholarship concerning this subject, though it also reflects the varied nature of the medieval terminology used to describe 'household chapels'.

The medieval term, *capella*, derives from classical Latin, *cappella*, meaning little cloak or cape. During the eighth century, this term became associated with the private

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<sup>1</sup> Hughes employs the idiosyncratic term 'family chapel': J. Hughes, *Pastors and Visionaries: Religion and Secular Life in Late Medieval Yorkshire* (Woodbridge, 1988), pp. 10-13.

<sup>2</sup> D.M. Owen, 'Medieval Chapels in Lincolnshire', *Lincolnshire History and Archaeology*, 10 (1975), 15-22, 15; J.H. Denton, *English Royal Free Chapels 1100-1300. A Constitutional Study* (Manchester, 1970), pp. 8-9.

religious establishment of the Frankish court which possessed a relic of the cape (*capella*) of St. Martin, safeguarded by the court's priests or *capellani*. By c. 800, *capella* appears to have supplanted, to an extent, the established term *oratorium* (place of prayer) to describe discrete areas for worship constructed within or attached to palaces, and it soon came to denote 'any private sanctuary or holy place, and finally ... any apartment or building for orisons or worship, not being a church'.<sup>3</sup>

By c. 1100, the start of the period addressed in this thesis, *capella* appears to have developed the broad meaning of a building or place of worship which was not an *ecclesia* (church), i.e. one not possessed of its own jurisdiction or parish. In the context of domestic residences, the terms *capella* and *oratorium* continued to be used in parallel throughout this period, the former tending to indicate a more formal establishment than the latter, often one permanently endowed and consecrated. By the late-fifteenth century, the term 'closet' appears to have become a synonym for such (comparatively) informal physical 'oratories'.<sup>4</sup> No unique term was used to indicate 'private' or 'household' chapels. Rather the term *capella* was commonly employed in descriptive constructions such as *capella infra manerium*; *capella in fundo*; or *capella in curia sua*; or in possessive constructions such as *capella sua* or *capella sua infra manerium suum*. Likewise, although in some cases a household chaplain might be referred to as *capellanus capelle* or as *capellanus continuus commensalis*, most household chaplains were referred to simply as *capellani*, their role and status being indicated merely by context.<sup>5</sup>

The term 'household chapel' is employed here to define a distinct class of chapel according to their primary *function*: that is, the provision and management of religious services and routines, including the celebration of mass, within medieval households. It can comfortably describe both an institution ('the household chapel'), as well as individual instances of that institution or the structures associated with it ('household

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<sup>3</sup> 'Chapel, n.1', *The Oxford English Dictionary* (Online Edition; Oxford, 2nd ed. 1989).

<sup>4</sup> 'Oratory, n.1', *Oxford English Dictionary* (Online Edition; Oxford, draft revision 2004). Pounds misleadingly and inconsistently suggests that: 'An oratory was a private chapel ... served by a private chaplain and used only by members of the family or household'; N.J.G. Pounds, *A History of the English Parish. The Culture of Religion from Augustine to Victoria* (Cambridge, 2000), p. 100.

<sup>5</sup> M.M. Harvey, 'The Household of Cardinal Langham', *Journal of Ecclesiastical History*, 47 (1) (1996), pp. 42-43. Cf. *Cal. Pap. Regs.*, ix, 558 (the 'domestic and continual commensal chaplains' of Humphrey, duke of Gloucester, 1446).

chapels'). 'Castle', 'episcopal' or 'abbatial' chapels are, for instance, each types of household chapel, whilst 'oratories' or 'closets' (in the sense that they are used by architectural historians) are, in turn, types of 'household-chapel building'. Likewise, those colleges and parish churches on occasion established within domestic residences often served, in part, as household chapels. The term 'household chapel' is basically synonymous with 'domestic chapel'. However, the latter carries the implication that such chapels were defined by their maintenance within a *domus* or home, rather than by their service of a *familia* or household. Likewise, the term 'private chapel' implies a degree of privacy and retreat potentially at odds with the actual use of 'household chapels'; furthermore, it better describes those classes of chapel which served exclusive communities.

If household chapels are to be defined primarily by the domestic religious routines they facilitated, at what point did such a routine become a chapel? No absolute distinction should be imposed. However, routines which might be considered household chapels arguably shared four basic characteristics. Firstly, that aspects of these routines were performed within purpose-built chapels or oratories. Secondly, that elements of these routines were celebrated and managed by priests maintained or entertained within households (household chaplains). Thirdly, that these routines comprised a regular round of canonical services, incorporating the celebration of the mass. Finally, that aspects of these routines were corporately maintained by the majority of a household. This thesis draws each of these aspects together for the first time, to examine the institutional maintenance of such 'household chapels'.

According to this definition, most parochial chapels were not household chapels, nor were those 'private chapels' or 'pews' constructed or parclosed within parish churches for the accommodation of particular families or households. Subtler distinctions must be drawn between the household chapel and two ecclesiastical institutions closely associated with it: the *capella regis*, and the perpetual chantry. The *capella regis*, or Chapel Royal, was in many regards the pre-eminent household chapel in the land. However, in few respects was it a typical household chapel, indeed its extensive staff and canonical privileges have led to its description as 'a perambulating bishopric in constant and personal attendance on the king and his

entourage'.<sup>6</sup> Both the *capella regis*, as an institution, and chapels of the status of *libera capella regis* (a 'royal free chapel'), have been examined previously.<sup>7</sup> The *capella regis* and other 'court chapels' are, therefore, excluded from the principal focus of this study, although certain 'royal chapels' maintained by royal consorts or children are cited since these differed little from the chapels of the titled nobility.

The most-studied class of medieval chapel is the 'perpetual chantry' or 'chantry chapel'. A chantry, in its broadest sense, was defined by Wood-Legh in 1965, thus:

Chantry, or rather *Cantaria*, the Latin word from which it is derived, seems originally to have meant any service performed by a private chaplain.<sup>8</sup>

Such *cantaria* might refer to the right to celebrate masses in household chapels. However, Wood-Legh argues that, by the mid-fourteenth century, *cantaria* had acquired a more specific meaning:

... henceforth used exclusively in its other sense of the provision for daily or weekly masses and other services for a private intention, usually the repose of the souls of particular individuals. This is, of course, the institution with which the present study is concerned.<sup>9</sup>

Cook's early and looser definition better captures the common understanding of the term 'chantry':

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<sup>6</sup> Denton, *English Royal Free Chapels*, p. 4; W. Ullmann (ed.), *Liber Regie Capelle. A Manuscript in the Biblioteca Publica, Evora*. [Compiled by William Say, Dean of St. Paul's.] (Henry Bradshaw Society 92; London, 1961), vii (Preface).

<sup>7</sup> D. Baldwin, *The Chapel Royal: Ancient and Modern* (London, 1990); Denton, *English Royal Free Chapels*; The Tudor 'court chapel' has also been examined by: D.R. Starkey, 'Henry VI's Old Blue Gown: The English Court under the Lancastrians and Yorkists', *Court Historian*, 4 (1999), 1-28; F. Kisby, "'When the King Goeth a Procession": Chapel Ceremonies and Services, the Ritual Year, and Religious Reforms at the Early Tudor Court, 1485-1547', *Journal of British Studies*, 40:1 (2001), 44-75; eadem, 'Religious Ceremonial at the Tudor Court: Extracts from Royal Household Regulations', in I.W. Archer (ed.), *Religion, Politics, and Society in Sixteenth-Century England* (Cambridge, 2003), 1-33; M.G.A. Vale, *The Princely Court: Medieval Courts and Culture in North-West Europe, 1270-1380* (Oxford, 2001), pp. 220-46 ('The role of the court chapel'). Royal almoners have been examined by: X. La Selle, 'La Confession et l'Aumône: Confesseurs et Aumôniers des Rois de France', *Journal des Savants*, Juillet-Décembre 1993 (2) (1993), 255-86; idem, *Le Service des Âmes à La Cour: Confesseurs et Aumôniers des Rois de France Du XIIIe au XVe Siècles* (Mémoires et Documents de l'École des Chartes; Paris, 1995); S.A. Dixon-Smith, *Feeding the Poor to Commemorate the Dead: The Pro Anima Almsgiving of Henry III of England, 1227-72* (University of London; Ph.D. Thesis, 2003).

<sup>8</sup> K.L. Wood-Legh, *Perpetual Chantries in Britain* (Cambridge, 1965), p. 1.

<sup>9</sup> *Ibid.*, p. 2. Cf. G.H. Cook, *Medieval Chantries and Chantry Chapels* (London, 1947), p. 7.

A chantry was literally a mass that was recited at an altar for the well-being and good estate of the founder during his lifetime and for the repose of his soul after death.<sup>10</sup>

Such chantries and 'chantry chapels' have long been recognized as a defining characteristic of late-medieval religious practice and continue to be examined both institutionally and architecturally.<sup>11</sup> Whilst 'perpetual chantries' were occasionally endowed within household chapels, this appears to have been exceptional.<sup>12</sup> Since household chapels were maintained as departments of impermanent households, and their buildings were elements of domestic residences, they did not constitute a viable context for the endowment of 'perpetual chantries'. Rather these were almost exclusively founded within *perpetual* establishments such as parochial, monastic or cathedral churches, where burial, prohibited in most household chapels, might also be provided. Although requiem masses and obits might constitute part of domestic religious routines, they did not define household chapels. Whilst 'chantry chapels' possessed a comparatively straightforward commemorative purpose, the function of household chapels was broader and more varied: the performance and accommodation of religious services and routines for households over the course of their communal lives.

## THE MEDIEVAL CHAPEL

Household chapels were one of a great variety of classes of medieval chapel maintained in medieval England, a subject which itself remains under-studied. A handful of attempts to assess the significance of the 'English chapel' and to establish it as a historical subject have been made over the past two decades, most recently by

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<sup>10</sup> Cook, *Medieval Chantries*, p. 7.

<sup>11</sup> In addition to the studies of Cook and Wood-Legh, see: P. Biver, 'Chantry Chapels in England', *Archaeological Journal*, 66 (1909), 1-32; S. Boldrick, *The Rise of Chantry Space in England ca 1260 to ca 1400* (University of Manchester; Ph.D. Thesis, 1997); S. Roffey, 'Reconstructing the English Medieval Parish Church Chantries and Chapels: An Archaeological Approach', *Church Archaeology*, 5-6 (2004), 62-68. Archaeological descriptions of individual chantry chapels are too numerous to cite. Current work includes: A. Buckle, *Music at the College of St Mary, Warwick, in the Late Middle Ages* (Faculty of Music; Oxford University; Ph.D. Thesis, forthcoming); and C. Wood, *The Role of Chantry Chapels in Late Medieval England, c. 1360-1540* (University College, Winchester; Ph.D. Thesis, forthcoming).

<sup>12</sup> For an instance of the transfer of a chantry into a household-chapel building: *Cal. Pap. Regs.*, vi, 491.

Orme in his study, 'The Other Parish Churches: Chapels in Late Medieval England' (2006).<sup>13</sup> This scholarship has considered aspects of the history of those 'chapels of the established church [which] had existed in the countryside... for the better part of a thousand years'.<sup>14</sup> These chapels existed both as free-standing structures and as subsidiary elements of churches or other buildings. Although diverse in purpose and status, different classes of medieval chapel may be drawn together in two loose categories.<sup>15</sup> The first consists of 'private chapels' maintained by and for exclusive communities (only very occasionally individuals), examples of which include chapels maintained by monastic houses (often upon granges and other lesser properties), by religious guilds, by mercantile or civic bodies, by academic communities, by hermits, and within hospitals.<sup>16</sup> Semi-private chapels were also maintained as distinct elements of 'public' churches, most notably 'chantry chapels' and 'private chapels' or 'pews'.

The second category comprised 'public chapels' maintained for the service or benefit of the community at large. In addition to innumerable 'parochial chapels' (latterly 'chapels of ease'), other examples of 'public chapel' include: civic 'gatehouse chapels', monastic *capellas ante portas*, 'pilgrimage chapels', 'memorial chapels', 'bridge chapels', 'wayside chapels' and 'well chapels'. Distinct public chapels were also maintained within churches, most notably 'baptistery chapels', 'lady chapels', 'galilee chapels', and 'mortuary chapels'.

With the exception of 'chantry chapels', few classes of chapel have yet been the subject of dedicated study.<sup>17</sup> Likewise, only a handful of regional surveys of chapels

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<sup>13</sup> N. Orme, 'The Other Parish Churches: Chapels in Late Medieval England', in C. Burgess and E. Duffy (eds.), *The Parish in Late Medieval England* (Donnington, 2006), 78-94. Also: P.E.H. Hair, 'The Chapel in the English Landscape', *Local Historian*, 21:01 (1991), 4-10; G. Rosser, 'Parochial Conformity and Voluntary Religion in Late Medieval England', *Transactions of the Royal Historical Society*, 6th Series, 1 (1991), 173-89; idem, 'Religious Practice on the Margins', in J. Blair and C. Pyrah (eds.), *Church Archaeology: Research Directions for the Future* (Council for British Archaeology Research Report 104; York, 1996), 75-84; N. Orme, 'Church and Chapel in Medieval England', *Transactions of the Royal Historical Society*, 6th Series, 6 (1996), 75-102.

<sup>14</sup> Hair, 'The Chapel', p. 4.

<sup>15</sup> For comparable lists and attempts at categorization: Ibid., 4-5; Orme, 'Church and Chapel', pp. 82-91.

<sup>16</sup> For medieval hospitals see: C. Rawcliffe, 'Medicine for the Soul: The Medieval English Hospital and the Quest for Spiritual Health', in J.R. Hinnells, R.S. Porter and R. Sydney (eds.), *Religion, Health and Suffering* (London, 1999), 316-38; C. Bonfield, *Religious Life and Liturgy in the Medieval English Hospital* (University of East Anglia; Ph.D. Thesis, forthcoming).

<sup>17</sup> S.W. Kershaw, 'Ancient Bridge Chapels', *Transactions of the St Paul's Ecclesiological Society*, 1 (1881-85), 203-9; C. Kerry, 'Hermits, Fords, and Bridge Chapels', *Journal of the Derbyshire*

have been undertaken, notable exceptions being Owen's 'Medieval Chapels in Lincolnshire' (1975) and Parsons's *Lost Chuntries and Chapels of Medieval Northamptonshire* (2003).<sup>18</sup> Nevertheless, the few general studies of 'the chapel' broadly concur with regard to the scale and significance of chapel maintenance. Rosser in his 'Parochial Conformity and Voluntary Religion', in part a study of parochial chapels, emphasizes that:

... it must be remembered that the number of parochial altars in the country was greatly exceeded by the quantity of officially subordinate shrines and chapels, many of which formed part of the parish church itself. ... Yet in many if not most counties the parish churches were outnumbered by separate, lay-supported chapels of various kinds.<sup>19</sup>

Likewise, Hair concludes that in late-fourteenth-century north-western Herefordshire:

... a not inconsiderable proportion of the communal worship of the laity of c.1400 took place, not in the church buildings now standing on the sites of medieval churches and chapels... but in chapels which have not survived.<sup>20</sup>

Orme in his surveys of the English medieval chapel states simply:

[Chapels were] a huge class of religious foundation in the English Church before the Reformation ... It would probably not be an exaggeration to estimate at least twice as many chapels as churches in England by the

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*Archaeological and Natural History Society*, 14 (1891), 54-71; F.R. Wilson, 'On Wayside Chapels and Hermitages, with Special Reference to the Chapel of the Old Tyne Bridge', *Archaeologia Aeliana*, 13 (1936), 11-17; D.W. Oldham, 'The Private Chapels of Devon: Ancient and Modern', *Transactions of the Devonshire Association*, 38 (1906), 391-403. Such study is promoted by: Rosser, 'Religious Practice on the Margins', *passim*.

<sup>18</sup> Owen, 'Medieval Chapels', in addition to: Eadem, 'Bedfordshire Chapelries: An Essay in Rural Settlement History', *Worthington George Smith and Other Studies Presented to Joyce Godber* (Publications of the Bedfordshire Historical Record Society, 57, 1978), 9-20; eadem, 'Chapelries and Rural Settlement: An Examination of Some of the Kesteven Evidence', in P.H. Sawyer (ed.), *English Medieval Settlement* (1979), 35-40. D. Parsons, *Lost Chuntries and Chapels of Medieval Northamptonshire* (Brixworth Lecture, Second Series 3; Brixworth, 2003). Other regional surveys of chapels include: A. Hussy, 'Chapels in Kent', *Archaeologia Cantiana*, 29 (1911), 217-58; R.C. Fowler, 'Essex Chapels', *Transactions of the Essex Archaeological Society*, 16(4) (1923), 104-307; G.W. Copeland, 'Ancient Chapels and Oratories in Devon', *Annual Reports & Transactions of the Plymouth Institution & Devon & Cornwall Natural History Society*, 21 (1951 for 1947-9), 99-123; J.H. Adams, 'The Medieval Chapels of Cornwall', *Journal of the Royal Institution of Cornwall*, 3(1) (1957), 48-65; R.G. Cant, *The Medieval Churches and Chapels of Shetland* (Lerwick, 1976); D. Beevers, R. Marks and J. Roles, *Sussex Churches and Chapels* (Royal Pavilion, Art Gallery Brighton 6; 1989).

<sup>19</sup> Rosser, 'Parochial Conformity', pp. 174-5.

<sup>20</sup> P.E.H. Hair, 'Chaplains, Chuntries and Chapels in North-West Herefordshire c.1400', *Transactions of the Woolhope Naturalists' Field Club*, 46 (pt. 1), 46 (pt. 2) (1988, 1989), i, 32.

early sixteenth century, say 20,000, and the number may have been higher.<sup>21</sup>

There were thousands of chapels in medieval England, besides the parish churches, when religion is often thought of as uniformly church based.<sup>22</sup>

This basic point cannot be over emphasized: there appear to have been at least as many chapels maintained in medieval England as there were parish churches.

Equally significant is the fact that chapels were not necessarily of a status or size subsidiary to those of churches. Medieval chapels ranged in wealth, status and sophistication from royal free chapels to wayside chapels. The magnificence of some late-medieval chapels was praised by the late-sixteenth-century topographer William Harrison:

... which for fine and excellent workmanship [nothing] cometh next the mould of the King's Chapel in Cambridge, than the which two, with the Chapel that King Henry the Seventh did build at Westminster, there are not (in my opinion) made of lime and stone three more notable piles within the compass of Europe.<sup>23</sup>

By contrast, in the *Merchant of Venice* (c. 1596-98), Shakespeare compared chapels and churches to the formers' detriment: 'chapels had been churches, and poor men's cottages princes' palaces'.<sup>24</sup> Indeed, the long post-medieval and Protestant history of the chapel has fostered a sense of chapels as exceptional, non-conforming places of worship, in active competition with established parishes. In marked contrast, medieval chapels were very possibly the most ubiquitous institutional and architectural elements of the ecclesiastical landscape. It is in this context that the institution of the medieval household chapel must be studied.

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<sup>21</sup> Orme, 'The Other Parish Churches', pp. 78-80.

<sup>22</sup> Orme, 'Church and Chapel', p. 75.

<sup>23</sup> L. Withington and F.J. Furnivall (eds.), *Elizabethan England: From a Description of England by William Harrison, in Holinshed's Chronicles* (London, 1889), p. 251.

<sup>24</sup> S. Wells and G. Taylor (eds.), *The Oxford Shakespeare: The Complete Works* (Oxford, 1988), p. 428, lines 13-14.

## THE HISTORIOGRAPHY OF THE HOUSEHOLD CHAPEL

Aspects of the history of the household chapel have been considered by previous scholars working in various historical disciplines, in particular architectural history. Turner and Parker's pioneering *Some Account of Domestic Architecture in England* (1851-59) briefly considers the architectural characteristics of 'the chapel' or 'the domestic chapel':<sup>25</sup>

... usually the room next in importance to the hall, but it varied in size and situation, and relative importance according to the extent and nature of the establishment.<sup>26</sup>

Likewise, Wood's magisterial *The English Medieval House* (1965) surveys and enumerates eighty-nine 'examples of the domestic chapel', whose purpose she summarizes:<sup>27</sup>

Every lord would have a chapel or oratory in his house, in which to hear morning mass, and his chaplain, being an educated man, would be in demand as a secretary in days when the owner of the house might not be able to write, or in earlier times, to read.<sup>28</sup>

More recently 'castle chapels' have received attention,<sup>29</sup> as have 'episcopal chapels'

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<sup>25</sup> T.H. Turner and J.H. Parker, *Some Account of Domestic Architecture in England: From the Conquest to the End of the Thirteenth Century* (Oxford, 1851), *passim*; J.H. Parker, *Some Account of Domestic Architecture in England: From Edward I to Richard II* (Oxford, 1853), pp. 79-81 ('The Chapel'); idem, *Some Account of Domestic Architecture in England: From Richard II to Henry VIII* (Oxford, 1859), pp. 173-85 ('The Domestic Chapel'). The architectural exemplars and illustrations provided by *Domestic Architecture in England* have become a canon upon which later studies have drawn and relied. Pounds has made repeated use of late-fourteenth-century chapels at Beverston Castle after Parker, *Domestic Architecture in England III*, pp. 181-82, pls. facing 176, 180; N.J.G. Pounds, *The Medieval Castle in England and Wales: A Social and Political History* (Cambridge, 1990), pp. 243-5; idem, 'The Chapel in the Castle', *Fortress*, 9 (1991), 12-20, p. 9; idem, *English Parish*, pp. 102-104.

<sup>26</sup> Parker, *Domestic Architecture in England II*, p. 79.

<sup>27</sup> M.E. Wood, *The English Medieval House* (London, 1965, repr. 1981), pp. 227-46 (Chapter 16, 'The Domestic Chapel').

<sup>28</sup> *Ibid.*, p. 227.

<sup>29</sup> Pounds, 'The Chapel'. Cf. Idem, *Medieval Castle*, pp. 222-45 (Chapter 9, 'The Castle and Church', including two subsections both entitled, 'The Castle Chapel'); R. Fawcett, 'Castle and Church in Scotland', *Château Gaillard*, 18 (1996), 87-92. For chapels as a subsidiary element of castles, see: R. Allen Brown, *Allen Brown's English Castles* (Woodbridge, 1954, new ed. 2004), pp. 150-55 and *passim*; M.W. Thompson, *The Rise of the Castle* (Cambridge, 1991), pp. 131-36; J.R. Kenyon, *Medieval Fortifications* (London, 1990), pp. 151-62 (Chapter 8, 'Chapels, ancillary structure, and

and 'palace chapels'.<sup>30</sup> These studies have tended to consider such chapels as unique subjects, giving little attention to the similarities, architectural and institutional, shared by these different categories of 'household chapel'. Moreover architectural historians have tended to consider chapel buildings in isolation from the other institutional elements of the household chapel, or as the foremost of these: 'the possession of a private chapel called for the services of a private chaplain ...'.<sup>31</sup>

Few household-chapel buildings have been the subject of thorough archaeological investigation. Those which have tend to be chapels of idiosyncratic form (and hence architectural interest) such as the episcopal chapel at Hereford (c. 1079-95) or the round chapel of Ludlow Castle (built c. 1120-40).<sup>32</sup> Likewise, individual royal chapels such as those of St. Stephen (Westminster) and St. George (Windsor) have been closely studied, whilst the architecture of the 'Chapel Royal', in general, has not.<sup>33</sup>

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water supply'); S. Speight, 'Religion in the Bailey: Charters, Chapels and the Clergy', *Château Gaillard*, 21 (2002), 271-80. Cf. Denton, *English Royal Free Chapels*, pp. 119-31 ('Castle-chapel').

<sup>30</sup> M.W. Thompson, *Medieval Bishops' Houses in England and Wales* (Aldershot, 1998), pp. 65-70 (Chapter 3, iv, 'Two-storeyed chapels'); G.D. Keevill, *Medieval Palaces. An Archaeology* (Stroud, 2000), pp. 117-25 ('Religion'). See also: T.B. James, *The Palaces of Medieval England c. 1050-1550: Royalty, Nobility, the Episcopate and Their Residences from Edward the Confessor to Henry VIII* (London, 1990), pp. 20-21; J. Steane, *The Archaeology of Power: England and Northern Europe, AD 800-1600* (Stroud, 2001), pp. 115-23. For continental 'episcopal chapels' see: M.C. Miller, *The Bishop's Palace. Architecture and Authority in Medieval Italy* (London, 2000), pp. 216-52 ('The Bishop's Chapel').

<sup>31</sup> Pounds, *Medieval Castle*, p. 224.

<sup>32</sup> For the chapel at Hereford see: N. Drinkwater, 'Hereford Cathedral: The Bishop's Chapel of St Katherine and St Mary Magdalene', *Archaeological Journal*, 111 (1954), 129-37; idem, 'Hereford Cathedral. The Bishop's Chapel of St Katherine and St Mary Magdalene', *Transactions of the Woolhope Naturalists Field Club*, 35 (3) (1957), 256-60; R. Gem, 'The Bishop's Chapel at Hereford: The Roles of Patron and Craftsman', in S. Macready and F.H. Thompson (eds.), *Art and Patronage in the English Romanesque* (Society of Antiquaries of London, Occasional Papers 8, 1986), 87-96; H.J. Böker, 'The Bishop's Chapel of Hereford Cathedral and the Question of Architectural Copies in the Middle Ages', *Gesta*, 37(1) (1998), 44-54. For the chapel at Ludlow: C.C. Babington, 'On the Circular Chapel in Ludlow Castle', *Archaeologia Cambrensis*, 37 (1882), 126-28; W.H. St John Hope, 'The Castle of Ludlow', *Archaeologia*, 61 (1908), 258-328, 271-75; G. Coppack, 'The Round Chapel of St. Mary Magdalene', in R. Shoesmith and A.M. Johnson (eds.), *Ludlow Castle. Its History & Buildings* (Almeley, 2000), 145-54. See also Prior Crauden's chapel at Ely: L. Keen, 'The Fourteenth-Century Tile Pavements in Prior Crauden's Chapel and in the South Transept', in N. Coldstream and P. Draper (eds.), *Medieval Art and Architecture at Ely Cathedral* (British Archaeological Association, Conference Transactions 2, 1979), 47-57; P. Binski and D. Park, 'A Ducciesque Episode at Ely: The Mural Decorations of Prior Crauden's Chapel', in W.M. Ormrod (ed.), *England in the Fourteenth Century: Proceedings of the 1985 Harlaxton Symposium* (Woodbridge, 1986), 28-41.

<sup>33</sup> T. Tatton-Brown, 'The Constructional Sequence and Topography of the Chapel and College Buildings at St George's', in C. Richmond and E. Scarff (eds.), *St Georges Chapel, Windsor, in the Late Middle Ages* (Windsor, 2001), 3-38; E. Howe, 'Divine Kingship and Dynastic Display: The Altar Wall Murals of St. Stephen's Chapel, Westminster', *The Antiquaries Journal*, 81 (2001), 259-303. Cf. G.H. Birch, 'The Two Chapels in the Tower of London', *Transactions of the St Paul's Ecclesiological Society*, 2 (1886-90), 348-53; P.E. Curnow, 'The East Window of the Chapel at Hampton Court Palace',

The absence of such a study is evident in Howe's loose description of the chapel of St. Stephen as:

... neither strictly a chantry chapel nor a mausoleum... [which] undoubtedly fulfilled many of the devotional and commemorative functions performed by early fifteenth-century foundations ...<sup>34</sup>

No nationwide architectural survey of medieval chapels, or of household chapels, has been made, and their numbers remain unknown (or estimated).<sup>35</sup> In the absence of such a general survey and attendant analysis of the architecture of the household chapel, it is difficult, arguably impossible, to contextualize individual chapel buildings or to assess their significance.

Historians of 'the greater medieval household' have, in turn, addressed aspects of the maintenance of household chapels and domestic religious routines, drawing principally upon the evidence of household accounts. Labarge briefly discusses a 'group which was essential to the maintenance of the household organization ... chaplains and clerks', focusing primarily upon their roles as almoners and administrators.<sup>36</sup> Her description of the role or purpose of 'the household chapel' recalls that of Wood, published the same year (1965):

Every castle had a chapel and a chaplain, since daily mass was the recognized beginning of the day. Attendance at mass was not restricted to the devout, but was a generally accepted obligation, though it was more commonly fulfilled by mere physical presence. The specially pious might hear several masses, but most barons and their households would find a

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*Architectural History*, 27 (1984), 1-14; F. Woodman, *The Architectural History of King's College Chapel and Its Place in the Development of Late Gothic Architecture in England and France* (London, 1986); T. Tatton-Brown and R. Mortimer, *Westminster Abbey: The Lady Chapel of Henry VII* (Woodbridge, 2003).

<sup>34</sup> Howe, 'Divine Kingship and Dynastic Display', p. 261.

<sup>35</sup> Many 'household chapels' are identified and described in national and regional surveys, including: the *Victoria County Histories of England* series; the *Royal Commission of Historic Monuments of England* series; Pevsner's *The Buildings of England* series; and most recently in Emery's three-volume *Greater Medieval Houses of England and Wales*. See in particular: Royal Commission on Historical Monuments, *An Inventory of the Historical Monuments in the County of Northampton*, 6 vols. (London, 1975-84), vi, liii (Introduction) ('Domestic Chapels'); S. Pearson, *The Medieval Houses of Kent: An Historical Analysis* (London, 1994), pp. 40-41 ('First-floor chambers and chapels'); Emery, ii, 677; iii, 19-20. Emery provides no dedicated discussion of 'household chapels' nor does he index the terms 'chapel' and 'oratory'.

<sup>36</sup> M.W. Labarge, *A Baronial Household of the Thirteenth Century* (London, 1965, repr. 1980), p. 64.

rapidly muttered low mass quite sufficient to satisfy their consciences on ordinary weekdays.<sup>37</sup>

More recently, Woolgar's households were establishments in which 'religion, was all pervasive... its beliefs, its sounds, its smells and its personnel'.<sup>38</sup> However, the functions and structures of household chapels are only briefly considered in a chapter dedicated to the 'senses, religion and intellectual life'.<sup>39</sup>

The closest any study has yet come to examining the institution of 'the household chapel' is Mertes's 'The Household as a Religious Community' (1987).<sup>40</sup> She describes how 'the gentry and nobility had ... the means for a particularly full religious observance: the buildings, the implements, and the staff'.<sup>41</sup> Her discussion concentrates principally upon the employment of household chaplains, choirs and chapel staff, and aspects of domestic religious routines, including the celebration of religious festivals.<sup>42</sup> She argues that:

... the aristocracy used their households both as passive organizers of such practices as daily office, mass, and prayers of the dead, and also as active participants in these, adding their prayers and good works to the lord's ... [the household] could function as a religious community for its own salvation and that of its lord ...<sup>43</sup>

Yet there also 'lurked the less exalted motives of order and control, and the manipulation of religious spectacle for political purposes'.<sup>44</sup> Over the past twenty years Mertes's study has become the established account of late-medieval domestic or familial religion. Although ostensibly communal, this is a vision of the household

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<sup>37</sup> Ibid., p. 24.

<sup>38</sup> C.M. Woolgar, *The Great Household in Late Medieval England* (London, 1999), p. 176.

<sup>39</sup> Ibid., pp. 176-180.

<sup>40</sup> R.G.K.A. Mertes, 'The Household as a Religious Community', in J. Rosenthal and C. Richmond (eds.), *People, Politics and Community in the Later Middle Ages* (Gloucester, 1987), 123-39; subsequently in Mertes, *The English Noble Household 1250-1600* (Oxford, 1988), pp. 139-160.

<sup>41</sup> Mertes, *English Noble Household*, p. 140.

<sup>42</sup> The medieval 'household chaplain' is briefly considered by: W. Gibson, *A Social History of the Domestic Chaplain, 1530-1840* (London, 1997). For communities of chaplains constituted as colleges see: A. Hamilton Thompson, *The English Clergy and Their Organization in the Later Middle Ages. The Ford Lectures for 1933* (Oxford, 1947), pp. 147-60; and Cook, *Medieval Chantries*, pp. 42-5.

<sup>43</sup> Mertes, *English Noble Household*, pp. 139-40.

<sup>44</sup> Ibid., p. 160.

chapel strongly influenced by the historiography of ‘personal piety’ or ‘popular religion’. Mertes’s chapels expressed:

The personalization of christianity, especially among the aristocracy... the intensely personal aspect of religious feeling in the later middle ages: a kind of mystical yearning for closeness to God ...<sup>45</sup>

Others have perceived household chapels as part of a trend towards the ‘privatization’ of religious practice. Brown suggests that:

... they may well have been a mark of social status and, perhaps, a reflection of a desire for a more personal religion away from the corporate celebrations of the parish church.<sup>46</sup>

Richmond goes further, arguing for the deliberate self-exclusion of the late-medieval gentry from parochial religion:

Such folk, in being isolated from their neighbours, were also insulating themselves against communal religion, possibly even religion *per se*, for how can you be religious on your own?

It was an obvious next step to have even the Mass at your own home, in your own chapel, conducted by your own priest, at your own altar.<sup>47</sup>

Perceived in this manner, household chapels become a preserve of ‘elite’ religious practice. It is such unorthodox aristocratic religion that Catto considers in his ‘Religion and the English Nobility in the Later Fourteenth Century’ (1981), which after Mertes’s ‘Religious Community’, arguably remains the most influential account of late-medieval domestic religion. It is concerned with the personal ‘contributions of the English nobility to the religious manifestations of the later fourteenth century’, and with ‘sometimes eccentric novelties of devotion and belief’, rather than with household chapels, which Catto considers only briefly:<sup>48</sup>

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<sup>45</sup> Ibid., pp. 139, 146-7.

<sup>46</sup> A.D. Brown, *Popular Piety in Late Medieval England: The Diocese of Salisbury, 1250-1550* (Oxford, 1995), p. 76.

<sup>47</sup> C. Richmond, ‘Religion and the Fifteenth-Century English Gentleman’, in R.B. Dobson (ed.), *The Church, Politics and Patronage in the Fifteenth Century* (Gloucester, 1984), p. 199.

<sup>48</sup> J. Catto, ‘Religion and the English Nobility in the Later Fourteenth Century’, in H. Lloyd-Jones, V. Pearl and B. Worden (eds.), *History and Imagination: Essays in Honour of H.R. Trevor-Roper* (London, 1981), p. 43.

The private chapel was probably the centre of most noblemen's devotions, as it had been for centuries; like other aspects of the fourteenth-century household, it was probably becoming more elaborate. It is likely that it was also beginning to reflect personal taste, as separate chapels for husband and wife are often mentioned in wills after 1350.<sup>49</sup>

In the absence of a study dedicated to the household chapel, such equivocation regarding its influence upon noble religious sentiment is natural. Catto nevertheless emphasizes its social, rather than religious, purpose: 'Undoubtedly Thomas of Woodstock's sense of his social position was reinforced by the ceremonies of his chapel'.<sup>50</sup>

Where Catto examined the religious sentiments and practices of a particular group of fourteenth-century nobles, a significant (and still growing) collection of studies considers the 'personal religion' or 'piety' of individual English monarchs, and occasionally of other nobles, in particular matriarchs.<sup>51</sup> As a class these tend to focus attention upon the individual fashioning of religious routines and modes of patronage, and arguably under-emphasize the traditional, commonplace or institutional aspects of their subjects' religious practices. The most far-reaching of these studies is Hughes's

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<sup>49</sup> Ibid., p. 46.

<sup>50</sup> Ibid., p. 46.

<sup>51</sup> Studies of the piety of individual members of the medieval elite include: C.A.J. Armstrong, 'The Piety of Cicely, Duchess of York: A Study in Late Mediaeval Culture', in D. Woodruff (ed.), *For Hilaire Belloc: Essays in Honour of His 72nd Birthday* (London, 1942), 73-94; A. Crawford, 'The Piety of Late Medieval English Queens', in C.M. Barron and C. Harper-Bill (eds.), *The Church in Pre-Reformation Society. Essays in Honour of F.R.H. du Boulay* (Woodbridge, 1985), 48-57; M.C. Prestwich, 'The Piety of Edward I', in W.M. Ormrod (ed.), *England in the Thirteenth Century. Proceedings of the 1984 Harlaxton Symposium* (Grantham, 1985), 120-28; M.A. Hicks, 'The Piety of Margaret, Lady Hungerford (d.1478)', *Journal of Ecclesiastical History*, 38 (1) (1987), 19-38; M.G. Underwood, 'Politics and Piety in the Household of Lady Margaret Beaufort', *Journal of Ecclesiastical History*, 38 (1) (1987), 39-52; W.M. Ormrod, 'The Personal Religion of Edward III', *Speculum*, 64 (1989), 849-77; M. Shadis, 'Piety, Politics, and Power: The Patronage of Leonor of England and Her Daughters Berenguela of León and Blanche of Castile', in J.H. McCash (ed.), *The Cultural Patronage of Medieval Women* (Athens, Ga., 1996), 202-27; R. Gibbons, 'The Piety of Isabeau of Bavaria, Queen of France, 1385-1422', in D.E.S. Dunn (ed.), *Courts, Counties and the Capital in the Later Middle Ages* (The Fifteenth Century Series 4; Stroud, 1996), 205-24; A.F. Sutton and L. Visser-Fuchs, "'A Most Benevolent Queen": Queen Elizabeth Woodville's Reputation, Her Piety and Her Books', *The Ricardian*, 10 (1995), 214-45; J.A. Green, 'The Piety and Patronage of Henry I', *Haskins Society Journal*, 10 (2001), 1-16; N. Vincent, 'King Henry III and the Blessed Virgin Mary', *Studies in Church History*, 39 (2004), 126-46; V.K. Henderson, 'Rethinking Henry VII: The Man and His Piety in the Context of the Observant Franciscans', in D. Biggs, S.D. Michalove and C. Reeves (eds.), *Reputation and Representation in Fifteenth-Century Europe* (Leiden, 2004), 317-47; and D.M. Loades, 'Introduction: The Personal Religion of Mary I', in E. Duffy and D.M. Loades (eds.), *The Church of Mary Tudor* (Aldershot, 2006), 1-32.

*The Religious Life of Richard III: Piety and Prayer in the North of England* (1997), which relies in great measure upon particular prayers and additions incorporated within Richard's book of hours to reveal the nature of the king's personal religion or state of mind. This argument has recently been critiqued by Duffy, who suggests that these same prayers and additions were commonplace elements of some earlier and many later books of hours:

... versions of prayers similar to Richard's are to be found in the devotional commonplace books of the early fifteenth-century Lincolnshire gentleman Robert Thornton, and the sixteenth-century London grocer Richard Hill.<sup>52</sup>

Such prayers reveal much about the spiritual and theological market-place within which books of hours circulated, but little about the individual piety or beliefs of their individual owners.

A similar basic criticism may be levelled at much of the recent historiography of 'personal piety', especially as it relates to the maintenance of household chapels. In attempting to determine the character of an individual's personal religion, there has been a tendency to disregard the conventional or institutional aspects of domestic religious routines. This partial approach has recently been exemplified by Webb's 'Domestic Space and Devotion in the Middle Ages' (2005), which considers 'private' or 'domestic' chapel buildings in terms of personal 'devotion' and of the definition of 'sacred spaces'.<sup>53</sup> Her chapels provide for 'devotion' in an otherwise secular or 'domestic' context, and are the *ad hoc* consequence of the 'desire of the devout lay person to hear Mass, make confession and receive communion more frequently', and the 'importation into the homes of those who were able to do so of some part of the paraphernalia of public religion'.<sup>54</sup>

Whilst historians of medieval piety have defined the chapel in terms of the personal, those of the medieval church, or of religious practice more broadly, have tended

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<sup>52</sup> E. Duffy, *Marking the Hours: English People and Their Prayers, 1240-1570* (London, 2006), pp. 100-102.

<sup>53</sup> D. Webb, 'Domestic Space and Devotion in the Middle Ages', in A. Spicer and S. Hamilton (eds.), *Defining the Holy: Sacred Space in Medieval and Early Modern Europe* (Aldershot, 2005), 27-47.

<sup>54</sup> *Ibid.*, p. 28.

towards the opposite extreme, often merely enumerating the maintenance of chapels with bald statistics: 'Between 1300 and 1350, 144 licences were granted for oratories by bishops in the diocese of Salisbury'.<sup>55</sup> The purposes for which so many oratories or chapels were maintained have rarely been closely questioned, although a desire for social display is often adduced. Everitt's view of Kentish chapels has been particularly influential:

For some ... the right to a manorial chapel was perhaps as much a matter of dynastic pride, as much a symbol of the expansion of their households and estates, as of mere distance from the parish church.<sup>56</sup>

Brown, writing of the diocese of Salisbury, asserts that 'acquisition of domestic chapels in manor houses had been regarded as a mark of gentry status by the end of the thirteenth century'.<sup>57</sup> He cites Hughes's expansive statement, regarding late-medieval Yorkshire:

By the end of the thirteenth century as the acquisition of a domestic chapel began to be regarded as a mark of gentry, lesser gentry began to include private chapels in their manor houses, and licences were obtained by Sir Miles Stapleton in 1388 and Sir John Ingleby in 1397 permitting them to celebrate mass in their oratories.<sup>58</sup>

Likewise, in the diocese of Exeter:

There were domestic chapels, very common by the fourteenth and fifteenth centuries, in the houses of the nobility, gentry, and some clergy ... partly for status, partly for convenience.<sup>59</sup>

Household chapels have, then, been widely recognized as a facet of medieval domestic and religious life, and have been partially considered by scholars from various historical disciplines. None of these works has yet established cogent arguments regarding the maintenance of such chapels; instead, they tend to resort to

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<sup>55</sup> Brown, *Popular Piety*, p. 205.

<sup>56</sup> A. Everitt, *Continuity and Colonization: The Evolution of Kentish Settlement* (Leicester, 1986), p. 221; see also, pp. 219-22.

<sup>57</sup> Brown, *Popular Piety*, p. 204.

<sup>58</sup> Hughes, *Pastors and Visionaries*, p. 10.

<sup>59</sup> N. Orme, 'The Later Middle Ages and the Reformation', in N. Orme (ed.), *Unity and Variety: A History of the Church in Devon and Cornwall* (Exeter, 1991), p. 63.

summary or assertion: 'For centuries the centre for the rituals of familial religion had been the domestic chapel, run by a resident chaplain'.<sup>60</sup> Moreover these scholars have tended to work in isolation from one another whilst covering similar ground. In short, the household chapel has not, until now, been recognized as a historical subject in its own right.

#### SOURCES FOR A STUDY OF 'THE HOUSEHOLD CHAPEL'

That the household chapel has wanted for scholarly attention prompts the question of whether sufficient source materials exist to permit a full study. Hair has opined that 'the subject [of the chapel] is a very obscure one, partly because of the weakness of the sources'.<sup>61</sup> Likewise, Catto considers that:

... this evidence [of noble religious practice] is of course very patchy: some household accounts of variable interest ... a few inventories and a considerable number of wills, documents on noble religious foundations, personal liturgical and devotional manuscripts, and a small amount of written material from noble pens.<sup>62</sup>

This concern appears undue, although it is significant that household chapels were dependent elements of secular or ecclesiastical households, rarely possessed their own rights or endowments, and hence produced few documents to protect these.

Household-chapel buildings provide an immediate archaeological record of chapel maintenance, and one which covers the entire period considered here. The situation, size, and architectural details of chapels, both individually and as a class of building, constitute unique evidence pertaining to the manner in which chapels functioned as parts of domestic sites.<sup>63</sup> With these can be associated extant chapel furnishings, of potential value in reconstructing liturgical practices.

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<sup>60</sup> Hughes, *Pastors and Visionaries*, p. 10.

<sup>61</sup> Hair, 'The Chapel', p. 10.

<sup>62</sup> Catto, 'Religion and the English Nobility', p. 44.

<sup>63</sup> Howe, 'Divine Kingship and Dynastic Display'; S.A. Dixon-Smith, 'The Image and Reality of Alms-Giving in the Great Halls of Henry III', *Journal of the British Archaeological Association*, 152 (1999), 79-96; M. Hope, *Framing Domestic Devotion: Painted Chapels and Oratories in the Households of Fifteenth-Century France* (University of London; Ph.D. Thesis, forthcoming).

Alongside this material record, a study of the household chapel must rely upon three broad categories of documentary source: canonical and legal materials; ecclesiastical records; and administrative accounts produced by medieval households. The function of household chapels was defined, at least in part, in canon law. Canon-law collections constitute a significant source of evidence for any study of the household chapel, as do those canons and statutes promulgated by the councils and synods of the English church. This material may be supplemented by secular statutes and legal treatises which, on occasion, considered the status and maintenance of chapels.

Records of ecclesiastical administrations, in particular those of dioceses, provide a complementary source of evidence. From the late-thirteenth century, extant episcopal and papal registers record a wealth of material pertaining both to chapels in general and to household chapels. Likewise, a study of the household chapel must draw upon individual charters and *acta* issued prior to c. 1300 by English diocesans, monastic authorities and chapel owners, the bulk of which survive in monastic cartularies. Testamentary records which detail the bequest of chapel goods, as well as bequests to household chaplains and staff, provide a further source of evidence.

Records produced by or within medieval households constitute a rich seam of material for the study of the household chapel, and one previously considered.<sup>64</sup> Household accounts often detail annual or periodic outlays upon the maintenance of chapels, on the payment of stipendiary chaplains, in alms and oblations, and on the purchase of liturgical books and furnishings. Inventories appended to wills, or compiled for other purposes, provide a complementary record. Rarer, but invaluable, are sets of rules or ordinances for the management of households which on occasion address aspects of domestic religious routines; an associated source are statutes composed for the regulation of collegiate chapels. Building accounts, where they survive, can detail both the sums spent on construction, but also aspects of form or decoration otherwise unattested.

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<sup>64</sup> Mertes, *English Noble Household*, pp. 139-60. Woolgar, *Great Household*. It is ironic that many household documents and accounts may have been composed by household chaplains or clerks, although, in most cases, any evidence of authorship is lacking or inconclusive.

A study of the household chapel may, in turn, draw upon more disparate literary sources. Foremost amongst these are devotional treatises and liturgical books, possessed (or occasionally authored) by the heads and members of medieval households. Innumerable vignettes illustrating the use of household chapels may be found in contemporary correspondence, chronicles, historical narratives and romances. Used carefully, this material can elucidate matters scarcely touched upon by other sources, in particular the nature of the personal relationships between chaplains and their masters, and personal attitudes towards domestic religious routines.

There is, then, a substantial body of material upon which studies of the household chapel may draw. This is, however, fragmentary and wide-ranging, and the historian of the household chapel risks becoming a jack of many trades, but master of few. Moreover, considered individually, the archaeological, canonical, administrative and literary records are insufficient to support a comprehensive and analytical study of the household chapel. It is no doubt for this reason that the household chapel has not previously been studied in its own right, and has lain little-disturbed between historical disciplines. Any study of the household chapel must rely upon an 'interdisciplinary' approach, or simply, a broad range of sources.

#### THE HOUSEHOLD CHAPEL: AN INSTITUTIONAL APPROACH

Few methodological models for the study of individual classes of chapel have been established. One approach would be to examine those extant and documented household chapels maintained within a single region;<sup>65</sup> or by one or more families or households.<sup>66</sup> Saul's recent *Death, Art, and Memory in Medieval England: The Cobham Family and their Monuments, 1300-1500* (2001) might serve as an exemplar. However, the sources upon which such regional or 'micro' studies must rely are limited. Archaeologically, few regions retain sufficient household-chapel buildings to

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<sup>65</sup> For instance: Oldham, 'Private Chapels of Devon'.

<sup>66</sup> For instance: A. Ricketts, C. Knight and C. Gapper, 'Designing for Protestant Worship: The Private Chapels of the Cecil Family', in A. Spicer and S. Hamilton (eds.), *Defining the Holy: Sacred Space in Medieval and Early Modern Europe* (Aldershot, 2005), 115-36.

permit analytical examination. Likewise, documentary sources are extensive, but thinly spread; few county, diocesan, or private archives preserve sufficient material to permit close study.<sup>67</sup>

An alternative approach would be the production of a series of chronologically focused studies, which might reveal the immediate social and religious contexts within which household chapels were maintained. Again, however, the available sources limit the scope for such studies. Few periods provide a sufficiently coherent body of architectural or documentary material to enable discrete examination. Moreover, no framework exists within which to contextualize focused chronological studies. The same problem is encountered in considering individual chapels. It is currently difficult, or impossible, to differentiate between the ubiquitous and extraordinary aspects of chapel maintenance. No accessible body of historical knowledge regarding household chapels has yet been established, nor has there been any attempt to develop a framework in which they may be studied.

This thesis, therefore, takes the form of an institutional study. It argues that the household chapel was and can be examined as an ecclesiastical institution. It seeks both to establish a broader base of knowledge regarding household chapels and to promote further research in this field (and that of 'the medieval chapel' more generally). Institutional studies are an established tool of the medieval ecclesiastical historian. Various examples directly relevant to the present subject were published in the late 1940s, amongst them: Moorman's *Church Life in England in the Thirteenth Century* (1946); Cook's *Medieval Chantries and Chantry Chapels* (London, 1947) and Hamilton Thompson's *The English Clergy and Their Organization in the Later Middle Ages* (1947). Several decades later, others addressed related subjects, notably: Wood-Legh's *Perpetual Chantries in Britain* (1965); Denton's *English Royal Free Chapels 1100-1300. A Constitutional Study* (1970); and Brett's *The English Church under Henry I* (1975). Duffy's *The Stripping of the Altars: Traditional Religion in England c. 1400 - c. 1580* (1992) defies categorization, but in part provides an

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<sup>67</sup> Archives which might permit such studies include those of the Duchy of Lancaster (National Archives); the Percy family (Alnwick Castle); and the archbishops of Canterbury (Lambeth Palace).

institutional study of late-medieval parochial religion (though chapels are notable by their absence).

A handful of studies closely associated with the subject of the household chapel have been published recently (several whilst this thesis was being researched). The medieval parish has received renewed attention, most notably in French's *The People of the Parish. Community Life in a Late Medieval English Diocese* (2001); and the essays collected in *The Parish in Late Medieval England* (2006).<sup>68</sup> Vale has considered 'court chapels' in his *The Princely Court: Medieval Courts and Culture in North-West Europe, 1270-1380* (2001), whilst Coulson has examined the social and political institution of 'the castle' in his *Castles in Medieval Society: Fortresses in England, France, and Ireland in the Central Middle Ages* (2003).<sup>69</sup> In turn, Wood in her *The Proprietary Church in the Medieval West* (2006) has examined those churches in which the antecedents of the institution of the household chapel may be traced.<sup>70</sup>

Although the purpose of this study is, in part, to establish whether the household chapel may be considered as an ecclesiastical institution, a tentative institutional framework must be sketched in the first instance. A household chapel is defined, here, as one whose principal function was the performance and accommodation of religious services and routines, including the celebration of mass, for a medieval household. If such chapels were widely maintained and constituted in accordance with canonical and administrative norms, rather than in an *ad hoc* fashion, then the household chapel may be considered an ecclesiastical institution. This thesis argues, for the first time, that this was indeed the case, and, that the institution of the household chapel was constituted of five related, but distinct, elements: a defined status in canon law (a canonical mandate); a systematic means of establishment and regulation (a legal status); its own personnel (household chaplains); a liturgical character (domestic

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<sup>68</sup> C. Burgess and E. Duffy, *The Parish in Late Medieval England* (Harlaxton Medieval Studies 14; Donington, 2006). Also: P.S. Barnwell, M.C. Cross and A. Rycraft (eds.), *Mass and Parish in Late Medieval England: The Use of York* (Reading, 2005); Pounds, *English Parish*, pp. 41-66 and *passim*.

<sup>69</sup> The literary or social meaning of 'the castle' has been examined by: A. Wheatley, *The Idea of the Castle in Medieval England* (York, 2004).

<sup>70</sup> S. Wood, *The Proprietary Church in the Medieval West* (Oxford, 2006).

religious routines); and its own architectural manifestation (chapel buildings and furnishings).

In his *English Royal Free Chapels 1100-1300*, Denton noted there were ‘well over a hundred English secular colleges’, and that he could make ‘no attempt to write the history of each collegiate church’.<sup>71</sup> A similar, but greater problem confronts the historian of the household chapel, since (as will be argued) thousands of household chapels were maintained in various forms between c. 1100 and c. 1500. It is not possible to do as Denton did, when he ‘tried, nonetheless to keep them all in mind and to draw each one into the general picture’.<sup>72</sup> Rather, this study attempts to identify, through enquiry, which aspects of the maintenance of household chapels were commonplace and which distinctive to particular chapels or households; in short, to distinguish the institutional from the individual.

Although sufficient material exists to examine each institutional element of the household chapel, a thesis cannot hope to do so comprehensively. This study therefore singles out two key elements: the canonical institution of the household chapel; and those methods by which household chapels were established and regulated. Together, these subjects represent the foundation upon which any further institutional examination of the household chapel must be built, and certainly a sounder one than chapel buildings (in themselves) or the inevitable ambiguities of personal ‘piety’ or ‘devotion’. This thesis therefore places three institutional elements of the household chapel (household chaplains, domestic religious routines and chapel buildings) to one side, whilst recognizing their immediate relationship to what is considered here, and the absence of absolute divisions between these subjects. However, of the five institutional elements of the household chapel, those considered here have received the least scholarly attention to date. This study therefore serves to place what existing scholarship there is concerning household chaplains, domestic religious routines and chapel buildings in a broader context, whilst also arguing for its reassessment.

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<sup>71</sup> Denton, *English Royal Free Chapels*, pp. ix (Preface), 14.

<sup>72</sup> *Ibid.*, p. 14.

This thesis is structured in five chapters. *Chapter One* examines the canonical and legal status of ‘the household chapel’. It draws upon the evidence of canon-law collections, continental and English, to establish the purposes for which, and what conditions, household chapels could be legitimately maintained. To an extent, this chapter considers the maintenance of household chapels in canonical theory, whilst the remaining chapters examine distinct aspects of their maintenance in practice.

*Chapters Two* and *Three* consider the actual establishment and maintenance of household chapels, drawing primarily upon legal and administrative records produced by ecclesiastical authorities. *Chapter Two* concentrates on grants of the right to maintain household chapels in a period opening with the Conquest and closing with the widespread adoption of episcopal registers as an administrative tool around 1300. Such grants commonly provide a detailed account of the manner in which chapels were to be established and maintained. They differ markedly from later ‘episcopal licences’, but have escaped considered examination. By contrast ‘episcopal licences’ have frequently been cited as evidence of the possession and strict regulation of household chapels, but rarely in more than an illustrative manner. *Chapter Three* provides the first close examination of *licencie celebrandi* (licences to celebrate mass) issued between c. 1300 and the English Reformation. It questions the purpose for which licences were issued, the scale of licensing, and whether licensing was intended to restrict or, instead, to facilitate the maintenance of ‘household chapels’.

*Chapter Four* complements the preceding chapters by inquiring into the purposes for which various classes of privilege were acquired from the papal *curia* by the heads of English households. In an approach similar to that taken to *licencie celebrandi*, it seeks to establish the extent of their possession, and how far such privileges served to define further the rights and privileges of household chapels.

These three chapters draw upon sources pertaining to the maintenance of thousands of household chapels, over more than four centuries, in order to establish aspects common to them as an institution. Given the apparent scale upon which household chapels were maintained, it was inevitable that some chapels were causes of contention, or were maintained in an exceptional manner. *Chapter Five*, therefore provides a brief examination of some disputes concerning household chapels, and of

exceptional or long-standing means by which others, in particular so-called ‘free chapels’, were occasionally maintained.

Artificial limitations of scope and focus are a necessary aspect of any thesis. In order to draw upon a sufficient body of evidence to examine an institution (as opposed to a regional or periodic facet of one), this study takes the form of a nationwide survey encompassing the period *c.* 1100 to *c.* 1500. It is therefore necessary to define other parameters within this broad period. Consequently, with the exception of aspects of medieval canon law, household chapels maintained outside England are rarely considered. Despite their significance, the extent of household-chapel maintenance elsewhere in Britain or on the continent, and the manner in which continental chapels provided architectural and institutional models for their English counterparts, are not subjects considered here. Likewise, with the exception of aspects of canon law, this thesis does not consider household chapels maintained in England prior to the Conquest. Instead, it focuses upon those chapels which may be identified as exclusively, or primarily, serving a household. Thus it considers only cursorily the extent to which, prior to *c.* 1200, many seigniorial chapels appear to have balanced the service of lordly households with that of local or parochial communities. Such seigniorial chapels and proprietary churches were, undoubtedly, precursors of the household chapels examined here. However, their history (in terms of source material) is obscure, and there is no space here to examine them further. Finally and most significantly, the scope of this study means that there is little space to consider the maintenance of different household chapels within the immediate context of contemporary religious, political and cultural trends, or rather within the historiography which addresses these.<sup>73</sup> The extent to which the maintenance of household chapels was a consequence of these trends, or in what manner their maintenance influenced and defined wider modes of ‘religious practice’, are questions which must await consideration.<sup>74</sup>

The ‘household chapel’ is not an unstudied subject. However, in most cases the maintenance of household chapels has been adduced simply as illustrative of broad

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<sup>73</sup> An overview is provided by: R.N. Swanson, *Religion and Devotion in Europe, c.1215-c.1515* (Cambridge, 1995), pp. 122-26 (‘Domestic regularity’).

<sup>74</sup> *Conclusion*, pp. 274-76.

trends in architectural, religious or devotional practice. This thesis seeks to remove the household chapel from the limiting gaze of discrete historical disciplines, and to examine it in its own right. It seeks to question previous assertions concerning household chapels by examining evidence directly pertaining to their canonical status, establishment and maintenance. Whilst many previous institutional studies represent the summation of a career of scholarship, this thesis can make no such claim. Its purpose is different. It seeks to demonstrate that 'the household chapel' was an ecclesiastical institution in its own right, and to establish the canonical and legal structure of that institution. The establishment of such an institutional framework should, it is hoped, enable other medieval historians to recognize better and examine more fully the household chapels they encounter, since such chapels are more numerous than any single study can embrace. This thesis is therefore intended not as a last word, but as an attempt to promote and enable the study of the household chapel in an institutional and structured manner.

## CHAPTER 1

### THE HOUSEHOLD CHAPEL IN MEDIEVAL CANON LAW

The institution of the medieval household chapel must be reconstructed, in part, through examination of instruments of ecclesiastical regulation: grants of the right to maintain household chapels ('chapel grants'); episcopal licences which sanctioned the celebration of masses within them (*licencie celebrandi*); and papal privileges pertaining to them. This examination is made in subsequent chapters.<sup>1</sup> However, it is first necessary to establish the canonical context within which these instruments were issued. If 'the household chapel' was an ecclesiastical institution, and household chapels were maintained and regulated in a systematic manner, then this institution was shaped by, and itself potentially shaped, the canonical framework of the medieval church.

Previous historians have tended to treat the legal or regulatory evidence pertaining to household chapels lightly; whilst the canonical basis of their maintenance has received shorter shrift: 'These chapels were *supposed* only to be established with the bishop's consent';<sup>2</sup> 'Technically, private chapels required a licence from a bishop before mass could be celebrated in them'.<sup>3</sup> Both chapel grants and *licencie celebrandi* have been characterized as personal responses of individual diocesans to the encroachment or multiplication of chapels: 'Sutton insisted that all household members ... attend there [the parish church] at other major festivals... Baret and others like him were able to obtain more extensive privileges for their private chapels than Oliver Sutton's clientele had done'.<sup>4</sup> Likewise, broader attempts to exert episcopal authority over household chapels have been considered as generalized reactions to contemporary pressures: 'At the same time [the thirteenth-century] the bishops began to interest themselves in them [private chapels and oratories] and to

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<sup>1</sup> Chapters 3-4, *passim*.

<sup>2</sup> C.R. Cheney, *From Becket to Langton. English Church Government, 1170-1213* (Manchester, 1956), p. 166 (my italics).

<sup>3</sup> Mertes, *English Noble Household*, p. 140.

<sup>4</sup> Webb, 'Domestic Space and Devotion', pp. 39, 40. Cf. Her brief treatment of early canon law: *Ibid*, p. 28, n. 4.

demand that they be consecrated and that a licence be obtained for their use'.<sup>5</sup> Neither view allows for the extent to which English diocesans, or their clients, may have acted in a measured or unexceptional manner in response to well-established canonical practice. This chapter attempts to examine the canonical basis of the establishment and regulation of household chapels in medieval England, and to establish the canonical status, or purpose, of 'the household chapel'.

Care is required with the interpretation of canonical sources such as those examined here. Whilst statutes, canonical rulings and commentaries proffer 'theoretical' statements pertaining to household chapels, most were also conceived as practical responses to contemporary circumstances. The import of such material is also limited by its specifically canonical nature; matters not subject to practical canonical jurisdiction are rarely considered, but may have been no less significant for this. In the present context, for instance, canonical rulings repeatedly consider the appropriate location for the celebration of masses, but rarely address the question of who might be present at, or witness, their celebration. Likewise, the nature of prayer within, or the architectural form of, household chapels are rarely subjects closely considered;<sup>6</sup> whilst the ecclesiastical rights and jurisdictions of churches *vis-à-vis* chapels were matters of repeated legislation and clarification. Most significantly, it must be questioned to what extent the requirements of those canons and statutes, considered below, were known or respected in practice.<sup>7</sup>

This chapter examines a selection of canonical rulings and opinions concerning the maintenance both of chapels generally (including household chapels) and of household chapels in particular (commonly, but not consistently, referred to as *oratoria* in a canonical context). This examination is basically chronological in nature and attempts to demonstrate when and in what manner the basic canonical precepts which enabled the maintenance of household chapels developed. It is not intended to provide a comprehensive survey of all canonical rulings on such matters, but rather a balanced impression of these. The sources examined are wide-ranging in date: the

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<sup>5</sup> Pounds, *English Parish*, p. 101.

<sup>6</sup> 'Sutton does not have much to say about the physical characteristics of these chapels': Webb, 'Domestic Space and Devotion', p. 39.

<sup>7</sup> *Chapters 3-5, passim.*

earliest dating from the late-fourth century, the last from the eve of the English Reformation. They include papal and legatine canons, diocesan statutes, as well as canon-law collections and treatises. A proportion were produced within a specifically English context, whilst others were promulgated or circulated within the Universal Church. This breadth is necessary if the canonical status of the household chapels in medieval England is to be closely established. Nevertheless, the bulk of the material considered here was produced in England and during the period covered by the present study.

Those canonical matters most critically associated with the maintenance of household chapels in medieval England appear to have been the power of bishops to sanction the establishment of churches and chapels, and the necessity of the canonical celebration of masses. The celebration of masses in domestic residences (here termed the celebration of ‘domestic masses’) was the subject of particular attention. The early history of the ‘domestic eucharist’, spanning the fifth to tenth centuries, has been surveyed by Jungmann, who has also considered comparative practices in the Eastern church.<sup>8</sup> However, his study ends with the Carolingian reform movement and he summarizes the later medieval history of the ‘domestic masses’ thus: ‘finally, after much hesitation and change of policy in medieval legislation, the Council of Trent forbade Mass in private dwellings’.<sup>9</sup> It is this ‘hesitation and change of policy’ pertaining to the celebration of ‘domestic masses’ and, thus, to the maintenance of household chapels, which this chapter reconsiders.

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<sup>8</sup> ‘Von der häuslichen Eucharistiefeyer zur stillen Messe’ (‘From Domestic Eucharist to Private Mass’): J.A. Jungmann, *Missarum Sollemnia. Eine Genetische Erklärung der Römischen Messe*, 2 vols. (Freiburg, 1952), i, 279-306; idem, *The Mass of the Roman Rite: Its Origins and Development (Missarum Sollemnia)*, trans. F.A. Brunner (New York, 1950), i, 212-33.

<sup>9</sup> ‘Nach mehrfachem Schwanken der mittelalterlichen Gesetzgebung verbot das Konzil von Trient schließlich die Messe in Privathäusern’: Jungmann, *Missarum Sollemnia*, i, 282; translation from Jungmann, *Mass of the Roman Rite*, i, 215.

The celebration of mass constitutes the central celebration of the Christian liturgy and has been identified, above, as one of the defining functions of a household chapel.<sup>10</sup> Indeed, the celebration of domestic masses and the maintenance of a household chapel may, to an extent, be considered synonymous. The celebration of domestic masses was a matter of canonical attention for centuries prior to c. 1100. If the subsequent maintenance and regulation of household chapels to this date is to be examined, an appreciation of the canonical status of domestic masses in late Anglo-Saxon canon law is also necessary.

The early Christian church was nurtured within households. As Mertes remarks: 'The New Testament letters of Paul, and the writings of church fathers such as Augustine and Jerome, assume that religious training and celebration was based on the household'.<sup>11</sup> However, Paul's rebuke to the community of Corinth, regarding their celebration of mass – 'Don't you have homes to eat and drink in?' – suggests an early concern with the solemnity with which mass be celebrated.<sup>12</sup> Indeed early Christian practice may not have entirely deserted Jewish temples, whilst the proliferation of basilicas subsequent to the Edict of Milan (313) arguably reflected the communal significance of the celebration of mass and perhaps, also, a desire to remove celebration from the domestic realm.<sup>13</sup>

The earliest canonical ruling specifically to consider the celebration of domestic masses, appears to be the fifty-eighth canon of the Council of Laodicea (c. 364):

Quod non oporteat in domibus oblationes celebrari ab episcopis, vel presbyteris.<sup>14</sup>

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<sup>10</sup> E. Duffy, *The Stripping of the Altars: Traditional Religion in England c. 1400-c. 1580* (London, 1992), pp. 91-130; M. Rubin, *Corpus Christi: The Eucharist in Late Medieval Culture* (Cambridge, 1991); M. Rubin, 'What Did the Eucharist Mean to Thirteenth-Century Villagers?' *Thirteenth Century England*, 4 (1992), 47-55; Barnwell, Cross and Rycraft (eds.), *Mass and Parish*.

<sup>11</sup> Mertes, *English Noble Household*, p. 139.

<sup>12</sup> 1 Corinthians 11:22. R. Cabié, *The Church at Prayer: An Introduction to the Liturgy. Volume II. The Eucharist* (Minnesota, 1986), pp. 36-37.

<sup>13</sup> *Ibid.*, pp. 36-40. Webb, 'Domestic Space and Devotion', pp. 27-28.

<sup>14</sup> *Patrologiæ*, 67, col. 170 (no. clxi).

Whether or not this Latin canon, transmitted by the *Codex canonum ecclesiasticorum* of Dionysius Exiguus, represents an original ruling of this council, or a subsequent interpolation, it was certainly ascribed to Laodicea by Carolingian reformers and, as such, informed their own rulings and those of the late Anglo-Saxon church.<sup>15</sup>

By the mid-tenth century, amongst those Carolingian sources available to Anglo-Saxon canonists were Latin and vernacular translations of the *Capitula* of Theodulf (750-821), bishop of Orleans, composed c. 800.<sup>16</sup> Theodulf's eleventh canon forbids the celebration of masses in houses and undedicated places, citing a passage from Deuteronomy concerning the solemnity of sacrifices:<sup>17</sup>

Missarum sollemnia nequaquam alibi nisi in ecclesia celebranda sunt, non in quibuslibet domibus et in vilibus locis, sed in loco, quem elegerit dominus iuxta illud, quod scriptum est: *Vide, non offeras holocausta tua in omni loco, quem videris, sed in loco, quem elegerit dominus, ut ponat nomen suum ibi*; excepta ratione eorum, qui in exercitu pergentes ad hoc opus habent tentoria et altaria dedicata, in quibus missarum sollemnia expleant.<sup>18</sup>

Anglo-Saxon England's great canonists, Ælfric (c. 945 - c. 1015), abbot of Eynsham, and Wulfstan (d. 1023), archbishop of York, pronounced similarly upon domestic masses. Ælfric's third 'pastoral letter' to Wulfsige, bishop of Sherborne (composed c. 993 x c. 994) notes:

Eac hy gesetton þæt mann ne sceolo mæssian innan nanum huse buton hyt gehalgod sy, buton for mycelre neode oððe gyf mann bið untrum.

[Also they appointed that one should not celebrate mass in any house unless it is consecrated, except in great necessity, or if anyone is ill.]<sup>19</sup>

Likewise, his third 'pastoral letter' to Wulfstan states:

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<sup>15</sup> Jungmann, *Mass of the Roman Rite*, p. 215.

<sup>16</sup> *Councils*, i, pt. 1, 314, n. 5.

<sup>17</sup> Deuteronomy 12:13-14.

<sup>18</sup> P. Brommer (ed.), *Capitula Episcoporum I* (Monumenta Germaniae Historica; Hannover, 1984), p. 110-11 (no. 11). Cf. *Ibid.*, p. 236 (cap. 3) (the mid-ninth-century capitulary of Radulf of Bourges).

<sup>19</sup> *Councils*, i, pt. 1, 210 (no. 69).

Scitote etiam quod non licet celebrare missam in domibus laicorum nisi in ecclesia.<sup>20</sup>

Wulfstan incorporated similar pronouncements in those royal law codes he authored, as well as in his own 'Canon Law Collection'. His 'Canons of Edgar' (1005 x 1008), contain a ruling comparable to Ælfric's advice to Wulfsig:

7 riht is þæt ænig preost on ænigum huse ne mæssige butan on gehalgodre cyrican, butan hyt sy for hwilces mannes oferseocnesse.

[And is it right that no priest celebrate mass in any building except in a consecrated church, unless it be on account of some man's serious illness.]<sup>21</sup>

The 'Northumbrian Priest's Law' (c. 1008 x 1023), closely associated with Wulfstan or his circle, considers a similar offense:

Gif preost on unhalgodon huse mæssige, gilde XII or.

[If a priest celebrates mass in an unconsecrated building [*or* house], he is to pay twelve ores.]<sup>22</sup>

Both recensions of Wulfstan's 'Canon Law Collection' (c. 1020) incorporate continental canons concerning domestic masses. Recension A, includes the fifty-eighth canon of the Council of Laodicea, interpolating the words 'non dedicatis':

Canon Laodacensis

Non oportet in domibus non dedicatis oblationes celebrari ab episcopis uel presbiteris.<sup>23</sup>

Recension B incorporates an equivalent statute of Gerbald, bishop of Liège (c. 785-809):

Vt nullus sacerdos in domibus uel aliis locis nisi in ecclesiis dedicatis celebrare missas audeat.<sup>24</sup>

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<sup>20</sup> B. Fehr (ed.), *Die Hirtenbriefe Ælfrics in Altenglischer und Lateinischer Fassung* (Bibliothek der Angelsächsischen Prosa 9; Leipzig, 1914, reprt. 1966), p. 60.

<sup>21</sup> *Councils*, i, pt. 1, 324 (no. 30).

<sup>22</sup> *Councils*, i, pt. 1, 456 (no. 14).

<sup>23</sup> J.E. Cross and A.J. Hamer (eds.), *Wulfstan's Canon Law Collection* (Anglo-Saxon Texts 1; Woodbridge, 1999), p. 76 (no. 25).

<sup>24</sup> *Ibid.*, p. 117 (no. 10). Brommer (ed.), *Capitula Episcoporum I*, p. 18 (the text of Gerbald's canon).

This is closely related to the ninth canon of the ‘Capitulary of Aachen’ (c. 802-13), itself a possible source for Ælfric’s earlier pronouncements:<sup>25</sup>

Ut nullus sacerdos in domibus vel in aliis locis nisi in ecclesiis dedicatis celebrare missas audeat.<sup>26</sup>

By the turn of the eleventh century the leaders of the English church were, thus, demonstrably concerned with the regulation of ‘domestic masses’ and, by extension, of contemporary household chapels. This concern corresponds with an associated intent to protect the jurisdictional or fiscal rights of established churches. Ælfric’s advice to Wulsige concerning domestic masses is immediately preceded by a consideration of the payment and division of tithes.<sup>27</sup> Likewise, Recension B of Wulfstan’s ‘Canon Law Collection’ incorporates a canon from the *Capitularium Collectio* (c. 827) of Ansegisus, abbot of Fontenelle, regarding the protection of the possessions of established churches from newly founded oratories:<sup>28</sup>

Vt ecclesie antiquitus constitute, nec decimis nec alia ulla possessione priuentur ita ut nouis oratoriis tribuantur.<sup>29</sup>

Similar concern for the rights of established churches is evident in Wulfstan’s law codes; I Cnut (1020 x 1022) requires:

Gyf hwa þonne þegna sig þe on his boclande cyrican hæbbe, þe legerstow on sig, gesylle þone þridan dæl his agenre teopunge into his cyrican.

And gyf hwa cyricean hæbbe, þe legerstow on ne sig, do he of ðam nigon dælum his preoste þæt þæt he wille.<sup>30</sup>

[If, however, there is any thegn who has on his bookland a church with which there is a graveyard, he is to pay the third part of his own tithes into his church.

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<sup>25</sup> *Councils*, i, pt. 1, 210, n. 1.

<sup>26</sup> A. Boretius et al. (eds.), *Capitularia Regum Francorum*, 2 vols. (Monumenta Germaniae Historica, Legum Sectio II; 1883), i, 106 (no. 9).

<sup>27</sup> *Councils*, i, pt. 1, 209-10.

<sup>28</sup> Cross and Hamer (eds.), *Wulfstan's Canon Law Collection*, p. 122 (no. 25).

<sup>29</sup> *Ibid.*

<sup>30</sup> *Councils*, i, pt. 1, 476-77.

If anyone has a church with which there is no graveyard, he is pay his priest from the (remaining) nine parts what he chooses.]<sup>31</sup>

Whilst earlier, in V Æthelred (1008), he sought to protect established churches from lay predation:

And æni man heonan forð cirican ne ðeowige, ne ciricmangunge mid unrihte ne macyge, ne ciricðen ne utige buton biscofes geþeahhte.<sup>32</sup>

[And no man henceforth is to bring a church under subjection, nor illegally to traffic with a church, nor to expel a minister of the church without the bishop's consent.]<sup>33</sup>

This overview of continental and Anglo-Saxon canon law pertaining to the celebration of domestic masses, and to the rights of established churches, demonstrates two important points. The first is that a pair of canonical principles fundamental to the maintenance of medieval household chapels were already established by c. 1000: that masses should only be celebrated in consecrated places, and that celebration in unconsecrated domestic settings was, thus, uncanonical; and that established churches should be protected from fiscal and jurisdictional encroachment by newly established churches or chapels, in particular those established by secular lords.

The second point is that these basic canonical principles, which predated the ninth-century Carolingian reform movement, had been adopted by English reformers and ecclesiastical legislators by the early eleventh century. It has been suggested that: 'When Saxon thegns built their patronal churches there was no question of securing episcopal licence'.<sup>34</sup> However, whilst to expect the issue of 'episcopal licences' for the foundation of Anglo-Saxon proprietary churches (or *Eigenkirchen*) is certainly anachronistic, the leaders of the late Anglo-Saxon church were alert to, and concerned to enforce, their authority to regulate both the celebration of domestic masses and the foundation of new churches and chapels.<sup>35</sup>

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<sup>31</sup> Ibid., 477.

<sup>32</sup> A.J. Robertson (ed.), *The Laws of the Kings of England from Edmund to Henry I* (Lampeter, 1925), p. 82.

<sup>33</sup> D. Whitelock, (ed.), *English Historical Documents, c. 500-1042* (English Historical Documents I; London, 1955), p. 407 (no. 44).

<sup>34</sup> Pounds, *English Parish*, p. 101.

<sup>35</sup> For *Eigenkirchen*, below, p. 45, n. 49.

## CHAPELS AND THE POST-CONQUEST CHURCH

The continental prelates who ruled the English church in the century following the Norman Conquest possessed a more immediate affinity with the ideals of the eleventh-century reform movement than their immediate Anglo-Saxon predecessors. In their turn, they promulgated rulings concerning the canonical celebration of masses and the foundation of new churches and chapels. These corresponded with those issued over the previous century or more, but began to focus more tightly upon the foundation and regulation of chapels (*capella*), in particular those founded upon lay estates, and upon celebration by household chaplains.

The mid to late eleventh-century *Diuersorum patrum sententie*, termed ‘the first canon law manual of the eleventh-century reform’, provides one account of the canonical concerns of contemporary continental reformers.<sup>36</sup> Under the title, ‘*QUOD NON DEBEAT MISSA CELEBRARI NISI IN SACRATIS AB EPISCOPO LOCIS*’, it incorporates two canons, possibly creations of the mid-ninth century, concerned to ensure solemnity in the celebration of mass.<sup>37</sup> The first forbids the celebration of masses in unconsecrated places:

*Silvester papa in generali synodo residens dixit: Nullus presbyter missas celebrare presumat nisi in sacratis ab episcopo locis qui sui particeps de cetero uoluerit esse sacerdotii.*<sup>38</sup>

The second specifically relates this principle to the celebration of masses in private residences:

*Felix papa omnibus orthodoxis. Sicut non alii quam sacrati Domino sacerdotes debent missas cantare nec sacrificia super altare offerre, sic nec in aliis quam Domino sacratis locis, id est in tabernaculis diuinis precibus a pontificibus dicatis et in mensis Domino sacratis et sacra unctione a pontificibus delibutis missas cantare aut sacrificia offerre licet, nisi summa coegerit necessitas. Satius est ergo missam non cantare aut non*

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<sup>36</sup> J. Gilchrist (ed.), *The Collection in Seventy-Four Titles: A Canon Law Manual of the Gregorian Reform* (Toronto, 1980), p. 1.

<sup>37</sup> J. Gilchrist (ed.), *Diuersorum Patrum Sententie siue Collectio in LXXIV Titulos Digesta* (Monumenta Iuris Canonici, Series B, Corpus Collectionum I; Vatican City, 1973), pp. 130-31; L. Kéry, *Canonical Collections of the Early Middle Ages (ca. 400-1140): A Bibliographical Guide to the Manuscripts and Literature* (History of Medieval Canon Law; Washington D.C., 1999), pp. 204-10.

<sup>38</sup> Gilchrist (ed.), *Seventy-Four Titles*, p. 130 (no. 203).

audire quam in his locis ubi fieri non oportet, nisi pro summa contingat necessitate, quoniam necessitas legem non habet. Vnde scriptum est: 'Vide ne offeras holocausta tua in omni loco quem uideris sed in loco quem elegerit Dominus Deus tuus.' In domibus tamen ab episcopis siue presbyteris oblationes celebrari nullatenus licet.<sup>39</sup>

These canons correspond both with the tenor of the Anglo-Saxon canons and law codes considered above, and with that of the eighth canon of the legatine council held at Winchester in 1070:

Quod in ecclesiis nisi ab episcopis consecratis misse non celebrentur.<sup>40</sup>

Similar continuity can be traced between Anglo-Saxon pronouncements concerning the foundation of new churches and those promulgated after the Conquest. In certain cases, canons began to be specifically issued with respect to the establishment of chapels (*capellae*). The 'Council of Westminster' (1102), convened by Anselm in the aftermath of the investiture controversy, resulted in 'the most extensive piece of legislation in England since the Conquest'.<sup>41</sup> Its sixteenth canon states simply:

Ne nove capelle fiant sine consensus episcopi.<sup>42</sup>

This canon may be interpreted broadly as a prohibition against the foundation, rather than simply the construction, of chapels. Its immediate context is significant: the two canons which immediately precede it are concerned with the protection and payment of tithes and with proscribing the sale (*emere*) of churches and prebends.<sup>43</sup> The foundation of chapels was considered a potential threat to the rights of established churches.<sup>44</sup> The division of ecclesiastical revenues between 'ancient' and new foundations appears to have become a contentious commonplace as new churches and

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<sup>39</sup> Ibid., p. 131 (no. 204).

<sup>40</sup> *Councils*, i, pt. 2, 575 (no. 8).

<sup>41</sup> Ibid., 670.

<sup>42</sup> Ibid., 676 (no. 16).

<sup>43</sup> Ibid., 676 (nos. 14-15).

<sup>44</sup> Cf. The seventh canon of the 'Council of Winchester' (1076), 'Supplantationes vero ecclesiarum omnibus modis interdicimus': *Councils*, i, pt. 2, 620 (no. 7).

chapels proliferated.<sup>45</sup> The impact upon existing tithes and endowments is eloquently lamented in the mid-twelfth century *Leges Edwardi Confessoris*:

... quia in multis locis sunt modo quatuor uel tres ecclesie, ubi tunc temporis non erat nisi una – et sic inceperunt minui.<sup>46</sup>

A generation later, the legatine council held at Westminster (1138), promulgated possibly the earliest English canon concerning the establishment of 'private' chapels:

Apostolica auctoritate prohibemus ne quis absque licentia episcopi sui in possessione sua ecclesiam vel oratorium constituat.<sup>47</sup>

It recalls an earlier canon, included in book three of Burchard of Worms's *Decretorum Libri Viginti* (c. 1026), which requires that churches should only be built upon private estates with episcopal consent and that bishops ensure that 'ancient' churches be consulted and their rights protected:

Quicumque voluerit in sua proprietate Ecclesiam ædificare, et consensum et voluntatem episcopi habebit in cuius parochia fuerit, licitum sit. Verumtamen omnino prævidendum est episcopo, ut aliæ Ecclesiæ antiquiores, propter novas suam justitiam aut decimam non perdant, sed semper ad antiquiores Ecclesias persolvatur.<sup>48</sup>

Certainly, in practice, there were close similarities between those 'private' churches and chapels constructed by the Anglo-Saxon and Anglo-Norman nobility, and those *Eigenkirchen*, or 'proprietary churches', maintained on the continent.<sup>49</sup> Many were constructed either within and immediately adjacent to seigniorial residences, and appear to have served both lordly households and neighbouring proto-parochial

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<sup>45</sup> R. Gem, 'The English Parish Church in the 11th and Early 12th Centuries: A Great Rebuilding?' in J. Blair (ed.), *Minsters and Parish Churches: The Local Church in Transition, 950-1200* (Oxford Committee for Archaeology, Monograph 17) (Oxford, 1988), 21-30.

<sup>46</sup> B.R. O'Brien, *God's Peace and King's Peace: The Laws of Edward the Confessor* (Philadelphia, 1999), p. 164.

<sup>47</sup> *Councils*, i, pt. 2, 777 (no. 12).

<sup>48</sup> *Patrologiæ*, cxi, col. 675 (cap. vii).

<sup>49</sup> U. Stutz, 'Das Eigenkirchenwesen in England', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kanonistische Abteilung*, 43 (1922), 409-15; idem, *Die Eigenkirche als Element des mittelalterlich-germanischen Kirchenrechts* (Darmstadt, 1964).

communities. They were in many respects precursors of those household chapels considered here.<sup>50</sup>

Whilst these rulings stress the necessity of acquiring episcopal consent, as well as that of established churches, for the establishment of new private chapels, they also imply that such chapels might be legitimately maintained. It is difficult to estimate the number of private chapels, in addition to new churches, founded in the century and a half prior to *c.* 1200, or to gauge how effective diocesan regulation was in practice.<sup>51</sup> However, at some point between 1149 and 1154, Walter Durdent, bishop of Coventry (1149-59), confirmed to the Benedictine priory of Monks Kirby (Warwickshire) all its possessions, with the proviso that chapels constructed during the anarchy should not be used:

Precipimus quoque quod omnes capelle illius prefate ecclesie que post mortem regis H. facte sunt in perpetuum cessent ...<sup>52</sup>

Indeed, it appears likely that this period witnessed the proliferation of chapels, in both a regulated and unregulated fashion, as well as attempts by many diocesans to exert authority over this process.<sup>53</sup>

Two canons specifically concerned with the regulation of chapels were issued by mid-twelfth-century legatine councils. The first, of 1143, promulgated a canon which concerns the suspension of 'divine offices' in dependent chapels constructed 'within towers and fortifications':

Prohibemus omnibus modis sacerdotibus capellanis ne divinum officium in munitionibus et turribus celebrare presumant, postquam in ecclesia alia eiusdem loci prohibitum fuerit; quod si presumpserint, ab ordine pariter et bonis ecclesiasticis cadant.<sup>54</sup>

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<sup>50</sup> R. Morris, *Churches in the Landscape* (London, 1989), pp. 227-74. The subject of the 'proprietary church' in eleventh- and twelfth-century England is one which requires closer investigation, but cannot be considered further here due to lack of space.

<sup>51</sup> *Chapter 2, passim.*

<sup>52</sup> M.J. Franklin (ed.), *Coventry and Lichfield, 1072-1159* (English Episcopal Acta 14; Oxford, 1997), pp. 66-67 (no. 68a).

<sup>53</sup> *Chapter 2, passim.*

<sup>54</sup> *Councils*, i, pt. 2, 803 (no. 16).

In 1151, the second council issued a similar canon which required that when services were suspended in a mother church they were also to cease in chapels ‘intra munitiones’:

... Cessantibus autem matricibus ecclesiis capelle que intra munitiones constructe sunt, non expectata cessandi iussione, ab administratione divinorum cessent.<sup>55</sup>

It is not absolutely clear to what class or manner of chapels these canons refer; they could concern the suspension of services in castle and civic chapels during time of siege or conflict. Many of the canons issued in 1143 and 1151 concern violence against clergy and the church, as well as the restitution of plundered ecclesiastical goods.<sup>56</sup> Contemporary concern with the celebration of divine services in castles and places of conflict was indicated in 1143 by the decision of Robert de Bethune, bishop of Hereford (1131-48), to transfer the Benedictine priory of St. Guthlac from the bailey of Hereford Castle, on account of its being a place of bloodshed and tumult (‘quod tumultus et sanguinum locus est’).<sup>57</sup> Whatever their precise import, these canons indicate some intent on the part of the contemporary leaders of the English church to regulate the celebration of services in the growing number of dependent chapels (at least *in extremis*).

The legatine council of 1143 also promulgated one of the earliest English canons concerned with household chaplains (literally, priests maintained as chaplains in the courts of magnates). They were only to administer (mass) with the consent of the diocesan and were to be bound by oath, on pain of dismissal, to respect his authority:

Prohibemus omnibus presbiteris ne capellariam potentum suscipiant vel in curiis eorum administrent nisi per manum episcopi eiusdem diocesis; ad hoc ingrediantur sacramento astricti quod episcopalibus mandatis atque preceptis per omnia obedient et excommunicatos ad divina officia non admittent. Qui vero contra fecerint ab ordine pariter et beneficiis ecclesiasticis cadant.<sup>58</sup>

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<sup>55</sup> *Councils*, i, pt. 2, 825 (cap. 7).

<sup>56</sup> *Councils*, i, pt. 2, 794-804, 821-26.

<sup>57</sup> J. Barrow (ed.), *Hereford, 1079-1234* (English Episcopal Acta 7; Oxford, 1993), pp. 21-22 (no. 21).

<sup>58</sup> *Councils*, i, pt. 2, 802 (no. 9).

By the mid-twelfth century, that canon law current in England which pertained to 'household chapels' was both more extensive and more specific than that of a century earlier. This reaffirmed that masses should only be celebrated in consecrated places (and therefore not in unconsecrated domestic residences). More specifically, it required that household chaplains only serve or celebrated with the consent of the diocesan. Likewise it was required that no chapels should be built without episcopal authority, in particular those on private estates; and that established churches be considered and consulted in such cases. More broadly, not only does the term *capella* appear with increasing frequency in the canonical and administrative record of the twelfth-century church, but specific legislation began to be promulgated to regulate services celebrated in dependent chapels.

#### GRATIAN'S *DE CONSECRATIONE* AND 'PRIVATE ORATORIES'

One of the principal methods of transmitting and teaching the canon law of the Universal Church was the compilation of canon law collections. Gratian of Bologna's *Concordia Discordantium Canonum*, or the *Decretum Gratiani*, compiled c. 1140, came to constitute one of the most influential such collections. It shaped not only the manner in which subsequent collections were compiled and canon law taught, but it remained a significant canonical authority, inviting debate and discussion, throughout and beyond the medieval period.<sup>59</sup> Gratian's canons concerning household chapels not only clarified the canonical status of contemporary chapels, but continued to shape the understanding of their canonical maintenance throughout the medieval period.

The *Tractus de Consecratione*, the third and shortest section of the *Decretum*, incorporates much material directly and indirectly associated with the establishment and maintenance of chapels in general, and of household chapels specifically. Here, Gratian drew together a body of nearly four hundred *capitula* concerned with the canonical foundation, construction and consecration of churches, as well as the

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<sup>59</sup> R.H. Helmholz, *Canon Law and Ecclesiastical Jurisdiction from 597 to the 1640s* (Oxford History of the Laws of England, Vol.1; Oxford, 2004), pp. 124-28; Cheney, *Becket to Langton*, pp. 44-45.

canonical celebration of mass and other services. Three particular groups of canons are of note in this present context.<sup>60</sup>

The first group concerns the canonical establishment, construction and dedication of churches. The necessity of acting with appropriate ecclesiastical authority, specifically that of a bishop, is a consistent requirement.<sup>61</sup> Gratian cites no canons specifically concerned with the establishment or construction of chapels; however episcopal authority over chapels was, presumably, based upon these and similar canons concerning churches. The second group of canons is concerned, in turn, with the *loci* of the celebration of masses. They stipulate that masses be celebrated only in dedicated or consecrated places, and upon properly consecrated altars.<sup>62</sup> They correspond closely with those Anglo-Saxon laws and canons considered above.<sup>63</sup>

The third set consists of three canons which deal specifically with the maintenance of 'household chapels' (literally 'private oratories').<sup>64</sup> The first is a basic statement of the canonical illegitimacy of celebrating domestic masses in private oratories:

C. XXXIII. *In priuatis oratoriis licet orare, sed non missas celebrare.*

*Item ex Concilio Aurelianensi, c. 3.*

Unicuique fidelium, licet in domo sua oratorium habere, et ibi orare; missas autem ibi celebrare non licet.<sup>65</sup>

The two subsequent canons detail exceptions to this rule, or rather legitimate conditions upon which domestic masses might, in practice, be celebrated in 'private oratories'. The second canon of this group mandates, on pain of deposition, that domestic masses might be celebrated only by priests who have received the consent of the diocesan (the bishop of the place where celebration occurs), thereby indicating that episcopal consent, or license, might be obtained for such celebration.

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<sup>60</sup> These do not represent distinct sets of canons identified by Gratian.

<sup>61</sup> D. 1 de cons. c. 3-10; *Corpus*, i, cols. 1294-1296.

<sup>62</sup> D. 1 de cons. c. 11-32; *Corpus*, i, cols. 1297-1302.

<sup>63</sup> Cf. D. 1 de cons. c. 38 (timber from dedicated churches, and by extension chapels, was not to be used in lay buildings); *Corpus*, i, col. 1303.

<sup>64</sup> D. 1 de cons. c. 33-35; *Corpus*, i, cols. 1302-3.

<sup>65</sup> D.1. de cons. c. 33; *Corpus*, i, col. 1302.

*C. XXXIV. In priuatis oratoriis absque consensu episcopi nullus ministrare presumat.*

*Item ex VI. Sinodo, [c. 31.]*

Clericos, qui ministrant in oratoriis, que intra domos sunt, cum consensu episcopi loci illius hoc facere precipimus. Si quis uero hoc non obseruauerit, deponatur.<sup>66</sup>

The third and final canon is concerned with the relationship between those who maintained household chapels and established or parish churches. Those who possessed or routinely attended private oratories ‘extra parrochias’ were required to attend public (‘civic’) or parochial celebrations of mass on certain principal feasts (Easter, Christmas, Epiphany, Ascension, Pentecost, the feast of St. John) and other (locally) significant festivals. However, this canon implies that additional episcopal consent, or license, might be sought for the celebration of domestic masses on such feasts.

*C. XXXV. Qui extra parrochias habent oratoria, his diebus ad parrochias redire cogantur.*

*Item ex Concilio Agatensi, [c. 21.]*

Si quis etiam extra parrochias, in quibus legitimus est ordinariusque conuentus, oratorium habere uoluerit, reliquis festiuitatibus, ut ibi missas audiat, propter fatigationem familiae iusto ordine permittimus. Pasca uero, Natale Domini, Epiphaniam, Ascensionem Domini, Pentecosten et Natale S. Iohannis Baptistae, et si que maximae dies in festiuitatibus habentur, non nisi in ciuitatibus aut in parrochiis audiant. Clerici uero, si qui in his festiuitatibus, quas supra diximus in oratoriis (nisi iubente aut permittente episcopo) missas celebrare uoluerint, a communione pelantur.<sup>67</sup>

Significantly, this canon states that masses might be performed in private oratories ‘on account of the fatiguing of the household’. Other canonical authorities addressed justifications for the celebration of domestic masses or the maintenance of chapels in more detail. As seen, Anglo-Saxon legislators regarded illness or necessity as such justifications. In his *Collectio de Ecclesiis et Capellis* (c. 858-60), Hincmar, archbishop of Reims, considered that new public oratories, dependent on mother churches and served using portable altars, might be established where winter floods,

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<sup>66</sup> D.I. de cons. c. 34; *Corpus*, i, col. 1302.

<sup>67</sup> D.I. de cons. c. 35; *Corpus*, i, col. 1302-3.

marshes, woods or simply long distance made access to churches difficult for the pregnant or infirm:

Quae nova oratoria si necesse est populo aedificari propter aquas, quae hiemis tempore solent crescere, vel si forte sit silva in medio aut palus aut talis longitudo, ut feminae pregnantes et homines infirmi ad metropolitanam ecclesiam convenire non possint, eis, si ita unanimitas coepiscoporum nostrorum plebium infirmitatibus consulendo consenserit, capella subiecta antiquae ecclesiae fiat et presbiter cum tabula a suo episcopo sacrata illuc pergens illis, qui ad matricem ecclesiam convenire non poterunt, officio consulere curet.<sup>68</sup>

Those basic canonical principles summarized in Gratian's canons (D. 1. de cons c.33-6), as well as particular elements of Hincmar's *De Ecclesiis et Capellis*, profoundly influenced the manner in which English household chapels were established and maintained from the late-twelfth century until the Reformation. They appear to have provided common terms of reference both for grants of the right to maintain household chapels, episcopal *licencie celebrandi*, and certain classes of papal privilege.<sup>69</sup> They provided for the episcopal licensing (in the broadest sense) of the construction of household chapels and the celebration of domestic masses within them. They also constituted an established series of conditions upon which households chapels might be maintained. Gratian's canons were, for example, cited in an early fifteenth-century vernacular treatise, *Dives and Pauper*, in a dialogue concerning private devotions.<sup>70</sup> Indeed, the basic canonical principles which applied to the establishment and maintenance of household chapels altered hardly at all after the popularization of Gratian's *Decretum*. Subsequent canonical pronouncements or opinions were, instead, primarily concerned with the application of these principles in practice.

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<sup>68</sup> M. Stratmann (ed.), *Hincmar von Reims. Collectio de Ecclesiis et Capellis* (Monumenta Germaniae Historica. Fontes Iuris Germanici Antiqui in Usus Scholarum Separatim Editi 14; Hannover, 1990), p. 75. Cf. Hincmar's capitulary (856): R. Pokorny and M. Stratmann (eds.), *Capitula Episcoporum II* (Monumenta Germaniae Historica; Hannover, 1995), p. 75.

<sup>69</sup> *Chapters 3-4, passim.*

<sup>70</sup> Below, p. 64.

The Fourth Lateran Council of 1215 gave renewed impetus to the reform movement in both the Universal and the English Church. Its seventy decrees considered topics ranging ‘from the celebrated confession of faith to details about the clothing of clerks’.<sup>71</sup> The influence of these on attempts to reform the principles and practices of the English church was both direct, where promulgated in texts, and indirect, as thirteenth-century archbishops and bishops convened provincial and diocesan synods which issued their own statutes. Although lay patronage of churches was a subject addressed in 1215, the maintenance of household chapels was not specifically considered.<sup>72</sup> This may of itself suggest that their maintenance was not considered to pose a widespread challenge to the reform of the Universal Church. It is also noteworthy that the subject of household chapels and chaplains was not substantially addressed by the provincial council convened in Oxford in 1222 by Stephen Langton, archbishop of Canterbury (1206-28), upon his return from Rome.<sup>73</sup> However, as the century progressed, both diocesan and legatine legislators came to address the maintenance of household chapels and chaplains as part of wider programmes of ecclesiastical reform.

Sets of influential statutes were issued for the diocese of Worcester by both William de Blois, bishop (1218-36), in 1219 and 1229, and by his successor, Walter de Cantilupe (1237-66) in 1240.<sup>74</sup> As is well known, the twenty-first decree of the Fourth Lateran Council formalized the act of confession, which became ‘in theory and gradually in practice the sacred and bounden duty of every Christian man and woman’.<sup>75</sup> This may account, in part, for the promulgation of a series of more-or-less equivalent diocesan statutes which required that household chaplains not hear the

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<sup>71</sup> M. Gibbs and J. Lang, *Bishops and Reform 1215-1272, with Special Reference to the Lateran Council of 1215* (London, 1934), p. 99.

<sup>72</sup> Decrees nos. 42-46 considered secular possession and exploitation of churches; no. 61 restricted the rights of lay patrons: *Ibid.*, pp. 180-83.

<sup>73</sup> One constitution of this council required abbots to replace their chaplains once a year, *Councils*, ii, pt. 1, 119 (no. 40). Cf. A diocesan statute of the early 1220s, concerning the honesty of abbot’s chaplains: *Ibid.*, 152 (no. 68).

<sup>74</sup> Gibbs and Lang, *Bishops and Reform*, pp. 109-10; *Councils*, ii, pt. 1, 169-81, 294-325.

<sup>75</sup> *Ibid.*, p. 95.

confessions of households (*familia*) without episcopal authority. Blois issued such a statute in 1229:

Ut sacerdotes non admittant ad confessionem magnates et eorum familias  
in quorum capellis divina celebrent, cum nullam receperint curam  
animarum ab episcopo ...<sup>76</sup>

In 1240, Cantilupe promulgated a stronger statute restricting household chaplains from celebrating masses or hearing the confessions of magnate's households, unless they have been canonically presented and admitted, and granted care of souls.

However, this statute also recognized that household chaplains might be exempted from diocesan jurisdiction by superior (i.e. papal) privileges:

Prohibemus etiam ne aliquis sacerdos in capellis magnatum  
quantumcunque sint libere divina celebrare presumat, nisi nobis sit  
presentatus et admissus, nec ipse confessiones dictorum magnatum audiat  
aut familie eorundum sine nostra licentia speciali; quod si qui fortassis  
exemptos se dicant a iurisdictione nostra privilegium exemptionis sue quo  
se tueantur nobis exhibeant incuntanter.<sup>77</sup>

In some cases such papal privileges might entirely supersede diocesan authority. *Liber V* of Pope Gregory IX's *Decretales* (1234) incorporates a canon concerning the privilege to possess and celebrate on portable altars. This originally confirmed such a right to members of the Dominican and Franciscan orders ('fratribus Praedicatoribus et Minoribus') without prejudice to parochial rights ('sine parochialis iuris praeiudicio cum altari valeant viatico celebrare').<sup>78</sup> However, it was codified under the more general rubric:

Capitulum XXX.

Privilegiati, ut ubique possint cum altari viatico celebrare, hoc possunt  
sine licentia praelatorum.<sup>79</sup>

Rulings concerning chapels in general also affected the canonical maintenance of household chapels. Those canons promulgated by the legatine council held by

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<sup>76</sup> Ibid., 179 (no. 57).

<sup>77</sup> Ibid., 314 (no. 72).

<sup>78</sup> *Corpus*, ii, cols. 868-69.

<sup>79</sup> Ibid.

Cardinal Otto in 1237 specifically addressed the reform of the English church.<sup>80</sup> Amongst matters addressed was the consecration of churches, both of new construction and of ancient foundation. The first canon, *Basilicarum dedicatio*, requires prompt consecration of all unconsecrated cathedral, monastic and parish churches ('omnes ecclesie cathedrales, conventuales, et parochiales'), as well of those of dubious consecration.<sup>81</sup> A notable exception is made for 'minor chapels', whose consecration ought to continue in accordance with canonical tradition:

De capellis vero minoribus nil novi duximus statuendum, consecrationes earum quando et qualiter fieri debeant diffinitionibus canonicis reliquentes.<sup>82</sup>

The precise import of this qualification is uncertain, although it appears to suggest, in the manner of Hincmar's *De Ecclesiis et Capellis*, that minor chapels, including a proportion of household chapels, might be unconsecrated, and that this was not an issue requiring immediate reform.<sup>83</sup>

Where Otto was otherwise silent on the matter of chapel regulation, his successor Cardinal Ottobuono encouraged the good regulation of household chapels in a canon, promulgated by the council he convened in 1268, *De oblationibus capellarum* (*Appendix II*). This recognizes and praises the practice whereby when an individual wished to maintain a private chapel ('capellam propriam'), and the diocesan permitted this for 'just cause', that he did so on the condition that it caused no prejudice to others.<sup>84</sup> It further requires that chaplains ministering in such chapels should restore all oblations or offering to their mother churches on pain of suspension.<sup>85</sup> The promulgation of Ottobuono's canons was so widespread that they became 'the most important single collections of local law for the English Church', and the provisions

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<sup>80</sup> D.M. Williamson, 'Some Aspects of the Legation of Cardinal Otto in England, 1237-41', *English Historical Review*, 64 (1949), pp. 160-61 and *passim*.

<sup>81</sup> *Councils*, ii, pt. 1, 245-46 (no. 1).

<sup>82</sup> *Ibid.*, 246.

<sup>83</sup> Otto authorized the foundation of a monastic chapel at Coxwell by the Cistercian abbey of Beaulieu (Hampshire): Williamson, 'The Legation of Cardinal Otto', pp. 154-55. His London residence, Durham Hall, certainly possessed a chapel by 1380 and probably earlier: J. Schofield, *Medieval London Houses* (London, 1995), pp. 212-13 (no. 161).

<sup>84</sup> *Appendix II*.

<sup>85</sup> *Ibid.*

of this canon certainly appear to have been broadly adhered to both by contemporary diocesans and by their successors.<sup>86</sup> This particular canon gave weight to contemporary good practice, rather than seeking to impose further restrictions upon the maintenance of household chapels. Indeed, it serves as evidence that such chapels could, at least in theory, be maintained in a canonical manner which protected the rights of others.

Mid-thirteenth-century statutes issued within the dioceses of Durham and Chichester addressed the regulation of chapels in a manner similar to the legatine canons of Otto and Ottobuono. Nicholas Farnham, bishop of Durham (1241-49) promulgated a statute, *De capellis* (*Appendix I*), which opens with a clear reiteration of the right of diocesans to authorize the construction of chapels and the celebration of masses in them.<sup>87</sup> It corresponds closely with those canons concerning household chapels and domestic masses codified by Gratian almost a century earlier, but also considers how chapels might be regulated in practice. In particular, it claims this immediate authority over existing chapels, with the exception of those whose rights were confirmed by an episcopal act ('in capellis ab antiquo constructis que non sunt episcopali munimine roborate').<sup>88</sup> Significantly, Farnham considered that the general regulation of chapels should be undertaken by archdeacons. They should diligently visit chapels situated in diverse parishes ('capelle plures site sint in parochiis diversis'), whilst priests celebrating in churches and in chapels of any kind ('sacerdotes in ecclesiis aut capellis qualitercunque') were to appear in chapter before the archdeacon and his official at least twice a year.<sup>89</sup> A contemporary statute, issued by Richard Wich, bishop of Chichester (1245-53), *De capellanis annuis*, which concerned the protection of parochial rights and revenues and is comparable with Ottobuono's later *De oblationibus capellarum*, required that:

Capellani in capellis ministrantes saltem quater in anno veniant ad capitulum, statuta synodalia audituri, et obedientiam faciant episcopo et archidiacono ut tenentur.<sup>90</sup>

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<sup>86</sup> *Councils*, ii, pt. 1, 239.

<sup>87</sup> *Appendix I*.

<sup>88</sup> *Ibid.*

<sup>89</sup> *Ibid.*

<sup>90</sup> *Councils*, ii, pt. 1, 463.

Although few accounts of the activities of archdeacons survive, they may be shown to have actively regulated household chapels and chaplains.<sup>91</sup> The rare, ‘Inquisitiones per archidiaconatus episcopatus Lincoln. a singulis archidiaconis faciendae’, issued by Hugh de Wells, bishop (1209-1235), in c. 1230, comprised fifty questions, the forty-ninth being:<sup>92</sup>

An in aliqua capella celebretur sine assensu episcopi?<sup>93</sup>

Whereas these statutes concerned the maintenance of chapels in general, implicitly including that of household chapels, the statute *De ecclesiis, capellis, et oratoriis construendis et reparandis* (*Appendix III*), promulgated by Peter Quinel, bishop of Exeter (1280-91), in 1287, specifically considers the maintenance of ‘oratories constructed in private houses’.<sup>94</sup> By the close of the thirteenth-century chapel maintenance, or matters arising from it, may have become a more pressing issue than in previous decades. The first part of this statute is concerned with the exercise of episcopal authority over the establishment of chapels and with the protection of parochial rights and revenues; the second addresses the matter of responsibility for the construction or repair of churches and chapels. It constitutes the most detailed account of the manner in which late-thirteenth-century chapels were expected, in English canon law, to be established and regulated. Its scope and tenor accord directly with earlier thirteenth- and twelfth-century rulings, and it appears that its terms codified contemporary practice, rather than seeking to institute dramatic reform.

The first part of Quinel’s statute reiterates the established canonical principle that churches and chapels should not be constructed, or their ruins rebuilt, without the authority (or special licence) of the bishop (‘absque episcopi sui licentia speciali’); and that divine services (*divina*) should not be celebrated in them without episcopal consent.<sup>95</sup> In a manner reminiscent of Buchard of Worms’s canon concerning private

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<sup>91</sup> For the archdeacons of Richmond, *Chapter 3*, pp. 148-49.

<sup>92</sup> Gibbs and Lang, *Bishops and Reform*, p. 107.

<sup>93</sup> Wilkins, i, 627-28.

<sup>94</sup> *Appendix III*.

<sup>95</sup> *Ibid.*

churches, and directly comparable with Ottobuono's concern for parochial rights, it considers that chapels might be established and maintained with the consent of the rector of the parish church, in a manner which caused no prejudice to the parish or to the rights of others.<sup>96</sup> Priests celebrating in chapels were to restore all offerings to the parish church, under pain of suspension, and were to take an oath to do so.<sup>97</sup> Laymen who impeded such restitution were, after three warnings, to suffer a sentence of excommunication.<sup>98</sup> As in the case of Farnham's *De capellis*, this ruling was to apply equally to existing chapels and to those established in the future. Quinel ruled that in private chapels, literally those without their own parishioners, sacraments and sacramentals should not be administered, nor should baptisms, weddings or other divine services (*divina*) be celebrated.<sup>99</sup> Exempt from these restrictions were: in the case of the receipt of sacraments, individuals who possessed 'a more ample permission'; and, in the case of the celebration of baptisms, weddings and *divina*, those chapels which had been established by means of a larger privilege, with respect to which the parish church had been suitably compensated.<sup>100</sup> Quinel specifically stated that these rules were to apply to household chapels, literally 'oratories which are constructed in houses':

Idem de oratoriis que in aliquorum domibus construuntur statuimus observari.<sup>101</sup>

The second part of Quinel's statute concerns the repair of churches and chapels, again with an emphasis upon the latter. The first clause required that the burden of the construction and repair of the chancels of churches fall upon rectors, and that of the nave upon parishioners (this being a relatively commonplace arrangement).<sup>102</sup> By contrast parochial chapels (i.e. those with their own 'parish') were to be maintained solely at the expense of the communities they served and for whose 'favour and

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<sup>96</sup> Ibid.

<sup>97</sup> Statutes concerned with the general payment or restitution of tithes and parochial dues were commonplace. For instance, Bitton's statute, *De oblatione in die dedicationis*, for the diocese of Wells (c. 1258): *Councils*, ii, pt. 1, 600 (no. 18).

<sup>98</sup> *Appendix III*.

<sup>99</sup> Ibid.

<sup>100</sup> Ibid.

<sup>101</sup> Ibid.

<sup>102</sup> Ibid.

convenience' they were constructed. These communities were required, nevertheless, to continue to contribute to the upkeep of their parish churches.<sup>103</sup> Quinel devotes a lengthy passage to the matter of landholders who possessed multiple estates, upon which members of their households and servants ('famuli et servientes') lived, but who refused to contribute to the upkeep of parish churches. He required that they pay for the maintenance of churches and cemeteries according to the proportion of lands they held in each parish (like other parishioners).<sup>104</sup> Many such landholders were members of the same itinerant nobility who maintained household chapels, the burden of which, Quinel ruled, should belong to their founders (and by implication their successors):

Onus oratoriorum, que in privatis domibus construuntur, et etiam capellarum proprios non habentium parochianos ad ipsorum dumtaxat partineat [*sic*] fundatores.<sup>105</sup>

In addition, he promulgated a statute regarding the ordination and admission of clergy, which explicitly required that magnates' chaplains only administer sacraments and hear confessions in cases of unexpected necessity:

Quod etiam de capellanis magnatum intelligi volumus, quibus confessiones audire, penitentias dare, aut alia sacramenta ministrare firmiter prohibemus, nisi forte que eis a iure in necessitatis articulo sunt concessa, et tunc non aliter quam si talis articulus emerit ex inopinato.<sup>106</sup>

This canon may be compared with elements of earlier statutes, such as that issued in c. 1258 by William Bitton, bishop of Bath and Wells (1248-62):

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<sup>103</sup> Ibid.

<sup>104</sup> Quinel considered the construction of chapels in churches, literally 'altare cum parietibus et tecto in ecclesia', as well as the repair and reconstruction of churches and chapels, all of which might be permitted, but required episcopal consent: *Appendix III*. Otto's canon, *Basilicarum dedicatio* (1237) (*Councils*, ii, pt. 1, 246) stated:

Ad hec ne presumant abbates aut ecclesiarum rectores antiquas ecclesias consecrates sub pretextu pulcroris vel amplioris fabrice faciende diruere absque licentia diocesani episcopi et consensu, presenti statuto districtius inhihemus.

Whilst Ottobuono's *De consecratione ecclesiarum* (1268) required that bishops carefully consider such matters ('qui diligenter consideret utrum expediat dari licentiam huiusmodi vel negari'): *Councils*, ii, pt. 2, 750-51.

<sup>105</sup> *Appendix III*.

<sup>106</sup> *Councils*, ii, pt. 2, 1032-33 (no. 37).

De non admittendis sacerdotibus aliene ordinationis sine episcopo.

... Firmiter inhibemus ne quis capellanus in capellis magnatum, quantacumque gaudeant libertate, divina celebrare presumat nisi nobis fuerit presentatus, nec ipsorum magnatum nec familie sue confessiones audiat sine nostra auctoritate et licentia speciali ...<sup>107</sup>

Those examples of canons and statutes promulgated by councils and synods of the thirteenth-century English Church differ from similar, earlier, pronouncements in their detailed consideration of certain practicalities concerning the establishment and maintenance of chapels, including household chapels. Each adheres to well-established canonical principles, in particular those codified in Gratian's *De Consecratione*: that chapels might only be constructed or established with episcopal authority; and that episcopal consent was required to celebrate masses in them. However, these English rulings also consider the role of household chaplains as confessors, the consecration of chapels, the protection of parochial rights from potential diminution, the nature of those services to be celebrated within chapels, and the practical regulation of chapels by archdeacons. That these were matters of canonical legislation suggests that chapels, including household chapels, were maintained in significant, probably increasing, numbers throughout this period – an argument supported by evidence of the establishment of chapels in practice.<sup>108</sup>

Although many statutes were only promulgated within individual dioceses, sets of diocesan statutes directly informed and influenced one another and statutes often bear direct comparison.<sup>109</sup> Moreover, patterns of chapel maintenance do not appear to have differed sufficiently from one diocese to another to have demanded significant variation in the manner in which diocesans approached their regulation. The provisions of statutes such as Farnham's *De capellis* and Quinel's *De ecclesiis, capellis, et oratoriis* appear to codify well-established principles pertaining to the maintenance of contemporary chapels and chaplains. Indeed, such thirteenth-century legislation appears to reflect a coherent and measured response to the maintenance of household chapels, amongst other classes of chapel, by English ecclesiastical authorities (rather than a series of *ad hoc* measures taken by individual diocesans). In

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<sup>107</sup> *Councils*, ii, pt. 1, 611-12 (no. 47).

<sup>108</sup> *Chapter 2, passim*.

<sup>109</sup> Gibbs and Lang, *Bishops and Reform*, pp. 106-30.

certain instances they may have addressed particular laxness or informality. Texts of William de Blois's statute of 1229, concerning household chaplains, end with a derisive comment concerning their inadequacies (possibly a mistakenly interpolated marginal note):

... Et multi tales sunt irregulares, plures inhonesti; quidam a non suis episcopis ordinati, plures nunquam ordinem sacerdotalem receperunt.<sup>110</sup>

Nevertheless, all the rulings considered above were promulgated as elements of wider programmes of reform and codification, and generally minor ones at that. They are best characterized not as restrictive attempts to mitigate illicit maintenance of chapels, but rather as means of establishing the good regulation and considerate maintenance of significant and growing numbers of chapels.

#### *QUAM SIT INHONESTUM* AND THE REGULATION OF DOMESTIC MASSES

In *De ecclesiis, capellis, et oratoriis*, Quinel identifies two kinds of exemption or privilege associated with the maintenance of household chapels. Individuals might possess 'a more ample permission'; and chapels might have particular rights confirmed, with parochial consent, at the time of their foundation.<sup>111</sup> These may be associated with those distinct classes of administrative instrument employed in the practical regulation of household chapels: charters which confirmed the right to maintain household chapels and their particular privileges ('chapel grants'); and episcopal *licencie celebrandi* or papal indults issued to individual petitioners for the celebration of domestic masses and the performance of other sacraments. The receipt of such charters, licences and indults is considered below.<sup>112</sup> *Licencie celebrandi* for domestic masses were issued in substantial numbers from the turn of the fourteenth-century.<sup>113</sup> Attention is drawn here to the canonical principles which informed the issue of such licences and, in particular, to English attempts to establish these.

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<sup>110</sup> *Councils*, ii, pt. 1, 179 (no. 57).

<sup>111</sup> Above, pp. 57-60.

<sup>112</sup> *Chapter 2-5, passim*.

<sup>113</sup> *Chapter 3, passim*.

The canonical authority by which diocesan bishops sanctioned the establishment of new churches and chapels, and the celebration of masses within chapels, was well-established by c. 1300, when the issue of *licencie celebrandi* began to become commonplace.<sup>114</sup> Gratian's *Decretum* (specifically, D. 1. de cons c.33-6) had codified those canonical principles relating to the maintenance of household chapels and remained an influential source of canonical teachings upon this subject. They informed John Aton's early fourteenth-century glosses upon the legatine canons of Otto and Ottobuono. He glossed the phrase, 'Quare statuerunt provide Sancti Patres, nè in aliis locis quàm dedicatis (nisi necessitatis causa) celebretur Officium tam sublime', from Otto's canon *Basilicarum* thus:

An liceat habere capellam domi.

... unde tamen scias unicuique fidelium licitum esse in domo sua Oratorium habere non sacrum propria auctoritate, missas autem ibidem celebrare non sic licet, nisi in casu necessitatis ut hic, absque licentia & consensu Episcopi. *de conse. di I. c. missa. & c. concedimus. ubi de hoc, no. & c. unicuique. & c. se. & se. hoc absque præiudicio Matricis seu Parochialis Ecclesiæ ...*<sup>115</sup>

The first half of the fourteenth century also witnessed at least one attempt to curb or less pejoratively, to regulate better the widespread issue of *licencie celebrandi* in the province of Canterbury, by means of the promulgation of the statute, *Quam sit inhonestum*.<sup>116</sup> This was issued in 1342, under the rubric, *Ne in privatis oratoriis missarum solennis sine licentia episcopi de caetero celebrantur*, by John Stratford, archbishop of Canterbury (1333-48) (*Appendix IV*).<sup>117</sup> And it is with Stratford and with William Lyndwood, following that canonist's glosses upon it, that *Quam sit inhonestum* is principally associated. However, it also appears to have been promulgated, in slightly variant form, by Stratford's predecessor Walter Reynolds, archbishop (1313-27).<sup>118</sup>

<sup>114</sup> Chapter 3, pp. 132-41.

<sup>115</sup> *Provinciale*, p. 6 (*Constitutiones Legatinæ*), gloss 'h. *Necessitatis causa*'.

<sup>116</sup> This statute has received little scholarly attention. 'Stratford in 1342 tried to suppress the indiscriminate issuing of such licences': Adams, 'Chapels of Cornwall', p. 59.

<sup>117</sup> *Appendix IV*. The similarities between this rubric and those of Gratian's D.1 de cons. c. 33-34, should be noted.

<sup>118</sup> Spelman published this variant, as a statute of Reynolds, in 1664, under the rubric, *Ne in privatis oratoriis Missarum solempnia celebrentur*: Spelman, pp. 491-92.

Stratford's opening passage reiterates the canonical principle, and 'the traditions of secular princes', that masses should not be celebrated in unconsecrated chapels, oratories or houses.<sup>119</sup> His criticism of those who celebrated domestic masses regardless is vituperative:

But priests, both regular and secular, in contempt of all this, celebrating divine offices there [in private chapels, oratories and houses], cause great danger to souls by drawing parishioners from their parish churches, and so depriving them of those wholesome instructions which they used there to receive, who thereupon rashly do things that are forbidden, and communicate with some whom they ought not; and contrary to that doctrine which forbids one man to offer hardships to another; and from hence many evils arise, and the accustomed honour and profit of parish churches is lessened.<sup>120</sup>

This is notably harsher, but accords with the final passage of the earlier variant text associated with Reynolds:

Ceterum quia Diocesani in concedendis super hiis licentiis, exhibentes se nimis faciles, ex sua lenitate, cum Ecclesiarum parochialium injuriâ, jacturam inferunt animabus, omnes & singulos nostros suffraganeos exhortamur; ut ad celebrandum divina in locis hujusmodi, non nisi personis indigentibus, & ex causis magnis & probatis licentiam de cætero non concedant.<sup>121</sup>

Stratford's canonical position regarding domestic masses (and by association, the maintenance of household chapels) was barely different from that of his immediate, or his Anglo-Saxon, predecessors. However, whereas earlier rulings had generally allowed that domestic masses be celebrated with episcopal consent or in cases of necessity ('idque causa iusta mediante concesseri'), *Quam sit inhonestum* represents a rare attempt to define the conditions upon which *licencie celebrandi* were granted and to restrict their issue.<sup>122</sup>

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<sup>119</sup> Cf. Bracton's *De Legibus et Consuetudinibus Angliae*, below, p. 69.

<sup>120</sup> *Appendix IV*. Stratford's statement, 'qua praecipitur iniquam conditionem alteri per alterum non afferri', may be compared with the opening passage of Ottobuono's *De oblationibus capellarum*, which complains about the abuse of privileges; and Quinel's *De ecclesiis, capellis, et oratoriis*, which warns that privileges may rebound upon those that grant them: *Appendix III*.

<sup>121</sup> Spelman, p. 492.

<sup>122</sup> Ottobuono's *De oblationibus capellarum: Appendix II*.

*Quam sit inhonestum* outlined two broad conditions upon which *licencie celebrandi* might be issued; these concerned the status of the licensee and their ability to attend their parish church. Licences were only to be granted to ‘magnates or nobles’ who lived at ‘a notable distance’ from their parish church; or to those who were ill or infirm. Stratford exempted from the scope of his statute those oratories (*oratoria*) maintained by senior ecclesiastics, as well as the chapels and oratories of the English monarchs and their children. All *licencie celebrandi* possessed by others were to be considered void. The impact of Stratford’s promulgation of this canon upon his diocesans’ licensing of domestic masses is difficult to gauge; certainly, *licencie celebrandi* continued to be issued in significant numbers throughout the second half of the century.<sup>123</sup>

Stratford’s concern that the communal life of parishes might be undermined by household chapels, or the celebration of masses within them, may not have been communicated to a large audience. The early-fifteenth-century instructional treatise, *Dives and Pauper*, was, by contrast, intended for an educated and pious lay audience. It provides a wide-ranging exposition, in Middle English, of the practical meaning of the ten commandments and takes the form a dialogue between a rich man, Dives, and a erudite mendicant preacher, Pauper.<sup>124</sup> During their lengthy discourse upon the first commandment, Pauper considers the nature of private devotions and draws directly upon, and even cites, Gratian’s *Decretum* (specifically, D. 1. de cons c.36):

... it is wol spedful to man and woman whan þey mon nout wel gon to chirche to gon into here chambre or into her oratorie and seyn þer here preyere and here douociouns. But 3if þey dispysyn Godys hous and leuyn Godys seruyse for swiche pryue preyere þey synnyn greuously and lesyn mede of here pryue preyere. And þerfor þe lawe byddith þat þey þat han pryue oratoriis or chapelys be leue of þe buschop to heren yn her messe and here seruyse þat in þe grete festis, as Estryng, Cristemesse, Epiphanie, Ascencoun, Pentecost, Sent Ion Baptist and oþre swyche, þey schuldyn gon to chirche and no preste schulde þanne synge in swych oratoriis or chapelys withoutyn special leue of þe buschop, and 3if he dede he schulde ben put from his messe, De conse., di. i / Si quis [etiam]. Boþe pryue preyere and opyn preyere ben good 3if it ben don in due manere, in due

<sup>123</sup> The accidental loss of Stratford’s archiepiscopal register is particularly frustrating: A.K. McHardy, ‘The Loss of Archbishop Stratford’s Register’, *Historical Research*, 70 (1997), 337-41. Chapter 3, pp. 164-70.

<sup>124</sup> P.H. Barnum (ed.), *Dives and Pauper*, 3 vols. (Early English Text Society 275, 280, 323; London, 1976, 1980, 2005), i, ix-xi.

place [and] in deu tyme. Preyere is good in chambre & in oratorie, but it is betere in holy chyrche with þe comounte whan tyme is of comoun preyere & whanne men mon wel attendyn þerto.<sup>125</sup>

Pauper's discourse on 'pryue oratoriis or chapelys' shares Stratford's concern that household chapels might weaken communal bonds within parishes. Yet both also suggest that the grant of *licencie celebrandi* by English diocesans had become a commonplace, and that the canonical basis for the acquisition of such licences was widely appreciated. Indeed, whilst Stratford intended *Quam sit inhonestum* to restrain the issuing of *licencie celebrandi*, Lyndwood was later to employ this text as a means of describing and examining the manner in which such licences were issued.

#### WILLIAM LYNDWOOD'S GLOSSES ON *QUAM SIT INHONESTUM* IN HIS *PROVINCIALE*

Almost a century after its promulgation by Stratford, *Quam sit inhonestum* was included by the canonist, William Lyndwood, in his highly influential collection of constitutions and statutes of the province of Canterbury, known as the *Provinciale*.<sup>126</sup> Completed around 1430, this was intended to provide an introduction to the canon law of the English church and incorporated detailed glosses upon each constitution and statute.<sup>127</sup> Lyndwood's glosses upon *Quam sit inhonestum* significantly altered its import. He employed its text to frame a discussion of the complexities regarding the practical licensing of domestic masses and the maintenance of household chapels in fifteenth-century England. In so doing, he excised Stratford's rhetorical opening and began his glosses at 'de fratrum nostrum'.<sup>128</sup>

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<sup>125</sup> Ibid., i, 195-96.

<sup>126</sup> H. Hall (ed.), *Provinciale (sue Constitutiones Angliæ) ...* (Oxford, 1679). Hall's 1679 edition was reprinted in 1968: K. Domin (ed.), *Provinciale, Seu Constitutiones Angliæ, Etc* (Farnborough, 1968).

<sup>127</sup> Lyndwood described his audience as those 'simpliciter literati et pauca intelligentes': F.W. Maitland, *Roman Canon Law in the Church of England: Six Essays* (London, 1898), p. 15. The *Provinciale* is a rich introduction to the canon law of the late-medieval English church. The lack of a critical edition is of detriment to the study of the medieval English church, though aspects have received attention: B.E. Ferme, *Canon Law in Late Medieval England. A Study of William Lyndwood's Provinciale with Particular Reference to Testamentary Law* (Rome, 1996). Lyndwood's text of *Quam sit inhonestum* and his glosses upon it is provided below as *Appendix IV*.

<sup>128</sup> *Appendix IV*.

Lyndwood served in various administrative capacities, including as official of the consistory court of Robert Hallum, bishop of Salisbury (1407-17), and official principal of the court of arches, and very probably dealt in practice with grants of *licencie celebrandi* pertaining to private chapels, oratories and domestic residences.<sup>129</sup> His thirty-nine glosses on this subject run to over one thousand six hundred words, far exceeding the length of Stratford's statute. They serve two functions: to interpret the meaning of individual terms and phrases within the context of contemporary practice; and to give reference to supporting canonical authorities.<sup>130</sup> They constitute a uniquely detailed account of the manner in which *licencie celebrandi* were issued in fifteenth-century England and, thus, of the means by which the majority of contemporary household chapels were regulated.

Lyndwood summarized his interpretation of *Quam sit inhonestum* in his first gloss:

This is a constitution of John Stratford and has four parts. Firstly it prohibits, under pain of punishment, the celebration of masses in unconsecrated oratories, public or private, or undedicated places, without episcopal licence. Secondly, from *Licenciam*, it prescribes to what kind of people such licences should be granted. Thirdly, from *per hoc*, it restricts this statute from affecting certain persons. Fourthly, from *Sacerdotes*, he exempts from this statute the priests of the king and queen of England, and their children.<sup>131</sup>

Lyndwood's commentaries upon each part need not be examined here in full.<sup>132</sup> However, those glosses concerned with the definition of terms employed in contemporary *licencie celebrandi*, and Lyndwood's interpretation of the conditions upon which such licences might be granted, provide a key to understanding the nature of the maintenance of household chapels in late-medieval England. The following examination of these glosses adopts the same quadripartite structure as Lyndwood's original glosses.

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<sup>129</sup> R.H. Helmholz, 'Lyndwood, William (c.1375-1446)', *Oxford Dictionary of National Biography* (Online Edition; Oxford, 2004).

<sup>130</sup> Lyndwood's canonical authorities are not considered here in detail. In addition to Gratian (*Decretum Gratiani*) these included: Gregory IX (*Decretalium Gregorii*, 1227-41); Hostiensis (Henricus de Sugusio) (*Summa Aurea*, 1250-1); Guido de Baysio (*Rosarium Super Decreto*, 1296-1300); Boniface VIII (*Liber Sextus*, 1298); Clement V (*Liber Septimus Decretalium*, 1317); John XXII (*Constitutiones Clementinae*, 1317; *Extravagantes Johannis XXII*, 1325-27; *Extravagantes Communes*); Johannes Andreæ (d. 1348).

<sup>131</sup> *Appendix IV*, gl. 1.

<sup>132</sup> These glosses are reproduced in *Appendix IV*.

*Quam sit inhonestum* asserted the uncanonical nature of the celebration of *divina*: ‘in private oratories, or chapels not endowed, nor assigned to the celebration of divine service, or in houses not consecrated’.<sup>133</sup> Various of Lyndwood’s glosses consider the detailed definition of such terms, which recur in actual *licencie celebrandi*.<sup>134</sup> He sought to distinguish between the meaning of ‘oratory’ (*oratorium*) and ‘chapel’ (*capella*). An ‘oratory’, Lyndwood states, is simply a building constructed, or set aside, for the purpose of prayer, *not* one intended for the celebration of masses.<sup>135</sup> Masses might only be performed in oratories with the consent of a bishop.<sup>136</sup> A ‘chapel’, on the other hand, is a building specifically constructed *both* for prayer *and* for the celebration of mass, the latter with the consent of the bishop.<sup>137</sup> Significantly, a ‘chapel’ might only be constructed with episcopal authority, whilst an ‘oratory’ required no such consent. In turn, Lyndwood considered that a ‘chapel’ differed from a ‘church’ in that it did not possess its own parish.<sup>138</sup> Likewise, an ‘oratory’ did not possess an endowment, whilst a ‘church’ did (whether a ‘chapel’ might possess endowments he does not specify; some certainly did).<sup>139</sup> Whilst these distinctions are relatively clear in theory, they may have been less so in practice. Indeed, Lyndwood in his gloss on *capellis* notes that ‘a chapel can be said to be the same thing as an oratory’.<sup>140</sup>

Lyndwood also sought to clarify the nature of those services or celebrations sanctioned by *licencie celebrandi*. The text of *Quam sit inhonestum* refers both to *missa* and *divina*, the former of which requires little explanation. The term *divina* is more problematic. It appears in various constructions in contemporary *licencie celebrandi* (including ‘*divina officia*’), although most refer simply to ‘*divina*’.<sup>141</sup>

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<sup>133</sup> *Appendix IV*.

<sup>134</sup> *Chapter 3*, pp. 176-81.

<sup>135</sup> *Appendix IV*, gl. 3.

<sup>136</sup> *Ibid.*

<sup>137</sup> *Ibid.*, gl. 4.

<sup>138</sup> *Ibid.*, gls. 3-4.

<sup>139</sup> *Ibid.*, gl. 3. Cf. The seventeenth canon of the Council of Westminster (1102) on the endowment of churches: *Councils*, i, pt. 2, 676 (no. 17).

<sup>140</sup> *Appendix IV*, gl. 4.

<sup>141</sup> *Chapter 3*, *passim*.

Achieving a reliable definition of this term is vital if the purpose and significance of these licences is to be properly gauged.

Fortunately, Lyndwood's short fourteenth gloss provides this categorical definition of *divina*:

*Divinorum. Id est, Missarum.*<sup>142</sup>

It might nevertheless be supposed that in certain instances the terms 'divina officia' or 'divina' were intended to indicate 'the divine office', i.e. the performance of monastic or pseudo-monastic hours. However, Lyndwood's tenth gloss includes a statement to the effect that although the celebration of mass is prohibited in unconsecrated buildings, the performance of matins and the other hours ('De Matutinis verò, & aliis Horis') is *not* prohibited.<sup>143</sup> Indeed, both Gratian's canon *Unicuique fidelium* (D. 1. de cons c.33) and other of Lyndwood's and Aton's glosses, state clearly that prayer was permitted in private oratories; and 'the Divine Office' or versions of 'the Hours' were, however formalized, simply a codified routine of prayer.<sup>144</sup> Versions of the monastic hours appear to have been a ubiquitous element of the religious routines celebrated within household chapels, but they were not one which required canonical regulation.<sup>145</sup>

Lyndwood also addressed the matter of the consecration (or dedication) of chapels. In his gloss on the phrase 'in oratoris, capellis, aut domibus non consecratis', he notes that 'non consecratis' might be taken to refer not only to houses, but also to chapels and oratories.<sup>146</sup> Likewise he notes that, 'sometimes a building is also called a chapel, despite the fact that it is dedicated, to distinguish it from a larger church whose dependent it is', further implying that some chapels were unconsecrated buildings.<sup>147</sup> Lyndwood was not alone in this. Cardinal Otto, as has been seen, specifically

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<sup>142</sup> *Appendix IV*, gl. 14.

<sup>143</sup> *Ibid.*, gl. 10.

<sup>144</sup> Above, pp. 50, 62; and *Appendix IV*, gl. 3. The phrase 'missas et alia divina officia' was occasionally employed in licences; whilst 'divina officia' could indicate 'religious services' including mass.

<sup>145</sup> *Conclusion*, pp. 268-70.

<sup>146</sup> *Appendix IV*, gl. 6.

<sup>147</sup> *Ibid.*, gl. 4.

exempted 'minor chapels' from his ruling that all newly constructed, or dubiously dedicated, churches should be consecrated as a matter of urgency.<sup>148</sup> Similarly, Bracton's early-thirteenth-century *De Legibus et Consuetudinibus Angliæ*, and Quinel in his statutes for the diocese of Exeter, specifically refer to 'dedicated chapels' and thus imply the maintenance of undedicated chapels.<sup>149</sup> The celebration of masses within unconsecrated chapels was also the subject of contemporary petitions to the papal *curia*.<sup>150</sup>

That some household-chapel buildings were unconsecrated is significant since this related to the authority of diocesans to regulate them. Diocesans possessed the powers to sanction the establishment of chapels and to permit the celebration of masses in unconsecrated places, including chapels, oratories and domestic residences. Whilst the celebration of mass in chapels also required episcopal sanction, the rights of individual chapels varied significantly, in particular according to those privileges accorded to them at their foundation. Consecrated chapels were arguably subject to less immediate (or less wide-ranging) episcopal regulation, than their unconsecrated counterparts (although diocesans retained the right to suspend services for just cause).<sup>151</sup> It was certainly possible that masses might be canonically celebrated in consecrated household-chapel buildings without their owners requiring *licencie celebrandi*.

The subtleties attendant upon the canonical status of individual household chapels were hardly acknowledged by Stratford's version of *Quam sit inhonestum*. They were, however, recognized both by Lyndwood in his glosses upon it, and, to an extent, in its variant, probably earlier, text. In both his glosses on *oratoriis* and on *diæcesani*, Lyndwood states that the papacy might issue privileges permitting the celebration of masses in private oratories and chapels.<sup>152</sup> As has been seen, that household chapels

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<sup>148</sup> Above, pp. 68-69.

<sup>149</sup> Quinel refers to 'parochiani capellarum dedicatarum' and 'capellis dedicatis': *Councils*, ii, pt. 2, 1004. Bracton refers to 'capellæ dedicatæ': S.E. Thorne and G.E. Woodbine (eds.), *Bracton de Legibus et Consuetudinibus Angliæ*, 4 vols. (Cambridge, Mass., 1968-77), iii, 128.

<sup>150</sup> *Chapter 4*, pp. 225-26.

<sup>151</sup> The episcopal registers of Exeter diocese contain a large number of licences granted to rectors and vicars with respect to parochial chapels, *Chapter 3*, pp. 168-69.

<sup>152</sup> *Appendix IV*, gls. 3, 11.

might be maintained in accordance with papal or other established rights or privileges had been recognized by various rulings since the mid-twelfth century. It was likewise appreciated, although not welcomed, in the variant text of *Quam sit inhonestum*, probably promulgated by Reynolds, which required that they be publicly proved:

... nisi fortè locus in quo divina taliter absq; licentiâ Diocesani celebrantur, aut ipsius loci dominus, sedis Apostolicæ auctoritate, seu speciali privilegio, super hoc fore prætenduntur inimici; quo casu, in locis illis hujusmodi celebrantes, auctoritates vel privilegia, & eorum tenores, locorum ipsorum Diocesanis infra duos menses à publicatione præsentis statuti, exhibere efficaciter teneatur: Alioquin extunc divina celebrantes in eis, indictam suspensionis pœnam ipso facto incurrant.<sup>153</sup>

The second part of *Quam sit inhonestum*, as parsed by Lyndwood, is concerned with the conditions under which *licencie celebrandi* might be granted. Stratford considered the canonical grant of licences to be dependent upon the social rank and physical incapacity of licensees.<sup>154</sup> In his glosses upon this section, Lyndwood sought to clarify contemporary practice by the careful definition of the terms of Stratford's text, most significantly *magnas* and *nobilis*.

*Magnates* were defined by Lyndwood simply as 'powerful men amongst the people', to whom *licencie celebrandi* should be granted only 'with great difficulty'.<sup>155</sup> By contrast, Lyndwood's definition of *nobilis* is the longest of his glosses upon *Quam sit inhonestum* and is both more considered and more nuanced.<sup>156</sup> It begins with two generalities: that 'nobles' are those distinguished by name and birth; or those recognized as being 'beyond honourable plebeians'.<sup>157</sup> He lists three groups who might be considered noble: knights and their superiors; esquires possessing an office; and administrators 'to whom dignity and nobility are attached' within 'the province or place' of their jurisdiction.<sup>158</sup> Together these groups arguably encompassed the

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<sup>153</sup> Spelman, p. 492.

<sup>154</sup> Above, pp. 61-65.

<sup>155</sup> *Appendix IV*, gl. 23.

<sup>156</sup> *Ibid.*, gl. 24.

<sup>157</sup> *Ibid.*

<sup>158</sup> *Ibid.*

majority of the late medieval gentry and aristocracy, as well as most ecclesiastical and civil administrators. Lyndwood further considers a noble to be one 'greater than the populace and plebeians in dignity and honour'.<sup>159</sup> He cites six indicators of such greatness, the first being of particular note: nobility, Lyndwood argues, might be demonstrated by 'obtaining the licence about which he [Stratford] is talking here'.<sup>160</sup> According to this circular argument, the very possession of *licencie celebrandi* might be taken as a mark of nobility.

By contrast to his discussion of *nobilis*, Lyndwood expended comparatively few words glossing that section of *Quam sit inhonestum* concerned with those geographic or physical constraints which might justify the grant of *licencie celebrandi* which Stratford had considered to be distance from a parish church, and illness or infirmity. Other than referencing his own discussion of the distinction between *debilis* and *infirmis*, Lyndwood's glosses upon these conditions are limited to noting that the distance from the parish church should be at least a mile and that those other than nobles might be granted licences for this reason.<sup>161</sup> Given his professional experience Lyndwood could doubtless have expanded upon this subject had he considered it significant; grants of the right to maintain household chapels and *licencie celebrandi* were commonly supported by claims of medical necessity (such as pregnancy) or geographical impediments (such as impassable woods, rivers and streams).<sup>162</sup> That he chose not to do so is arguably indicative of his own, and perhaps also of Stratford's, primary concern with the status of licensees. Social rank, it appears, provided the principal or overriding consideration when contemplating the grant of *licencie celebrandi*.

A general concern with social rank of those to whom *licencie celebrandi* might be issued is further reflected in the third and fourth parts of *Quam sit inhonestum*. These

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<sup>159</sup> Ibid.

<sup>160</sup> Ibid.

<sup>161</sup> Ibid., gl. 25. Oratories might be built if there was no church nearby: Ibid., gl. 3.

<sup>162</sup> Cf. Hincmar's *De ecclesiis et capellis*, on public oratories. above, pp. 51-52; and Quinel's statute which provided that a parochial chapel should have its own graveyard if it was two miles distant from the parish church or divided from it by water ('si capelle distent a suis ecclesiis per duo miliaria vel sint minoris distantie dum tamen aquarum inundatio tale prestiterit impedimentum'): *Councils*, ii, pt. 2, 1005.

considered two groups, senior ecclesiastics and members of the royal family, whose rank exempted them from the necessity of acquiring *licencie celebrandi*. In another all-encompassing definition, Lyndwood states that, ‘praelatis et rectoribus, et canonicis ecclesiarum cathedralium, vel religiosis’, might include abbots, deans, archpriests and archdeacons.<sup>163</sup> Lyndwood considered that their exemption related to existing ‘oratories’ within ecclesiastical residences maintained for the celebration of mass; new ‘oratories’, in which masses were to be celebrated, required episcopal licence (they were in essence ‘chapels’).<sup>164</sup> In these cases, as in the case of household chapels maintained according to papal or established privileges, Lyndwood hints at a complexity not allowed by Stratford; oratories maintained by ecclesiastics had often received earlier episcopal sanction and were, ‘a custom which is old and must be kept most faithfully’.<sup>165</sup>

Stratford explicitly exempted the priests of royal chapels from the authority of *Quam sit inhonestum* probably in simple recognition of the longstanding (if complex and often disputed) rights of the Chapel Royal.<sup>166</sup> Lyndwood’s glosses on this passage may stand for themselves, except that attention should be drawn to his definition of ‘liberorum suorum’ which extended this exemption to chaplains maintained by the grandchildren of English kings, another potentially sizeable aristocratic group.<sup>167</sup>

Lyndwood’s glosses on Stratford’s text of *Quam sit inhonestum* shed remarkable light upon the subject of the grant of *licencie celebrandi* for domestic masses in late-medieval England. Lyndwood’s glosses in effect transform a reforming statute into a description of the practice of contemporary licensing. Of particular significance is Lyndwood’s concentration upon the status of licensees and his broad definitions encompassing nobles, senior ecclesiastics, and members of the royal family. Whilst

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<sup>163</sup> *Appendix IV*, gl. 30. Cf. Lyndwood’s six marks of nobility expounded in his gloss on *nobilis* includes, ‘Quartò in Beneficiorum obtinendorum pluralitate’: *Ibid.*, gl. 24. This probably refers to a benefice in the sense of a lay estate, but might also be understood to refer to ecclesiastical benefices.

<sup>164</sup> *Appendix IV*, gls. 32, 34.

<sup>165</sup> *Appendix IV*, gl. 33. He notes that the archdeacon of Richmond’s power to grant licences for domestic masses must have originated from a grant of this right by the archbishop of York.

<sup>166</sup> For the privileges of the Chapel Royal: Denton, *English Royal Free Chapels*, pp. 15-22; and Ullmann (ed.), *Liber Regie Capelle*, *passim*.

<sup>167</sup> *Appendix IV*, gl. 39.

Stratford's statute had sought to limit (or at least curb) the grant of *licencie celebrandi*, Lyndwood's glosses arguably provided the majority of the English aristocracy, gentry and administrative classes with legitimate claim to such licences. This is not to argue that Lyndwood's attitude to issue of *licencie celebrandi* was lax and Stratford's strict. Rather, it is simply to suggest that Lyndwood's primary purpose was to describe the current practice of the English church, which, as the evidence of extant *licencie celebrandi* themselves demonstrates, had long permitted, and continued to permit, the widespread issue of such licences to those of the rank of esquire (*armigerus*) and above.

#### THE COUNCIL OF TRENT AND THE SIXTEENTH-CENTURY FACULTY OFFICE

Lyndwood's glosses on *Quam sit inhonestum* constitute the most considered canonical examination of the maintenance of household chapels in late-medieval England as well as one of the last. From the early 1530s, the religious and political changes brought about by Henry VIII's break with Rome, and the onset of the English Reformation, began to have a profound influence on the maintenance of household chapels. Simply put, the maintenance of household chapels quickly became a profoundly political matter. In part consequence of this, the maintenance of household chapels appears to have declined dramatically in the half-century after 1530. Specifically in 1533, the Dispensations Act empowered the archbishop of Canterbury to issue 'licences, dispensations, faculties, compositions, rescripts, delegacies, instruments and other writings' which had, until then, been sought from the papal *curia*.<sup>168</sup> A Faculty Office was created in 1534 to administer this new system.<sup>169</sup> This granted 'dispensations' for the possession of portable altars, and the non-residence of beneficed clergy to serve as household chaplains, although apparently in far smaller numbers than privileges had been previously by the *curia*.<sup>170</sup> Earlier, in 1530, the

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<sup>168</sup> D.S. Chambers (ed.), *Faculty Office Registers, 1534-1549: A Calendar of the First Two Registers of the Archbishop of Canterbury's Faculty Office* (Oxford, 1966), pp. xi, xx, xxiv (Introduction).

<sup>169</sup> *Ibid.*, p. xi.

<sup>170</sup> *Chapter 4*, pp. 187-93.

number of non-resident beneficed chaplains permitted to different ranks of the English nobility had been made the subject of statute.<sup>171</sup>

The celebration of domestic masses continued to be the subject of canonical legislation by the post-reformation Catholic Church. It was specifically addressed in the twenty-second session of the long-running reformist Council of Trent (1562):

*Decretum de observandis et vitandis in celebratione missarum*

... Neminem praeterea, qui publice et notorie criminosus sit, aut sancto altari ministrare aut sacris interesse permittant, neve patiantur, privatis in domibus atque omnino extra ecclesiam et ad divinum tantum cultum dedicata oratoria, ab eisdem ordinariis designanda et visitanda, sanctum hoc sacrificium a saecularibus aut regularibus quibuscumque peragi, ac nisi prius, qui intersint, decenter composito corporis habitu declaraverint, se mente etiam ac devoto cordis affectu, non solum corpore adesse.<sup>172</sup>

This injunction against celebration of masses in private houses may be directly compared with Carolingian and Anglo-Saxon pronouncements upon the same subject promulgated five hundred years earlier. Indeed, this canon serves to underline two points. Firstly, that a simple desire to ensure the canonical celebration of domestic masses underpinned much of canon law pertaining to maintenance of medieval household chapels. Secondly, that these basic canonical principles were well established by c. 1100, only to be reiterated and refined over the subsequent four centuries.<sup>173</sup>

#### THE CANONICAL INSTITUTION OF THE HOUSEHOLD CHAPEL

The establishment and regulation of household chapels was a matter considered and legislated for in the canon law of the Universal Church. Episcopal authority was required to establish any chapel, including household chapels. 'Domestic masses'

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<sup>171</sup> Gibson, *Social History of the Domestic Chaplain*, pp. 4-5.

<sup>172</sup> N.P. Tanner (ed.), *Decrees of the Ecumenical Councils. Volume Two. Trent to Vatican II* (London, 1990), pp. 736-37.

<sup>173</sup> A coda to this chapter is provided by the *Codex Juris Canonici* (1983) promulgated by John Paul II. Those canons concerning the maintenance of private chapels and oratories correspond closely with the medieval canon law examined here: Canon Law Society (ed.), *The Code of Canon Law: In English Translation* (London, 1983), pp. 214-15 (Book IV, Part III, Chapter II).

might be celebrated in household chapels, or in private residences, only with episcopal consent, or in accordance with exceptional rights or papal privileges. At the same time, it was established practice that the rights and revenues of parish churches were to be protected from diminution as the result of the maintenance of household chapels. In England, these principles were recognized by the leaders of the Anglo-Saxon Church, appear to have been broadly established prior to c. 1100, and were universally acknowledged by the early-thirteenth century. They had their basis in wider-reaching canonical concerns regarding the solemnity of the celebration of masses, the admission and regulation of clergy, and the protection of the right and revenues (that is the social and spiritual viability) of existing churches. They were not principles conceived in specific response to the maintenance of household chapels, nor to the celebration of domestic masses. Neither they, nor actual instruments of regulation produced in accordance with their provisions, should be considered evidence of undue concern or frequent dispute regarding household chapels.

Those canons and statutes concerning household chapels promulgated in England, from the early-thirteenth century on, by papal legates as well as by provincial and diocesan synods, are best considered as attempts to fine-tune these established principles in response to contemporary circumstance. They provide a more nuanced account of the rights and responsibilities attendant upon the maintenance of household chapels, and present a series of broad rules which, although commonplace, might be subject to modification in individual cases. Domestic masses might be celebrated within household chapels or private residences with episcopal consent, or according to equivalent rights or privileges. Likewise, household chaplains might hear the confessions of lords and their households with episcopal consent. On the other hand, the celebration of additional sacraments and sacramentals was typically forbidden or rather, was a right retained by the parish church (as was burial). The performance of non-sacramental services, in particular versions of 'the hours' of 'the divine office', could be celebrated without canonical restraint. In turn, the status and rights of parish churches within whose jurisdiction household-chapel buildings were constructed (or household chapels were maintained) were protected from any resulting diminution. Commonly, this required that lordly households attend their parish church, as parishioners, upon the principal feasts; and that any revenues raised by chapels (in the form of tithes, offerings and oblations) be restored to parish priests, to whom

household chaplains were also to swear obedience. Together these requirements shaped a balance between the ability of lords and their households to maintain a chapel and the rights of parochial communities not to suffer fiscally or spiritually as a result. This balance was formalized by the requirement that parishes be appropriately compensated for their acquiescence in the foundation of chapels; the precise nature of such reciprocal gifts or arrangements might vary in practice as was considered necessary or appropriate.

Considered in the broader context of contemporary canonical legislation, and of periods of ecclesiastical reform, the extent of canonical pronouncements concerning the maintenance of household chapels appears slight and their nature comparatively simple. In general, the maintenance of household chapels does not appear to have occasioned great canonical concern or debate. Neither in England, nor elsewhere, do there appear to have been determined attempts to restrict the establishment of household chapels, or to modify the manner of their maintenance, by means of extraordinary canonical legislation. The statute *Quam sit inhonestum* provides a rare instance of such an attempt to limit the grant of *licencie celebrandi* for the celebration of domestic masses. Whether it was effective or not is difficult to judge.<sup>174</sup> Nevertheless, within less than a century this reforming statute had been reinterpreted, by Lyndwood, as a means of describing and tacitly legitimizing the widespread issue of *licencie celebrandi*.

Those canonical pronouncements surveyed here broadly concur that household chapels might be established, or domestic masses celebrated, either in cases of necessity, such as illness or distance from the parish church or in recognition of a lord's (or a household's) rank or status. Household chapels maintained as a corollary of rank may easily be dismissed as lordly affectation or characterized as means of social control or display. However, whilst individual chapels doubtless served such purposes, the maintenance of household chapels, in general, can instead be interpreted as a necessary corollary of lordly status. The lay and ecclesiastical aristocracy, who possessed multiple estates and maintained sizeable itinerant households, represented a significant anomaly within the structure of the medieval church. This presumed that

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<sup>174</sup> Chapter 3, pp. 164-70.

every member of the laity was a member of a single parish, to whose corporate life they contributed and from which, in turn, they benefited. The itinerant lordly households of the early and high medieval period belied this ideal model; as, in turn, did the more sophisticated, established, and (sometimes) larger households of the fourteenth and fifteenth centuries.<sup>175</sup> It was also, ironically, this same lordly class upon which medieval parishes relied, in part, for financial and social patronage. Indeed, the potential difficulty of accommodating lordly households within the parochial system increased in proportion to the number of residences, and with the size of the households, maintained by individual lords. The canonical maintenance of household chapels provided a simple solution to this potential dilemma. Moreover, the proper maintenance of religious routines and provision for both families and households may have constituted a customary lordly duty; if so, a household chapel was a social necessity, not a spiritual luxury.

Those canonical principals associated with the maintenance of household chapels coalesced gradually in the centuries prior to c. 1200, alongside those concerned with the establishment and rights of parish churches. There was no specific point at which the potential tension between itinerant lordship and the localized structure of the parochial system required outright resolution. Instead, over time, the canonical framework of the medieval church developed to accommodate the canonical maintenance and regulation of household chapels which could provide substitute 'parochial care' for lords and their households principally through the provision of the celebration of domestic masses and the hearing of confessions. At the same time, it sought to ensure that the status and rights of parish churches, that is their ability to provide 'parochial care', were protected and that chapel owners and household chaplains recognized their responsibility for this. In short, those rulings considered here established an institutional framework which provided for, rather than restricted, the canonical maintenance of household chapels alongside 'ancient' or 'parochial' churches.

In practice, of course, the canonical status of individual household chapels was neither simple nor uniform. Much of the canonical material considered here recognized that

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<sup>175</sup> Mertes, *English Noble Household*, p. 15. Woolgar, *Great Household*, pp. 13-15.

household chapels might be maintained according to a variety of means and with the consent of different authorities. In this the household chapel differed little from other ecclesiastical institutions; nor is this evidence that the maintenance of household chapels was any more problematic than that of religious houses or parish churches. However, if the canonical status, or purpose, of the household chapel was primarily to provide a solution to the problem of itinerant or semi-itinerant lordly households then, this in turn raises other questions. To what extent were the requirements of canonical maintenance, identified here, satisfied in the actual establishment and regulation of household chapels? Can the regulation of household chapels, in practice, be shown to have facilitated, rather than restricted, the maintenance of household chapels? These questions can only be elucidated by material directly concerned with the establishment, regulation and maintenance of household chapels in practice; specifically the grants of the rights to maintain household chapels, episcopal *licencie celebrandi* and papal privileges pertaining to household chapels. An examination of this material is undertaken in the following three chapters of this thesis.

## CHAPTER 2

### GRANTS OF THE RIGHT TO ESTABLISH AND MAINTAIN HOUSEHOLD CHAPELS (C. 1100 - C. 1300)

The maintenance of household chapels between c. 1100 and c. 1300 was principally enabled by the receipt of grants by lay and ecclesiastical lords which permitted them, their heirs and households to establish chapels, usually in perpetuity. Whilst licences for the celebration of domestic masses in household chapels (*licencie celebrandi*) are comparatively well-known, if under-studied, ‘chapel grants’ (as they are termed here) have rarely been considered by previous historians and never as a coherent body of evidence pertaining to the household chapel as an institution.

Moorman remains the principal scholar to have examined chapel grants.<sup>1</sup> His account still typifies the prevailing conception of thirteenth-century household chapels:

The custom of wealthy parishioners building and supporting private chapels in their houses became quite common in the thirteenth century... care being always taken to ensure that there was no interference with the financial arrangements of the parish church.<sup>2</sup>

He dates the earliest instance of such a grant ‘in the episcopal registers’ to 1227.<sup>3</sup> Others, including Cheney, have identified ‘private chapels’ as a more established phenomenon:

The idea of the proprietary church still lingered in attenuated form, and gentry who could no longer treat the parish church as a private possession set up chapels for their own households in their own houses.<sup>4</sup>

Previous scholars have drawn consistently upon the early episcopal rolls and registers of the diocese of Lincoln, which record a series of chapel grants.<sup>5</sup> Those made by

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<sup>1</sup> J.R.H. Moorman, *Church Life in England in the Thirteenth Century* (Cambridge, 1946), pp. 15-17. More balanced, but limited in scope, is: J. Blair, *Early Medieval Surrey: Landholding, Church and Settlement before 1300* (Gloucester, 1991), pp. 154-57 (‘*Ecclesia and capella*’).

<sup>2</sup> Moorman, *Church Life in England*, pp. 15-16.

<sup>3</sup> *Ibid.*, citing J. Raine (ed.), *The Register, or Rolls, of Walter Gray, Archbishop of York* (Surtees Society 56; 1872), 16 (no. 67).

<sup>4</sup> Cheney, *Becket to Langton*, p. 166; Blair, *Early Medieval Surrey*, p. 156.

<sup>5</sup> *Chapter 1*, p. 36; *Chapter 3*, pp. 134-35.

Oliver Sutton, bishop of Lincoln (1280-99), have received particular attention, due in some measure to their inherently comic nature and Hill's delightful summary:

The right to establish a private chapel was frequently sought by people who lived in isolated manor-houses far from the parish church... Roads in winter were apt to be reduced by mud and flood-water to a state which made it difficult for people to go far to church, although the difficulties of travelling seem never to have had much effect upon the movements of Sutton himself. Many of the inhabitants of his diocese were less vigorous, or less courageous than he was ... Sir John Ridel who was 'greatly vexed by the gout' ... Walter of Molesworth, who found it difficult to provide the transport of his womenfolk to church, since his mother was old and frail and his wife exceedingly fat.<sup>6</sup>

Most interest has been concentrated on the terms or conditions of chapel grants, with the result that chapels have been commonly interpreted (explicitly and implicitly) as a considerable threat to parochial rights and integrity which required close restraint. In turn, this task has been solely, and misleadingly, ascribed to English diocesans. Willis Bund's view is typical:

License to have chapels or oratories in private houses was considered a great privilege, and some difficulties were made as to granting them, as by doing so the parish priest lost fees.<sup>7</sup>

Indeed, the current view of the thirteenth-century private or household chapel (when considered at all) remains limited by protectionist assumptions and tales of lazy men and fat women. This chapter questions this consensus and attempts to examine the establishment and regulation of household chapels in the twelfth and thirteenth centuries in a more focused manner, but also in a broader context.

Close examination of those chapels maintained in this period is difficult since their 'appearance in written sources is rare and incidental'.<sup>8</sup> It is, however, possible to

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<sup>6</sup> Hill, iii, 1 (Introduction). Cf. D. Crouch, *The Image of Aristocracy in Britain, 1000-1300* (London, 1992), pp. 268-70; Webb, 'Domestic Space and Devotion', pp. 38-39.

<sup>7</sup> J.W. Willis Bund (ed.), *Episcopal Registers, the Diocese of Worcester. Register of Bishop Godfrey Giffard, September 23rd, 1268, to August 15th, 1301*, 2 vols. (Worcestershire Historical Society; Oxford, 1902), i, cxiii (Introduction). Cf. A.D. Brown, *Church and Society in England, 1000-1500* (Basingstoke, 2003), p. 101.

<sup>8</sup> Blair, *Early Medieval Surrey*, p. 156. Documentary evidence of such chapels is most commonly to be found amongst entries in monastic cartularies, but also in the form of extant episcopal *acta*, lay charters, and from the late-thirteenth century, in early episcopal rolls and registers.

identify a coherent body of chapel grants (in time, probably hundreds) which detail the establishment and institutional development of household chapels throughout this period. Nevertheless, prior to *c.* 1300, constant care must be taken when attempting to identify the precise purpose or constituency of individual chapels. Such chapel grants are of particular value to an institutional study of the household chapel since their terms and conditions are generally stipulated in detail, in contrast with the abbreviated form of later *licencie celebrandi*. Moreover, they constitute a direct link between those canonical rulings pertaining to household chapels, established by the mid-twelfth century, and later grants of *licencie celebrandi*. More immediately, the terms of chapel grants themselves correspond closely with one another, as well as with those of contemporary canonical rulings.

It is necessary to begin this chapter with a re-examination of the basic nature of chapel grants and their common terms and conditions. Thereafter, it considers the manner in which household chapels were established and maintained within the contemporary ecclesiastical landscape, examining both relationships with parish churches and with monastic houses, both of whom, alongside diocesans, were active in the regulation of household chapels. Negotiation and agreement with such parties regarding the establishment of household chapels is also considered in the context of the dedication of household chapels. The conclusion drawn from these examinations is that private chapels, many of which may be identified as household chapels, were maintained in an institutional and uncontentious manner, alongside parochial churches and chapels, from at least as early as the mid to late twelfth century. This general impression is, in turn, contrasted with the uniquely well documented establishment of the chapel of the Martival family at Noseley (Leicestershire), which provides a vivid example of the complexities and subtleties attendant upon the maintenance of household chapels towards the close of this period.

#### THE MAINTENANCE OF PRIVATE CHAPELS IN THE LATE-ELEVENTH AND TWELFTH CENTURIES

Cheney suggests that as a consequence of episcopal regulation, and ‘because disputes often arose about their status in relation to parish churches and their patronage’,

twelfth-century chapels are ‘often better documented than are more important churches’.<sup>9</sup> Recently, the publication of series of episcopal *acta* arguably presents a different balance of evidence, and certainly most chapels maintained in the late-eleventh and twelfth centuries appear sparsely documented. Where chapels are documented it is often, as Cheney implies, as a function of their foundation or an alteration in their status (although not necessarily a dispute).<sup>10</sup> Such records provide a partial account of chapels, weighted towards those whose possession or status was a matter of particular interest to contemporary diocesans or religious houses, rather than those which quietly maintained their private status. The circumstances in which many proprietary chapels were initially established are rarely certain, and in some instances may have been deliberately obscured by a process of ‘reform’. Prior to c. 1300 it is often difficult to determine a chapel’s status and the precise purpose or community it served. It is possible, however, to identify chapels which came to fulfil the role of ‘household chapels’ (as defined above), either exclusively or alongside service of a wider local community.

One such chapel is that founded by Hugh de St. Clare at Eslingham (Kent) in the late-eleventh century and which was finally demolished in 1772.<sup>11</sup> This chapel was dedicated a generation later by the bishop of Rochester, John de Seez (1139-1142). He confirmed the undisputed liberties and customs it had held under his predecessor, Bishop Gundulf (1077-1108):

... quas ex tempore beate memorie Gundulfi episcopi, predecessoris mei, habuit quibus illam libere, & absque ulla calumnia ...<sup>12</sup>

To what extent Gundulf was involved in the foundation of Hugh’s chapel, or whether de Seez was, in practice, confirming rights gradually acquired thereafter, is impossible to establish. As recorded by de Seez, these included endowments made by Hugh and part of the tithes of his demesne. The mother church of Frindsbury received some small dues in recompense for the burial of his servants, or of his heirs: ‘causa

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<sup>9</sup> Cheney, *Becket to Langton*, p. 166.

<sup>10</sup> For disputes, *Chapter 5, passim*.

<sup>11</sup> E. Hasted, *The History and Topographical Survey of the County of Kent*, 4 vols. (1st edn., Canterbury, 1778-99), i, 544; J. Thorpe (ed.), *Registrum Roffense: ... The History and Antiquities of the Diocese and Cathedral Church of Rochester* (London, 1769), ii, 116.

<sup>12</sup> Thorpe (ed.), *Registrum Roffense*, i, 370.

sepulture famulorum, qui de domo supradicti Hugonis, vel heredum ejus obierunt'.<sup>13</sup>  
This chapel appears to have been intended to serve both Hugh's family, his heirs and household alongside a wider community. The lords of Eslingham retained the right to burial at Frindsbury, but were also permitted to maintain their own chaplains:

... ut talem dominus de Eselingham capellanum qualem voluerit, & idoneum, duxerit in domo sua, ad victum & propriam mensam [*sic*] suam.<sup>14</sup>

Chapels similar to Eslingham appear to have played a significant pastoral role, functioning both as an English form of *Eigenkirchen* and as proto-parish churches. It is probably anachronistic prior to the early thirteenth century to seek a clear distinction between 'household' and 'parochial' chapels; not only because such distinctions were not clear cut, but also because the status of chapels was often changeable. The chapel of East Carlton (Northamptonshire) provides a case in point. Between 1109 and 1120, the three lords of East Carlton, together with its villagers, requested that their chapel be consecrated as a church, by Robert Bloet, bishop of Lincoln (1093-1123): 'me consecrasse ecclesiam de Carlenton' que fuerat capella subjecta ecclesie de Cottingham'.<sup>15</sup> The former chapel was to enjoy its newly elevated status so long as the endowment of lands granted to it by these lords was respected, and the church of Cottingham was to retain the right of advowson in the new church ('inveniret clericum idoneum qui ibi deo et parochianis serviret').<sup>16</sup>

The circle of parties concerned in the elevation and maintenance of this chapel, turned church, encompassed local lords, members of the local community (thereafter the parish) and the mother church. Similarly networks of interest were involved in the establishment of other chapels and suggest that this might be undertaken in a considered and negotiated manner. John Greenford, bishop of Chichester (1173-80), recorded his grant to Hugh de Sturmi: 'quod idem Hugo eriget capellam suam apud

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<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> A. Saltman, *Theobald, Archbishop of Canterbury* (London, 1956), pp. 422-23 (no. 201).

<sup>16</sup> Ibid.

lichenore'.<sup>17</sup> The chapel was to be served by a priest presented to the bishop or his official by Hugh or his heirs and this priest was to pay five shillings annually to the canon who held the prebend of Wittering which incorporated Itchenor (Sussex).<sup>18</sup> The witness list of this act is comprised almost entirely of the names of laymen, tentatively identified by its editor as Hugh's tenants, suggesting both their participation in this foundation and probably its semi-parochial nature.<sup>19</sup> Indeed, Hugh's chapel at Itchenor was later consecrated as a mother church by John's immediate successor as bishop, Seffrid (1180-1204).<sup>20</sup>

On rare occasions the varied functions or interests in a chapel were explicitly expressed, as in the case of the chapel of St. Peter (also described as a church) founded at Cassington (Oxfordshire) by Geoffrey de Clinton, the royal chamberlain, in the mid-twelfth century. Here, an agreement was reached between the mother church, the Benedictine abbey of Eynsham (Oxfordshire), the archdeacon and Geoffrey, that:

Et quamdiu predictus Camerarius uel familia eius erit in Kersintone, presbiter eiusdem uille habebit dimidiam partem oblationis de familia & domo eius contra capellanos ipsius Camerarii. Et abbas mittet ibi presbiterum, sicut in sua dominica ecclesia, consideratione & consilio Gaufridi & archidiaconi.<sup>21</sup>

In other, more opaque cases Anglo-Norman lords continued to take a leading role in the foundation or promotion of local churches. Another royal chamberlain, William Mauduit, was permitted by Alexander, bishop of Lincoln (1123-48), to resite his church in Hanslope ('ecclesia sua de Hamslapa removenda et in aisia parochie ponenda').<sup>22</sup> Whilst earlier, in 1114, Hugh Gernun confirmed with the church of Carisbrooke (Isle of Wight) the maintenance of his church at Chale ('ecclesiam sancti Andre de Chale et Hug' Gernun qui eandem ecclesiam fundavit'), despite the fact

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<sup>17</sup> H. Mayr-Harting (ed.), *Acta of the Bishops of Chichester, 1075-1207* (Canterbury & York Society 56; 1964), pp. 123-24 (no. 65).

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*, p. 12.

<sup>20</sup> *Ibid.*, pp. 164-65 (no. 110).

<sup>21</sup> H.E. Salter (ed.), *Eynsham Cartulary*, 2 vols. (Oxford Historical Society 41, 51; Oxford, 1907, 1908), i, 43 (no. 19).

<sup>22</sup> D.M. Smith (ed.), *Lincoln, 1067-1185* (English Episcopal Acta 1; London, 1980), p. 82 (no. 131).

that he had previously failed to demonstrate that ‘the men of his fee’ (‘homines de feudo suo’) had the right to attend services there.<sup>23</sup> In return for half the income of the church, Carisbrooke agreed that the priest of Chale might provide services and consented to the addition of an *atrium*, possibly a form of narthex or chapel yard (‘concessit Alvetus presbiter fieri atrium apud ecclesiam’).<sup>24</sup>

The chapels (and churches) of the eleventh and twelfth centuries appear, then, to have included in their number those which may be considered household chapels, in the sense that they served the religious routines of Anglo-Norman lordly households, either exclusively or, more commonly, as leading elements of local or tenant communities. How such private or household chapels developed both in parallel to, and in contrast with, parish churches is a complex subject deliberately excluded from this present study.<sup>25</sup> Whether such chapels were becoming significantly more common from the mid-twelfth century onwards, or whether they simply appear more distinctly in the documentary and archaeological record is likewise uncertain. Certainly, household chapels existed in various forms prior to the institutional cohesion and development of English parishes. However the same process, and the subsequent jurisdictional acquisition of parish churches by religious houses, probably encouraged clear distinctions to be established between parochial churches and chapels, and those maintained by and for lordly households. It is the processes by which these increasingly distinct twelfth- and thirteenth-century household chapels were founded and maintained that this chapter examines.

#### GRANTS OF THE RIGHT TO FOUND AND MAINTAIN HOUSEHOLD CHAPELS (TO C. 1300)

From the mid-twelfth century extant episcopal *acta* and monastic cartularies record the regular issue of grants which permitted the establishment and maintenance of chapels by lords, their heirs and households. These chapel grants were the precursors of later episcopal *licencie celebrandi*, and were actively issued not only by English

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<sup>23</sup> M.J. Franklin (ed.), *Winchester, 1070-1204* (English Episcopal Acta 8; Oxford, 1993), p. 2 (no. 3).

<sup>24</sup> *Ibid.*

<sup>25</sup> *Introduction*, p. 34.

diocesans, but also by those religious authorities possessed of immediate jurisdiction over English parishes, in particular parish rectors, religious houses and cathedral chapters.

Most of those chapel grants examined below were made subsequent to the completion and promulgation of Gratian's *Decretum* (c. 1140) in which he codified canons pertaining to the maintenance of 'private oratories'. They were, in turn, made concurrently with the compilation and promulgation of legatine canons and diocesan statutes concerning English chapels, both private and parochial. They are, nevertheless, remarkably consistent in their nature and terminology, appearing both to adhere to, as well as to shape, the nature of those canonical rulings pertaining to them. Chapel grants were made to specific individuals, but differed from later *licencie celebrandi* in that they generally concerned the maintenance of specific chapel buildings *in perpetuity* by that individual and their heirs. As such, one chapel grant might secure the maintenance of a chapel over many generations; it was such grants, and the 'free chapels' they supported, which later medieval diocesans, and statutes such as *Quam sit inhonestum*, occasionally required to be proved.<sup>26</sup> The detailed terms of these chapel grants will be considered in turn, but first it is necessary to consider the general nature of these grants, which fall into three related, but distinct, categories: grants which permitted the construction of chapels; grants which permitted the maintenance or possession of chapels; and grants which permitted the performance of services, or *divina*, within them.

A minority of chapel grants specifically sanctioned the physical construction of chapel buildings. An early instance is that made by the abbot and canons of Cirencester Abbey to Wandrille of Courcelles between 1151 and 1166. Confirmed by Robert, bishop of Bath (1136-66), this grant permitted Courcelles to construct an oratory within the walls of his house at Frome, within which divine services could be heard by him, his wife and his household:

... intra septa curie sue de Frome posit vestra fretus auctoritate et nostra concessione construere oratorium, ubi ipse cum uxore et privata domus

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<sup>26</sup> Chapter 5, pp. 243-54.

sue tantum familia divinum audiat servicium.<sup>27</sup>

Towards the end of the twelfth century, William of Theydon received a similar grant, recorded in his own charter, to construct a chapel at Little Wakering (Essex): 'Persona quoque ob hanc donationem concessit michi in curia mea edificare capellam'.<sup>28</sup> A generation later in 1227, William Brewer, bishop of Exeter, granted Osbert Peytevin permission to construct a chapel, dedicated to St. Martin, at Creedy (Devon), who subsequently gifted it to Crediton Minster:

... quod ego Osbertus Pictauensis concessi canonicis ecclesie Sancte Marie de Cridiatune capellam quam edificaui in honore beati Martini apud Cridia concessione domini Willelmi Exoniensis episcopi ...<sup>29</sup>

In 1237, the abbot of Cirencester Abbey made a similar grant to William of Culworth, which includes a rare clause concerning the architectural form of his oratory:

.. habeat privatum oratorium in curia sua de Elynton' infra parrochiam nostram de Cocham, xxiiij. pedum in longitudine et xvj. pedum in latitudine, quod pro tempore possit refeci set non ampliari, tali condicione videlicet quod ingressus et egressus sit per medium aule ipsius Willelmi et successorum suorum ad dictum oratorium ...<sup>30</sup>

By contrast, most chapel grants (and most later *licencie celebrandi*) did not directly sanction the physical construction of chapel buildings.<sup>31</sup> Nevertheless, these examples serve as a reminder that most chapel grants were associated with (although did not specifically sanction) the physical construction or long-term maintenance of actual chapel buildings. In this period, when the architectural stock of the church (its churches, minsters, cathedrals and monasteries) was experiencing widespread renewal, the construction of chapels also contributed significantly to reshaping the architectural landscape of the English church.<sup>32</sup>

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<sup>27</sup> Devine, ii, 525-26 (no. 615).

<sup>28</sup> N.B. Moore, *The History of St. Bartholomew's Hospital* (London, 1918), pp. 190-1.

<sup>29</sup> J.B. Davidson, 'On Some Further Ancient Documents Relating to Crediton Minster', *Transactions of the Devonshire Association*, 14 (1882), pp. 248-9 (no. 6).

<sup>30</sup> Devine, ii, 485-86 (no. 560/833).

<sup>31</sup> *Chapter 3*, p. 130.

<sup>32</sup> Morris, *Churches in the Landscape*, pp. 227-75; Gem, 'A Great Rebuilding'.

Chapel grants might simply permit that their recipients ‘have’ or ‘maintain’ chapels. Such practice accords well with the terminology of associated canonical rulings which generally referred not to the construction of chapels, but to their institutional establishment: ‘nove capelle fiant’ (1102); ‘in possessione sua ecclesiam vel oratorium constituat’ (1138).<sup>33</sup> At the turn of the thirteenth century, Robert Mauduit, royal chamberlain, received two such grants. The first from the prior of Southwark ‘conceded’ him a chapel at Mitcham:

... prior et conventus de Sudwerk’ concesserunt Robert Mauduit et  
heredibus suis hereditarie unam capellam in curia sua apud Mecheham  
...<sup>34</sup>

The other, from the abbot of Westminster permitted Mauduit to ‘have’ a chapel within his *curia* near Longditch (Westminster):

... Roberto Mauduit domini regis camerario et heredibus suis, ut habeat  
capellam suam in villa Westm’ in curia sua iuxta Langedich ...<sup>35</sup>

In case of illness, Robert and his household might make confession and receive last rites in the same chapel:

Si uero contigerit aliquem de familia sua infirmi, confessionem,  
vnccionem, communionem, et ea que Christiani sunt ...<sup>36</sup>

Other chapel grants explicitly sanctioned the celebration of services, in particular mass or *divina* within chapels. These, although seemingly a minority, are of particular significance since they represent the most direct precursors of later *licencie celebrandi*. They demonstrate that from as early as the twelfth century, in accordance with the longstanding canonical precept, diocesans and other authorities were active in the regulation of the celebration of mass in chapels and domestic residences.

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<sup>33</sup> Chapter 1, pp. 45-49.

<sup>34</sup> E. Mason (ed.), *The Beauchamp Cartulary Charters 1100-1268* (Pipe Roll Society, New Series 43; 1980 for 1971-73), p. 121 (no. 205).

<sup>35</sup> E. Mason, ‘The Mauduits and Their Chamberlainship of the Exchequer’, *Bulletin of the Institute of Historical Research*, 49 (1976), 1-23, p. 19 (Appendix 5).

<sup>36</sup> *Ibid.*

In some cases such grants were made to chapels which appear (from the slight evidence available) to have been parochial rather than private. One such case dates from between 1136 and 1153, when Robert, bishop of Bath (1136-66), dedicated the chapel of Egford (Somerset).<sup>37</sup> His notification records the grant of lands to the chapel by Walter 'son of Edward' and the grant by the church of Frome of permission for 'divine service' to be regularly celebrated:

Et ecclesia de Froma assignavit sepedicte capelle in divino officio celebrando iii dies per ebdomadam et per totam annum sanctorum festivitates celebrabiles.<sup>38</sup>

Likewise in 1194, Gilbert Glanvill, bishop of Rochester (1185-1214), adjudicated a dispute between the abbey of St. Augustine (Canterbury) and Richard de Garwynton concerning the advowson of a chapel at Garwynton (Kent). Richard renounced his claims, in return for which the monks granted him and his heirs the right to have mass performed in the chapel:

Et ibidem abbas & conventus concesserunt præfato Ricardo & hæredibus suis divinum officium celebrari per tres dies in septimana in præfata capella per sacerdotem de Littleborne.<sup>39</sup>

From the turn of the thirteenth century it is possible to identify instances of the regulation of domestic masses with greater certainty. An entry in the inventory of charters of Sheen priory, for instance, records an agreement between Margaret de Quincy, countess of Winchester and daughter of the earl of Leicester, and Hayling Priory dating from between 1217 and 1228. Confirmed by Richard Poore, bishop of Salisbury (1217-28), this granted Margaret a chantry, i.e. masses routinely celebrated, in the chapel of her manor at Winterbourne Stoke:

Item carta Richardi episcopi Sar' super confirmatione compositionis

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<sup>37</sup> F.M.R. Ramsey (ed.), *Bath and Wells, 1061-1205* (English Episcopal Acta 10; Oxford, 1995), p. 23 (no. 32).

<sup>38</sup> Ibid.

<sup>39</sup> R. Twysden (ed.), *Historiæ Anglicanæ Scriptores X* (London, 1652), p. 1842; A.H. Davis (ed.), *William Thorne's Chronicle of Saint Augustine's Abbey Canterbury* (Oxford, 1934), p. 134. When the vicarage of Littleborne was ordained in 1370 one of the duties of the vicar was to provide a chaplain to celebrate mass in the chapel of Garwynton: Ibid., p. 544.

Margarete de Quency comitisse Winton' super cantaria in capella in manerio suo de Winterbornstoke.<sup>40</sup>

Each of these categories of chapel grant broadly enabled the long-term maintenance of chapels which provided religious provision for lords and their households. Their terms commonly refer to the service of a lordly household (*familia*) and sometimes explicitly required the exclusion of other parishioners. That received by William of Culworth in 1235, required:

Et non admittantur ibi ad divina audienda vel percipienda aliqui parrochianorum de Cocham nisi tantum domestica familia ipsius Willelmi vel heredum suorum vel successorum qui pro tempore fuerint.<sup>41</sup>

Likewise, many chapel grants, such as that of Mauduit's chapel in Westminster, specifically refer to the situation of a chapel within a lord's court (*curia*). An early instance is the mid-twelfth-century grant made by Hugh Malet of his demesne at Rothwell (Lincolnshire) to Whitby Abbey, which was to include the chapel within his court there:

... ego, Hugh Malet, conc. et dedi... totum dominum meum in Rouelle... cum capella infra curiam, cum omnibus decimis ejusdem domini post obitum Gaufridi capellani Reg[is] ...<sup>42</sup>

In the early 1180s, Thomas Newsole was granted the right to maintain a chapel in his court at Newsole (Kent):

... concessit Thome de Newesole quod idem Thomas capellam habeat in curia sua de Newesole fundatam, in qua ipse et heredes sui et familia divina possint officia per capellanum curie sue licenter habere ...<sup>43</sup>

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<sup>40</sup> B.R. Kemp (ed.), *Salisbury, 1217-1228* (English Episcopal Acta 19; Oxford, 2000), pp. 270-1 (no. 295).

<sup>41</sup> Devine, ii, 486 (no. 560/833).

<sup>42</sup> J.C. Atkinson (ed.), *Cartularium Abbatiae de Whiteby Ordinis S. Benedicti*, 2 vols. (Surtees Society 69, 72; 1879, 1881), i, 50 (no. 47). The confirmation of this grant by Robert Chesney, bishop of Lincoln (1148-66), between 1154 and 1166, refers to a cemetery associated with this chapel: 'decimas omnes domini de Rowell' perpetue et quiete possidebit, cum cimiterio et capella, in dominio suo'. Ibid., 50-51 (no. 48).

<sup>43</sup> C.R. Cheney and E. Jones (eds.), *Canterbury, 1162-1190* (English Episcopal Acta 2; London, 1986), pp. 145-6 (no. 172). This chapel grant was made by the Benedictine priory of Dover, but the chapel was subsequently gifted to the Premonstratensian abbey of (West) Langdon: K. Major (ed.), *Acta Stephani Langton, 1207-28* (Canterbury & York Society 50; 1950), p. 137-38 (no. 120).

Whilst a generation later in 1217, Thomas Basset, was likewise permitted to maintain a chantry in the chapel of his court at Colcombe (Devon).<sup>44</sup>

The phrase *in curia* might be taken to imply a jurisdiction or lordship, as well as a residence or an enclosure. Understood in the former sense, chapels *in curia* might be represent semi-public 'manorial' or 'parochial' chapels, rather than private or household chapels. However, the term *in curia* appears, in the present context, to have been used to denote chapels set apart from the parish, within lordly residences or enclosures. In the case of the chapel *in curia* at Newsole, Thomas' grant required that services only be provided for himself, as its founder, and his family, not for a wider community. Moreover, in other contexts the term *curia* was employed to denote an enclosed residence. Between 1180 and 1184, one Gondevill granted an endowment to the chapel within his court at Campden ('quam ego fundavi in curia mea de Campedene') which included two messuages before the gate of the same court ('duo mesuagia in villa de Campeden ante portam curie mee').<sup>45</sup> The architectural record provided by extant chapel buildings further supports this interpretation of *in curia*, significant numbers of chapels being located within lordly enclosures or incorporated within residences ranged around courtyards.<sup>46</sup> Two examples of chapel building, separated in time by over half a century, may suffice to emphasis this point.

The chapel at the manor of Penhallam (Cornwall) was constructed between *c.* 1224 and *c.* 1236.<sup>47</sup> Penhallam formed part of the honour of Cardinham from the late-eleventh century and passed from the Cardinham family to the influential Champernowne family in the mid-thirteenth century. The thirteenth-century house stood upon the site of a ring-work probably dating to the immediate post-conquest period. The earliest surviving structure excavated on this site is a late-twelfth-century chamber-block, supposedly associated with a lost hall, to which a wardrobe and garderober were added around 1200. The excavated chapel was probably added by

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<sup>44</sup> F. Barlow (ed.), *Exeter, 1186-1257* (English Episcopal Acta 12; Oxford, 1996), pp. 205 (no. 225(1)).

<sup>45</sup> R.M. Haines (ed.), *A Calendar of the Register of Wolstan de Bransford, Bishop of Worcester 1339-49* (Worcester Historical Society 4; London, 1966), pp. 154-55 (no. 905), 514-15 (no. 905).

<sup>46</sup> *Conclusion*, pp. 258-62.

<sup>47</sup> For the following see: G. Beresford, 'The Medieval Manor of Penhallam, Jacobstow, Cornwall', *Medieval Archaeology*, 18 (1974), 90-145, in particular, pp. 106-7, 114-16.

Andrew de Cardinham, who held the manor from c. 1226. It was one of a series of adjoining structures (hall, kitchen and other services) constructed around a central courtyard entered by means of a gatehouse. The chapel formed half of the southern range of the courtyard, measuring 34 feet by 14 ½ feet and retains a step up between nave and sanctuary, as well as elements of its original altar (*Figures 1-2*). It would be difficult to find a better example of a chapel which might be described as *in curia*.

Evidence for a similar arrangement is to be found at Weoley Castle (Warwickshire) where a small chapel of c. 1320 was one of a series of structures ranged around a large courtyard.<sup>48</sup> As excavated, this retained evidence of an altar, as well as of decorative tiles and glass (*Figure 3*). The courts at both Penhallam and Weoley were each surrounded by a moat ditch which created a distinction between the domestic residence and the surrounding locality. Both chapels might well be described as being *in curia*, one of a series of domestic structures rather than an element of a wider estate.

It should also be noted that the architectural form of those chapels to which chapel grants related appear to have varied considerably. The thirteenth-century chapel at Chisbury Manor (Wiltshire) is a substantial rectangular structure and all that remains, besides earthworks, of the manor on this site (*Figures 4-5*). It appears to have stood just without the manorial enclosure and was one of two chapels. A late-fourteenth-century extent of the manor describes these:

... at the upper end of the hall a great high chamber, with a chapel and a latrine, called 'le Tour' ... Without the *mutum* is a chapel roofed with tiles, which the lord of the manor and all his predecessors from time immemorial have used and are bound to repair.<sup>49</sup>

By contrast, what appears to be a chapel or oratory of the early fourteenth-century manor house (or grange) at Broadway (Worcestershire), a possession of the Benedictine abbots of Pershore, is a small chamber communicating easily with both a private chamber and a small hall (*Figures 6-7*).<sup>50</sup> Such chapels appear to have varied

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<sup>48</sup> Emery, ii, 445-47.

<sup>49</sup> *Cal. Misc.* vi, 151 (no. 291).

<sup>50</sup> Emery, iii, 71-72. This has no piscina or aumbrey and was arguably not, according to Lyndwood's definition, a chapel 'constructed for the celebration of mass'.

in their forms, and in their disposition within residences, in order to accommodate the religious provision of lords, their families and their households, not only as entire communities, but also as smaller groups and individuals. Certainly by the early-to-mid thirteenth century chapel grants (paralleled by the construction of distinct household-chapel buildings) appear to have been the principal means by which English household chapels were established and regulated, supplemented or substituted in some cases by equivalent papal privileges.<sup>51</sup>

#### THE CHAPEL OF REGINALD DE CORNHILL AT LUKEDALE (1176 X C. 1209)

The basic elements of chapel grants issued between c. 1150 and c. 1300 varied comparatively little from case to case, although their precise terms allowed significant room for tailoring to individual circumstance. These elements relate closely to the provisions of contemporary canon law and established practice, and do not appear to reflect individual determinations on the part of grantors. Given such general uniformity, it is possible to consider, by way of example, one specific grant, adducing others only where necessary to examine further common conditions.<sup>52</sup>

Reginald de Cornhill, sheriff of Kent (1192 - c. 1210), possessed many estates, in particular in Kent where he constructed a chapel within the manor of Lukedale outside Canterbury.<sup>53</sup> With respect to this, he received a grant from Roger de Lurdinden, abbot of St. Augustine's (Canterbury) (1176-1212).<sup>54</sup> Roger granted Cornhill and his heirs the right to maintain a chantry, i.e. the regular celebration of

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<sup>51</sup> *Chapter 4, passim.*

<sup>52</sup> Numerous comparable grants could be cited, whilst many others remain to be identified. For instances see those series recorded in the early episcopal rolls and registers of the diocese of Lincoln, below, *Chapter 3*, pp. 132-36; and in the cartulary of Cirencester Priory: Devine, *passim.*

<sup>53</sup> J. Gillingham, 'John (1167-1216)', *Oxford Dictionary of National Biography* (Online Edition; Oxford, 2004). Cornhill was one of King John's agents in Rome in 1207 excommunicated by Innocent III: C.R. Cheney and W.H. Semple (eds.), *Selected Letters of Pope Innocent III Concerning England, 1198-1216* (London, 1953), p. 91, n. 1.

<sup>54</sup> *Appendix V.* A this grant is summarized in: Davis (ed.), *William Thorne's Chronicle*, pp. 192-93; Hussy, 'Chapels in Kent', pp. 242-44.

masses, in this chapel. The consultation or consent of other parties is not mentioned, although in equivalent grants this was commonplace.<sup>55</sup>

In a manner recalling Quinel's later ruling, in his *De ecclesiis, capellis, et oratoriis* (1287), that responsibility for the maintenance of 'domestic oratories' belonged to their founders, the chaplains serving the chapel were to be kept at the expense of Cornhill and his heirs. In accordance with established canon law, and the manner of contemporary practice subsequently praised and codified by Ottobuono's *De oblationibus capellarum* (1268), all the rights of the parish church of Littlebourne were to be preserved and the chapel was not, at any time, to become a burden upon its priest or rector. In accordance with requirements repeatedly spelt out in thirteenth-century diocesan statutes, Cornhill and his heirs were to continue paying all their existing tithes to the parish church. Likewise, and in accord with Quinel's later condition that churches be compensated for the grant of privileges, Cornhill and his heirs undertook to pay two-thirds of the tithes of the mill of Brembling (as well as the third if they could recover it), the tithes from the hay of a small meadow, and 2s. annually to the altar of the church (by proctors, half at mid-Lent and half at Michaelmas).

In a passage which directly corresponds with Gratian's canon, *Si quis etiam* (D.1. de cons. c. 35) (c. 1140), Cornhill and his heirs were required to attend the church of Littlebourne 'as parishioners' upon the four principal feasts of Christmas, the Purification, Easter and the feast of St. Vincent. These feasts varied from those specified by Gratian's canon which included Ascension, Pentecost and the feast of St. John, and whilst similar clauses were ubiquitously incorporated in chapel grants, so too, was variance in those feasts specified. For instance, around 1223-27, one G. de Breante received a grant from the dean of St. Paul's (London) to maintain a chapel at Navestock (Essex), which required that he and his wife, Joan, attend the parish church at Easter, 'cum familia sua libera, & hospitibus', whilst their servants were to attend it, rather than the chapel, throughout the year.<sup>56</sup> In general, such clauses appear to have established an accepted minimum parochial attendance. It should, however, be

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<sup>55</sup> Below, pp. 97-99.

<sup>56</sup> R. Newcourt (ed.), *Repertorium Ecclesiasticum Parochiale Londinense; an Ecclesiastical Parochial History of the Diocese of London* (London, 1708-10), ii, 432-34.

noted that these grants are a record of canonical requirement only; they do not demonstrate that lordly households attended such feasts in practice, or that households only attended their parish church (or churches) on such days.

The final substantive clause of Cornhill's grant required that those chaplains appointed to the chapel were to be subject to the rector of the parish church and were not to deprive the rector of his tithes (great or small), any of his rightful dues, or any other appurtenances rightfully belonging to the church. Again, although seemingly strict, this clause appears to reflect established practice subsequently codified in diocesan statutes such as those of Farnham, Wich and Quinel, considered above. Certainly, such clauses cannot be adduced as evidence of specific concern upon the part of individual grantors or in respect to particular grantees.

Equivalent chapel grants often include more explicit provisions against the admittance of parishioners, other than the owner's family and household, as well as provisions explicitly restricting the celebration of sacraments or services other than mass. The late-twelfth-century grant made by the parson of Little Wakering to William of Theydon, and recorded in William's charter confirming a reciprocal gift, restricted services in a manner similar to that required by Quinel almost a century later:

Ita tamen quod nec communio in capella conseruetur, nec capellanus aliquem ad confessionem recipiat nec baptismum faciat: solo contentus denario misse. Non fontes non campane in capella habeantur non uigilie non predicationes non receptationes parrochianorum, set omnia ad integritatem et decorem et honorem matris ecclesie conseruari debent.<sup>57</sup>

The parish priest also retained the right to minister and collect in the chapel himself:

... quod licebit sacerdoti matris ecclesie quando uoluerit et quotiens ministrare in capella et omnes obuentiones eius tollere.<sup>58</sup>

In the case of Cornhill's grant, similar conditions are implied by the detailed list of parochial dues and rights which were not to be appropriated.

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<sup>57</sup> Moore, *St. Bartholomew's*, 190.

<sup>58</sup> *Ibid.* Cf. *Chapter 5*, p. 240.

The concluding passage of Cornhill's grant constitutes its only unusual element. Farnham's *De capellis* (1241-49) and Ottobuono's *De oblationibus capellarum* (1268), amongst other rulings, required that chaplains should regularly attend chapter (probably in the sense of twice-yearly archidiaconal chapters), and swear obedience to the bishop or archdeacon.<sup>59</sup> Likewise in 1287, Quinel required chaplains to swear an oath to respect the rights of the parish church.<sup>60</sup> In this instance, in the spirit of such requirements and in advance of them, Reginald de Cornhill personally attended the monastic chapter of Christ Church (Canterbury) and swore that he and his heirs would faithfully keep the terms of the abbot's grant.

As appears typical, this grant contains no clause justifying its concession.<sup>61</sup> Where such clauses do occur they are formulaic, corresponding closely with the considerations of distance and impediment, between residences and parish churches, as codified by Hincmar's *Collectio de Ecclesiis et Capellis* (c. 858-60) and Gratian's *Decretum*. Between 1231-42, William Mauduit received a chapel grant from Geoffrey de Luci, dean of St. Paul's (London), which permitted him to build a chapel within his court at Colvershyde (Essex), typically, 'considering the difficulty of access to this [parish church] in the Winter time'.<sup>62</sup> In December 1293, Oliver Sutton, bishop of Lincoln (1280-99), permitted Sir Hugh de Bibbworth and his wife, who lived half a mile from the church of Kimpton (Huntingdonshire), upon the justification that:

... Et cause concessionis fuerunt distancia manerii ab ecclesia parochiali que distant per dimidium milare, et difficultas itineris intermedii, quod est montuosum, petrosum et pro magna parte lutosum in tempore yemali, et impedimenta alia quid tempore gravidationis uxoris dicti militis quid alias contingentia.<sup>63</sup>

– a concatenation of circumstances remarkably close to those cited by Hincmar as canonical conditions for the establishment of public oratories.<sup>64</sup>

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<sup>59</sup> *Appendices I-II*.

<sup>60</sup> *Appendix III*.

<sup>61</sup> Such justifications were more commonly adduced in support of papal privileges, *Chapter 4*, pp. 227-28.

<sup>62</sup> Newcourt (ed.), *Repertorium Ecclesiasticum*, ii, 599. Also, below, pp. 102-104.

<sup>63</sup> Hill, iv, 156. Sutton made other similar grants, but these must be treated with caution, *Chapter 3*, pp. 134-36.

<sup>64</sup> *Chapter 1*, pp. 51-52.

Whilst chapel grants warranted by impediment were commonly issued in perpetuity, those justified by illness were often limited to the life of their recipient or the duration of their illness; the former being the case in that granted by Gilbert of St. Leofard, bishop of Chichester (1288-1305), to Sir William Heringaud in 1291:

... saneque nobilis vir dominus Willelmus Herigaud irremediabili morbo percussus ac membrorum solacio destitutus in parte, sicut nobis fidedigna assercione refertur, de assensu Henrici rectoris de Waldern', missarum et divinorum celebrationem in oratorio suo apud Walderne ... Decernimus etiam quod post decessum dicti militis ad heredes ipsius huiusmodi gratia nostra nullatenus extendatur, sed eam extunc tenore presentis revocamus, seu nullam pronunciamus.<sup>65</sup>

The attention of previous historians has focused almost exclusively upon such conditions and justifications, and has, therefore, tended to characterize chapel grants as exceptional and problematic privileges, issued with inevitable caution. By contrast, when considered as a class, chapel grants appear a common means of establishing household chapels according to more-or-less uniform terms and conditions. Indeed, given the manner in which chapel grants survive (usually in monastic cartularies), it is probable that many more were made than can now be identified. Their general terms correspond closely to those codified in existing canon law, in particular Gratian's *Decretum*, and were not expressions of concern regarding individual chapel founders. Indeed, it appears that in many of their specific provisions grants often prefigured canons and statutes promulgated afterwards in the later thirteenth century. These terms, concerning the maintenance of parochial prerogatives and revenues, articulated a considered balance between the rights of chapels, on the one hand, and parish churches on the other. Indeed, as shall be seen, parochial authorities and religious houses commonly played an active role in the negotiation of chapel grants.

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<sup>65</sup> P.M. Hoskin (ed.), *Chichester, 1254-1305* (English Episcopal Acta 23; Oxford, 2001), pp. 287-88 (no. 335).

Chapel grants were not made by diocesans or monastic prelates acting in isolation, indeed consultation with interested parties appears common. Reginald de Cornhill's attendance before the chapter of Christ Church (Canterbury), to swear to uphold the terms of his chapel grant, is particularly noteworthy since it serves as a necessary reminder that all such grants concerned real places and real communities, not simply abstract legalities. Cornhill was a significant political and social figure closely associated with the royal court; in attending chapter he entered into a very public and personal contract with his social peers. He and the chaplain he appointed to his chapel would, undoubtedly, have known the priest of Littlebourne and infringement of his rights and jurisdiction would have been a personal and social affront, not an abstract act.

In addition to clauses demarcating rights and revenues to be retained by parish churches, many chapel grants record the direct involvement of parochial rectors or vicars, as well as that of lay patrons, as actors in their negotiation or issue. In 1200, John de Montacute built a chapel for his mother on his estate of *Lauertye*.<sup>66</sup> Montacute's charter records that he had received assent for its creation from the prior of Lewes, the bishop of Chichester and Master Alard, the rector of the church of Grinstead. The grant was limited to the lifetime of John's mother and both had to swear to the prior and convent of Lewis that they would not abuse its terms ('juratoriam causionem corporaliter fecimus').<sup>67</sup> Typically, it stipulated that the rights of the mother church of Grinstead were to be respected and, in this instance, that an annual pension of one bezant was to be paid to the church. A similar case is Geoffrey de Insula's foundation of a chapel at Shanklin (Isle of Wight) between 1153 and 1171. The act of Henry de Blois, bishop of Winchester (1129-1171), which confirmed this records the assent of both the parson and patron of the church of Brading ('personam ecclesie de Bardyng et... advocati dicti ecclesie') and was witnessed by the

<sup>66</sup> L.F. Salzman (ed.), *The Chartulary of the Priory of St. Pancras of Lewes. Part 1* (Sussex Record Society 38; 1932), pp. 76-77.

<sup>67</sup> *Ibid.*, p. 77.

archdeacons of Winchester and Surrey.<sup>68</sup> Shanklin is, in addition, a notable example of a chapel which may have served both a lordly household and a wider community:

Jefferey and his heyres oueght to have theyre chappell at Shankelinge and theyre chapleyne to celebrate divine services therein, to Jefferey himself, his heyres and to all menn of the landes of the sayd mannor and to the tennantes holdinge ...<sup>69</sup>

The close involvement of monastic authorities and parochial parties in the foundation of household chapels continued throughout the thirteenth century. Lay lords could rarely establish chapels as or where they chose. In 1244-45 similar negotiations took place regarding the celebration of divine services in the chapel of one Eadmund at *Thuritune*. Fulk Basset, bishop of London (1244-59), permitted celebration for Eadmund, his heirs and assigns, with the consent of the chapter of St. Paul's (London), of Roger de Esketot, parson of the church of Thuritune and of Richard de Esketot, the church's 'true patron'.<sup>70</sup> Further chapel grants issued by Basset likewise record the involvement of both parochial clergy and lay patrons.<sup>71</sup> The acquiescence of such parties in the issue of grants in perpetuity appears common throughout this period. Rather than evidence of widespread tension, the close involvement of representatives of parochial communities suggests that household chapels were an established, probably ubiquitous, element of the religious landscape and that the majority were maintained in a manner sympathetic to the interests of their parochial counterparts. Indeed, despite common assertions to the contrary, there appear to have been comparatively few instances of dispute between parishes and household chapels in this period (or subsequently).<sup>72</sup> Moreover, it is interesting to speculate as to the number of church patrons and lay rectors who were themselves chapel owners.

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<sup>68</sup> Franklin (ed.), *Winchester, 1070-1204*, pp. 16-18 (no. 25). This survives in a poor sixteenth-century copy and various later translations.

<sup>69</sup> *Ibid.*

<sup>70</sup> *Ninth Report of the Royal Commission on Historical Manuscripts. Part I. Report and Appendix* (London, 1883), p. 32 (no. 348).

<sup>71</sup> *Ibid.*, p. 35 (no. 722); also, below, pp. 110.

<sup>72</sup> *Chapter 5, passim.*

Overlapping patterns of rights and interests involved in the establishment and regulation of chapels are particularly evident when it comes to the role of religious houses both in making chapel grants, and further, in possessing household chapels as endowments. It has been estimated that by the turn of the thirteenth century over a quarter of English parish churches were in the hands of religious houses.<sup>73</sup> The abbots and priors of these houses, Benedictines and Augustinians in particular, acquired ecclesiastical jurisdiction over a substantial section of the country, and thereby established themselves as *de facto* regulators of semi-private and private religious provision.

A number of those chapel grants examined above, including that of Reginald de Cornhill, were made or confirmed by monastic authorities. Indeed, in contrast with the perceived role of diocesans as the principal regulators of household chapels, it is possible that the majority of extant chapel grants were issued by monastic authorities and are preserved in monastic cartularies. One such was that received by Margaret de Limeseie and her son, Walter, between 1224 and 1244, permitting them to maintain a chapel in perpetuity at *Westhamptnett*. This provides a particularly fine example of the involvement of multiple parties in a single chapel grant. It allowed the celebration of 'mass and the blessing of bread, and the blessing of water, and this only for the lord's own household of the manor abovesaid', and was made by Ansketill, prior of Boxgrove (Sussex) and John, vicar of Hampton (*Hamtunete*).<sup>74</sup> In return, Margaret granted Boxgrove six acres of land and the church of St. Peter, Hampton, an annual rent of 25*d*. The grant was, in turn, confirmed by Ralph, bishop of Chichester (1222-44) and all the parties – prior, vicar, bishop and chapel owner – confirmed the original charter with their seals.

The right of monastic houses to make chapel grants was vested in their status as institutional rectors of individual parishes, and was often codified in grants or confirmations of their rights and endowments. When Thurstan, archbishop of York

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<sup>73</sup> M. Brett, *The English Church under Henry I* (Oxford, 1975), pp. 230-33.

<sup>74</sup> L. Fleming (ed.), *Chartulary of the Priory of Boxgrove* (Sussex Record Society 59; 1960), pp. 132-33 (no. 287).

(1114-40), confirmed the gifts made to the Benedictine priory of Holy Trinity (York) they included the church of Leeds (Yorkshire) and he confirmed that no chapels or oratories should be constructed within that parish without the consent of the priory:

Prohibemus etiam ne quisquam vel heremita vel quilibet alius presumat infra territorium ecclesie ejusdem parrochie capellam aut quodlibet oratorium construere absque permisso et spontanea voluntate prioris et capituli predicti monasterii, nec quisquam recipiat parrochianos ejusdem ecclesie vel benefica eorum.<sup>75</sup>

Similarly, the Cluniac priory of St. Andrew's (Northampton), received a confirmation of their possessions from Henry of Blois, bishop of Winchester (1129-1171) between 1139 and 1143, which required:

Statuimus etiam ne aliquis infra parochias vestras vel ecclesias construere vel aliquos cuiuslibet ordinis statuere absque vestro assensu et voluntate presumat.<sup>76</sup>

The papal confirmation received by the Benedictine abbey of Ramsey in 1178, listed various churches and chapels, and stated that:

... ne quis infra parrochiam monasterii vestri ecclesiam aut oratorium, sine assensu dyocesani Episcopi et vestro, ædificare præsumat, salvis tamen privilegiis Romanæ Ecclesiæ.<sup>77</sup>

This same right was reconfirmed by Pope Innocent IV in 1245, with a minor variation to its phraseology, concerning 'construction of chapels and oratories anew':

... ut infra fines parrochiæ vestræ nullus, sine assensu dyocesani episcopi et vestro, capellam seu oratorium de novo construere audeat, salvis privilegiis Pontificum Romanorum.<sup>78</sup>

Perhaps by this date the foundation of chapels had eclipsed that of churches as a potential threat to monastic rights and revenue.<sup>79</sup>

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<sup>75</sup> C.T. Clay (ed.), *Early Yorkshire Charters, Vol. VI, the Paynel Fee* (The Yorkshire Archaeological Society Record Series, Extra Series 3; 1939), p. 80 (no. 9).

<sup>76</sup> Franklin (ed.), *Winchester, 1070-1204*, pp. 58-59 (no. 85).

<sup>77</sup> W.H. Hart, R.E.G. Kirk and P.A. Lyons, *Cartularium Monasterii de Rameseia*, 3 vols. (*Rerum Britannicarum Medii Ævi Scriptores* 79; London, 1884), ii, 138 (no. 262).

<sup>78</sup> *Ibid.*, pp. 140-42 (no. 263).



In accordance with such clauses, abbots and priors commonly issued chapel grants alongside diocesans, as instanced by the cartulary of the Augustinian abbey of Cirencester which records a series of chapel grants, for household and parochial chapels, issued as late as the early-fourteenth century.<sup>80</sup> An entry of 1236 records the renegotiation of the status of John Bisset's chapel at Wiggold (Gloucestershire), whereby he quitclaimed his right to have the services of the chapel provided by the monastery, in return for the grant (or confirmation) of his right, and that of his heirs, to maintain a chaplain to celebrate mass when they were resident:

Johannes Biset quietam clamavit pro se et heredibus suis in perpetuum cantariam quam dictus abbas et conventus invenire solebant in capella de Wygewald ita quod si predictus Johannes vel heredes sui vel aliquis de suis qui moram ibi fecerit divina ibidem audire voluerint habeant capellanum suum ad sumptus suos proprios prestita securitate ab eodem capellano qui ibidem divina celebrabit eidem abbati et conventui de omnibus obventionibus eiusdem capelle predictis abbati et conventui et ecclesie de C. fideliter persolvendis.<sup>81</sup>

Chapel grants by monastic authorities often document reciprocal grants or gifts made by chapel owners, indeed their entry into cartularies served to record these. One such gift, of four acres of meadowland at Pooley (Warwickshire), was made by a certain *Helias* to St. Editha's Abbey, in the same county, in the mid-twelfth century. The abbess granted him the right to maintain a chapel without service ('capellam sine servitio'), in return for which *Helias* also agreed to place twelve pennies on the abbey's altar every feast of St. Editha for the rest of his life and confirmed that all the dues and offerings at his death and burial should be made to the abbey.<sup>82</sup>

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<sup>79</sup> Many comparable privileges were received. Cf. R.R. Darlington (ed.), *The Cartulary of Worcester Cathedral Priory (Register I)* (London, 1968), p. 301 (no. 551); B. Dodwell (ed.), *The Charters of Norwich Cathedral Priory. Part One* (London, 1974), pp. 193-95 (no. 302), 198-201 (no. 310).

<sup>80</sup> See the introduction to the edited cartulary: Devine, i, xxxi-xxxii.

<sup>81</sup> Devine, i, 242-3 (no. 260). Devine suggests that, as a consequence of this agreement, the chapel at Wiggold 'ceased to be parochial': *Ibid.*, i, xxxii. However, it may simply be that by an early agreement the monastery had been required to serve Bisset's household chapel.

<sup>82</sup> M.J. Franklin (ed.), *Coventry and Lichfield, 1160-1182* (English Episcopal Acta 16; Oxford, 1998), pp. 1-2 (no. 1).

Likewise, the cartulary of Colchester abbey records a thirteenth-century chapel grant made by the abbot, the patron of the church of Takeley (Essex), to Geoffrey de Hauvilla and his heirs of permission to construct a chapel within his court there:

... ex rerum euidencia de difficultate uiarum interjacentium inter memoratam ecclesiam et mansionem predicti Galfridi.<sup>83</sup>

Unusually, Geoffrey was permitted to distribute freely the oblations made by his household and guests within the chapel:

Hoc modo uidelicet ut quantum in ipsis est liceat prefato Galfrido in curia sua capellam construere apud Takele et de oblationibus libere familie sue et hospitem suorum ibidem factis ad libitum suum disponere.<sup>84</sup>

In return for these liberties, as Quinel required in his *De ecclesiis, capellis, et oratoriis*, Geoffrey compensated the church with a gift of land:

... in recompensationem dictarum oblationum dedit dictus Galfridus Deo et ecclesie Sancte Marie de Takele dimidiam acram terre arabilis que jacet iuxta curiam persone ecclesie de Takele cum uestura.<sup>85</sup>

The other conditions of Geoffrey's grant are broadly comparable with those of Reginald de Cornhill's. The only sacrament to be received by Geoffrey's family and household was mass, all others being reserved to the mother church:

Idem etiam Galfridus et ejus familia omnia principalia sacramenta accipiet de matrici ecclesia preter missam et panem benedictum et aquam benedictam.<sup>86</sup>

His chaplains were to be faithful to the parson of the church of Takeley:

Capellanus uero quicumque eidem capelle deputabitur celebraturus fidelitatem prestabit persone de Takele uel ejus assignato quod preter dicta nichil faciet secrete uel palam quod redundet in dampnum matris ecclesie.<sup>87</sup>

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<sup>83</sup> S.A. Moore (ed.), *Cartularium Monasterii Sancti Johannis Baptiste de Colecestria*, 2 vols. (Roxburghe Club; 1897), ii, 632-34.

<sup>84</sup> Ibid.

<sup>85</sup> Ibid.

<sup>86</sup> Ibid.

<sup>87</sup> Ibid.

Geoffrey, his wife and household were to attend the principal festivals of the mother church and pay their parochial dues:

Et est sciendum quod dominus loci illius cum uxore sua et familia et ejus successores festis sollempnibus ad ecclesiam parochialem sese debent presentare debitas ibidem facturi oblationes cum in eadem uilla moram fecerint nisi justa necessitas uel licentia capellani matricis hoc pro casibus fortuitis permiserit inmutari. festiuitates autem sunt hec. scilicet dies Natalis Domini ad magnam missam. Dies Purificationis beate Marie. Palmarum. Pasche. Pentecosten. Assumptionis. Dedicationis illius ecclesie.<sup>88</sup>

It was not only to the laity that monastic authorities issued chapel grants. Nationwide, ecclesiastical jurisdictions overlay one another, just as secular lordships did. Henry Marshall, bishop of Exeter (1194-1206), was careful to document his construction of a chapel in Longditch Street (London) for his personal use, and that of his successors, with the consent of the Benedictine abbey of Westminster:

... ego Henr(icus) dei gratia Exoniensis episcopus ex consensu abbatis et conventus ecclesie Westmonasterii erexi capellam quandam in fundo eorum.<sup>89</sup>

Marshall's notification, in a manner similar to Lyndwood's later definition of chapels, states that a chapel was constructed for the celebration of mass ('in qua celebrabuntur divina') and that its maintenance should harm neither the mother church of Westminster, nor the nearby chapel of St. Margaret:<sup>90</sup>

... ita quod occasione capelle illius nichil fiat in preiudicium vel dispendium matricis ecclesie de Westmonasterio vel capelle sancte Margarete.<sup>91</sup>

Abbots and priors likewise received chapel grants from English diocesans. The cartulary of the Benedictine abbey of Ramsey, records a grant received from Walter Suffield, bishop of Norwich (1244-57), in 1246 which sanctioned the abbot's construction of an oratory within the abbot's manor at Burewelle ('construendi

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<sup>88</sup> Ibid.

<sup>89</sup> Barlow (ed.), *Exeter, 1186-1257*, 196 (no. 216).

<sup>90</sup> *Chapter 1*, pp. 66-67.

<sup>91</sup> Barlow (ed.), *Exeter, 1186-1257*, 196 (no. 216).

oratorium in manerio suo de Burewelle’).<sup>92</sup> Later in the century, the abbot and his successors received a more wide-ranging grant from Hugh, bishop of Ely (1256-86), permitting construction of chapels, for their use and that of their households, at four residences:

.. quod liceat eis capellas construere et habere infra septa curiarum suarum de Overe, Chateriz, Ellesworthe, Gravele, nostræ diocesis; in quibus sibi et familiæ divina faciant licite celebrari.<sup>93</sup>

Indeed, it should be noted that ecclesiastics commonly maintained households similar in size and complexion to those of secular lords, and likewise required chapels to accommodate and serve them. An inevitable consequence of such cross-jurisdictional regulation were cases of abbots issuing chapel grants to one another. An instance is provided by the settlement of a land dispute between Abbot Reginald, of Gloucester, and Abbot Henry, of Cirencester, in 1275, as part of which Reginald granted Henry the right to celebrate divine service within his oratory at Duntisbourne (Gloucestershire):

Insuper concessit sepedictus abbas Glouc’ prenominato abbati Cir’ quod in oratorio suo apud Duntisborne infra limites parochie cuius existit patronus constructo licite divina posit celebrare.<sup>94</sup>

In short, a substantial proportion of the household chapels maintained in thirteenth century England, by both lay and ecclesiastical households, were constituted by means of grants issued by monastic authorities. As such, these chapels became potentially significant elements in networks of monastic patronage, far removed from the isolated proprietary establishments they have often been conceived to be.

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<sup>92</sup> Hart, Kirk and Lyons, *Cartularium Monasterii de Rameseia*, p. 193 (no. 317).

<sup>93</sup> *Ibid.*, p. 187 (no. 310). Diocesans also exercised authority over the construction of other classes of monastic chapel. In the late-twelfth century, the bishop of Lincoln permitted the abbot and the monks of Oseney Abbey (Oxfordshire):

... abbatem & canonicos de Oseneya quendam capellam de nostro assensu & uoluntate ante curie sue in fundo suo proprio construxisse, ad hoc specialiter, ut in ea famulis & hospitibus suis, vel eciam parochianis suis in ipso confinio manentibus, cum commodum eis fuerit, diuina celebrentur.

H.E. Salter (ed.), *Cartulary of Oseney Abbey*, 6 vols. (Oxford Historical Society 89, 90, 91, 97 and 101; 1929-36), ii, 434-35 (no. 1040).

<sup>94</sup> Devine, iii, 367.

The relationship between monastic houses and household chapels was often more immediate than the award or receipt of chapel grants. From the early twelfth-century onwards religious houses also came into possession of household chapels (i.e. those maintained by others, not themselves) alongside other classes of chapel and church. Such possession further associated the maintenance of household chapels with the patronage of individual monastic houses – an arrangement which further undermines the established view of household chapels as isolated proprietary establishments.

In 1149, for instance, the Oilly family granted the chapel of St. George in Oxford Castle to the Augustinian abbey of Oseney (Oxfordshire).<sup>95</sup> The chapel of Colchester Castle ('capellam castelli de Colecestria') was amongst a number of chapels confirmed to the nearby Colchester Abbey by Gilbert Foliot, bishop of London (1169 and 1173) and subsequently by Pope Innocent III in 1201.<sup>96</sup> A relationship existed over a greater distance between Tewkesbury Abbey (Gloucestershire) and the chapel of Cardiff castle, confirmed to the monks between 1173 and 1183, as appendage of the parish church of St. Mary, by Nicholas, bishop of Llandaff (1148-83) ('ecclesiam parochialem sancti Marie de Kayrdif cum capella de castello').<sup>97</sup> Indeed, castle chapels are frequently listed amongst possessions confirmed by grantors, diocesans and popes to monastic houses in this period, often describing chapels simply as *de castello*. In the case of most other chapels listed it is often difficult to ascertain their status.

Where they exist, charters recording the grant of household chapels to religious houses better document this phenomenon. For instance, that grant made between 1135 and 1140 by Thurstan, archbishop of York (1114-40) to Nostell Priory (Yorkshire):

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<sup>95</sup> Smith (ed.), *Lincoln, 1067-1185*, p. 130 (no. 208); D. Postles, 'The Foundation of Oseney Abbey', *Bulletin of the Institute of Historical Research*, 53 (1980), 242-44; idem, "'Patronus et Advocatus Noster": Oseney Abbey and the Oilly Family', *Historical Research*, 60:141 (1987), 100-2.

<sup>96</sup> Moore (ed.), *Cartularium ... de Colecestria*, i, 86-88.

<sup>97</sup> D. Crouch (ed.), *Llandaff Episcopal Acta, 1140-1287* (Publications of the South Wales Record Society 5; 1988), pp. 28-31 (no. 31).

‘Preterea dedi eis ecclesiam de castello de Tykehill’.<sup>98</sup> Likewise, between 1138 and 1147, Stone Priory (Staffordshire) received from Richard, ‘son of Nicholas of Stafford’, a mill and three churches, ‘cum capellis et decimis et oblationibus et omnibus aliis suis pertinentiis’.<sup>99</sup> This gift specifically included, ‘capellam suam in honore sancti Nicholai in castello suo de Staford fundatam, cum terris et decimis et oblationibus’.<sup>100</sup> Moreover, it is suggestive of the perceived status of this chapel that it figured first in notification of this grant by Richard de Clinton, bishop of Coventry (1129-48). A century later in 1241, a comparable grant was made to Cowick Priory (Devon) by Robert de Courtenay, lord of Okehampton (Devon), and his wife, of ‘ecclesiam de Okementon’... cum omnibus pertinentiis suis et unacum capella castri contulimus’.<sup>101</sup> Household chapels were also included in the initial endowment of religious houses, as in the case of the chapel of Gloucester castle which formed part of the endowment of the Augustinian priory of Llanthony Secunda (Gloucester) made by its founder Miles, earl of Hereford, in 1136.<sup>102</sup>

It is, however, difficult to establish what the possession of household chapels by monastic houses entailed in practice. Certainly, the use of chapels did not pass from domestic households to monastic communities. Rather, as with parochial churches or chapels, such possession was institutional, the profits of the chapel becoming the jurisdiction of the religious community. These might include partial tithes or income from endowments, annuities paid by chapel owners, as well as offerings made by their households and guests.<sup>103</sup> In turn, it appears that monastic communities often assumed the responsibility for providing service, or appointing chaplains, to household chapels.<sup>104</sup>

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<sup>98</sup> C.T.S. Clay, E.M. Clay and W.A. Farrer (eds.), *Early Yorkshire Charters. Vols. I-III* (Yorkshire Archæological Society. Record Series. Extra Series 4; 1942), iii, 160-61 (no. 1466).

<sup>99</sup> Franklin (ed.), *Coventry and Lichfield, 1072-1159*, pp. 36-37 (no. 38).

<sup>100</sup> *Ibid.*

<sup>101</sup> Barlow (ed.), *Exeter, 1186-1257*, pp. 215-16 (no. 237): This is the text of the appropriation of the church and chapel by the bishop of Exeter, a term of which was that the vicar would perform mass in the castle chapel once a year. For the text of Courtenay’s grant: M.P.D. Collison, *The Courtenay Cartulary from Powderham Castle, Devon*, 2 vols. (University of Exeter, M.A. Thesis; 1972), pp. 519-21 (no. 209).

<sup>102</sup> Dugdale, vi (pt. 1), 136-37 (no. 3).

<sup>103</sup> Cf. F. Barlow (ed.), *Exeter, 1046-1184* (English Episcopal Acta 11; Oxford, 1996), pp. 24-26 (no. 25), 126-27 (no. 139).

<sup>104</sup> This subject is not treated in detail here, *Conclusion*, pp. 263-64.

The well-attested relationship between the twelfth-century earls of Hereford and the abbey of Llanthony Secunda serves to elucidate this matter. Earl Miles's initial endowment included the castle chapel of Gloucester, with the oblations of those who stayed there. The oblations of himself and his household were to be divided, as Geoffrey de Clinton's were at Cassington, depending upon whether his chaplain was present.<sup>105</sup>

Hæc autem sunt pertinentia ipsius ecclesiæ, quæ prius dederunt antecessores mei, Rogerus de Gloecestrai et Walterus constabularius, capella infra castellum, et terrula super ripam Sabrinæ, ad luminare ipsius capellæ. Tota oblatio custodum turris et castelli, et baronum ibi commorantium. Medias totius oblationis meæ, et familiæ meæ, contra capellanum meum, si præsens ibi fuerit; tota autem si illa defuerit.<sup>106</sup>

This gift was confirmed to Llanthony, between 1143-54, by Miles's son, Earl Roger, and in both instances this clause was followed by a detailed list of rights pertaining to other chapels and residences (*curia*).<sup>107</sup> Between 1174-86, it was further confirmed (or supplemented) by Miles's daughter, Margaret de Bohun. In a charter composed specifically for the purpose, she simply granted her entire chapel to the canons:

... me dedisse et concessisse et hac mea carte confirmasse in perpetuam elemosinam Deo et sancte Marie et canonicis de Lanthon' capellariam meam tota baronia mea, quam Mylo comes pater meus et postea heredes sui, fratres mei, eisdem canonicis prius donaverant et concesserant.<sup>108</sup>

This phraseology is unusual, perhaps unique, but considered in the context of Roger's earlier grant of his household's oblations to Llanthony, it appears likewise to have granted the offerings of Margaret's household chapel, as an institution, to the same community. Similar grants of household chapels, or rather their offerings, to religious houses were possibly common, although few are as well documented. They may have constituted a significant link between the day-to-day religious routine of households and the religious communities of which their lords were patrons.

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<sup>105</sup> Chapter 2, p. 84.

<sup>106</sup> Dugdale, vi (pt. 1), 136-37 (no. 3).

<sup>107</sup> D.G. Walker (ed.), *Charters of the Earldom of Hereford, 1095-1201* (The Camden Miscellany 22, Fourth Series 1; London, 1964), p. 16-19 (no. 11).

<sup>108</sup> *Ibid.*, p. 61 (no. 102).

A comparable, if more opaque, relationship existed between Gilbert Basset and the Augustinian priory of Bicester (Oxfordshire). Several of Gilbert's charters confirming substantial grants to the canons appear to have been forgeries, including that recording the grant of his 'free chapel' and its associated rights:

... et preterea concessi sepedictis canonicis liberam capellam curie mee et de curiis heredum meorum cum oblationibus et omnibus [sic] adventionibus ad liberam capellam pertinentibus ...<sup>109</sup>

In addition, this also granted all the chapels within his residences:

... et omnes capellas infra curias meas existentes cum omnibus pertinentiis suis in puram et perpetuam elemosinam, liberam et quietam ex omnibus consuetudinibus et ab omni exactione et ab omni seculari servitio, in pratis et pasturis, in mariscis et in molendinis, in viis et semitis et omnibus locis.<sup>110</sup>

Whether Gilbert actually included his household chapel (and each chapel) in his grants to the priory is, perhaps, less significant than the fact that he could have done so and that such possession was later sought by the community. Between 1205 and 1230, Gilbert's brother, Alan Basset and his wife, Aline de Gay, instead granted the offerings of their chapel at Wootton Basset (Wiltshire) to the parish church:

... concessisse et presenti carta confirmasse matri ecclesie de Wutton omnes obventiones et oblationes capelle que sita est in curia nostra de Wutton quocumque die fiant.<sup>111</sup>

Household chapels or interests in their profits could, then, come into the hands of religious communities by a variety of means. The basic consequence was similar in each case, the chapel's offering, and other possessions, became part of the endowment of the religious house. Such relationships appear to have been common in this period and further support the argument that household chapels were institutions well-integrated into their contemporary ecclesiastical hierarchy. In particular, the deliberate restitution of oblations or offerings by lay lords and households was intended to

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<sup>109</sup> W.T. Reedy (ed.), *Basset Charters c. 1120 to 1250* (Pipe Roll Society, New Series 50; 1995 for the years 1989-91), pp. 123-5 (no. 188).

<sup>110</sup> Ibid.

<sup>111</sup> Ibid., p. 164 (no. 242).

reduce potential, and future, concern regarding lay ownership, or exploitation, of ecclesiastical institutions, whilst it potentially strengthened bonds of patronage between households and religious communities. Monastic possession of household chapels might, however, increase the risk of dispute with parish churches or other communities, and care was sometimes taken to ensure that rights did not come into conflict. In 1246, Fulk Basset, bishop of London (1244-59) granted Ralph de Arderne and his wife, Alina de Beauchamp, permission to construct a chapel within their court at Lamersh, for their use and that of their household.<sup>112</sup> This was done not only with the consent of the patrons of the parish church, John de Subbur' and Maud de Wascuil, but upon the condition that should the manor be granted to a religious house, the celebration of divine services should cease.

#### THE CONSECRATION AND DEDICATION OF HOUSEHOLD CHAPELS

The formal consecration of household chapels was a matter closely associated with the power of diocesans, and other authorities, to regulate them. As has been seen, both consecrated and unconsecrated household-chapel buildings existed, and diocesans may have had less immediate authority over the celebration of masses in consecrated chapels than in their unconsecrated counterparts.<sup>113</sup> In practice, extant sources rarely indicated whether a chapel was consecrated or not, although it is perhaps telling that many are described simply as 'the chapel', rather than by a dedication. It is, for example, impossible to establish whether the dedicatory saints of household chapels differed in any consistent or significant manner from those of parish churches.<sup>114</sup> Nevertheless, the process of episcopal consecration, from the request that this be carried out, to the liturgical act itself, appears to have provided a significant opportunity for the status and rights of household chapels to be publicly recognized and articulated.

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<sup>112</sup> N.A., E 40/521 [Chapel grant to Sir Ralph de Arderne and Alina de Beauchamp, 1246]; Fowler, 'Essex Chapels', p. 113.

<sup>113</sup> *Chapter 1*, pp. 55, 66-67.

<sup>114</sup> Cf. C. Holdsworth, 'An Airier Aristocracy: The Saints at War', *Transactions of the Royal Historical Society*, 6th Series, 6 (1996), 103-22. Cf. D.A. Stocker, D.A. and P. Everson, *Summoning St Michael: Early Romanesque Towers in Lincolnshire* (Oxford, 2006).

It is evident that many chapels were dedicated in some manner. The dedication of the mid-twelfth-century chapel of Ludlow castle is principally known, for example, from an obscure description in the early fourteenth-century *History of Fulk Fitz-Warine*, which records that it was ‘built and ... dedicated to the honour of the Magdalene, and the day of dedication was the day of St. Cyriac, with seventy days of pardon’.<sup>115</sup> More commonly, entries in charters and other sources refer to chapels by their dedication. The chapel of Stafford Castle, as seen above, was described as ‘capellam suam in honore sancti Nicholai in castello suo de Staford fundatam’.<sup>116</sup> Likewise the dedication of one of the chapels in Hereford Castle to St. Martin is known from the confirmation Henry II’s grant of it to the monastery of St. Guthlac (Hereford) between 1179-82.<sup>117</sup> The dedication of the chapel of Newark Castle (‘capellum sanctorum Philippi et Jacobi in castro de Newerk’ fundatam’) was likewise recorded when it was granted by Robert de Chesney, bishop of Lincoln (1148-1166), to the hospital of St. Katherine (Lincoln).<sup>118</sup>

However, although references to dedications are common, it is probable that some chapels were informally dedicated (or associated with a saint) but were not formally consecrated. This discussion considers cases which appear to concern the actual consecration of chapels. One of the earliest references to the consecration of a household chapel (in this instance a ‘castle church’) occurs in the mid-twelfth-century *Book of Llan Dâv*. An addition to this of c. 1160-85 records the dedication of the church of Monmouth Castle (‘ecclesiam sancti Cadoci juxta castrum meum’) which Wihenoc, lord of Monmouth, subsequently granted to the Benedictine priory he founded and of which he became a member.<sup>119</sup> It was performed by Herwald, bishop of Llandaff (1056-1104) in the presence of Caradog ap Gruffydd, ruler of Gwent (in whose honour the dedication appears to have been chosen):

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<sup>115</sup> A. Kemp-Welch (ed.), *The History of Fulk Fitz-Warine* (London, 1904), pp. 22-23.

<sup>116</sup> Above, p. 107.

<sup>117</sup> Barrow (ed.), *Hereford, 1079-1234*, pp. 106-9 (nos. 154-55).

<sup>118</sup> Hill, v, 86.

<sup>119</sup> Dugdale, iv, 595-96; J.E. Lloyd, ‘Geoffrey of Monmouth’, *English Historical Review*, 57:228 (1942), 460-68, p. 467.

Post hec datum est castellum gueithenauc et intempore [sic] illius  
hergualdus episcopus consecrauit ecclesiam decastello [sic] mingui cui  
interfuit caratocus rex & postquam monachus effectus est ...<sup>120</sup>

As befitted the religious significance of the act, this dedication appears to have been a noteworthy social occasion and it may be assumed that regardless of their comparatively minor status, the same rituals and liturgies attended the dedication of contemporary household chapels. We may speculate as to what celebrations attended the dedication of the chapel of Carisbrooke Castle (Isle of Wight), ‘in honorem sancte Crucis et apostolorum Petri et Pauli et beati Swithuni’, by Henry de Blois, bishop of Winchester (1129-71) and grandson of William I, at some date between 1129 and 1171.<sup>121</sup>

The formal consecration or dedication of a chapel allowed its status to be publicly attested or redefined. When Hugh de Sturmi’s chapel at Itchenor (Sussex) was promoted in status in the late-twelfth century, Bishop Greenford, required that the chapel should be consecrated as a mother church with its own cemetery:

... desiderans idem Hugo memoratam capellam in matricem ecclesiam  
consecrari ... quod sepedicta capella fiet matrix ecclesia et cimiterium  
suum habeat.<sup>122</sup>

Whether this chapel had previously been dedicated is unknown, but its promotion (and the acquisition of a graveyard) appears to have required this. Likewise, when William Giffard, bishop of Winchester (1100-1129), dedicated the ‘church’ of Ashted (Surrey) his subsequent notification also clarified its subordinate status:

... dedicavi ecclesiam de Essestede sicut capellam subiectam cum omnibus  
consuetudinibus que ad eam pertineat ecclesie de Liered.<sup>123</sup>

Those rights and responsibilities articulated in relation to consecration or dedication were often equivalent to those specified in chapel grants. As has been seen, the rights of the chapel of the lords of Eslingham were restated upon its dedication, some

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<sup>120</sup> G.E. Evans (ed.), *The Text of the Book of Llan Dâv Reproduced from the Gwysaney Manuscript* (Oxford, 1893), p. 278.

<sup>121</sup> Franklin (ed.), *Winchester, 1070-1204*, p. 23 (no. 33).

<sup>122</sup> Mayr-Harting (ed.), *Chichester*, pp. 164-65 (no. 110).

<sup>123</sup> Franklin (ed.), *Winchester, 1070-1204*, p. 4 (no. 6).

decades after its foundation.<sup>124</sup> Likewise, between 1108 and 1123, agreement was reached between Richard de la Mare and William de Warelwast, bishop of Exeter (1107-37), regarding the dedication of Richard's chapel at Alvescot (Oxfordshire), which was to serve the men of his estate but not other parishioners:

Item ut homines de terra Ricardi tantum ibi audiant servitium ita ut nemo ex aliis parochianis Bentune ibi recipiatur.<sup>125</sup>

Its dedication by the bishop of London, with Warelwast's consent, provided an opportunity for its subject status to the church of Bampton (Oxfordshire) to be clearly articulated:

Qui episcopus concessit Ricardo ut faceret dedicare capellam predictam tali pacto, ut perhenniter hec capella sit subiecta matri ecclesie sue de Bentuna.<sup>126</sup>

In addition, he ordained that the chapel should pay an annuity of two sextaries of wheat to the church in compensation for its new status.<sup>127</sup>

A century later, the dedication of a household chapel at Bures (Suffolk) by Stephen Langton, archbishop of Canterbury (1207-28), provided a similar opportunity for its rights to be publicly articulated. Gilbert de Tany's chapel, later converted to use as a barn but now restored, survives at Bures and is a noteworthy example of a large single-cell chapel (*Figures 8-10*). Langton's early archiepiscopal register records his notification of its dedication. In this case at least, the term 'dedication' appears to have been used to refer to the formal act of consecration, since this chapel retains one of its consecration crosses.<sup>128</sup> Langton states that that he undertook the dedication at Gilbert's request:

... nos ad petitionem G. militis de Tani capellam suam in curia sua de Buris dedicavimus.<sup>129</sup>

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<sup>124</sup> Chapter 2, p. 82.

<sup>125</sup> Barlow (ed.), *Exeter, 1046-1184*, p. 25 (no. 25).

<sup>126</sup> Ibid.

<sup>127</sup> Ibid.

<sup>128</sup> Anon., 'The Ancient Chapel of Bures', *Suffolk Institute of Archaeology and Natural History*, 15 (1915), 119-24

<sup>129</sup> Major (ed.), *Acta Stephani Langton*, p. 90 (no. 70).

And that Gilbert had sworn that he and his heirs would respect the status and liberties of the church of Bures:

... idem miles sacramento interposito coram nobis firmiter promisit quod nunquam occasione illius capelle vel dedicacionis eiusdem aliquid contra ius et libertatem matricis ecclesie de Buris vel in preiudicium eiusdem attemptarent [*sic*].<sup>130</sup>

In practical terms, the status and rights conveyed upon Gilbert's chapel at its dedication – permitting its use by him, his household and their successors – were the equivalent of those acquired elsewhere by chapel grant. In performing ceremonies of consecration, and subsequently recording and publicizing these, diocesans exerted direct control over the maintenance and status of household chapels within their dioceses.<sup>131</sup> Langton's notification, for instance, survives in the cartulary of the Benedictine priory of Stoke by Clare to which the church of Bures belonged.<sup>132</sup> At the same time, they provided the opportunity for the rights and obligations of lords and their households, concerning their chapels, to be negotiated with interested parties and then publicly celebrated and attested. As such, the consecration or dedication of household chapels served to facilitate their maintenance in harmony with parochial and monastic churches.

In summary, then, this chapter argues that household chapels were maintained in the twelfth and thirteenth centuries in a consistent and institutional manner, as well as in close accord with contemporary canon law. Both lay and ecclesiastical lords, with their households, received grants of the right to maintain household chapels, often from the diocesan, but also from monastic authorities, and consistently with the active consent of immediate parochial authorities. Household chapels so constituted appear to have been a common element of the contemporary ecclesiastical landscape, rather

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<sup>130</sup> Ibid.

<sup>131</sup> Recorded instances in which bishops refused to dedicate chapels are naturally rare. In the late 1230s, Elias de Radnor, bishop of Llandaff, ordered the demolition of a chapel at the grange of Margam Abbey at Llangewydd (Glamorgan). The monks were to celebrate mass in another chapel within the court which Elias had dedicated:

...iniunxisse ut capellam, quam extra curiam grangie sue de Landgewi edificuerant, diruant, et in capella que edificata est infra curiam dicte grangie auctoritate nostra diuina celebrent, quam quidem capellam in propria persona didicaui.

Crouch (ed.), *Llandaff Episcopal Acta, 1140-1287*, p. 75 (no. 82).

<sup>132</sup> Major (ed.), *Acta Stephani Langton*, p. 90 (no. 70).

than anomalies within it. Indeed, household chapels were frequently maintained in close association with monastic houses whilst their rights and responsibilities were carefully negotiated and publicized, as exemplified by the public consecration of chapels.

The picture of the household chapel presented above is composed of many, often opaque, pieces. Greater depth can be provided by examining in detail the example of the chapel founded and maintained by the Martival family at Noseley (Leicestershire). As a case-study this vividly illustrates how the various aspects of household-chapel maintenance considered above might come together in practice.

#### THE CHAPEL OF THE MARTIVAL FAMILY AT NOSELEY (LEICESTERSHIRE) (C. 1220 - C. 1307)

The Martivals' chapel, which survives at Noseley Hall, dates from two principal phases of building, one of the late-thirteenth century, the other of the late-fifteenth.<sup>133</sup> It is a well-preserved and fine example of a large, free-standing, single-cell chapel. An unusually extensive and detailed series of thirteenth- and early-fourteenth-century documents survive which reveal this chapel's foundation and subsequent maintenance.<sup>134</sup> From them it is possible to reconstruct the processes and negotiations by which this chapel was established and maintained, and also how it related to the Martivals' household in practice. Whilst the chapel at Noseley may serve, to an extent, as a general example of the means by which contemporary household chapels were constituted, it also demonstrates the unique circumstances and relationships which pertained to the foundation of individual chapels, of which a detailed record rarely survives.

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<sup>133</sup> Emery, ii, 305-6; J.M. Robinson, 'Noseley Hall, Leicestershire', *Country Life* (March 29, 1990), 86-91.

<sup>134</sup> These survive amongst a series of thirty-five original documents and various copies entered into the registers of the bishop of Lincoln, in particular: L.A.O., Episcopal Register II [A Register of John Dalderby, bishop of Lincoln, 1300-20], ff. 222r-229r. These are published in: Hartropp. I am grateful to Dr Adrian Green for drawing my attention to these documents.

The chapel at Noseley appears to have been initially founded by William de Martival, lord of Noseley, in c. 1220. William, and his heirs, received a grant from the rector of Noseley, Ralph de Linford, of the right to maintain a chapel for the performance of mass and the canonical hours:

... ego Radulfus concessi eidem Willelmo de Martiwest et heredibus suis habere capellam in curia sua de Nouisll', cum missam horarumque celebratione per capellanum suum proprium in perpetuum ibidem exercenda.<sup>135</sup>

In accord with contemporary canon law and other chapel grants, examined above, William and his heirs were to respect the rights of the church of Noseley. Before first performing masses, their chaplain was to swear to respect the rights of the rector and all offerings were to be restored to the church. Typically, and in accord with Gratian's canon, *Qui extra parrochias* (D. 1. de cons c.35), it was required that:

Predictus vero Willelmus et uxor eius et familia sua tota et heredes sui venient ad matricem ecclesiam ibidem audituri divina si forte in villa illa fuerint. In die Natali Domini. Et in die purificationis beate marie. Et in die Paschae. Et in die Pentechostes. Et in die dedicacionis ecclesie. Et in die assumptionis beate marie. Et in die omnium sanctorum ...<sup>136</sup>

This common clause was qualified, here, by the practical note that it should apply only if William and his household were resident at Noseley; and further, by the concession that they might hear services in their own chapel on these feasts at the pleasure of the parson, a liberty implied in *Qui extra parrochias*.<sup>137</sup> A further uncommon, but not unique, privilege permitted William and his heirs was to celebrate services with the ringing of one or two bells.

In broad terms the rector's chapel grant was commonplace and was made in dialogue with other parties, in this instance the archdeacon of Leicester and the rural dean ('decanus loci').<sup>138</sup> According to contemporary practice, William made a reciprocal grant to the church of Noseley of three roods of land, which might be reclaimed if the rector contravened its terms. No mention is made of the sanction of the bishop of

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<sup>135</sup> Hartropp, i, 433-36 (no. 1).

<sup>136</sup> Ibid.

<sup>137</sup> *Chapter 1*, p. 51.

<sup>138</sup> Hartropp, i, 433-36 (no. 1).

Lincoln, which, although not evidence of lack of involvement, is suggestive of the extent to which chapel grants were the purview of those authorities most directly affected by them. Archdeacons in Lincoln diocese can be shown to have played a key role in the regulation of household chapels in previous decades.<sup>139</sup>

Over fifty years later, in 1274, William de Martival's son and successor, Anketil de Martival, endowed the chapel with portions of land in Noseley, Slawston, Hallaton and Houghton. Whilst there is no record of the act of dedicating this chapel, his grant was made to:

... capellae beate marie que sita est in manerio meo de Nouesle et capellanis in eadem divina celebrantibus.<sup>140</sup>

It was to be held by 'custodi Capelle et capellanis'.<sup>141</sup> The implication of this endowment and the reference to a custodian or warden is that, either at this date or earlier, the chapel of Noseley had acquired a form of 'collegiate' status.<sup>142</sup> Yet how formal this status was, or how the chapel was constituted at this date, remains uncertain. Seemingly, it had been elevated in status, although nothing in this grant itself suggests that its existing rights had been increased. Nor does it record the assent or confirmation of other parties, although it was witnessed by Anketil's brothers, Richard and Robert de Martival.<sup>143</sup>

Anketil, formerly sheriff of the counties of Leicester and Warwick, was presumably elderly at the time of this grant and he died soon after.<sup>144</sup> His successor as lord of Noseley was his only son, Roger de Martival, at that time studying or teaching at Oxford University, whilst holding the rectory of Arnold (Nottinghamshire). He would, in turn, be preferred to the archdeaconries of Huntingdon and Leicester; serve

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<sup>139</sup> Chapter 3, p. 136.

<sup>140</sup> Hartropp, i, 448-49 (no. 12).

<sup>141</sup> *Ibid.*

<sup>142</sup> This grant is so interpreted in: W.G. Hoskins (ed.), *A History of the County of Leicestershire: Volume 2* (Victoria History of the Counties of England; 1954), 46-48; and similarly by Hartropp, who states that Anketil converted the chapel into a collegiate church: Hartropp, i, 433.

<sup>143</sup> This was, however, one of the documents included in the register of Bishop John de Dalderby; Hartropp, i, 448-49 (no. 12).

<sup>144</sup> Hartropp, i, 431.

briefly as chancellor of the same university; be elected, in 1295, as dean of Lincoln; and subsequently, in 1315, as bishop of Salisbury.<sup>145</sup> At Christmas 1276, Roger made a formal, but simple, ratification of his father's grant to the chapel and chaplains, again with his uncles, Richard and Robert, as witnesses.<sup>146</sup> Thereafter, between 1302 and 1306, he undertook a more determined campaign to secure and increase the rights, status and endowments of his chapel.

The process by which Roger sought to augment the status and rights of his chapel, as pieced together from the Noseley documents, appears to have been threefold: he sought confirmation of earlier grants; he further endowed the chapel; and he renegotiated its rights with the parochial authorities of Noseley. The first two elements of this programme were undertaken in tandem. In December 1302, Thomas, earl of Leicester, Roger's overlord at Noseley, permitted him to grant two messuages, two tofts and one virgate in Noseley, 'a dieu et a Sainte Eglise... pur le profit de sa chapele de Nousele'.<sup>147</sup> Likewise, in 1305, another of Roger's overlords, John de Harcourt, lord of Bosworth, permitted Roger to assign eight marks from the annual rents of the soke of Stretton Magna and Norton to the chaplains of his chapel.<sup>148</sup> Both grants were procured in accordance with the recent Statute of Mortmain (1279). Roger's own endowment was confirmed by a charter of Edward I, issued on 16th June 1306, whilst his father's grant of 1274, made prior to the enactment of this statute, was secured by an additional royal charter issued at the same time.<sup>149</sup>

The renegotiation of the rights of the chapel of Noseley was similarly achieved by stages and involved negotiation with a number of interested parties. Principal amongst these was the parish of Noseley, represented on behalf of its patrons, the Benedictine Abbey of St. Evroul (Normandy), by the abbey's procurator-general, the prior of Ware (Hertfordshire), and by the rector of the church itself, Simon de Rothewell. In turn John Dalderby, bishop of Lincoln (1300-20), confirmed the settlements reached

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<sup>145</sup> C.R. Elrington, 'Martival, Roger (c. 1250-1330)', *Oxford Dictionary of National Biography* (Online Edition; Oxford, 2004).

<sup>146</sup> Hartropp, i, 449-51 (no. 13).

<sup>147</sup> Hartropp, i, 451-52 (no. 14).

<sup>148</sup> Hartropp, i, 454-55 (no. 16).

<sup>149</sup> Hartropp, i, 456-57 (no. 17); 457-58 (no. 18).

between Roger and these parties. The process of negotiation was instigated in 1304, as Roger was enlarging the endowment of his chapel, in which year presumably in response to a request from Roger, the abbey submitted to the bishop that:

... Magister Rogerus et heredes sui seu successores domini de Nouesle capellam in manerio suo dicte ville liberam ac presbyteros et clericos pro voto suo inibi ministraturos habere valeant perpetuis temporibus in futurum.<sup>150</sup>

Provided the full rights of the parish church were maintained, the abbot and convent expressed their unanimous consent for the maintenance of the chapel, whilst deferring to the bishop's jurisdiction.<sup>151</sup>

This submission by the abbey of St. Evroul did not materially enhance the chapel's rights. However, it probably laid the ground for Roger's subsequent negotiations with the rector regarding their amplification. On 1st August 1306, the results of these negotiations were recorded in a detailed covenant between Roger and Simon de Rothewell, rector of Noseley.<sup>152</sup> This states that Simon entered into it with the consent of the abbey of St. Evroul, the prior of Ware and the bishop of Lincoln. Formal ratifications were, in turn, received from the prior of Ware, dated 10th August 1306, and from the abbot and convent, dated 29th August.<sup>153</sup> Bishop Dalderby likewise inspected and approved the covenant's articles in a confirmation of 14th September.<sup>154</sup>

Each drew particular attention to a grant made by Roger to recompense the church for the rights awarded to his chapel. This consisted of a messuage and a virgate in

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<sup>150</sup> Hartropp, i, 452-53 (no. 15).

<sup>151</sup> Ibid.

<sup>152</sup> A damaged copy of this original agreement was in Hartropp's possession, which he found impossible to transcribe: Hartropp, ii, 278 (no. 20). Some of its content is recorded in a chirograph dated 14th September 1306: Hartropp, ii, 281-88 (no. 23).

<sup>153</sup> Hartropp, ii, 278-80 (no. 21); 280-81 (no. 22).

<sup>154</sup> This confirmation is dated to the same day as the chirograph of the agreement between Roger and Simon: Hartropp, ii, 288-90 (no. 24). Between September 1306 and October 1307, the bishop and the cathedral chapter of Lincoln produced a number of additional confirmations of this agreement: Hartropp, ii, 290 (no. 25); 291-92 (no. 26); 299-300 (no. 28); 300-302 (no. 29).

Noseley and recalls that made by Roger's grandfather, William, in c. 1220.<sup>155</sup> As has been seen, Quinel's statute, *De ecclesiis, capellis, et oratoriis*, specifically required such compensatory grants and they were, in any case, common practice. Roger's grant, like William's, was explicitly made:

... in recompensacionem oblacionum baptisterii et omnium que in scripto presenti superius.<sup>156</sup>

Significantly, both the representatives of the parish and Bishop Dalderby recognized that the church was, thus, enriched, since Roger's grant outweighed the value of the liberties he received:

Attendentes etiam quod dictus Magister Rogerus ipsam parochialem Ecclesiam dono meliori respexit, quod donum dictis libertatibus tanto preponderat quanto annuatim maioris speratur esse valoris ...<sup>157</sup>

This may, by extension, have been the effect of other chapel grants, a consideration which further undermines any assumption that the establishment of household chapels was necessarily to the detriment of parish churches.

The rights and terms granted by Simon to Roger's chapel were recorded in two documents. The first, their covenant, records the liberties granted to the chapel, the associated rights of the parish church, and Roger's compensatory grant.<sup>158</sup> The second, produced by Roger himself, is a summary of those rules which were to govern the maintenance of the chapel and the celebration of services within it.<sup>159</sup> In this, Roger refers to a fuller set of statutes for the chapel and its chaplains of which no known copies survive.<sup>160</sup> Nevertheless, this pair of documents provides a remarkably detailed account of the liberties of a contemporary high-status household chapel.

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<sup>155</sup> Roger's grant was confirmed by Edward I on the same day that the king confirmed Roger and Antekil's grants to the chapel itself: Hartropp, ii, 276-78 (no. 19).

<sup>156</sup> Hartropp, ii, 284 (no. 23).

<sup>157</sup> Bishop John understood this from the prior of Ware's letters: Hartropp, ii, 280-81 (no. 22), 288-90 (no. 24).

<sup>158</sup> Hartropp, ii, 281-88 (no. 23).

<sup>159</sup> Hartropp, ii, 292-99 (no. 27).

<sup>160</sup> Hartropp, ii, 298 (no. 27). Cf. the rules of the contemporary collegiate chapel founded at Wolvesey Palace by John of Pontoise, bishop of Winchester (1282-1304), in 1300: B.L., Additional Charter 17353 [Confirmation of the rules of St. Elizabeth's Chapel before the gates of Wolvesey castle, near Winchester, 1320]; Dugdale, vi (pt. 3), 1339-41. Also those issued for the collegiate college of the

The liberties granted to the chapel of Noseley in 1306 were significantly more extensive than those it had received in *c.* 1220.<sup>161</sup> Although it is possible that these had already been extended during the lifetime of Anketil de Martival, Roger's father, Simon's grant materially enhanced them. The original chapel grant had allowed the performance of masses and canonical hours, and although it had not specifically restricted the performance of other sacraments, it may be assumed this was the case since such restrictions were commonplace. The covenant of 1306, by contrast, granted various additional sacramental liberties:

Pueri nati infra manerium de libera familia domini de fontibus capelle baptismum recipient. Sponsalia mulierum de camera domini seu domine et purificationes earum post partum in eadem capella celebrari debebunt.<sup>162</sup>

In a manner similar to the grant for Little Wakering, cited above, the parish priest was to be invited to perform weddings, baptisms and churchings, but they might be performed by the chaplains if he could not, or chose not to, do so.<sup>163</sup> In addition, although it was not specifically stated that Roger's chaplains might hear the confessions of, and specify penance for, his household, this is implied by the prohibition that:

Sacerdotibus dicte capelle ceteros parochianos ville ad confessionem vel alia sacramenta aut ad panem et ad aquam benedictam in parochialis ecclesie preiudicium admittere non liceat ...<sup>164</sup>

If anyone of the manor of Noseley were to die ('aliquis de manerio de Nousele diem claudere'), they were to have the right of burial in a place of their choice, upon the condition that their bodies were first taken to the parish church where mass should be said and to which customary dues and mortuary fees should be paid.<sup>165</sup> A further concession reconfirming that made in the original chapel grant, allowed the continued

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bishops of Winchester at Marwell, by Peter des Roches, bishop of Winchester (1205-1238), in 1227: Dugdale, vi (pt. 3), 1343-44 (no. 2).

<sup>161</sup> Hartropp, i, 433-36 (no. 1).

<sup>162</sup> Hartropp, ii, 282 (no. 23).

<sup>163</sup> Ibid. Cf. Similar terms attached to the chapel of the Esturmi family at Burbage, *Chapter 5*, p. 240.

<sup>164</sup> Hartropp, ii, 283 (no. 23).

<sup>165</sup> Hartropp, ii, 282 (no. 23).

use of bells. This was a liberty which, although minor in jurisdictional terms, may have been valued as a demonstrable mark of status and was the very first of the rights enumerated: 'Videlicet quod prefata capella libere campanas habebit'.<sup>166</sup>

In addition, the covenant of 1306 included a renunciation by the parish of all offerings legitimately made in the chapel. This was a significant and unusual concession. All offerings made at weddings, baptisms, churchings, as well as at masses for the dead could be retained by the chapel for its own use ('in usus') or profit ('in profectum').<sup>167</sup> Likewise, the offerings of the lord's free household ('libera familia') and of the chapel's staff ('similiter sacerdotes et clerici prefate capelle') might be converted to the chapel's benefit ('comodum convertentur').<sup>168</sup> Roger's rules likewise summarize his chapel's sacramental liberties and emphasize the retention of offerings made at masses for the dead, perhaps the most extensive offerings made in the chapel:

Above all, that the offerings to be made in the aforesaid chapel at masses to be celebrated for any dead shall for ever be devoted, in their entirety to the use, benefit, and profit of the Chapel aforesaid.<sup>169</sup>

This emphasis, taken with Roger's description of masses celebrated in the chapel, 'for my soul and the souls of my ancestors and successors, as well as for the souls of all the faithful deceased', and the establishment of a community of chaplains at Noseley, have been taken to support the description of the chapel at Noseley as a 'chantry chapel' or 'chantry college', indeed as 'one of the earliest chantry colleges'.<sup>170</sup> However, what that meant in practice, or the value of such categorizations, has not been considered in any detail.

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<sup>166</sup> Hartropp, ii, 282 (no. 23); i, 433-36 (no. 1). It is, perhaps, to this right that the abbey of St. Evroul and the prior of Ware were referring in two similar clauses of their ratifications of this covenant: 'in Capella beate marie Virginis in dicto manerio situata deus imperpetuum sonoris preconiis efferatur'. Hartropp, ii, 280 (no. 22); also ii, 279 (no. 21).

<sup>167</sup> Hartropp, ii, 282-3 (no. 23).

<sup>168</sup> Ibid. For the constitution of the 'free household', see immediately below.

<sup>169</sup> Hartropp, ii, 293 (no. 27). Hartropp does not provide a Latin transcript of these orders.

<sup>170</sup> Hoskins (ed.), *V.C.H. Leicestershire* 2, 46-48; Elrington, 'Martival'. It is included amongst the list of secular colleges in: D. Knowles and R.N. Hadcock, *Medieval Religious Houses, England and Wales* (London, 1953), p. 337.

Certainly masses for the dead was celebrated in the chapel at Noseley for members of the Martival family, for the dead of the manor, and probably also for the souls of the family of Roger's overlords whose aid had been required to secure its endowment.<sup>171</sup> The services celebrated within the chapel were not, however, limited to such masses alone, nor does the tenor of any of the documents which provided a constitution for this chapel state that the celebration of such masses was its primary object. Rather they support the view that the chapel was constituted to support a religious routine maintained by the Martivals and their household, both from its initial conception in c. 1220, when William, his family and household ('Willelmus et uxor eius et familia sua tota et heredes sui') were permitted to attend masses and to celebrate daily offices, and again, two generations later, when the members of Roger's household were permitted the sacraments and rituals of baptism, marriage and churching.<sup>172</sup>

The celebration of masses for the dead was undoubtedly a significant, but not a defining, element of the religious routine maintained at Noseley. In this the Martivals' chapel probably differed little from those maintained by other households throughout the thirteenth century and subsequently. The establishment by Roger, and his father Anketil, of an endowment to support a permanent staff of priests or chaplains, may have been unusual.<sup>173</sup> So constituted, the chapel at Noseley could provide not only a setting for the domestic religious routines of the Martivals' household, when it resided at Noseley, but also a permanent round of masses for the souls of the family and household, in their absence.

This household is, itself, a subject in the 1306 covenant, which considered who might and might not receive sacraments and make offerings within the chapel. One passage in particular specifically seeks to define the 'libera familia' or 'free household', a

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<sup>171</sup> Such masses were referred to in John de Harcourt's grant to Roger de Martival in 1305:

...quibusdam Capellanis divina in Capella manerii... pro anima ipsius Rogeri et animabus antecessorum et successorum suorum necnon et pro anima nostra et animabus antecessorum et successorum nostrorum et omnibus fidelium defunctorum in perpetuum celebraturis.

Hartopp, i, 454 (no. 16).

<sup>172</sup> Hartopp, i, 433-36 (no. 1); ii, 281-88 (no. 23).

<sup>173</sup> Cf. the 'collegiate' status, or community of chaplains, established at Stonor (Oxfordshire) over half a century later in 1349: *Cal. Pat., 1348-50*, p. 290.

concept and term ubiquitously employed in chapel grants and subsequently in huge numbers of *licencie celebrandi*. This passage is quoted and translated here in full, since definitions of this kind are rare and it is so pertinent to an understanding of the nature of household chapels:

Dominus autem manerii domina tota eorum libera familia Sicut milites sacerdotes et clerici familiares vadleti, domicelle camerarie lotrices sequentes dominum vel dominam ballivi manerii falconarii venatores aucupes et menestralli scissores armarii camerarii panetarii pincerne coti [*sic*] et eorum servientes pistores bracciatores et eorum servientes ferrarii equorum et garcones de stabulo bajuli literarum janitores et si qui sint alii qui sequuntur dominum vel dominam de manerio ad manerium transeuntes ac etiam extranei quomodolibet venientes. Necnon cementarii carpentaria plumbarii, coopertores domorum murarii fossarii sepium factores ac reparatores seu factores harnesiorum et alii hi' operarii mecanici non foventes larem in villa de Nouesle vel Ilveston quantum est de parochia Rectoris de Nouesle, et similiter sacerdotes et clerici prefate capelle oblaciones suas facient in dicta capella diebus quibus offerre tenentur, vel alias sponte offerre voluerint et de eadem ecclesiastica percipient sacramenta. Ipse vero oblaciones sicut et cetera supradicte in prefate capelle comodum convertentur.<sup>174</sup>

This passage makes an apparent distinction between those 'priests and domestic clerks' who followed their lord, and the 'priest and clerks' of the chapel at Noseley. Certainly, as bishop of Salisbury, and very likely as archdeacon of Leicester, Roger de Martival would have maintained a large clerical household, including his own chaplain or chaplains, which would have been related to, but distinct from, those priests and clerks charged with the daily service of the chapel at Noseley. In 1306 the priests of this chapel appear to have numbered either two or three, supported by two

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<sup>174</sup> Hartropp, ii, 282 (no. 23).

The lord and lady of the manor, with the whole of their free household, such as knights, priests and domestic clerks, grooms, gentlemen of the chamber, laundresses, following their lord and lady, bailiffs of the manor, falconers, huntsmen, fowlers and minstrels, carvers, keepers of the closet, chamberlains, bread stewards, butlers, [cooks] and their helpers, bakers, brewers, and their helpers, shoeing smiths, stablemen, letter carriers, doorkeepers, and if there are any others who follow their lord or lady as they pass from manor to manor, and strangers, also, in whatever manner they come. And also stonemasons, carpenters, plumbers, house roofers, wallers, ditchers, hedgers, and harness makers or repairers, and those other working mechanics not keeping up a hearth in the town of Noseley or Ilston, as far as is the parish of the Rector of Noseley, and likewise the priests and clerks of the aforesaid chapel shall make their oblations in the said chapel on the set days when they should do so, or whenever else they of their own freewill shall decide, and from the same let them take the church sacraments. But let these offerings, and the others as said above, be devoted to the benefit of the said chapel.

Translation, with minor amendments, follows: Hartropp, ii, 285-86 (no. 23).

clerks, whilst in the 1539 Leland described the 'little college at Noseley' as being possessed of 'three priests, two clerks and four choristers'.<sup>175</sup> Roger's rules stipulated that these chaplains should 'minister in the Chapel in person and keep up continuous residence in the same'.<sup>176</sup>

Whether household members were permanent residents of the parish of Noseley, or were, instead, retainers or servants who constituted part of the lord's 'free' or 'travelling household', 'who follow their lord or lady as they pass from manor to manor', appears the overriding consideration which determined who might receive sacraments in the chapel and make offerings to it. Their social status appears to have been an additional, but secondary, consideration. As seen above, builders and craftsmen were to be admitted to the chapel, unless they were parishioners:

... carpentarii et alii operarii conducticii si domos habeant in parochia de Nouesle, oblaciones suas facient in parochiali ecclesia et in eidem et ab eadem percipient ecclesiastica sacramenta ...<sup>177</sup>

Likewise, servants of menial status were expected to receive sacraments from, and make their offering at, the parish church, 'sive lares foveant in parochia de Nouesle sive non'.<sup>178</sup> This recalls the requirement imposed in 1223-27, that the servants of the Breante household should attend the parish church throughout the year.<sup>179</sup> By the same token, Reginald de Mohun (c. 1206-58) received a grant of the right to maintain a chapel within his *curia* at Torre (Devon) upon condition that:

Servientes vero curiæ, qui non fuerint de liberâ familiâ domini, parochialem ecclesiam exerceant.<sup>180</sup>

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<sup>175</sup> Roger's rules stipulated arrangements for the payments of salaries to two chaplains and two clerks, whilst Edward I's confirmation of Roger's grants, made earlier in 1306, perhaps mistakenly refers to 'tribus capellanis divina in Capella beate Marie de Nousele... celebraturis': Hartropp, ii, 296 (no. 27); i, 457 (no. 17). J. Chandler (ed.), *John Leland's Itinerary, Travels in Tudor England* (Stroud, 1998), p. 227.

<sup>176</sup> Hartropp, ii, 295 (no. 27). Roger's rules provide a rich source for further examination of the subject of household and collegiate chaplains, *Conclusion*, p 264.

<sup>177</sup> Hartropp, ii, 282-83 (no. 23).

<sup>178</sup> Hartropp, ii, 283 (no. 23). Following Hartropp's translation, these 'inferiores servientes in Curia' included: waggoners, ploughmen, shepherds, park keepers, game keepers, swineherds, gardeners, cheesemen, oxmen, cowmen, poultry keepers, millers, laundresses (?) and windmillers (?).

<sup>179</sup> *Chapter 2*, p. 94-95.

<sup>180</sup> Dugdale, vi, 926 (no. 6).

In practice, it is possible that only a small proportion of menial servants were *not* parishioners, thus negating much of the import of such proscriptions. In the event of the chapel receiving offerings from restricted individuals these were to be refunded to the church.<sup>181</sup> Significantly, it should be noted that such carefully constructed conditions did not amount to a strict prohibition against any household member attending chapel services *per se*. Rather they, and comparable clauses in other grants, were concerned with participation in the sacraments of the chapel and with the rightful distribution of associated offerings and oblations.

The division of the Martivals' household into an itinerant community, who might receive sacraments from the chapel at Noseley, and a resident staff of parishioners, who were required to repair to the parish church, is significant since it suggests that this chapel had two interrelated purposes: firstly, in this specific context, to function as a household chapel; but secondarily, to celebrate 'chantry' or 'requiem' masses. As such, it supports one of the principal arguments of this thesis, that a fundamental rationale for the maintenance of household chapels in medieval England was the pseudo-parochial provision they provided for the itinerant, and later more established, households of the medieval aristocracy and upper gentry.

As has been seen, it was ubiquitous in the century or more prior to Roger's reconstitution of the chapel at Noseley, for chapel grants to stipulate that services be celebrated only for the founder, their heirs and households. Moreover, similar conditions were, in turn, to constitute a common element of those *licencie celebrandi* issued in great quantities in subsequent centuries. The very ubiquity of this condition perhaps explains why so few grants or licences clarified its meaning. The significance of this detailed account of those household members who possessed full membership of the Martivals' household chapel, at Noseley and elsewhere, cannot be overstated. Indeed, in the absence of like evidence, it must be taken (with caution) as an account of common practice.

The process by which Roger de Martival constituted his chapel at Noseley apparently began in 1302 and was still subject to acts of confirmation in 1307. Not only is it

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<sup>181</sup> Hartropp, 283 (no. 23).

documented in rare detail, but the chapel was certainly unusual in the extent of its new liberties. Moreover we are dealing here with the reconstitution of a chapel by a proprietor intimately associated with ecclesiastical parties upon whose support and consent this process relied. Likewise, archdeacons appear to have played a significant role in the regulation of contemporary household chapels and Roger's position as archdeacon of Leicester cannot but have eased his acquisition of sacramental rights for Noseley.<sup>182</sup> Indeed, Roger's career marked him as a figure of national repute, to whom exceptional rights might be granted with some degree of assurance. Bishop Dalderby, in his confirmation of the 1306 covenant, stated his belief in Roger's probity: 'acceptum quanto prefatum magistrum Rogerum in suo votivo proposito affluentius ut credimus gratia divina pervenit'.<sup>183</sup> In this case, and in others, personal status and influence probably played a significant part in the ability to secure rights and liberties of household chapels.

#### THE MAINTENANCE OF TWELFTH- AND THIRTEENTH-CENTURY HOUSEHOLD CHAPELS

Private and semi-parochial chapels were founded in significant numbers from the mid-twelfth century onwards. Indeed, they were probably common in the century or more prior to this, although the documentary and archaeological records are too slight to demonstrate this with confidence. From the mid-twelfth century, however, the establishment and maintenance of chapels, by means of the acquisition of chapel grants, is increasingly well documented and probably became more common in practice.

The evidence of chapel grants demonstrates that a significant proportion of these chapels were founded by lay and ecclesiastical lords within their residences primarily or exclusively for the use of themselves and their households. Such household chapels were established throughout England in a remarkably consistent and institutional manner. The conditions and rights associated with these chapels accord closely with

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<sup>182</sup> It was, indeed, ordained that the principal chaplain of the chapel at Noseley should be inducted by the archdeacon of Leicester or his official, and if necessary swear an oath to preserve the rights of the parish before the same: Hartropp, ii, 283 (no. 23), 295 (no. 27).

<sup>183</sup> Hartropp, ii, 289 (no. 24).

the terms of established canon law, in particular of those canons concerning ‘private oratories’ codified in Gratian’s *Decretum*. They also correspond directly with the terms of English legatine canons and diocesan statutes pertaining to private chapels. Indeed, remarkably, the terms of chapel grants made prior to the mid-thirteenth century often seem to prefigure later rulings. Chapels were consistently founded with attention to established parochial rights, and it was common practice for grants or annuities to be made in recognition of, or compensation for, *potential* parochial losses. At the same time, chapel owners and their householders were required (or at least encouraged) to participate in the principal celebrations and festivals of parochial life, at least as far as possession of multiple residences permitted. While disputes inevitably arose between particular lords, chaplains and communities, the weight of the evidence does not tend in this direction.<sup>184</sup> Nor does it appear that ‘difficulties were made as to granting them [chapel grants], as by doing so the parish priest lost fees’.<sup>185</sup> Rather it is possible that, as in the case of Noseley, some parishes occasionally gained or profited from endowments received from chapel owners or by the restitution of household offerings.

While the established view of household chapels in this period has been of proprietary lay foundations impinging upon parochial rights, the evidence of contemporary chapel grants, taken as a body, suggests almost the reverse. Household chapels were maintained not only by lay lords, but also by ecclesiastics and monastic prelates. Moreover, all levels within the hierarchy of the contemporary church (church patrons, parish priests, rural deans, archdeacons, priors, abbots, chapters and bishops) appear actively involved in considered negotiations, and in supporting grants, concerned with the establishment and maintenance of household chapels. Although in some cases, chapels were maintained in accordance with papal privileges, diocesans and archdeacons often appear to have confirmed local agreements, rather than to have actively intervened to protect parochial rights.

The maintenance of chapels for the service of lordly households appears, then, to have been common, if not already ubiquitous, by *c.* 1300. The archaeological record of

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<sup>184</sup> *Chapter 5*, *passim*.

<sup>185</sup> Above, p. 128.

extant household-chapel buildings seems to support this conclusion, although the evidence of chapel grants is more extensive.<sup>186</sup> Such widespread chapel maintenance is significant since the manner in which household chapels were maintained in practice, as for instance at Noseley, probably altered comparatively little between the mid-thirteenth and the mid-fourteenth centuries. By contrast, the volume of the extant evidence pertaining to such maintenance increases dramatically with the issuing and registration of *licencie celebrandi*. Whilst these are much more abundant, they are also much less detailed, and any understanding of them must rest in large part upon that of earlier chapel grants.

Finally, those chapels established by grants prior to c. 1300 are of particular significance to the subject of the subsequent maintenance of household chapels in later medieval England, since many appear to have been continuously maintained over many generations, sometimes until the Reformation. Indeed a substantial proportion of these chapels, perpetually endowed and possessing limited sacramental liberties by right, appear to have become, in time, the loosely-defined 'free chapels' of the fourteenth and fifteenth centuries.

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<sup>186</sup> *Conclusion*, pp. 258-62.

## CHAPTER 3

### DIOCESAN REGULATION: *LICENCIE CELEBRANDI* (C. 1300 - C. 1500)

Thousands of *licencie celebrandi*, or licences to celebrate mass, were issued by English diocesans with respect to the maintenance of household chapels. Recorded in episcopal registers, their existence is well known to historians of the late-medieval church. Indeed, it has been suggested that: ‘We are dependant on these licences for most of what we know about private oratories’.<sup>1</sup> Nevertheless, current discussion of *licencie celebrandi* remains both confused and assertive. Problematically, they are usually referred to as ‘licences for oratories’ or ‘episcopal licences for private chapels’, descriptions which, although understandable as a form of short-hand, are generally misleading.<sup>2</sup> As shall be seen, these were licences specifically and simply *for the celebration of mass*; they were *not* licences for the construction or establishment of household chapels. It is for this reason that they are consistently termed here *licencie celebrandi*. Furthermore, it remains common for summary descriptions of these licences to associate them too closely with late-thirteenth-century chapel grants and, by extension, to dismiss them as degraded summaries or ‘more permissive’ versions of these:<sup>3</sup>

Towards the end of the Middle Ages many bishops became lax in licensing private oratories ... Many licences were given for the grantee to build [an] oratory *ubicumque in diocesem*, wherever he wished in the diocese.<sup>4</sup>

Others, whilst recognizing the purpose of *licencie celebrandi*, have questioned their value as evidence of household-chapel maintenance. Mertes has influentially expressed regret at ‘the incompleteness of episcopal registers (in themselves and as sets)’ and considers that these:<sup>5</sup>

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<sup>1</sup> Pounds, *English Parish*, p. 101.

<sup>2</sup> Ibid.; Brown, *Popular Piety*, p. 205; J. Hughes, *The Religious Life of Richard III: Piety and Prayer in the North of England* (Stroud, 1997), pp. 111-12; Webb, ‘Domestic Space and Devotion’, pp. 38-40.

<sup>3</sup> Webb, ‘Domestic Space and Devotion’, p. 40.

<sup>4</sup> Pounds, *English Parish*, p. 102.

<sup>5</sup> Mertes, *English Noble Household*, p. 142.

... do not appear to be a very good guide to the existence of such chapels, as it seems that in many, mass was regularly held without any licence being purchased, or at any rate recorded. For instance, the Luttrells had two active chapels within the walls of Dunster Castle in Somerset, but no licence for either is traceable in the near-perfect set of registers for the diocese of Exeter. Despite the low incidence of registered private chapels, therefore, one usually finds that aristocratic households contained at least one chapel, with all the liturgical paraphernalia needed for mass.<sup>6</sup>

A more balanced discussion of *licencie celebrandi* has been provided by Swanson, who included in his reader, *Catholic England*, a typical series of eighty-eight licences issued over the two-year period 1386-8 by Richard le Scrope, bishop of Coventry and Lichfield (1386-98).<sup>7</sup> Swanson suggests that such licences fulfilled recipients' desires for 'advanced domestic spiritual satisfaction' and remarks upon the apparent regularity of such grants.<sup>8</sup> Elsewhere, he considers *licencie celebrandi* as evidence of the increasing employment of household chaplains after 1350, drawing attention to their volume, as exemplified by the significant series recorded in the registers of the diocese of Coventry and Lichfield.<sup>9</sup> He suggests too that episcopal registers may not record the full extent of actual licensing.<sup>10</sup> In turn, Brown has enumerated the *licencie celebrandi* issued by the bishops of Salisbury over two periods, 1300-1350 and 1350-

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<sup>6</sup> Ibid., p. 140. In fact, there is some evidence that masses were canonically celebrated in Dunster Castle (Somerset), in the diocese of Bath and Wells.

Although the registers of the bishops of that diocese record few instances of *licencie celebrandi* to members of the de Mohun or Luttrell families, by turns, lords of Dunster, Sibyl de Mohun, whose dower included Dunster Castle, twice received licences from Ralph of Shrewsbury, bishop of Bath and Wells (1329-1363), that Robert, rector of Colyton, might serve as her chaplain (in 1334 and 1336): T.S. Holmes (ed.), *The Register of Ralph of Shrewsbury, Bishop of Bath and Wells, 1329-1363*, 2 vols. (Somerset Record Society 9, 10; 1896), i, 172, 308.

Moreover, in 1254, Reginald de Mohun (c. 1206-1258) agreed with the cathedral priory of Bath, that the community would celebrate mass daily in the 'upper chapel' of St. Stephen in Dunster Castle, in return for a grant of fifty marks and the provision by him and his heirs of necessary books and furnishings for the chapel. This agreement could be enforced by the distraint of the priory's lands at Alcombe (Somerset): H.C.M. Lyte, *A History of Dunster and of the Families of Mohun and Luttrell*, 2 vols. (London, 1909), i, 31. This arrangement may have been honoured, in some form, for generations; it may account for the annual allowance paid by Hugh Luttrell (d. 1428), lord of Dunster, to one John Buryton, monk of Dunster: Ibid, i, 100. Certainly, a later copy of the terms of this agreement, endorsed 'For the Castell Masse', survives within the muniments of Dunster Castle: Ibid., i, 31.

<sup>7</sup> R.N. Swanson, *Catholic England. Faith, Religion and Observance before the Reformation* (Manchester, 1993), pp. 164-73.

<sup>8</sup> Ibid., p. 164.

<sup>9</sup> R.N. Swanson, *Church and Society in Late Medieval England* (Oxford, 1989), pp. 49, 67-68.

<sup>10</sup> Swanson, *Catholic England*, p. 173; Swanson, *Church and Society*, p. 49, n. 59.

1399, at 144 and 187 (respectively),<sup>11</sup> and has likewise questioned the reliability of such registers:

The recording of licences seems to vary from register to register: under Bishop Gandavo (1298-1315) three were granted; under Bishop Martival (1315-30) none, but under Bishop Wyvill (1330-75) 141.<sup>12</sup>

This chapter reconsiders *licencie celebrandi* as evidence for the maintenance of English household chapels in the fourteenth and fifteenth centuries. As a class of evidence such licences are problematic: collectively they are practically innumerable; whilst, individually most are short and relatively uninformative.<sup>13</sup> Licences are therefore considered here in two distinct ways, *en masse*, and by way of two ‘case studies’. The first, wide-ranging, approach considers the question of how *licencie celebrandi* developed in relation to earlier chapel grants and contemporary canon law. It attempts to establish the basic purpose or terms of licences, how they were registered, to whom they were granted, and for what lengths of time they were issued. The subsequent case studies examine different questions. The first, based upon the fourteenth-century episcopal registers of the diocese of Lincoln, specifically considers the scale of licensing. The second examines the *Registrum Commune* of Edmund Lacy, bishop of Exeter (1420-1455), and seeks to consider in greater detail variations between different licences granted in one diocese by one diocesan. Together, these approaches argue that *licencie celebrandi* were a ubiquitous tool of diocesan registration which, in turn, provide evidence of the equally ubiquitous institutional maintenance of chapels by thousands of English households, throughout the two centuries leading to the English Reformation.

#### CHAPEL GRANTS AND THE DEVELOPMENT OF *LICENCIE CELEBRANDI*

The introduction of episcopal registers as an administrative tool and record, from the mid to late thirteenth century, did not of itself alter the manner in which household

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<sup>11</sup> Brown, *Popular Piety*, p. 205.

<sup>12</sup> *Ibid.*, p. 205, n. 18.

<sup>13</sup> In published registers they are sometimes abbreviated further. For example: J.H. Parry (ed.), *The Register of Robert Mascall, Bishop of Hereford (A.D. 1404-1417)* (Cantilupe Society 11; 1916), p. 190 (a list of ‘Licences for Oratories’).

chapels were established and regulated. Chapel grants of the common thirteenth-century type were routinely recorded in contemporary rolls and registers. This is particularly well attested in the diocese of Lincoln. The charter roll of the archdeaconry of Northampton, produced under Hugh of Wells, bishop of Lincoln (1209-35), records the text of four chapel grants made between 1223 and 1232; similar charter rolls produced for other archdeaconries presumably incorporated others.<sup>14</sup> Typically, Hugh was only one of the parties concerned in making each grant. One simply records the inspection of a grant made by the parson of Polebrooke (Northamptonshire).<sup>15</sup> The terms of these grants are directly comparable with their unregistered counterparts:

... quod cum Baldewinus de Ver capellam... in proprio fundo construxisset assensu... et in ea capella ipse Baldewinus et heredes sui hospites eorum et tantum propria familia audiant missas et divina officia et nullum aliud sacramentum ibi fiat nisi tantum panis benedictus et aqua benedicta... Et ipse Baldewinus et heredes sui cum tota familia sua octies per annum matriciem ecclesiam visitabunt ...<sup>16</sup>

All but one was made in perpetuity to the founder of the chapel and his successors. A comparable series of twelve grants occurs in the archdeaconry rolls of Hugh's successor Robert Grosseteste (1235-53).<sup>17</sup> These included inspections of monastic grants, and episcopal grants made in accordance with papal instruction.<sup>18</sup> Each is broadly comparable and placed typical restrictions upon the performance of sacraments and sacramentals:

... sine fontibus et campana... In capella quidem predicta nulla habebitur sepultura nec celebrabitur matrimonium nec ad confessionem quis admittetur nec aliqua alia sacramenta ibidem ministrabuntur nisi in articulis necessariis; nullus vero ibidem cingulo militari accingetur nisi

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<sup>14</sup> F.N. Davis and W.P.W. Phillimore (eds.), *Rotuli Hugonis de Welles, Episcopi Lincolnensis, A.D. MCCIX-MCCXXXV* (Canterbury & York Society 1, 3-4; 1909, 1907, 1908), ii, 202-3, 228-29, 255-56, 259-61.

<sup>15</sup> *Ibid.*, ii, 255-56.

<sup>16</sup> *Ibid.*, ii, 259-60.

<sup>17</sup> The institution rolls of the episcopate of Richard Gravesend (1258-79) record no chapel grants. Cf. an institution to (and the endowment of) the chapel 'infra curiam Gerardi de Furnival apud Holm': F.N. Davis (ed.), *Rotuli Ricardi Gravesend, Diocesis Lincolnensis* (Canterbury & York Society 31; 1925), p. 39-41.

<sup>18</sup> F.N. Davis (ed.), *Rotuli Roberti Grosseteste, Episcopi Lincolnensis, A.D. MCCXXXV-MCCLIII* (Canterbury & York Society 10; 1913), pp. 12-13, 173-75, 188-90, 208-9, 214-16, 258-59, 260-61, 265-66, 271-72, 305-6, 349-51, 455-56, 472-75.

illa militie solempnitas ...<sup>19</sup>

In this immediate context, the registered memoranda of Oliver Sutton, bishop of Lincoln (1280-99), previously considered to be illustrative of typical 'licences', appear more varied and significant than has been appreciated.<sup>20</sup> Whereas Sutton's predecessors had typically issued and registered grants of the right to maintain a chapel (*capella*) in perpetuity; Sutton's grants, by contrast, typically permitted the celebration of services within an oratory (*oratorium*) limited to the lifetime of the grantee. They were commonly registered at length, often under the heading 'Concessio cantarie', and in common with earlier grants most permitted celebration for the grantee and their household. Thus, in 1293, John d'Oily received permission:

... ut iidem dominus Johannes et Alicia uxor sua in oratorio infra manerium suum predictum constructo ad hoc idoneo sicut dicitur et honesto, divina sibi ac libere familie sue dumtaxat per sacerdotem propriis sumptibus exhibendum absque prejudicio matricis ecclesie prefate et aliarum ecclesiarum vicinarum, hoc addito quod nullimoda sacramenta ecclesiastica ministrentur ibidem, facere valeant secretius celebrari, liberam quoad vixerint de gracia speciali concessimus facultatem.<sup>21</sup>

In the manner of earlier grants this 'faculty' was made with the consent of parochial authorities (its patrons, the prioress and convent of 'Gracedieu').

The conditions attached to Grosseteste's and Sutton's grants have commonly been cited as evidence of the strict regulation of household chapels.<sup>22</sup> However, Sutton's were arguably *less* restrictive than those common to earlier chapel grants. In the first instance, attendance at the parish church was often required, but only at one principal feast, rather than at a series ('in singulis majoribus anni festivitibus ... matricem ecclesiam suam visitent').<sup>23</sup> More significantly, reciprocal grants to parishes do not appear to have been required (or recorded). Instead it was commonly specified that the parish receive a copy of the grant, to be kept in the parish church, or in the case of

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<sup>19</sup> Ibid., p. 473. For girding and blessing as part of the ceremony of dubbing to knighthood, cf. M. Keen, *Chivalry* (London, 1984), pp. 65, 75.

<sup>20</sup> *Chapter 1*, p. 36; *Chapter 2*, p. 80; Davis and Hill both misleadingly calendar these chapel grants as 'licences'.

<sup>21</sup> Hill, iv, 124-25.

<sup>22</sup> N. Saul, 'The Gentry and the Parish', in C. Burgess and E. Duffy (eds.), *The Parish in Late Medieval England* (Harlaxton Medieval Studies 14; Donington, 2006), pp. 243-60, 246.

<sup>23</sup> Hill, iv, 125.

the church of Killingholme to be copied into its missal ('quod tenor ejusdem littere in missali dicte ecclesie conscriberetur').<sup>24</sup> These requirements may as easily be interpreted as means of ensuring that rights of chapel proprietors were respected by the parish, as *vice versa*.

Sutton's grants appear to represent a marked regulatory shift, away from the grant of the right to maintain 'chapels' in perpetuity, and towards the temporary grant of permission to celebrate in 'oratories'. These temporary grants appear to have been issued with reduced conditions and with no expectation of substantive reciprocal grants being made; they posed less of a threat to parochial rights or revenues. Unlike most earlier chapel grants, almost all of Sutton's grants were explicitly justified by reference to distance from parish churches, difficulty of travel, and ill-health, conditions which correspond closely with those Hincmar of Reims required for the canonical maintenance of oratories.<sup>25</sup> Indeed, it is interesting to speculate whether these were repeatedly adduced specifically in order to conform with that canon law concerning oratories, as opposed to that concerning chapels.

Sutton's register differs further from earlier rolls in that it records a small number of abbreviated or summary versions of these temporary grants which are much closer in form to fourteenth- and fifteenth-century *licencie celebrandi*, some being entitled licences. All but one was issued to an ecclesiastic. Master Richard of St. Frideswide, the archdeacon of Buckingham, received a licence to maintain an oratory in his house at Sherington in 1291 ('LICENCIA HABENDI ORATORIUM'), and a letter permitting the same within his house at Bradwell in 1296 ('LITTERA HABENTI CANTARIAM').<sup>26</sup> Like many subsequent *licencie celebrandi*, the 'Licencia celebrandi in oratorio' received by the wife of Walter of Aylesbury in June 1294 was time-limited, permitting celebration in the oratory of the earl of Cornwall's manor at Iver only until Michaelmas.<sup>27</sup>

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<sup>24</sup> Hill, iii, 123.

<sup>25</sup> *Chapter 1*, pp. 51-52.

<sup>26</sup> Hill, iii, 71; v, 193 ('A letter to one holding a chantry').

<sup>27</sup> Hill, v, 7.

The varied grants and licences recorded in Sutton's register appear to reflect, if somewhat opaquely, the changing manner in which contemporary household chapels were regulated: specifically, a process whereby chapel grants ceased to be issued (in any volume) and temporary licences for celebration in chapels and oratories began to become commonplace. Whilst the evidence is slight, it is possible that licences were employed initially as a simple means of regulating ecclesiastical oratories, and came to be employed more widely in time. Sutton's registered memoranda only cover the second decade of his episcopacy, but record nearly forty such grants and licences, dated between 1290 and 1299; it seems likely that he made others in the previous decade.<sup>28</sup> Considered alongside earlier chapel grants, Sutton's grants and licences appear comparatively liberal, in both their terms and their volume. In addition, it should be noted that in accord with established practice, Sutton oversaw the regulation of household chapels, but the implementation or administration of grants was commonly passed to his archdeacons and their officials.<sup>29</sup>

The thirteenth-century Lincoln registers provide a rare account of the relationship between chapel grants and *licencie celebrandi*. From around the turn of the fourteenth century, contemporary registers begin to record, with increasing distinction and in increasing numbers, similar licences for the celebration of domestic masses (*divina*) in household chapels and oratories. A typical early example of such a licence, from the register of Thomas de Cantilupe, bishop of Hereford (1275-1282), was issued to Adam de St. George and his wife, Agnes, in December 1281:

CANTARIA DE ENDONE. – Dominus Adam de Sancto Georgio et Agnes, uxor sua, habent licenciam a Domino per assensum magistri Symonis de Herefordia, Rectoris ecclesie de Chetintone, ut possint suo perpetuo facere sibi celebrari divina in aliquo loco honesto in manerio suo de Endone; indemnitatem matricis loci ecclesie semper salva. Datum apud Wenloke in Festo Sancti Thome Apostoli, anno Domini suprascripto.<sup>30</sup>

*Licencie celebrandi*, at least as registered, differed from earlier chapel grants in three basic regards. Firstly, they took the form of a short licence (*licencia*) or faculty

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<sup>28</sup> Hill, iii-vi, *passim*.

<sup>29</sup> For instances: Hill, v, 117; vi, 23, 55-56, 171-72.

<sup>30</sup> R.G. Griffiths (ed.), *The Register of Thomas de Cantilupe, Bishop of Hereford (A.D. 1275-1282)* (Cantilupe Society 2; 1906), p. 292. Cf. W.W. Capes (ed.), *Registrum Ricardi de Swinfield, Bishop of Hereford (A.D. 1283-1317)* (Cantilupe Society 3; 1909), p. 239 (a licence of 1290).

(*facultas*), rather than a formal charter or grant. Secondly, they were issued to individuals or groups for the celebration of mass in their presence, whereas chapel grants commonly provided for the celebration of masses, and sometimes other sacraments, in particular chapels. Thirdly, and most significantly, *licencie celebrandi* were temporary or time-limited in contrast to most chapel grants which were made in perpetuity to a chapel's founder and their successors. The adoption of episcopal registers, as a tool of diocesan administration, at around the same time as *licencie celebrandi* came to be commonly issued, poses some difficulty in distinguishing between changes in regulatory practice and those in the documentary record. What seems clear, however, is that by the close of the first quarter of the fourteenth century *licencie celebrandi*, were being issued in far greater numbers than chapel grants had been in previous centuries.

The enactment of the Statute of Mortmain in 1279 may perhaps account for the relatively sudden adoption of an alternate means of establishing household chapels canonically. As has been seen, chapel grants (of the right to perpetually maintain a household chapel) were typically made in return for reciprocal grants to parish churches. The increased expense and difficulty associated with making reciprocal grants, after 1279, may have prompted the development of alternate means to facilitate the canonical celebration of domestic masses. The lengths taken by Roger de Martival to confirm the endowments and grants associated with the chapel at Noseley are perhaps indicative of the increased difficulties encountered by chapel founders after 1279. *Licencie celebrandi* did not require recipients to make such reciprocal grants and were hence unaffected by the provisions of the Statute of Mortmain. The establishment of *licencie celebrandi* as the principal method of constituting a household chapel in late medieval England probably made it easier both to maintain and to regulate such chapels. Licencees did not need to possess land or rights sufficient to compensate for a perpetual chapel grant, whilst, in turn, their maintenance of chapels could be more closely regulated since licences were issued only temporarily and might be easily withdrawn.

In some regards, the regulation of the celebration of domestic masses (and by extension that of household chapels) by means of *licencie celebrandi*, accords more closely with the canon law examined above than did the making of chapel grants. A

constantly reiterated requirement of canonical pronouncements was that masses should only be celebrated in undedicated chapels, oratories and domestic residences with episcopal authority or licence. This was codified influentially by Gratian's canon *Ubique fidelium* (D. 1 de cons. c. 32) in c. 1140, and, in 1143, by an English canon which required that household chaplains only administer (mass) with the consent of the diocesan.<sup>31</sup> It appears that late-medieval *licencie celebrandi* were issued in direct fulfilment of these much earlier, but well-established, canonical requirements. Indeed, there is no better description of them than Stratford's as licences for the celebration of 'masses in oratories, chapels, houses, or places not dedicated'.<sup>32</sup>

The issue of *licencie celebrandi* was common during the first decades of the fourteenth century. By this date their basic form and terms were established and thereafter altered in no material way until the Reformation. There is no evidence for their terms becoming laxer, as is commonly asserted. Typical licences issued in the mid-fourteenth and fifteenth centuries are broadly comparable with that issued to Adam de St. George and Agnes in 1281. One example is that issued in November 1340, by Richard of Bury, bishop of Durham (1333-45) to Robert de Eslington:

Richardus, permissione divina etc., dilecto filio, domino Roberto de Eslington', militi, salutem. Ut in honesto oratorio, seu capella, infra mansum tuum de Eslington' situato divina per capellanum idoneum licite valeas facere celebrari, dum tamen ecclesiæ parochiali in suis minime detrahatur proventibus, nec eidem per hoc præjudicium aliquo generetur, pro tempore vitæ nostræ, licentiam tibi, tenore præsentium, concedimus specialem. Datum in castro de Baunburgh', tertio die mensis Novembris, anno Domini M<sup>o</sup>.CCC<sup>o</sup>.XL<sup>o</sup>., et consecrationis nostræ septimo.<sup>33</sup>

Or that issued, over a century later in April 1472, to Elen, widow of Thomas ap Roger by John Stanbury, bishop of Hereford (1453-74):

Item dictis die, mense, anno et loco dominus dedit licenciam Elene ap Roger alias Procere, ut possit facere missam et alia divina officia celebrari in capella de Nasche, situata infra limites ecclesie parochialis de

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<sup>31</sup> Chapter 1, pp. 47-50.

<sup>32</sup> Appendix IV.

<sup>33</sup> T.D. Hardy (ed.), *Registrum Palatinum Dunelmense*, 4 vols. (London, 1873-8), iii, 325.

Prestemde, Herefordensis diocesis, quandocumque et quamdiu ipsam  
ibidem morari contigerit.<sup>34</sup>

Whatever their date, typical *licencie celebrandi* share four general characteristics. Firstly, licences were issued to individuals, families or households for the celebration of masses in their presence. In most cases, where detail is given, such celebration was to be performed by the licensee's own priest(s) or chaplain(s), that is, at their own expense:

... missas per presbiterum ydoneum facere valeat celebrari ...<sup>35</sup>

... licite facere poterit divina celebrari per capellanum ydoneum pro ipso  
liberaque sua familia submisse ...<sup>36</sup>

Only in exceptional cases were licences issued for general celebration in particular places or chapels.<sup>37</sup> Secondly, licences might (but did not always) cite some justification for their issue, such as devotion, illness, or practical difficulty attending a parish church. Thirdly, licences were limited in their duration, from as little as one year, to the indeterminate 'pleasure' of the bishop. Finally, licences ubiquitously include a clause requiring that parochial rights be protected. With the exception of the latter, the precise terms of licences often varied and these variations themselves provide an insight into the nature and scale of household-chapel maintenance in late-medieval England. (As shall be seen, below, in the case of Lacy's *Registrum*).

In addition to *licencie celebrandi*, English diocesans also issued further classes of licence, or temporary privilege, which materially facilitated the maintenance of household chapels. Most significant amongst these were licences for the choice of personal confessor, which are considered in more detail in the next chapter.<sup>38</sup> Two further classes of commonly-issued licence were those which permitted clergy to be

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<sup>34</sup> A.T. Bannister (ed.), *The Register of John Stanbury, Bishop of Hereford (1453-1474)* (Cantilupe Society 17; Hereford, 1918), p. 133.

<sup>35</sup> J.H. Parry (ed.), *Registrum Johannis de Trillek, Episcopi Herefordensis, A.D. MCCCXLIV-MCCCLXI* (Cantilupe Society 6; 1910), p. 59 (licence for Elizabeth Coly, 1346).

<sup>36</sup> J.H. Parry (ed.), *Registrum Ludowici de Charlton, Episcopi Herefordensis, A.D. MCCCLXI-MCCCLXX* (Cantilupe Society 7; 1913), p. 3 (licence for Sir Richard de la Bere, 1361).

<sup>37</sup> For an apparent case see: *Registrum*, i, 273 (licence for celebration 'in any suitable place' in Launceston Castle by suitable priests).

<sup>38</sup> *Chapter 4*, pp. 194-99.

absent from their benefices to serve as household chaplains; and those which sanctioned the celebration of marriages in domestic residences and household-chapel buildings. In December 1320, Adam Orleton, bishop of Hereford (1317-27), granted a licence for one year to Richard de Wyton, rector of Neen Sollars, to enable his attendance upon Roger Mortimer, lord of Wigmore.<sup>39</sup> His successor John Trilleck, bishop from 1344 to 1360, granted a similar licence to Nicholas de Withiford, rector of Chetton, for attendance upon Aline Burnel, lady of Suckley, in 1349 for two years, and also permitted him to farm out his benefice.<sup>40</sup> Likewise, in 1483, Thomas Fowler, a squire of the king's body, and Alice Holcotts, received a typical licence for the celebration of their marriage from Thomas Bourghier, archbishop of Canterbury (1454-86):

... ut matrimonium inter se per quemcumque capellanum indoneum in quacunque ecclesia oratorio, sive alio loco honesto divino cultui disposito ubicunque infra provinciam etc.<sup>41</sup>

Licences of these types were issued or registered less frequently than *licencie celebrandi*. They expanded the sacramental privileges of contemporary households and their chapels in a similar manner to exceptional clauses in earlier chapel grants, although like *licencie celebrandi*, these licences were also temporary. While it remains uncertain whether *licencie celebrandi* were issued for a fee (certainly there is little, if any, evidence of payments in practice), payment does seem to have been made for licences for non-residence and marriage.<sup>42</sup> Receipts for licences in the archdeaconry of Lincoln, for 1495, record that Sir Thomas Fitzwilliam paid:

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<sup>39</sup> A.T. Bannister (ed.), *The Register of Adam de Orleton, Bishop of Hereford (A.D. 1317-1327)* (Cantilupe Society 4; 1907), p. 391.

<sup>40</sup> Parry (ed.), *Registrum Johannis de Trillek*, p. 396.

<sup>41</sup> F.R.H. du Boulay (ed.), *Registrum Thome Bourghier, Cantuariensis Archiepiscopi, A.D. 1454-1468* (Canterbury & York Society 54; 1957), p. 55.

<sup>42</sup> Bitton's statute, 'De non admittendis sacerdotibus' (c. 1258), for the diocese of Wells, appears to have prohibited payment (or bribery) for *licencie celebrandi*:

... Item, sub pena excommunicationis interdiciamus ne sub quocumque colore detur aliquid vel recipiatur a quocumque pro licentia celebrandi.

*Councils*, ii, pt. 2, 611-12 (no. 47).

... for the celebration of his marriage in the chapel of his manor, 6s 8d; licence for non-residence of r. of Linwood (*Linwoode*), 13s 4d.<sup>43</sup>

Such licences are not considered further here; they are better considered as part of an examination of the character and role of household chaplains, and the nature of domestic religious routines, both subjects have are defined above, but excluded from this thesis.<sup>44</sup> Nevertheless, their regular issue serves to demonstrate the wide-ranging role of diocesans and their administrators in regulating (or facilitating) the maintenance of household chapels in the later-medieval period, and of bishops' registers as an essential record of this role.

#### THE REGISTRATION OF *LICENCIE CELEBRANDI*

Much of the attention previously paid to *licencie celebrandi* has been statistical, concerning either the number of licences granted by individual diocesans, or questioning the value of episcopal registers as useful indicators of this. It is, then, important to consider how and to what extent *licencie celebrandi* were registered.

An episcopal register is well-described as 'a deliberately created working record of certain administrative acts of the bishop or his officials... [often] containing copies of some incoming business'.<sup>45</sup> As early as the twelfth century significant aspects of episcopal business, often concerning individual churches and incumbents, were recorded in *matricula* or *scrutinium* none of which survive. A marked development in the practice and extent of diocesan record-keeping occurred over the course of the thirteenth century.<sup>46</sup> In the dioceses of Lincoln and York a record of specific categories of material, in particular of institutions to benefices, was systematically registered in rolls from 1214 and 1225 respectively.<sup>47</sup> However it was not until the

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<sup>43</sup> C. Harper-Bill (ed.), *The Register of John Morton, Archbishop of Canterbury 1486-1500*, 3 vols. (Canterbury & York Society 75, 78, 89; 1987, 1991, 2000), ii, 52 (no. 224). Similar receipts for licences are rare; these were recorded during the vacancy of the see of Lincoln which may account for their survival.

<sup>44</sup> *Conclusion*, pp. 262-73.

<sup>45</sup> Smith, p. ix (Introduction).

<sup>46</sup> Smith, pp. viii-ix.

<sup>47</sup> Smith, pp. 105-6, 234.

1260s and 1270s that registration appears to have become commonplace, whilst dioceses such as Coventry and Carlisle appear only to have begun registration at the turn of the fourteenth century.<sup>48</sup> Elsewhere, in Durham and London, registration began earlier, but extant registers first survive only from the early-fourteenth century. By this date, fuller series of foliated registers, as opposed to rolls, were being regularly produced. These constitute the principal source of material for the study of the medieval diocese, and one of the most significant sources of evidence for the maintenance of English household chapels.

It is certain that extant episcopal registers provide only a partial record of the issuing of *licencie celebrandi* by English diocesans. A substantial number of registers have been lost, nor was it necessarily intended to produce a record of all *licencie celebrandi* issued. The most recent editor of the register of Edmund Lacy, bishop of Exeter (1420-1455), argues that they were produced:

... to keep a permanent and comprehensive record of such of the bishop's activities as had public consequence in order that reference to it was possible on the occasion of any future demand.<sup>49</sup>

Most *licencie celebrandi* were issued for a limited period and their impact upon the sacramental and fiscal rights of the parish church was restricted. Whilst to keep a record, or overview, of the issue of *licencie celebrandi* might represent good diocesan governance, the terms of individual licences, especially after expiration, were presumably of negligible administrative value even in cases of subsequent dispute. A permanent record of *licencie celebrandi* was not considered necessary. Moreover, whether evidence of a licence's issue exists is, to a great extent, a function of the manner in which registration was undertaken during a particular episcopate, and of the manner in which records were collated upon a diocesan's death or translation.

All registers account only for a discrete selection of administrative material, registered in two basic fashions. The first method was to produce a roughly chronological record of the acts of a bishop and his officials; the second was to create separate lists of acts according to subject. In many instances both techniques were employed within the

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<sup>48</sup> Smith, *passim*.

<sup>49</sup> *Registrum*, v, xvi (Introduction).

same register; some material, such as institutions, were provided with their own section or register, whilst other material, letters or acts, was registered chronologically. *Licencie celebrandi* occur both within chronological lists of 'diverse' administrative material and within sub-sections devoted to dispensations in general.

Two registers record the administration of William Edendon, bishop of Winchester (1346-1366). The first is predominately a record of presentations, collations and institutions; the second, which covers the entire episcopate, details the other diocesan business and is composed of two principal sections, a list of ordinations and some fifty folios entitled:

De diversis commissionibus, inquisitionibus, procuratoriis, licentiis, oratoriis ac aliis litteris cum earum executionibus.<sup>50</sup>

The heading of 'diverse letters' sections in other registers, such as that of Laurence Booth, archbishop of York (1476-1480), likewise cite *licencie celebrandi* amongst their subject matter.<sup>51</sup> In other instances various classes of licences or dispensations were grouped in sub-sections. Of the three registers created by the administration of Robert Stretton, bishop of Coventry and Lichfield (1360-1385), much of the second register is taken up by a list entitled: 'Licences for Oratories, Choosing Confessors, Studying, and other Graces'.<sup>52</sup> Amongst its hundreds of entries, a substantial proportion record the issue of *licencie celebrandi* and other licences associated with household chapels. The register of John Waltham, bishop of Salisbury (1388-1395), similarly contains three sections of 'LITERIS DIMISSORIIS, DISPENSACIONIBUS ... CELEBRANDI IN ORATORIIS ...' which record the issue of seventy-one *licencie celebrandi*, representing over a sixth of the recorded business.<sup>53</sup> Many were registered in short groups or lists: one folio contains a list of nine concurrent entries, dated 28 October to 16 November 1388, all but one of which are *licencie celebrandi*; another group of nineteen entries, entered over two sides of the same folio, includes sixteen

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<sup>50</sup> Smith, p. 206. S.F. Hockey (ed.), *The Register of William Edington, Bishop of Winchester, 1346-1366*, 2 vols. (Hampshire Record Series 7-8; 1986-87), i, 1-37.

<sup>51</sup> Borthwick Institute, Reg. 22 [A Register of George Neville and Laurence Booth, Archbishops of York, 1465-76, 1476-80], ff. 281-361; described in Smith, pp. 244-45.

<sup>52</sup> Wilson, pp. 6-91 (ff. 3a-39b).

<sup>53</sup> T.C.B. Timmins (ed.), *Register of John Waltham, Bishop of Salisbury 1388-1395* (Canterbury & York Society 80; 1994), pp. xxiii (Introduction), 37-56.

*licencie celebrandi* issued between 20 December 1388 and 6 Feb 1389.<sup>54</sup> Often, but especially when registered in groups, licences were recorded only as short memoranda which note the name of the licensee and the very basic terms of the licence, sometimes citing a previous example registered above.<sup>55</sup>

Such grouping of *licencie celebrandi* within registers and their sub-sections possibly reflects the manner of their issue in practice, such as the issue of a number of licences on one day. On the 4th February 1347, John Trilleck, bishop of Hereford (1344-60), issued two licences, registered in memoranda form and a further four licences recorded in one summary entry:

Eisdem die et loco dominus concessit domino Philippo ad Howel, porcionario ecclesie de Pontesbury, et Thome Pychard in oratoriis de Staundone et Lettone, et Willemo de Mattesdone in oratorio mansi sui de Coggesleye, ac Willelmo de Radenore in oratorio mansi sui de Bullynghope, licenciam per biennium celebrandi divina per presbiterum ydoneum.<sup>56</sup>

In other instances, entries appear to have been copied into formal registers from working notes or rough lists.<sup>57</sup> Some extant registers contain sections or lists solely dedicated to recording the issue of *licencie celebrandi*, although with the exception of a short section within the register of John Kempe, archbishop of Canterbury (1452-54), this practice occurs only in certain registers of the diocese of Lincoln produced between *c.* 1320 to *c.* 1350.<sup>58</sup> Such lists may have been unique to the administration at Lincoln; alternatively others may have been kept temporarily by administrators

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<sup>54</sup> W.S.R.O., Register of Bishop John Waltham [Salisbury, 1388-95], ff. 84v, 95-95v; published in Timmins (ed.), *Register of John Waltham*, pp. 38, 41-2.

<sup>55</sup> Innumerable examples of licences grouped as memoranda might be given, see: Parry (ed.), *Registrum Ludowici de Charlton*, p. 3 (a group of 5 licences); E.F. Jacob and H.C. Johnson (eds.), *The Register of Henry Chichele, Archbishop of Canterbury, 1414-1443*, 4 vols. (Canterbury & York Society 45, 42, 46, 47; 1943, 1938, 1945, 1947), iv, 103-4 (a group of five licences).

<sup>56</sup> Parry (ed.), *Registrum Johannis de Trillek*, pp. 102-3.

<sup>57</sup> For possible evidence of this see: A.T. Bannister (ed.), *The Register of Edmund Lacy, Bishop of Hereford (A.D. 1417-1420)* (Cantilupe Society 12; Hereford, 1917), p. 121 (licence to Cadwallader, 1418); Wilson, p. 12 (double registration of licence for Thomas de Danport).

<sup>58</sup> Lambeth Palace Library, Register of Archbishop John Kempe [York, 1426-53], ff. 246v-247; described in Smith, pp. 13-14. For the Lincoln registers: Smith, pp. 110-23.

elsewhere but not bound into episcopal registers and discarded after the terms of the *licencie celebrandi* expired or at the end of an episcopate.

It is important to bear in mind that the registered text, or memorandum, of a *licencia celebrandi* was not the primary record of that licence having been issued. Rather, this took the form of a document received by the licensee. Remarkably few examples of such actual licences survive, given the scale of their issue – further evidence of their negligible value after expiration.<sup>59</sup> A pair of extant licences were received by John Beket and his wife Isabel, and permitted the couple to have divine service celebrated for the duration of the bishop's pleasure, 'anywhere honestly disposed within their houses in the diocese of Exeter', provided the rights of the mother church were not prejudiced.<sup>60</sup> The first was issued in 1445 by Edmund Lacy, bishop of Exeter (1420-1455) and no record of this act appears in his register; the second, in 1459, by his successor George Neville (1456-1465). The later licence appears to have been issued in simple renewal of the first, which would have expired upon Lacy's death, the intervening years are probably explained by the simple circumstance that Neville received provision in February 1456, but was not consecrated bishop until early December 1458.<sup>61</sup> Both are small vellum charters: 13¼ by 1¾ inches and 11½ by 3 inches. Remarkably, the text of an additional, seemingly unrelated, licence is recorded on the reverse of the Beket's 1459 licence. This was issued, with similar terms, eight years later, in 1467, to one Thomas Upton by Neville's successor, John Booth (1465-1478).<sup>62</sup> A certain explanation is impossible to establish, but it may be that the Bekets returned their licence to a diocesan administrator upon its expiration in 1465, as part of the process of renewal, with whom it remained until 1467 when it was recycled. Whatever the actual cause, this pair of *licencie celebrandi* provide a tantalizing

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<sup>59</sup> Some extant examples appear to include: Cornwall Record Office, AR/27/1 [Licence for Lady Joan de Arundelle, Lady of Trembleithe, to celebrate in her oratory, 1329]; Yorkshire Archaeological Society, MD 229/30 [Licence for Anthony St Quintin of Harpham and Joan, his wife, for celebration in their oratory, from William Felter, dean of York and vicar general, 1442]; Nottinghamshire Archives, 157 DD/FJ/10/7/46 [Licence to Thomas Fitzwilliam, for celebration in the chapel or oratory in his manor of Aldwark, from John Withers, vicar general of Archbishop of York, late-fifteenth century].

<sup>60</sup> N.A., E 135/24/67 [Licence for John Beket and his wife to have divine service celebrated, 1459]; N.A., E 135/6/52 [Licence for John Beket and Isabel his wife to have divine service celebrated, 1445].

<sup>61</sup> E.B. Fryde et al. (eds.), *Handbook of British Chronology* (3rd edn., Cambridge, 1997), p. 247.

<sup>62</sup> N.A., E 135/24/67.

glimpse of the practicalities of the issue and renewal of such licences in the mid-fifteenth century.

A similar, extant, *licencia celebrandi* was received in 1411 by Henry Talbote and his wife, Agnes, from the administration of Robert Hallum, bishop of Salisbury (1407-1417).<sup>63</sup> This permitted the celebration of masses within their 'hospicium nouum in vico Londoniensi ville Radingie', and stipulated their attendance at parochial services on 'diebus dominicis et aliis festiuitatibus'.<sup>64</sup> The document received by the Talbots was equivalent in size, but more carefully executed, than those of the Bekets. It is a small vellum charter, measuring approximately 11 $\frac{5}{8}$  by 4 $\frac{1}{2}$  inches, endorsed 'littera episcopi pro licencia celebrat' in oratorio etc.' and carries the bishop's seal.<sup>65</sup> Again, the issue of this licence was not recorded in Bishop Hallum's register.<sup>66</sup>

In some cases parochial authorities were also notified of the issue of licences. The register of John Trilleck, bishop of Hereford (1344-61), records his notification of the vicar of Stottesdon, that he had licensed John Segrave, knight, to have mass (*missa*) celebrated within the chapel of his manor at Kingswood (Herefordshire).<sup>67</sup> This practice was reminiscent of the active role of parochial parties in the making of chapel grants, and of the requirement that copies of later temporary grants be kept in parish churches. Moreover, whilst there appears no evidence that parochial authorities issued *licencie celebrandi*, it was apparently common for diocesan administrators to do so with episcopal authority, in particular bishop's officials and vicar-generals.<sup>68</sup>

Registers of the business of administrators occasionally survive, often copied or bound into episcopal registers. The register of William Cawode, vicar-general of

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<sup>63</sup> J.M. Horn (ed.), *The Register of Robert Hallum, Bishop of Salisbury, 1407-17* (Canterbury & York Society 72; 1982), 232 (Appendix B, no. 2).

<sup>64</sup> E.A. Bond, G.C.B. Thompson and E.M. Thompson (eds.), *The Palaeographical Society. Facsimiles of Ancient Manuscripts*, 3 vols. (London, 1873), iii, pl. 258. Attendance at the parish church on Sundays was an occasional stipulation of *licencie celebrandi*. Cf. *Registrum*, i, 8 (Hankeford).

<sup>65</sup> B.L., Additional Charter 19648 [Licence to Henry Talbote and Agnes his wife to have divine service celebrated].

<sup>66</sup> Horn (ed.), *Register of Robert Hallum*, 232 (Appendix B, no. 2).

<sup>67</sup> Parry (ed.), *Registrum Johannis de Trillek*, p. 98.

<sup>68</sup> For these see: R.L. Storey, *Diocesan Administration in Fifteenth-Century England* (2nd edn., Borthwick Papers 16; York, reprt. 1981), pp. 4-9.

Robert Waldby, briefly archbishop of York (1397), includes the text of two of his commissions. The first, dated at London on 9 March 1396/7, explicitly excluded matters pertaining to the ‘archbishop’s prerogative’, including ‘the granting of dispensations in accordance with the constitutions *Cum ex eo* and for the celebration of divine services in private oratories’.<sup>69</sup> This commission was renewed from Eltham in April 1397, and supplemented with the power to issue *licencie celebrandi*.<sup>70</sup> Cawode subsequently issued a series of *licencie celebrandi*, between April and mid to late June, most recorded in brief memoranda form.<sup>71</sup> Likewise, a short (nine folio) register belonging to Edmund Lacy’s vicar-general (for Exeter diocese) originally existed as a separate volume, and it is now bound at the beginning of Lacy’s *Registrum Commune*.<sup>72</sup> This records the issue of over fifty *licencie celebrandi* between 1420-21.<sup>73</sup> The register of John Waltham, bishop of Salisbury (1388-95), includes over forty folios dedicated to the *acta* of his vicar-general, seven under the title:

REGISTRUM LICENCIARUM ET DISPENSACIONUM PER VENERABILEM  
MAGISTRUM JOHANNEM DE MAYDENHITH... IN REMOTIS AGENTIS VICARIUM  
IN SPIRITUALIBUS GENERALEM ...<sup>74</sup>

These record as memoranda his issue of four *licencie celebrandi* and two licences for choice of confessor.<sup>75</sup> A similar register, for 1390-1, appears to have been lost.<sup>76</sup> Similarly, the register of Henry Burghersh, bishop of Lincoln (1320-40), includes lists of licences issued by his vicar-general in 1337 and 1339-40.<sup>77</sup> Similar vicars-general, as well as suffragans and other episcopal deputies, may well have been responsible for the issue of substantial numbers of *licencie celebrandi* of which no record exists. The

<sup>69</sup> D.M. Smith (ed.), *A Calendar of the Register of Robert Waldby, Archbishop of York, 1397* (Borthwick Texts and Calendars: Records of the Northern Province 2; 1974), p. 1.

<sup>70</sup> *Ibid.*, p. 8.

<sup>71</sup> *Ibid.*, pp. 8-18.

<sup>72</sup> *Registrum*, v, 13.

<sup>73</sup> *Registrum*, i, 4-55; *Figure 32*.

<sup>74</sup> Timmins (ed.), *Register of John Waltham*, p. 50. W.S.R.O., Register of Bishop John Waltham [Salisbury, 1388-95], ff. 172-79.

<sup>75</sup> Timmins (ed.), *Register of John Waltham*, pp. 52-56 (nos. 339, 342, 344, 347, 349, 396).

<sup>76</sup> *Ibid.*, p. 10.

<sup>77</sup> L.A.O., Episcopal Register V [A Register of Henry Burghersh, Bishop of Lincoln, 1320-1340], ff. 172v-173, 176-77.

comparatively small number of licences recorded within the extant registers of the archbishops of Canterbury may perhaps be explained in this manner.

The longstanding role of archdeacons, and their officials, as regulators of household chapels, has been established above and appears to have continued throughout the late-medieval period. In 1394, the official of the archdeacon of Dorset visited the deaneries of Shaftesbury and Pimperne, and fulfilled his mandate to require those who maintained 'chapels, oratories, or perpetual chantries within any parish where they have Mass said... [to] show their privilege or right to them'.<sup>78</sup> Although some *licencie celebrandi* were geographically restricted to particular archdeaconries, it nevertheless remains uncertain to what extent archdeacons actively issued *licencie celebrandi*. The fifteenth-century registers of the archdeacons of Richmond, who possessed such exceptional privileges that they served almost as ordinaries within their archdeaconry, record their issue of dozens of *licencie celebrandi*.<sup>79</sup> In 1443, Archdeacon Thomas Kempe issued a licence to Thomas Laurance for celebration in the chapel of his manor at Yeland, for five years; and another, for celebration in any suitable oratory with his jurisdiction as archdeacon, to William Vavasor, for three years.<sup>80</sup> Kempe's licences were registered in a particularly schematic form:

Lic. celebr. Roger. Aske arm. et Elenore Aske in capella infra manerium de Aske.<sup>81</sup>

Lic. celebr. Rob. Percy arm. de Scotton.<sup>82</sup>

Lyndwood drew attention to the exceptional power of the archdeacons of Richmond to issue *licencie celebrandi* in his glosses on *Quam sit inhonestum*.<sup>83</sup> Nevertheless, the responsibility of archdeacons for the general regulation of late-medieval household chapels was probably more significant than can be demonstrated from the limited evidence of their administrative acts. Indeed, in general, the issue of *licencie*

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<sup>78</sup> Timmins (ed.), *Register of John Waltham*, p. 161 (no. 1092).

<sup>79</sup> A. Hamilton Thompson, 'The Registers of the Archdeaconry of Richmond. Part I. 1361-1442', *Yorkshire Archaeological Journal*, 25 (1920), pp. 135-38.

<sup>80</sup> A. Hamilton Thompson, 'The Register of the Archdeacons of Richmond, Part II. 1442-1477', *Yorkshire Archaeological Journal*, 30, 32 (1931, 1935), i, 79 (no. 10b), 80 (no. 17).

<sup>81</sup> Hamilton Thompson, 'Registers of the Archdeacons of Richmond. 1361-1442', p. 210 (no. 307).

<sup>82</sup> *Ibid.*, p. 214 (no. 341).

<sup>83</sup> *Appendix IV*, gl. 35.

*celebrandi* should probably be considered the function of a bishop's administration and its officials, rather than as a personal or individual act of the diocesan himself.<sup>84</sup>

In general, then, the manner in which *licencie celebrandi* were registered strongly suggests that a large number of licences went either unrecorded or unregistered; and further, that many were issued not by diocesans themselves, but by administrators on their behalf. Rather than indicating regulatory slackness, this arguably suggests that *licencie celebrandi* were both ubiquitous and, at the same time, an acknowledged canonical necessity. As seen, their acquisition was considered commonplace by the author of *Dives and Pauper*.<sup>85</sup> Nor do the Paston family, or at least Margaret, appear to have questioned the necessity of renewing her *licencia celebrandi* in 1472, when John Paston III requested of his elder brother:

My modyr sendys yow Godys blyssyng and hyrs, and preyes yow to get a new lycence of my lord of Norwyche that she may haue the sacrement in hyr chapell. I gat a lycence of hym for a yere and it is nyghe woryn ought. Ye may get it for the Byshoppys lyue and ye wylle.<sup>86</sup>

In turn, the ability and readiness of diocesans and their administrations to grant licences in large numbers was at the heart of Stratford's concerns as expressed in *Quam sit inhonestum*.<sup>87</sup> If *licencie celebrandi* were a ubiquitous instrument of diocesan governance, the precise purpose or import of such licences, in turn, requires further examination.

#### THE GRANT OF *LICENCIA CELEBRANDI* TO INDIVIDUALS, FAMILIES AND HOUSEHOLDS

Vital to an appreciation of the significance of *licencie celebrandi* is a recognition that they were issued to individuals, or groups, in whose presence mass might be celebrated. They were not, as noted, licences for general celebration in particular chapels. Nevertheless, licences commonly restricted celebration, in the presence of

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<sup>84</sup> Storey, *Diocesan Administration*, pp. 4-9.

<sup>85</sup> *Chapter 1*, p. 64.

<sup>86</sup> N.M. Davis (ed.), *Paston Letters and Papers of the Fifteenth Century. Part 1* (Oxford, 1971), p. 584-85 (no. 357).

<sup>87</sup> *Appendix IV*.

these licensees, to specified chapels, oratories, or 'suitably disposed' locations within named residences. In practice there may have been little practical difference between areas termed 'in loco honesto cultui divino disposito', and chambers considered to be 'oratories'.<sup>88</sup> Lyndwood, as shown, considered oratories to be 'private places set aside for prayer';<sup>89</sup> a description which may be compared with the provision of a licence received by Peter de Pigot, from Thomas de Charlton, bishop of Hereford (1327-44), in May 1331:

... in manso tuo de Wilastone... in oratorio ibidem constructo, debitum et honestum ad divina ornatum habente, et seculariorum negociorum usu carente.<sup>90</sup>

Licences for masses to be celebrated specifically in domestic chambers were only rarely issued, usually on account of age or infirmity. Richard Kellaw, bishop of Durham (1311-1316), granted such a licence to Richard de *Wynceby*, chaplain, in 1314: 'in camera tua, infra villam de Derlington, ubi degis, missam celebrare valeas'.<sup>91</sup>

The terms employed in *licencie celebrandi* referring to residences were most commonly manor (*manerium*), house (*domus*) or residence (*mansum*). Only a comparatively small number of licences refer explicitly to castles (*castellum*), probably indicating the small proportion of castles compared with residences in general.<sup>92</sup> William Lengleys received a licence from Gilbert Welton, bishop of Carlisle (1353-62), in March 1359 for celebration: 'in an oratory in his castle of Highhead (*Heyheved*) and another newly built near the castle'.<sup>93</sup> Many licences make no reference to named chapels or residences, but simply permitted the celebration

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<sup>88</sup> *Registrum*, i, 8.

<sup>89</sup> *Appendix IV*, gl. 3.

<sup>90</sup> W.W. Capes (ed.), *Registrum Thome de Charlton, Episcopi Herefordensis, A.D. MCCCXXVI-MCCCXLIV* (Cantilupe Society 5; 1912), p. 8. Cf. Capes (ed.), *Registrum Ricardi de Swinfield*, p. 239.

<sup>91</sup> Hardy (ed.), *Registrum Palatinum Dunelmense*, i, 499-500.

<sup>92</sup> W.W. Capes (ed.), *The Register of William de Courtenay, Bishop of Hereford (A.D. 1370-1375)* (Cantilupe Society 8; 1913), p. 10 (Eardisley Castle, 1373); Bannister (ed.), *Register of John Stanbury*, p. 195 (Lyonshall Castle, 1471).

<sup>93</sup> He received licence to crenellate in 1342: R.L. Storey (ed.), *The Register of Gilbert Welton, Bishop of Carlisle 1353-1362* (Canterbury & York Society 88; 1999), p. 46 (no. 246). Cf. A.T. Bannister (ed.), *The Register of Thomas Myllyng, Bishop of Hereford, 1474-1492* (Cantilupe Society 18; 1919), p. 206 (a chapel newly constructed, 1482).

wherever the licensees resided within the diocese or lesser jurisdictions, commonly parishes and archdeaconries, but also towns and counties. *Licencie celebrandi* are not, therefore, a reliable means of dating extant chapel buildings, although they are very widely used as such by architectural historians and archaeologists.<sup>94</sup>

Many *licencie celebrandi* were issued to single individuals, such as that issued in 1347 by John Trilleck, bishop of Hereford (1344-60), to Richard le Brut of Kingstone (Herefordshire): ‘licenciam celebrandi missas in oratorio mansi sui’.<sup>95</sup> Equally common were licences granted to couples or to families. Thus, in 1386, John Gilbert, bishop of Hereford (1375-89), issued a licence to Henry Wynesbury, ‘et eius consorti pro celebrando in oratorio in mansis eorundem ubicumque infra diocesem Herefordensem situatis’; whilst in 1414, Henry Chichele, archbishop of Canterbury (1414-43), granted a licence to Thomas Hill, his wife and sister, to have mass celebrated in chapels, oratories and other proper places throughout the province of Canterbury.<sup>96</sup> In the manner of earlier chapel grants, many *licencie celebrandi* specifically permitted celebration for the licensee and their household (*familia*). Few stipulated who might legitimately be considered a household member, but a division similar to that earlier articulated at Noseley probably applied in most cases. The inclusion of the workmen (*operariorium*) employed by John, lord Lovel and Holand, in the scope of the licence he received, in 1389, for celebration in the chapel of Devizes Castle recalls this.<sup>97</sup> Most licences, however, simply refer to the licensee’s household or ‘free’ household, and sometimes to its guests. Thus in 1386, Bishop Gilbert issued a licence to Nicholas Vinter:

Ut in oratorio infra mansum tuum de Bradefeld Reissin, nostre diocesis,  
loco utique honesto missas et alia divina officia per presbiteros ydoneos

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<sup>94</sup> For many examples of this potentially misleading practice, see: *The Buildings of England* series; and Emery’s *Greater Medieval Houses of England and Wales*. Chapels or oratories of any age might be used in accordance with a licence, whilst domestic masses could be performed under licence where no chapel or oratory existed.

<sup>95</sup> Parry (ed.), *Registrum Johannis de Trillek*, p. 104.

<sup>96</sup> J.H. Parry (ed.), *The Register of John Gilbert, Bishop of Hereford (A.D. 1375-1389)* (Cantilupe Society 9; 1913), p. 85; Jacob and Johnson (eds.), *Register of Henry Chichele*, pp. 95-96. Lyndwood questioned, but accepted, the power of archbishops to license within their entire province: *Appendix IV*, gl. 11. Cf. Harper-Bill (ed.), *Register of John Morton*, p. 7 (no. 28).

<sup>97</sup> Timmins (ed.), *Register of John Waltham*, p. 46 (no. 257).

licite valeas celebrari facere submisse coram te tuaque familia et aliis  
Christi fidelibus quos dictum manerium tuum visitare contingerit ...<sup>98</sup>

Whilst earlier, in 1346, Bishop Trilleck granted licences to Margery de Foxcote ‘et libera sua familia’, and to Petronella de Penebrugge:

... per presbiterum seu presbiteros ydoneum seu ydoneos pro te et libera  
tua familia divina misteria facere valeas celebrari ...<sup>99</sup>

Many *licencie celebrandi* were likewise issued to women and their households. Bishop Gilbert issued a licence to his sister: ‘dilecte sorori mee ... Ut coram te et honesta familia tua in oratorio et locis decentibus infra diocesim nostram ...’<sup>100</sup> However, although the issue of *licencie celebrandi* to women, often widows, was common, such licences are far outnumbered by those received by men, married couples and families. Neither *licencie celebrandi*, nor the household chapels they supported, provide evidence of distinctly female arenas of piety or devotion. Rather, the overwhelming majority of *licencie celebrandi* were acquired by the heads of medieval households, in order that they might maintain household chapels whose religious routines incorporated the celebration of mass.

#### STATED REASONS FOR THE ISSUE OF *LICENCIE CELEBRANDI*

It has been argued from a canonical standpoint, that social status played a significant role in the issuing of *licencie celebrandi* by late-medieval diocesans, in particular whether licensees maintained their own household. This appears to accord with the manner in which licences were issued in practice.

The great majority of *licencie celebrandi*, as registered, specify no reasons for their grant. Those which do, usually refer either to the known piety or devotion of their recipient, or to their illness or incapacity. References to devotion or pious petition usually appear formulaic. When in 1311, Richard Kellaw, bishop of Durham (1311-16), issued a licence to John de Lisle he cited, ‘tuæ devotionis votis et desideriiis

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<sup>98</sup> Parry (ed.), *Register of John Gilbert*, p. 92.

<sup>99</sup> Parry (ed.), *Registrum Johannis de Trillek*, pp. 59, 87.

<sup>100</sup> Parry (ed.), *Register of John Gilbert*, p. 19.

favorabiliter inclinati'.<sup>101</sup> Likewise, in 1315, he issued a licence to Robert *dicto Gretheved* for celebration in the oratory of the manor of Eden, noting Robert's petition and devotion:

Tuis supplicationibus, devotionis affectum continentibus, ac sincerum animum ad divini cultus augmentum te habere indicantibus ...<sup>102</sup>

A generation later, in 1346, when John de Trilleck, bishop of Hereford (1344-60), issued his licence to Petronella de Penebrugge, he justified it thus: 'Devocionem tuam qua divina interesse cupis officiis in Domino commendantes'.<sup>103</sup> Such statements were rarely included, or registered, in *licencie celebrandi* issued in the later-fourteenth or fifteenth centuries as they presumably had negligible administrative value.

Slightly more common were licences which stipulated that their issue was due to a petitioner's illness or infirmity, one of the few canonical justifications allowed by Stratford's *Quam sit inhonestum*. It is comparatively well-known that nine years prior to her death in 1484, Margaret Paston twice requested her younger son, John Paston III, to petition the bishop of Norwich for further renewal of her *licencia celebrandi*:

I wold ye shuld spekyn wyth my lord of Norwych and a-say to get a lysen of hym þat I may have þe sacrement her in the chapell, be-cause yt ys far to þe chyrche and I am sekly, and þe parson ys oftyn owt. For all maner of caswelts of me and myn I wold hauyt grauntyd yf I myth.<sup>104</sup>

... send me an ansswer ther of in hast, and for þe lycens þat I spak to yow for to have þe sacrement in my chapell. Yf ye cannot getyt of þe Busshop of Norwych getyt of þe Busshop of Caunterbery, for þat ys most swyr for all plas.<sup>105</sup>

Margaret's petition was, notably, not only for herself but also for her household, 'me and myn'; whilst her complaint of sickness, amongst other impediments, seems to be an argument for the impracticality of relying upon the parish priest, rather than a

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<sup>101</sup> Hardy (ed.), *Registrum Palatinum Dunelmense*, i, 71.

<sup>102</sup> *Ibid.*, ii, 720.

<sup>103</sup> Parry (ed.), *Registrum Johannis de Trillek*, 87.

<sup>104</sup> Davis (ed.), *Paston Letters*, pp. 373-74 (no. 222).

<sup>105</sup> *Ibid.*, pp. 374-75 (no. 223). Cf. *Appendix IV*, gl. 11.

description of her normal practice. Other cases appear more straightforward. In 1340, Richard Bury, bishop of Durham (1333-1345), issued a licence to Thomas de Hepescotes, rector of Morpeth, permitting him to hear masses in his house, citing 'gravi [*sic*] adversitate detentus'.<sup>106</sup> Likewise, Bury's predecessor, Kellaw (1311-1316), issued a licence in 1312, to Albredæ, the widow of the knight Henry Spring: 'Quia debilibus et infirmis pie conpatiendum'.<sup>107</sup> The register of Henry Chichele, archbishop of Canterbury (1414-43), records that his keeper (*custos*) issued a licence to Eleanor, wife of Robert, lord Ponynges, in 1416, on account of her pregnancy:

... domina Elionora uxore domini Roberti domini de Ponynges gravida et impregnata ut possit missas et alia divina officia submissa voce per capellanum ydoneum facere celebrari et audire supra altare in oratorio in camera sua ad hoc decenter preparato et honesto.<sup>108</sup>

Similarly, in 1465, John Stanbury, bishop of Hereford (1453-74), granted a licence for celebration in the house of John Persons, in the city of Hereford: 'quociens et quamdiu uxor ipsius jacere contingat in puerperio'.<sup>109</sup> Similar licences often refer to celebration within houses, as opposed to oratories and chapels, and some may only have enabled the celebration of domestic masses on a temporary basis, rather than in support of long-standing religious routines; or allowed the temporary inclusion of the bedchambers of the sick as places of celebration.

A further justification for the issue of *licencie celebrandi* given by Stratford's *Quam sit inhonestum* was the distance of a private residence from its parish church, which distance Lyndwood later considered to be a mile or more.<sup>110</sup> It is intriguing to consider how many aristocratic or gentry residences in late-medieval England were so situated, doubtless a sizeable proportion. Papal privileges pertaining to the maintenance of household chapels might stipulate distance or impediment in justification of their issue, but those *licencie celebrandi* issued from the early-fourteenth century rarely did so, at least as they were registered.

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<sup>106</sup> Hardy (ed.), *Registrum Palatinum Dunelmense*, iii, 278.

<sup>107</sup> *Ibid.*, i, 138.

<sup>108</sup> Jacob and Johnson (eds.), *Register of Henry Chichele*, iii, 455. Cf. *Ibid.*, iv, 212.

<sup>109</sup> Bannister (ed.), *Register of John Stanbury*, p. 195.

<sup>110</sup> *Appendix IV*, gl. 25.

The comparative infrequency with which *licencie celebrandi* were justified by ill health, distance or impediment is not evidence that these factors did not motivate licensing. However, if it did, registrars considered there to be little value in recording this. On balance, however, it appears that in accordance with the earlier interpretation of Lyndwood's glosses on *Quam sit inhonestum*, most *licencie celebrandi* were issued with regard to the status of licensees, rather than to their physical ability to attend a parish church. Arguably, a large proportion of such licences were issued in contravention of the spirit of *Quam sit inhonestum*, a matter broached explicitly in the licence issued to John Baker in February 1490 by John Morton, archbishop of Canterbury (1486-1500), for:

... the celebration of mass by a suitable chaplain in the chapel newly constructed by him in honour of the archangel Gabriel... provincial constitutions to the contrary notwithstanding.<sup>111</sup>

#### THE STATUS OF RECIPIENTS OF *LICENCIE CELEBRANDI*

If *licencie celebrandi* primarily facilitated the maintenance of household chapels, by those held to be of sufficient status, then cumulatively licences should provide a record of heads of medieval households. Accordingly, the majority of *licencie celebrandi* appear to have been granted to members of the lesser nobility and gentry. Licences were also frequently issued to ecclesiastics of various ranks, but in particular to those who possessed their own households or whose responsibilities required regular travel.

Although comparatively rare, members of the titled aristocracy are not entirely absent amongst recorded licencees. In November 1389, for instance, Richard fitz Alan, earl of Arundel and Surrey, received a generous licence of one year's duration, from John Trefnant, bishop of Hereford (1389-1404), which, in addition to celebration, also permitted his confessor to hear the confessions of his household:

... missas et alia divina officia audire a quibuscumque presbyteris ac familiaribus capellanis vestris commensalibus, huiusmodi officia eciam in

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<sup>111</sup> Harper-Bill (ed.), *Register of John Morton*, i, 17-18 (no. 63). Cf. *Ibid*, i, 7 (no. 28), 8 (no. 32).

absencia vestra in locis honestis et cum debita reverencia celebrare, et  
eciam confessori vestro audire confessiones omnium familiarium  
vestrorum commensalium et pro peccatis sibi per eosdem familiares  
confessis penitentiam salutarem in forma ecclesie injungere ...<sup>112</sup>

Such terms appear to accord closely with the provisions of twelfth- and thirteenth-century statutes which required that chaplains serving in aristocratic chapels be properly licensed and admitted.<sup>113</sup> Equivalent far-reaching licences, or bodies of privileges, were commonly possessed by greater households in this period. Margaret, lady of Dacre, received a licence from Gilbert Welton, bishop of Carlisle (1353-1362), in 1353 permitting celebration throughout the diocese and her choice of chaplain, whom Gilbert later licensed to hear the confessions of 'her familiars and servants'.<sup>114</sup> However, such bodies of privileges were most commonly granted not by diocesans, but by the papal *curia* (which are considered in the next chapter). Moreover, where aristocratic households maintained chapels in accordance with historic or established privileges, or possessed papal privileges for celebration upon portable altars, the necessity of acquiring such episcopal licences may have arisen only infrequently.

By contrast, a seeming majority of recipients of *licencie celebrandi* were described as knight (*miles*) or esquire (*armigerus*), although a substantial proportion of licences provide no indication of status. Typically, in July 1419, Nicholas Bubwith, bishop of Bath and Wells (1407-1424), granted a licence to John Luttrell, esquire, and his wife, Joan, for celebration in their chapel or oratory at Karampton (Somerset).<sup>115</sup> Innumerable others were issued to those designated esquire and to their households: the register of Edmund Lacy, bishop of Exeter (1420-1455), records no less than forty, in addition to eight for men termed donzel (*domicellus*).<sup>116</sup>

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<sup>112</sup> W.W. Capes (ed.), *The Register of John Trefnant, Bishop of Hereford (A.D. 1389-1404)* (Cantilupe Society 10; 1914), pp. 6-7.

<sup>113</sup> *Chapter 1*, pp. 48-58.

<sup>114</sup> Storey (ed.), *Register of Gilbert Welton*, p. 5 (nos. 18-19).

<sup>115</sup> T.S. Holmes (ed.), *The Register of Nicholas Bubwith, Bishop of Bath and Wells, 1407-1424*, 2 vols. (Somerset Record Society 29, 30; London, 1914), p. 360 (no. 875).

<sup>116</sup> *Registrum, passim*. The title 'donzel', meaning a young gentleman, page or esquire, is used with particular frequency in the register of Robert Hallum, bishop of Salisbury (1407-1417): Horn (ed.), *Register of Robert Hallum*, esp. pp. 95-100. Were a significant number of licencees young men, or recently married couples, establishing households and, hence, household chapels?

*Licencie celebrandi* issued to knights were also common, as thirteenth-century chapel grants had been. In 1290, Richard Swinfield, bishop of Hereford (1283-1317), issued a licence to 'Henry dito le Waleys, militi'; and, in 1318, his successor, Adam Orleton, bishop (1317-27), issued another to 'domino Waltero de Schobbedon, militi, domine Regine senescallo'.<sup>117</sup> Of the eighty-eight *licencie celebrandi* issued by Richard Le Scrope, bishop of Coventry and Lichfield (1386-88), twenty-two were issued to knights; whilst later, only eight of the nearly 300 licences recorded in Edmund Lacy's register for 1420-1455, were issues to those stated to be of such rank.<sup>118</sup> This difference perhaps reflects an increased proportion of men (and households) of armigerous rank by the later date.

Occasionally licences refer to other forms of rank, such as that granted by William Cawode, vicar-general of the archbishop of York, to John Markham, 'king's justice', in 1397; and that received in 1465 by Richard Grene, described as the former mayor of Hereford, from John Stanbury, bishop of Hereford (1453-74).<sup>119</sup> In some instances a licensee's status is known from other sources. William Crowemere received *licencie celebrandi* from Henry Chichele, archbishop of Canterbury (1414-43), in 1414 and again in 1421.<sup>120</sup> Crowemere, a draper, served both as an alderman and a member of parliament; and was described in 1430, when he presented a priest to the rectory of Moston (Kent), as a citizen and alderman of London and lord of Moston.<sup>121</sup> The issue of *licencie celebrandi* to esquires and civic officials, such as mayors and aldermen, recalls Lyndwood's twenty-fourth gloss on *Quam sit inhonestum*, which conceded 'nobility', and the right to receive such licences, to a proportion of esquires and administrators ('Amigerio... vel Administrario').<sup>122</sup> In this, Lyndwood appears to have reflected and supported the reality of contemporary practice.

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<sup>117</sup> Capes (ed.), *Registrum Ricardi de Swinfield*, p. 239; Bannister (ed.), *Register of Adam de Orleton*, 63.

<sup>118</sup> As listed in Swanson, *Catholic England*, pp. 166-73; *Registrum*, *passim*.

<sup>119</sup> Smith (ed.), *Register of Robert Waldby*, p. 15; Bannister (ed.), *Register of John Stanbury*, p. 195.

<sup>120</sup> Jacob and Johnson (eds.), *Register of Henry Chichele*, iv, 98, 217.

<sup>121</sup> *Ibid.*, 267; A.B. Beavan, *The Aldermen of the City of London*, 2 vols. (London, 1908), i, 23; ii, 2.

<sup>122</sup> *Appendix IV*, gl. 24.

Diocesans also issued *licencie celebrandi* for *domestic* masses, to ecclesiastics, including to the parochial clergy. These should not be confused with similar licences, also issued in large numbers, for the celebration of mass in parochial chapels, such as that issued in 1354, by Gilbert Weston, bishop of Carlisle (1353-1362), to Robert, rector of the church of Ulade:

Cum igitur parochiani tui ab ecclesia tua parochiali tantum distent quod propter distanciam hujusmodi nequeunt congruo tempore ecclesiasticis officiis interesse, ut in capella infra villam de Ulnedale predicta notorie situata divina cum placuerit celebrare et per capellanum idoneum facere valeas licite celebrari absque tamen aliquali prejudicio dicte ecclesie tue  
...<sup>123</sup>

Rather, these *licencie celebrandi* were for celebration in ecclesiastics' own chapels. In December 1338, for instance, John Waltham, bishop of Salisbury (1338-95), granted Robert Whitbergh, rector of Pewsey, permission to celebrate in any suitable place within his rectory.<sup>124</sup> Richard Bury, bishop of Durham (1333-1345), likewise issued a licence to John Walwayn in 1339:

Ut oratorium in loco honesto, et ad hoc apto, infra mansum rectoriæ tuæ prædictæ, licite habere possis, et in illo divina celebrare, seu facere celebrari.<sup>125</sup>

In April 1378, John, rector of Pencomb, received a licence from John Gilbert, bishop of Hereford (1375-89): 'licenciam celebrandi et audiendi divina in oratorio suo infra rectoriam suam, quociens voluerit per annum'.<sup>126</sup>

In the manner of earlier chapel grants, *licencie celebrandi* were also issued to monks and members of cathedral chapters. In December 1388, Bishop Waltham issued licences to three canons of Salisbury, including the subdean, permitting celebration in their oratories. In a manner which recalls Lyndwood's gloss upon ecclesiastical oratories, the licence received by canon John Maydenhith specifically permitted celebration in the *unconsecrated* oratory of his house within the cathedral close.<sup>127</sup>

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<sup>123</sup> Storey (ed.), *Register of Gilbert Welton*, p. 127, (no. 61).

<sup>124</sup> Timmins (ed.), *Register of John Waltham*, p. 41 (no. 190).

<sup>125</sup> Hardy (ed.), *Registrum Palatinum Dunelmense*, iii, 280.

<sup>126</sup> Parry (ed.), *Register of John Gilbert*, p. 4.

<sup>127</sup> Timmins (ed.), *Register of John Waltham*, p. 41 (nos. 186-88); *Chapter 1*, pp. 71-72.

Later, in May 1411, the abbess of the Benedictine nunnery of Wilton (Wiltshire), received a licence from Robert Hallum, Waltham's successor as bishop of Salisbury (1407-17), for celebration within the oratories of all her residences throughout the diocese.<sup>128</sup> The only significant difference between *licencie celebrandi* issued to ecclesiastics and those received by the laity, was that priests were permitted to celebrate personally, as well as to attend or hear domestic masses.

#### THE DURATION OF *LICENCIE CELEBRANDI*

As has been seen, a significant distinction between chapel grants and *licencie celebrandi* was that the former were commonly made in perpetuity, whilst the latter were issued for limited durations. Further, it has been argued that the limited nature of licences reduced the necessity to state and record a licensee's rights and responsibilities in detail. An appreciation of the restricted duration of *licencie celebrandi* is, therefore, vital to an understanding of their administrative character; in particular, it must be recognized that individual licences do not record the establishment of physical oratories or chapels.

A small minority of chapel grants explicitly limited their terms to the lifetime of the grantees. A clause in John de Montacute's charter, describing the chapel he founded for his mother around 1200, confirmed that:

... when she is dead the chapel shall entirely cease to be used for any divine services, whether the estate has come into any other person's hand or remains in my own hands.<sup>129</sup>

In 1228, Ralph de Normanville and his wife ('A. uxor ejus') received a grant from the prioress and nuns of *Katteby*, and John de *Haliden*, 'capellani, ejusdem ecclesie vicarii', in turn confirmed by Hugh of Wells, bishop of Lincoln (1213-35), which permitted their maintenance of a household chapel ('capellam eis in curia sua de Neubo'), with the proviso that:

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<sup>128</sup> Horn (ed.), *Register of Robert Hallum*, p. 147 (nos. 991-92; licences for divine service and confession).

<sup>129</sup> Salzman (ed.), *Chartulary of St. Pancras*, pp. 76-77.

Post decessum autem dicte A. predicta capella a divinatorum celebratione cessabit in perpetuum.<sup>130</sup>

It has been seen above, that those chapel grants (or early licences) issued by Sutton's administration at Lincoln, in the last decade of the thirteenth century, were typically limited to the lifetime of their recipient. Unusually, that *licencie celebrandi* received by Richard de Weobley, in 1316, from Richard de Swinfield, bishop of Hereford (1283-1317) permitted celebration in their oratory 'ad vitam suam et ad vitam Amicie, uxoris'.<sup>131</sup>

By the second quarter of the fourteenth century, a substantial proportion, perhaps the majority, of *licencie celebrandi* were issued for a specified duration. The remainder, with no *registered* time limit, appear to have expired upon the death or translation of the licensing diocesan. Many were granted for as little as one year, such as that received by Henry de la Boure in 1368 from Lewis de Charlton, bishop of Hereford (1361-69):

... quod posset facere celebrari divina per unum annum a data presencium in oratorio mansi sui apud Stoke.<sup>132</sup>

Countless similar licences might be cited here, as well as a small number for less than twelve months.<sup>133</sup> Despite their ubiquity there is no evidence to suggest that such time limits were imposed in order to discourage the celebration of domestic masses (or the maintenance of household chapels). Rather, licences appear to have been regularly renewed, and it was probably through this process of renewal that oversight, for the most part passive in nature, was maintained over contemporary chapels.<sup>134</sup> Less commonly, but still in substantial numbers, licences were issued for a number of years. In 1366, Elizabeth de Gosehale and her household received a licence from Simon Langham, archbishop of Canterbury (1366-68):

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<sup>130</sup> Davis and Phillimore (eds.), *Rotuli Hugonis de Welles*, ii, 228-9.

<sup>131</sup> Capes (ed.), *Registrum Ricardi de Swinfield*, p. 508.

<sup>132</sup> Parry (ed.), *Registrum Ludowici de Charlton*, p. 50.

<sup>133</sup> Most of the licences issued in 1397, by William Cawode, vicar-general of the archbishop of York, were for a year: Smith (ed.), *Register of Robert Waldby*, pp. 8-18. Parry (ed.), *Register of John Gilbert*, p. 19 (until the next Pentecost, 1380); Parry (ed.), *Register of Robert Mascall*, p. 190 (until Michaelmas, 1415).

<sup>134</sup> For instances of renewal, below, pp. 167-68, 174-76.

Ut per biennium a data presencium continue numerandum in oratorio mansi tui ... per quemcumque capellanum ydoneum divina valeas in tua presencia facere celebrari ...<sup>135</sup>

Other licences already cited, such as those issued to Thomas Hill in 1414, or to William Crowmere in 1421, were likewise issued for longer periods, in these cases three and seven years respectively.<sup>136</sup>

A substantial proportion of *licencie celebrandi* were simply issued at the pleasure, or for the life, of the bishop, as John Paston III desired in 1472. In most instances such terms were phrased 'ad beneplacitum domini duraturum', as in that issued to Richard Baskerville in 1373.<sup>137</sup> Others were simply granted, 'quamdiu domino placuerit', as in the case of the licence received in 1404 by John Lochard, from Robert Mascall, bishop of Hereford (1404-16).<sup>138</sup> Likewise licences were occasionally described as being without limit or as valid until revoked 'sine determinacione temporis', licences of this sort being received by Walter de Chabenore and John de Alletone (recorded in a single entry), from John Trilleck, bishop of Hereford (1344-60), in 1346.<sup>139</sup> Trilleck likewise issued licences 'sine prefinicione temporis', and 'donec duxerit eam revocandam'.<sup>140</sup>

A great volume of licences, however, were registered in brief without any reference to their duration.<sup>141</sup> It cannot simply be assumed that such licences were all issued 'at pleasure', although this may have been so in a substantial proportion of cases. As a class of evidence, *licencie celebrandi* therefore provide a self-renewing account of the maintenance of contemporary household chapels; their cumulative volume is probably proportionally greater than the number of chapels their issue supported.

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<sup>135</sup> A.C. Wood (ed.), *Registrum Simonis Langham Cantuariensis Archiepiscopi* (Canterbury & York Society 53; 1956), p. 130.

<sup>136</sup> Above, pp. 151, 157.

<sup>137</sup> Capes (ed.), *Register of William de Courtenay*, p. 10. Cf. Parry (ed.), *Registrum Johannis de Trillek*, p. 59.

<sup>138</sup> Parry (ed.), *Register of Robert Mascall*, p. 4.

<sup>139</sup> Parry (ed.), *Registrum Johannis de Trillek*, p. 104.

<sup>140</sup> *Ibid.*, pp. 103-4, 97.

<sup>141</sup> See for example the licences recorded in the register of Robert Hallum, bishop of Salisbury: Horn (ed.), *Register of Robert Hallum*, pp. 95-159 ('Letters, Letters and Commissions').

Household chapels had been thought to have posed a danger to parishes which *licencie celebrandi* were intended to bring under control, however unsuccessfully.

Articulated by Moorman, this view continues to be perpetuated:

The bishop had to be persuaded that the grant of a licence was justified. He always feared that the creation of an oratory would detract from the attendance and the revenues of the parish church ... The bishop may have been touched by such piety, but he nevertheless imposed conditions ...<sup>142</sup>

There can be little doubt that the threat potentially posed to parish churches by the spread of chapels caused the authorities concern. Very often, when they granted licenses to proprietors of chapels, bishops stipulated conditions ... whether the conditions were stringent or otherwise, there was always the suspicion that they would be honoured as much in the breach as in the observance.<sup>143</sup>

More charitably, editors of episcopal registers have tended to employ *licencie celebrandi* as (rare) evidence of diocesans' personal diligence:

[Clifford] ... showed concern for parish churches in another way when, in granting permission for oratories in private houses, he required that they be not to the prejudice of such.<sup>144</sup>

These views should be questioned. For one, they are informed by a church-centric conception of the parish to which chapels, of any class, are intrusive. More significantly, they misconstrue the nature of these protective clauses. As has been seen, similar, but more extensive, conditions were a uniform element of earlier chapel grants. These, in turn, directly reflect the canonical provisions for the maintenance of household chapels which were well-established by the mid-twelfth century, and emphasized by Ottobuono's explicit encouragement of clauses protecting parochial rights.<sup>145</sup> Neither in the case of chapel grants, nor of *licencie celebrandi*, were such clauses included as a consequence of the personal inclination or intervention of

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<sup>142</sup> Pounds, *English Parish*, pp. 100-101.

<sup>143</sup> Saul, 'Gentry and the Parish', p. 246.

<sup>144</sup> W.E.L. Smith (ed.), *The Register of Richard Clifford, Bishop of Worcester, 1401-1407. A Calendar* (Subsidia Mediaevalia 6; Totonto, 1976), p. 32.

<sup>145</sup> *Chapter 1*, p. 55-56.

diocesans (if they were actively involved at all); whilst, for these to have been omitted, would have been a notable breach of canonical and administrative practice.

Protective clauses, like *licencie celebrandi* in general, were ubiquitous and formulaic. Except in the most exceptional circumstances, they represent a licence's last or penultimate clause and required that parish or mother churches within whose jurisdiction celebration took place should be protected from fiscal or other injury. Such injunctions might simply be worded 'absque matricis ecclesie et juris prejudicio alieni', as in the case of a licence issued in 1366 by Lewis de Charlton, bishop of Hereford (1361-69).<sup>146</sup> Another example of common phrasing was 'dumtamen per hoc ecclesie matrixi loci predicti nullum fiat preiudicium', or variants upon this.<sup>147</sup> In some registered entries this clause was abbreviated simply to 'dumtamen' and, on occasion or in lists of licences, it was omitted entirely, but presumably understood.

This is not to argue that protective clauses were ineffectual, but rather that they articulated an established commonplace: that chapels should not infringe or diminish parochial rights. Such clauses could, like those concerning default in modern-day mortgages, be evoked *in extremis*, but might be incorporated without either party fearing or expecting that this might be necessary.

#### LICENCIE CELEBRANDI AND THE MAINTENANCE OF HOUSEHOLD CHAPELS

Central to the argument presented in this thesis is the purpose for which *licencie celebrandi* were issued. Considered individually such licences may appear to have been spasmodically issued and then only to temporary, measured, effect. However, when considered *en masse*, as here, they can instead be recognized as the most significant, and commonplace, means by which household chapels were canonically constituted in late-medieval England.

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<sup>146</sup> Parry (ed.), *Registrum Ludowici de Charlton*, p. 37.

<sup>147</sup> *Registrum*, i, 87.

*Licencie celebrandi* appear to have been issued with relative ease by diocesans, or their administrations, and with more regard to status than necessity. They were predominately received by the heads of gentry and lesser-noble households, enabling the regular celebration of masses as part of their domestic religious routines. As such, *licencie celebrandi* are better interpreted, *en masse*, as an institutional means of facilitating the maintenance of household chapels, rather than as tools employed to restrict or control individual chapels.

This broad overview of *licencie celebrandi* leaves two significant questions unanswered. The first concerns the scale upon which licences were issued and consequently the extent of household-chapel maintenance in late-medieval England. This question is considered, below, by closer consideration of the fourteenth-century registers of the diocese of Lincoln. The second relates to the subtlety of licensing in practice: the social variety of licencees; the renewal or reissue of licences; and the relationship between licences and physical chapel buildings. These questions are, in turn, examined in the context of a single register, that of Edmund Lacy, bishop of Exeter (1420-1455).

#### LICENCIE CELEBRANDI IN THE REGISTERS OF THE BISHOPS OF LINCOLN (1320-62)

Almost three hundred medieval episcopal registers survive in some form, and it remains difficult to quantify accurately the number of *licencie celebrandi* they record. Disparities between the numbers recorded in individual registers have been noted by previous historians, and questions concerning the partial nature of registration trouble attempts at statistical summary. Indeed, as Duffy has warned with regard to the study of mass-produced books of hours, there is a risk of producing a ‘bogus synthesis or statistical analysis’.<sup>148</sup> Nevertheless, *licencie celebrandi* constitute a unique record of the scale upon which household chapels were maintained. It is, therefore, necessary to consider more closely the volume of licences issued and, in turn, the relationship between this and the number of household chapels maintained in late-medieval England.

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<sup>148</sup> Duffy, *Marking the Hours*, p. 83.

The registers of three successive bishops of Lincoln, Henry Burghersh (1320-40), Thomas Bek (1341-47) and John Gynwell (1347-62), provide one of the most complete accounts of issue of *licencie celebrandi* of any series of late-medieval English registers.<sup>149</sup> As seen, those of Burghersh and Bek contain distinct sections dedicated to recording the issue of *licencie celebrandi*, whilst in Gynwell's register two similar lists occur interspersed with other material. In the register of John Buckingham, Gynwell's successor as bishop (1363-1398), in common with most registers, equivalent licences were instead registered more or less chronologically with other *memoranda* material.<sup>150</sup>

The list of *licencie celebrandi* in Burghersh's register extends over eighteen folios variously headed 'cantaria in oratorio' and 'licencia celebrandi in oratoriis'.<sup>151</sup> It covers a period from October 1323 to the bishop's death in late 1340, the first three years of Burghersh's episcopate being unaccounted for. Most of the registered licences are for the celebration of *domestic* masses (in household chapels, oratories and private residences), whilst a small proportion relate to parochial or bridge chapels (these are included in the figures given here). The total volume of *licencie celebrandi* registered exceeds 530. The largest number recorded in any one year is sixty-nine registered in 1339-40; whilst none appear to have been recorded in 1329-30.<sup>152</sup> These were listed in chronological order, under titles marking the beginning of each episcopal year, some transcribed individually, others in groups, seemingly by a number of hands. Two sections, under discrete headings, record of dozens of licences by Burghersh's vicar-general, Simon Islep, in periods of 1337-38 and 1339-40.<sup>153</sup>

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<sup>149</sup> L.A.O., Episcopal Register V; L.A.O., Episcopal Register VII [A Register of Thomas Bek, Bishop of Lincoln, 1342-1347]; L.A.O., Episcopal Register IX [A Register of John Gynwell, Bishop of Lincoln, 1347-1362]. For a general description of the contents and divisions within these registers see: Smith, pp. 110-15.

<sup>150</sup> L.A.O., Episcopal Register XII [A Register of John Buckingham, Bishop of Lincoln, 1363-1398], ff. 1-468v.

<sup>151</sup> L.A.O., Episcopal Register V, ff. 160-178v.

<sup>152</sup> *Ibid.*, ff. 162-63, 175-177.

<sup>153</sup> *Ibid.*, ff. 172v-173, 176-177.

Most of Burghersh's licences were registered as abbreviated memoranda, although a small number (including the second) were registered in more detail.<sup>154</sup> As registration progressed, licences were increasingly abbreviated. Entries on the final folios constitute little more than one line of text which records the date of issue, the name of the licensee, the location or jurisdiction specified, and the licence's duration.<sup>155</sup> Throughout, the entries are registered close to one another, distinguished by section marks and marginal notations. In most cases these record the locale, chapel or oratory to which the licence pertained, though in others, often when a licence covered multiple residences or a broader jurisdiction, the notation is the surname, or toponymic, of the licensee. It appears from this practice that the primary concern of the registrar, or diocesan administration, was to be able to identify licences associated with particular locales or parishes, rather the individual licencees.

Burghersh's rough list gives the appearance of a working administrative tool. In some cases entries have been highlighted by marginal crosses (although the date or purpose of these is uncertain). The form and scope of the licences recorded was similar to those described above. As elsewhere, most licencees appear to have been laymen or lay couples, of whose status little can be ascertained other than their possession of one or more manors.<sup>156</sup> Burghersh's list also includes a number of renewals of *licencie celebrandi*. 'Thomas M.' received licences for celebration in his manor of *Chalgrave*, from Burghersh in 1332 and 1333, as well as from Bek in 1345.<sup>157</sup> However, the most remarkable aspect of this list is the sheer scale of the licensing and, by extension, of the maintenance of household chapels. There is simply no comparison, in terms of scale, to be drawn between the dozens of chapel grants and early licences recorded in late-thirteenth-century rolls and registers of Burghersh's predecessors, and the hundreds of *licencie celebrandi* recorded here only a generation later.

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<sup>154</sup> Ibid., f. 160.

<sup>155</sup> Ibid., f. 178v.

<sup>156</sup> This material would support an interesting regional study of the maintenance of household chapels in the fourteenth-century diocese of Lincoln. Comparison might be made, for instance, between this material and pre-Reformation wills: C.W. Foster (ed.), *Calendars of Lincoln Wills (1320-1600)*, 4 vols. (British Record Society 28, 41, 52, 57; 1902-1930).

<sup>157</sup> L.A.O., Episcopal Register V, ff. 166, 168; L.A.O., Episcopal Register VII, f. 176v.

The lists of *licencie celebrandi* incorporated within the registers of Bek and Gynwell are similar in most respects to those of Burghersh. Bek's list is one of the most informally transcribed and laid-out elements of his register, while Gynwell's two lists occur independently and only cover the periods June 1347 to June 1348, and July 1348 to September 1350, suggesting the production and loss of similar lists between 1350-62.<sup>158</sup> Again, these folios appear to be working lists of licences and contrast with other parts of these registers which are set out and transcribed with greater care. Likewise the volume of licences registered is comparable to that associated with Burghersh. Bek's register records the issue of over 600 licences, whilst Gynwell's, though only a partial account, lists over 410. Most were registered as abbreviated memoranda and issued to a variety of lay and ecclesiastical recipients, commonly at the pleasure of the bishop.

Bek's and Gynwell's lists both record series of licences granted in the first year of their episcopates, while equivalent evidence is missing in the case of Burghersh. Both granted (or registered) the greatest number per annum during their first year: Bek registered 187 licences in 1342-3, and Gynwell 267 in 1347-8. Thereafter, volumes of registered licences declined, sharply in the case of Gynwell to 121 in 1348-9, and to 26 in the first months of 1349-50 (*Figure 31*). A similar pattern occurs in the register of Robert Stretton, bishop of Coventry and Lichfield (1360-1385), which records the issue of just over 100 *licencie celebrandi* in the first year of his episcopate (registered between 28 November 1360 and 19 September 1361), but only three and two in the subsequent two years.<sup>159</sup> It is noteworthy that most of these licences were issued for two years, and that their renewals were not registered in 1362-63. Some of these licences, as well as others issued in subsequent years, can be shown to have been renewed (or reissued) by Stretton; however, the impression is that such renewals were registered with less assiduity than initial licences.<sup>160</sup> A similar pattern of issuing has been identified by the editor of John Waltham's register for Salisbury diocese (1388-95):

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<sup>158</sup> L.A.O., Episcopal Register VII, ff. 160-178; L.A.O., Episcopal Register IXC, ff. 13-20, 49-58.

<sup>159</sup> Wilson, pp. 6-19.

<sup>160</sup> For instances see, Wilson, pp. 12, 13, 22, 25 (a series of licences for the Radeclif family); 14, 24 (Thomas de Asteley); 7, 26 (William de Atherton); 13, 23 (Thomas Bothe); 13, 24 (John Drayton); 6, 23 (Roger Hillary); 10, 27 (Henry de Pole); 8, 18 (William de Wokesley).

... the bulk of licences to hear Mass in oratories and houses... seem to have been issued in Waltham's first 12 months, and many may simply have renewed his predecessor's grants.<sup>161</sup>

This would appear to have been a general practice, and constitutes further evidence of the great scale, and seeming administrative ease, of such licensing.

Considered simply, the lists of *licencie celebrandi* within the registers of Burghersh, Bek and Gynwell, record the combined issue of more than 1,570 licences, in one diocese, between 1323 and 1350 a figure which perhaps puts Stratford's contemporary complaints of liberal licensing into perspective. Moreover, the internal evidence of these lists demonstrates that their record of licensing is partial, with entire years unaccounted for. In the case of most extant registers, where licences are registered chronologically with letters and other memoranda, it is probable that the account of licensing provided is an even more partial record.<sup>162</sup> Care must be taken in interpreting these figures; each licence did not equate to one household chapel. Nevertheless, it seems reasonable to suggest that, together, these lists of registered licences (in particular those issued in the first years of episcopates) indicate the maintenance of household chapels by approximately 180-260 households in the fourteenth-century diocese of Lincoln. Extended nationwide, across generally smaller dioceses, it seems reasonable to estimate the number of households which maintained a household chapel (or a domestic religious routine which incorporated the celebration of mass), at any one time, at somewhere between one and two thousand.

*LICENCIE CELEBRANDI* IN THE *REGISTRUM COMMUNE* OF EDMUND LACY, BISHOP OF EXETER (1420-55)

Edmund Lacy's *Registrum Commune* provides a snapshot of the licensing of domestic masses in late-medieval England.<sup>163</sup> After an early academic career at Oxford, Lacy

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<sup>161</sup> Timmins (ed.), *Register of John Waltham*, p. xiii (Introduction).

<sup>162</sup> For such intermittent registration see: L.A.O., Episcopal Register XII, ff. 5v, 18v, 30v-32, 36.

<sup>163</sup> Two registers record Lacy's episcopate. The bulk of the first consists of institutions; the second, incorporates his 'registrum commune', as well as a register of wills and ordinations: Smith, pp. 81-82; *Registrum*.

was ordained priest in 1399 and began a career as a royal clerk, first in the service of Henry IV, and subsequently in that of Henry V, who appointed him dean of the Chapel Royal in 1414. Thereafter, Henry appears to have supported Lacy's election as bishop of Hereford in 1417, and subsequently his translation to the diocese of Exeter.<sup>164</sup> As in the case of many late-medieval diocesans, one can only speculate how their attitude to the regulation of household chapels was shaped by their personal experience of serving within the most sophisticated household chapel in the realm, the Chapel Royal. The question is particularly acute in this instance since Lacy helped to mould the liturgical and musical sophistication of Henry V's chapel.<sup>165</sup> The same questions might be posed of other diocesan administrators, including William Elyot, Lacy's registrar ('scriba actorum'), the man responsible for the compilation of those records contained within the *Registrum Commune* from c. 1447 until Lacy's death in 1455. Although never a household chaplain, early references to Elyot style him as either 'clerk' or 'chaplain'.<sup>166</sup> Whilst registrar, Elyot held a number of benefices, including multiple rectories, to which he probably appointed chaplains, and in later life was himself appointed to the wardenship of the decayed hospital of Clyst Gabriel (Devon), where his attempted reconstitution included building work on the parlour, chamber and chapel.<sup>167</sup> Elyot, like all diocesan administrators of this period, operated within a religious world coloured by chapels and chaplains of all classes.

The material contained within Lacy's *Registrum Commune* spans his entire episcopate. Interspersed within this are over 280 entries which record the issue of *licencie celebrandi* for domestic mass (most entitled 'LICENCIA CELEBRANDI') and a substantial volume of similar licences for celebration in parochial and other classes of chapel (most entitled 'LICENCIA CELEBRANDI IN CAPELLA').<sup>168</sup> It contains no folios dedicated solely to lists of *licencie celebrandi*, although on occasion they occur in

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<sup>164</sup> N. Orme, 'Lacy, Edmund (c.1370-1455)', *Oxford Dictionary of National Biography* (Online Edition; Oxford, 2004).

<sup>165</sup> J. Catto, 'Religious Change under Henry V', in G. Harriss (ed.), *Henry V: The Practice of Kingship* (Oxford, 1985), pp. 107-10.

<sup>166</sup> N. Orme, 'William Elyot, a Fifteenth-Century Registrar, and His Books', *Archives*, 26:105 (2001), p. 116.

<sup>167</sup> *Ibid.*, pp. 112-16.

<sup>168</sup> In some instances it remains difficult to distinguish between *licencie celebrandi* issued for celebration of domestic masses and those for public chapels, the latter commonly received by parochial clergy.

small groups of three or four.<sup>169</sup> As bound, the *Registrum Commune* incorporates folios of the register of Lacy's vicar-general, which record the issue of fifty-one *licencie celebrandi*, between 1 November 1420 and 9 December 1421.<sup>170</sup> Lacy himself granted a small number of *licencie celebrandi* for domestic masses, during this first year of his episcopate, the combined registered total that year amounted to fifty-five.<sup>171</sup> This is more than double the volume of licences recorded in any other year of his thirty-five-year episcopate, the next busiest being 1423-4, with twenty-one licences, whilst in others only a single issue was registered (*Figure 32*).<sup>172</sup> Such a pattern reflects that identified earlier, at Lincoln and elsewhere, and supports the suggestion that many *licencie celebrandi* were issued or renewed, in bulk, at the commencement of episcopates. The total volume of licences recorded is proportionally smaller than that issued by the Lincoln administration a century earlier, which can partly be explained by different styles of registration, and perhaps also by the lesser population density of Exeter diocese, and a population significantly diminished by mid-fourteenth-century outbreaks of plague. Nor can an increased rigor with regard to licensing, subsequent to the promulgation of Stratford's canon, *Quam sit inhonestum*, in 1342, be entirely ruled out.

No medieval diocese can be regarded as typical, but Lacy's *Registrum* provides a rare opportunity to consider closely three particular questions.<sup>173</sup> Firstly, whether the nature of licensing (in particular the social status of licencees), as outlined above, can be shown to correspond, in practice, with that exhibited by one diocese over a period of decades. Secondly, to examine the question of the duration of licences, especially the matter of renewal or reissue. Thirdly, to consider to what extent the issue and receipt of *licencie celebrandi* can be associated with the contemporary construction or upkeep of household-chapel buildings.

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<sup>169</sup> For instance, *Registrum*, i, 220 (three licences); ii, 70 (four licences).

<sup>170</sup> *Registrum*, i, 3-59.

<sup>171</sup> *Registrum*, i, 4-78.

<sup>172</sup> *Registrum*, *passim*.

<sup>173</sup> Orme, 'The Later Middle Ages'.

In broad terms, Lacy's *Registrum Commune* records the issue of *licencie celebrandi* to an equivalent social body of licencees, as those registers sampled above. Most registered licences were of the common type. That received by Richard Mileton and his wife, Emmota, on 6th November 1421 provides a typical example:

LICENCIA CELEBRANDI.

Edmundus [etc.] dilectis [etc.] Richard Mileton et Emmote uxori eius, salutem etc. Ut in capella sive oratorio aut alio loco honesto cultui divino disposito infra mansionem vestram de Westwyke in parochia de Lyfton nostre diocesis situatam divina possitis et vestrum possit uterque per presbiteros ydoneos in vestra et ulterius vestrum presencia facere celebrari, dumtamen per hoc ecclesie matrixi loci predicti nullum fiat preiudicium, tam vobis huiusmodi divina audiendi quam presbiteris prefatis eadem ut premittitur celebrandi, tenore presencium licenciam concedimus specialem per annum duraturam. Datum [etc.] Farendon sexto die mensis Novembris anno Domini supradicto.<sup>174</sup>

Some were issued to individuals, a proportion of whom were ecclesiastics, but most of whom were lay men, and women (sometimes described as widows).<sup>175</sup> However, the majority of licences were issued to couples, the heads of households, or make specific reference to families and households. Thus, in April 1425, Richard Pentere, his wife, Joan, and his son, John, received licence for celebration in the chapel of their house at Hurdon, as did, in September 1421, Margaret, widow of Robert Saberton, and her daughter, Katherine, 'in the chapel of Polslaw within the parish of Stow sancti Jacobi'.<sup>176</sup> Children or dependents are also referred to generically. In December 1429, 'Thomas Reskarek and Isabella his wife and their children' received licence for celebration, in the presence of any of them, in the chapels of their houses at Reskarek and Boddanan; whilst in March 1440-41, Thomas Budokyshyde and his wife, Joan, 'necnon eorum liberis de legitimo matrimonio procreatis', received licence for

<sup>174</sup> *Registrum*, i, 87.

<sup>175</sup> Instances of licences issued to individuals include: *Registrum*, i, 13 (dean of Exeter cathedral), 101 (knight), 114 (knight), 125 (esquire), 215 (widow), 279 (*mulieri*); ii, 7 (esquire), 23 (widow), 46 (donzel), 198 (donzel), 355 (widow); iii, 28 (esquire), 195 (gentleman). Examples of those issued to married couples include: *Registrum*, i, 5 (Tretherf), 29 (Bonevyle), 91 (Prydeaux); ii, 34 (Botregan), 70 (Feres), 241 (Cheyne), 320 (Chichester); iii, 17 (Anstell), 98 (Chyterlegh), 105 (Pawlett), 158 (Werthe).

<sup>176</sup> *Registrum*, i, 48, 113.

celebration in the chapel of the Holy Trinity at their house in *Budokyshyde* (Budshead, Devon).<sup>177</sup> Wider familial relationships are occasionally attested, as in February 1439-40, when Lacy granted a licence to 'William Boteler and Elizabeth his wife, Agnes Loveworthy, and John son of the said William and Elizabeth'; or earlier, in December 1433, when he granted another:

... to John Peynter, for divine service in the presence of himself, his mother, his brother and his wife and children in any suitable place in Cornwall.<sup>178</sup>

Other *licencie celebrandi* specifically referred to households or servants, although in those instances in which families or households are not mentioned, this does not appear to have excluded them from attending mass in the presence of the stated licensee, commonly the head of the household. Thus in November 1423, Lacy issued a licence to 'Joan Whalesburgh, *mulieri*, her sons and household, for divine service in any suitable place in her house at Whalesburgh'; and in April 1429, another to 'Thomas Halfacre esquire and Agnes his mother and their household ('eorumque familiaribus'), for divine service in the presence of any of them'.<sup>179</sup> Likewise, in December 1437, he licensed, 'Adam Summayster and Juliana his wife, for divine service in the presence of themselves, their children and servants or any of them'.<sup>180</sup>

As registered, only a proportion of the *licencie celebrandi* in the *Registrum Commune* indicate the status of the licensee. From this it appears that Lacy typically issued licences to men (as well as widows and households of gentle rank), described as donzel (*domicellus*) or more frequently as esquire (*armigerus*).<sup>181</sup> Licences issued to men of knightly rank are notably fewer in number, indeed licensees acknowledged as knights and their superiors are generally conspicuous by their absence.<sup>182</sup> Lacy's

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<sup>177</sup> *Registrum*, i, 224; ii, 228. Cf. *Registrum*, i, 16 (William Buttokkyssyde; a form of 'Budshead'); iii, 25 (renewal of the latter, without reference to children, in February 1448-9).

<sup>178</sup> *Registrum*, i, 265; ii, 180.

<sup>179</sup> *Registrum*, i, 92, 219.

<sup>180</sup> *Registrum*, ii, 71-72. Other examples include: *Registrum*, i, 8 (household), 103 (two households), 204 (sons and servants), 221 (children and servants), 241 (children and servants), 262 (children and servants), 293 (children and servants), 317 (children and household); ii, 70 (children and servants), 287 (children and servants).

<sup>181</sup> *Registrum*, i, 8 (Michael Petyte, esquire), 218 (John Denbowde, donzel).

<sup>182</sup> *Registrum*, i, 114 (John Arundell Trerys, knight); ii, 70 (Christopher Flemmyng, knight).

register does not record the issue of *licencie celebrandi* to his contemporaries Hugh and Thomas Courtenay, earls of Devon, or to Thomas Beaufort, and John and Henry Holand, dukes of Exeter; although licences were issued to members of their extended families.<sup>183</sup> Notable, however, is the sixth entry of Lacy's section of the *Registrum Commune*, which records his prompt grant of a licence to John Sneyton, rector of Honiton, to serve Hugh de Courtenay, earl of Devon (d. 1422):

Ut per biennium a datis presencium continue numerandum te ab ecclesia tua predicta obsequiis nobilis domini comitis Devon' insistendo licite absentare valeas ...<sup>184</sup>

Other occasional references to magnates occur, such as the *licencia celebrandi* issued to Thomas, Lord Cobham, in September 1437, or the pair received by Anne, the widow of Duke Hugh in January 1423-4 and June 1424.<sup>185</sup> However, the rarity of such entries further supports the argument that the aristocracy tended to maintain household chapels by other means, in particular the receipt of papal privileges.<sup>186</sup>

As elsewhere, ecclesiastics were common recipients of Lacy's *licencie celebrandi*, in particular priors.<sup>187</sup> William Worcester, prior of the small Benedictine priory of Pilton (Devon), received licences, restricted to different residences, in 1438 and 1443, whilst in 1454, his successor, William Andyver, received one for celebration in all his houses and granges.<sup>188</sup> Members of the secular clergy likewise received licences. In February 1420-1, Richard Greyneveyll, canon of Exeter, acquired a licence for celebration in any suitable place in the city or diocese, whilst, in 1450, 'master Richard Martyn canon of Exeter and rector of Southmolton', one for celebration throughout the diocese.<sup>189</sup> Parochial clergy are also represented, such as Robert

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<sup>183</sup> *Registrum*, i, 258 (John Holand, *not* the duke, Margaret, his wife, and Thomas, his son); ii, 247 (Hugh Courtenay and Margaret his wife)

<sup>184</sup> *Registrum*, i, 67-68.

<sup>185</sup> *Registrum*, i, 101, 103; ii, 67.

<sup>186</sup> *Chapter 4*, pp. 219-20.

<sup>187</sup> *Registrum*, i, 10 (prior of 'Berlych', Bath and Wells), 74 (prior of Bodmin); iii, 69 (Lady Joan Arundell, abbess of the Augustinian nunnery of Canonleigh).

<sup>188</sup> *Registrum*, ii, 89, 286; iii, 196.

<sup>189</sup> *Registrum*, i, 73; iii, 73.

Pruste, rector of East Anstey, who received a licence for celebration throughout the archdeaconry of Barnstaple in June 1435.<sup>190</sup>

Likewise, the *Registrum Commune* records the issue of *licencie celebrandi* to officials or administrators to whom, according to Lyndwood's convention, 'nobility and dignity' might attach.<sup>191</sup> They include Lacy's own 'supervisor', Richard Helier, in 1432, as well as his 'steward in Cornwall', John Corke, with his wife and household, in 1420-1.<sup>192</sup> Concurrent entries record Lacy's swearing in, on the 22 November 1438, of the new sheriff of Cornwall, John Colshull; and, at 'the same day and place' of his grant to John and his wife, Elizabeth, of a licence for the celebration 'in any suitable place within the diocese, during pleasure'.<sup>193</sup>

The pattern of licensing which emerges from Lacy's *Registrum Commune*, thus appears to mirror, and validate, the general picture sketched above. In particular, it supports the argument that *licencie celebrandi* were commonly received by the heads of lay and ecclesiastical households, especially those of gentle or civic rank.

#### THE DURATION AND RENEWAL OF LACY'S *LICENCIE CELEBRANDI*

As a consequence of it spanning over three and a half decades, the *Registrum Commune* provides particular evidence concerning the frequency with which *licencie celebrandi* were renewed, and the manner in which this was registered.

Most of the licences recorded in Lacy's *Registrum* were not restricted in duration (at least as registered); while most registered duration clauses permitted celebration at his pleasure.<sup>194</sup> Uniquely, Elizabeth Burleston received three licences: in May 1421, for

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<sup>190</sup> *Registrum*, i, 299. Cf. *Registrum*, ii, 118 (in rectory), 205 (in rectory house), 409 (in an oratory in a rectory).

<sup>191</sup> *Appendix IV*, gl. 24.

<sup>192</sup> *Registrum*, i, 18, 252.

<sup>193</sup> *Registrum*, ii, 122-23. Roger Champerton received a licence in 1435, two weeks prior to Lacy's receipt of a writ empowering him to swear in Champerton as sheriff of Devon: *Registrum*, i, 314, 316.

<sup>194</sup> For typical examples (at pleasure): *Registrum*, i, 77, 103, 151, 240; ii, 34, 127. For rare limited examples (issued between November and December 1421): *Registrum*, i, 87, 88, 89.

the celebration in her house at Hingston (Devon) ('Yengeston') (issued for pleasure); in January 1433-4, which describes her as 'mulier', and likewise refers to her house at 'Yongeston'; and in January 1437-8, issued not only to her, but also to William Elyot and his wife, Joan, for celebration 'in their presence in any suitable place within their houses at Cottelond in the parish of Charleton [Devon], during pleasure'.<sup>195</sup> Similar demonstrable instances of the multiple receipt of *licencie celebrandi* are comparatively rare.

Where the terms of licences for the same recipient are close or identical these may normally be considered renewals. Likely instances are those received by Walter Reynell, and his son Walter, in July 1423 and January 1423-4, for celebration in 'the chapel in their house at Malston in the parish of Stokynham [Stokenham (Devon)]'; or those received by Henry Fraunceys and his wife, Elizabeth, in January 1438-9 and November 1442, for celebration in their presence anywhere within the diocese.<sup>196</sup>

Seemingly more common, at least as registered, are repeat (or re-issued) licences with different, often more generous, terms.<sup>197</sup> Thus, in April 1425, John Pengelly, and his wife, received a licence which permitted celebration in suitable places within the parish of St Teathe (Cornwall), while in June 1440, they received another for celebration throughout the diocese.<sup>198</sup> Similarly, in July 1425, Thomas Werthe was issued a licence permitting celebration within four specific chapels, while in November 1452, he and his wife, Isabella, received a licence which covered the entire diocese.<sup>199</sup>

Such instances of the renewal or reissue of *licencie celebrandi* within Lacy's *Registrum*, accord with those identified in other registers.<sup>200</sup> They likewise imply that licences were commonly renewed or reissued, but that registration of renewals may

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<sup>195</sup> *Registrum*, i, 77, 268; ii, 73.

<sup>196</sup> *Registrum*, i, 90, 99; ii, 128, 265.

<sup>197</sup> Cf. For instances of similar re-issuing in Stretton's register: Wilson, 19, 25 (Bradesaghe); 12, 27 (Chetewynd); 9, 15 (Pecco).

<sup>198</sup> *Registrum*, i, 118, 125.

<sup>199</sup> *Registrum*, ii, 198; iii, 158. For an instance of restriction of terms: *Registrum*, i, 18, 125 (Bykebyry).

<sup>200</sup> In particular the register of Bishop Robert Stretton, above, p. 167.

have been comparatively infrequent; it is possible that a single registration was considered a sufficient administrative record. Instances of licences re-issued with different terms are, perhaps, of further significance, since they emphasize the extent to which *licencie celebrandi* might be tailored to individual circumstances, and also suggest a recognition on the part of (some) licencees that new licences should be sought for celebration in places not covered by existing ones. These patterns, considered alongside the evidence of the mass renewal of licences at the beginning of episcopates, strengthen the interpretation of *licencie celebrandi* as a canonical means of supporting long-standing domestic religious routines.

#### CHAPELS, ORATORIES AND SUITABLE PLACES IN LACY'S *LICENCIE CELEBRANDI*

Orme identifies a tripartite ecclesiastical hierarchy of churches, chapels and oratories, noting that:

Episcopal licences allowed the use of chapels for prayer (the divine office) and mass ... anyone could establish an oratory ... they could be used for prayer, but not for masses or other services.<sup>201</sup>

He cites the acquisition of 'permission from the pope' which permitted 'masses to be said even in oratories, blurring the distinction'.<sup>202</sup> In practice, however, *licencie celebrandi* enabled celebration in a great variety of buildings, residences and locales as Lacy's *Registrum Commune* vividly illustrates. At one extreme licences limited celebration to named chapels; at the other they permitted celebration throughout a diocese (in each case in the presence of the recipient). However, most licences were issued for celebration within the bounds of parishes, houses and residences, in particular in oratories. To an extent they reflected the individual character of the households which received them. In addition, a small minority of *licencie celebrandi* may have been issued to members of the laity to support their maintenance or patronage of public or parochial chapels.<sup>203</sup>

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<sup>201</sup> Orme, 'Church and Chapel', pp. 79-80.

<sup>202</sup> Ibid.

<sup>203</sup> This possibility is suggested by: Rosser, 'Religious Practice on the Margins', pp. 76-77. Orme cites the case of a *licencia celebrandi* for domestic masses which explicitly excluded celebration in a local

At their most explicit, Lacy's *licencie celebrandi* restricted celebration to specific household-chapel buildings, such as 'the chapel of blessed Mary in their house in the parish of St Melor [Mylor] in Cornwall', belonging to the family of David Urban; 'the chapel of St Gregory in their house at Northcomb [Northcombe (Devon)]', belonging to the family of John Skydemore; and Thomas Talbot's 'chapel of the Holy Trinity in his house at Motton [Moditonham (Cornwall)]'.<sup>204</sup> These cases may indicate that *licencie celebrandi* were sought for consecrated chapels, but it is also probable that some chapels possessed dedications without being fully consecrated. Many household-chapel buildings, and places of celebration, were certainly undedicated, the fundamental canonical purpose of *licencie celebrandi* being to enable celebration in such places. Lacy prohibited his suffragan, the bishop of Clonfert, in August 1447, from involving himself in the dedication or reconciliation of chapels, altars or oratories:

Proviso semper quod ad reconciliandum seu consecrandum capellas aliquas, parochiales seu non parochiales, aut aliqua oratoria seu altaria in eisdem nullatenus intromittatis.<sup>205</sup>

Indeed, *licencie celebrandi* often articulate a hierarchy of 'sacred space', probably reflected in medieval residences. Thus in December 1421, Richard Pyperell and his wife, Christine, received a licence for celebration in the chapel of St John the Baptist, in an oratory, or in any other suitable place in their house in the parish of Ashprington (Devon).<sup>206</sup> Other licences, such as that received by William Monke in December 1420, permitted celebration:

... in capella sive oratorio aut alio loco honesto cultui divino disposito infra manerium sive mansionem suum ...<sup>207</sup>

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chapel: Orme, 'The Other Parish Churches', p. 82. For a licence issued for celebration in both a bridge chapel and a domestic oratory: Swanson, *Catholic England*, p. 172 (Thomas de Clayton, chaplain).

<sup>204</sup> *Registrum*, i, 206 (Urban), 216, 218 (Urban), 224.

<sup>205</sup> *Registrum*, ii, 391; (renewed) iii, 5. Cf. The bequest of poet John Gower (1408) of 'one vestment for the altar which is in the oratory of my house': *Testamenta*, ii, 780.

<sup>206</sup> *Registrum*, i, 55.

<sup>207</sup> *Registrum*, i, 8, and *passim*.

However, many licences make no reference to chapels or oratories, simply to specified residences or locales, typically, that issued to Nicholas Carmynow and wife, for celebration in ‘their house at Huston [Hustyn (Cornwall)]’.<sup>208</sup> Oliver Wyse, esquire, and his wife, received a licence for celebration in four houses in Cornwall at Greystone, Pentewan, Trewandra and ‘Lanaswe’.<sup>209</sup> More wide-ranging still were licences issued for celebration ‘in any suitable place in the diocese’ or, in ‘any chapels or oratories within the diocese’.<sup>210</sup> Similar licences limited celebration to Exeter’s archdeaconries or the counties of Devon and Cornwall.<sup>211</sup>

Around fifty-five household-chapel buildings of medieval date survive in the diocese of Exeter, in contrast to the 280 or so *licencie celebrandi* for domestic masses, registered over thirty-five years in Lacy’s *Registrum Commune*. Nationally registered licences vastly outnumber extant chapels.<sup>212</sup> These and other *licencie celebrandi* suggest that domestic masses were commonly celebrated in places other than purpose-built household chapels, indeed that one might keep ‘a household chapel’ without possessing a chapel building. Nevertheless, in some cases *licencie celebrandi* can be associated with extant chapel buildings and it is instructive to consider what such instances reveal about the maintenance of household chapels.

In February 1428-9, Richard ‘Yerde’ and his wife, Joan Ferrers, received a *licencia celebrandi* from Edmund Lacy which permitted celebration ‘in their presence in the chapel in their house at Bradelegh near Newton Busshell’: the modern Bradley Manor (Devon).<sup>213</sup> The Yardes acquired the manor in 1405, three years after their marriage. Their remodelled house incorporated a hall and ‘parlour’, to which they later added a

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<sup>208</sup> *Registrum*, i, 252. Incidentally, in 1450, the cargo of a barge called ‘le Makerell’, victualled by, amongst others, the duke of Exeter and ‘Nicholas Carmynowe’, included ‘a beautiful frontal (*tabulam*) for an altar’: *Cal. Misc.*, viii, 131-32 (no. 219). For further examples see: *Registrum*, i, 77, 88, 91, 99, 106, 189, 217, 240.

<sup>209</sup> *Registrum*, ii, 308. For further examples see: *Registrum*, i, 9, 35, 77; ii, 70.

<sup>210</sup> *Registrum*, i, 9; ii, 42. For further *Registrum*, i, 24, 26, 77, 118, 220; ii, 241.

<sup>211</sup> For further examples see: *Registrum*, i, 115 (the archdeaconry of Cornwall), 204 (Cornwall), 218 (Devon), 264 (Devon), 292 (Devon), 299 (the archdeaconry of Barnstaple), 309 (archdeaconry of Barnstaple); ii, 69 (Cornwall).

<sup>212</sup> These figures are based upon a preliminary gazetteer of household-chapel buildings compiled by the present author. This identifies approximately forty chapels in Devon and fifteen in Cornwall. *Conclusion*, pp. 259, n. 5.

<sup>213</sup> *Registrum*, i, 216.

chapel. This is dated to c. 1427-8 by reference to their *licencie celebrandi*, though (as seen) this method of dating must be employed with caution.<sup>214</sup> The chapel possessed a large first-floor gallery accessed from the 'solar' (above the parlour) and a so-called 'priest's room' (*Figure 11*). It measures 21 by 11 feet, slightly larger than the parlour, and its size and architectural detailing mark it out as a significant element of the residence.<sup>215</sup> Externally, its perpendicular three-light east window faces the gatehouse and the approach to the manor. Internally, the chapel appears to have been finely furnished and retains its altar stone, a fragment of an alabaster reredos (depicting an angel with a chalice at the foot of a cross), an aumbrey, a pair of corbels for statues, and a fine braced-collar roof.<sup>216</sup> Richard, later a justice of the peace and sheriff of Devon, and Joan, resided at Bradley for over sixty years. Although the couple are only recorded in receipt of a single *licencia celebrandi*, the significant chapel they constructed and furnished demonstrates, beyond much doubt, an intent to maintain a permanent religious routine within their own household (and to provide for their successors to do so).<sup>217</sup>

At Bindon Manor House, in Axmouth (Devon) a first-floor chapel, subdivided by an early-fifteenth century screen, may possibly be associated with a licence issued by Lacy to Roger Wyke, esquire, in July 1425, for 'divine service in chapels, oratories or other suitable places in his house in the parish of Axemouth'.<sup>218</sup> Subsequently, in October 1439, Richard Wyke and his wife, Elizabeth, received a licence for celebration in any suitable place in the diocese. This is considered by one biographer of the family to be 'a very generous grant, the Bishop probably being moved thereto by the said Richard's munificence to the Church'.<sup>219</sup> One place to which this licence probably pertained was the fifteenth-century chapel, with large western gallery (or

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<sup>214</sup> D. Woolner, 'Bradley Manor', *Archaeological Journal*, 'The Exeter Area', Supplement 147 (1990), 97-101; Emery, iii, 499.

<sup>215</sup> Emery, iii, 500-1.

<sup>216</sup> *Ibid.*

<sup>217</sup> *Ibid.* Cf. *Registrum*, ii, 167 (licence for 'John Yerde and Joan his wife').

<sup>218</sup> Emery, iii, 466, n. 33; N. Pevsner and B. Cherry, *Devon* (The Buildings of England, Revised Ed.; London, 1989), p. 180; English Heritage, 'Bindon Manor House', *Lists of Buildings of Special Architectural and Historic Interest* (8 May 1967). *Registrum*, i, 125.

<sup>219</sup> W. Wykes-Finch, *The Ancient Family of Wyke of North Wyke, Co. Devon* (reprt. from *Transactions of the Devonshire Association*, 1903), pp. 33-34.

two-storey nave), situated directly adjacent to the gatehouse of their manor at North Wyke.<sup>220</sup>

Likewise at Woolleigh Barton an extant chapel, probably of fourteenth-century date, was linked by a crosswing to the upper end of the hall.<sup>221</sup> This had presumably been in use for some generations prior to the receipt, in May 1426, by John Hacche and his wife, Elizabeth, of a licence from Lacy for the celebration in 'the chapels of blessed Mary at Wollegh in the parish of Beauford and St Andrew at Hele in the parish of Southmolton'.<sup>222</sup> Similarly at Collacombe Manor (Devon), a small chapel of uncertain medieval date, seemingly originally free-standing, but subsequently linked to the principal domestic range, may be associated with a licence issued by Lacy in December 1448, to John Tremayn and his wife, Elizabeth, for celebration in their house at 'Colcomb' in the parish of Lamerton.<sup>223</sup>

Some household-chapel buildings pre-date Lacy's episcopate, with which none of his *licencie celebrandi* are easily associated. The remains of a fourteenth-century chamber-block with projecting chapel survive at Uplowman Court (Devon), as does a fourteenth-century chapel, later converted to a barn, at Erth Barton (Cornwall).<sup>224</sup> These and other chapels existed and were probably maintained during Lacy's episcopate. Elsewhere household-chapel buildings post-date the recorded issue of his licences. At Higher Hareston (Devon) a small ground-floor chapel, apparently of early sixteenth-century date, abuts the principal range of a small manor house. A notable series of *licencie celebrandi* were granted to the lords of Higher Hareston: in 1378 to John and Alice Carslake, associated with their chapel of St. Martin; in 1399 to John Silverlock, his wife, Alice, and their son, William; another in 1408 to William Carslake; as well as that granted by Lacy's vicar-general, in March 1420-1, to William Carslake and his wife, Joan, for celebration 'in their chapel at Harston in the

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<sup>220</sup> *Registrum*, ii, 165. Pevsner and Cherry, *Devon*, p. 605; Lega-Weekes, 'The Old Mansion of North Wyke', *Transactions of the Devonshire Association*, 32 (1900), pp. 195-203.

<sup>221</sup> English Heritage, 'Woolleigh Barton and Adjoining Former Chapel', *Lists of Buildings of Special Architectural and Historic Interest* (16 January 1952).

<sup>222</sup> *Registrum*, i, 165. Hacche also received a papal indult for a portable altar: *Cal. Pap. Regs.*, x, 486.

<sup>223</sup> C. Hussey, 'Collacombe Manor, Devon, I', *Country Life*, 103 (no. 3398) (April 19, 1962), 904-7.

<sup>224</sup> Emery, iii, 457, 462; Pevsner and Cherry, *Devon*, p. 881; N. Pevsner and E. Radcliffe, *Cornwall* (The Buildings of England, 2nd Ed.; Harmondsworth, 1970). p. 206.

parish of Bryxton'.<sup>225</sup> In this instance, as probably in others, chapel buildings were maintained in residences, before, during and after Lacy's episcopate.

Such basic comparisons between the documentary and architectural records emphasize the partial account of household-chapel maintenance which each provide in isolation. More significantly, in each of these cases, the issue of *licencie celebrandi* appears to be related to the long-term maintenance of household chapels, often over generations. Many others were probably associated with equivalent long-term chapel maintenance of which no other record survives.

#### LICENCIE CELEBRANDI AND LATE-MEDIEVAL HOUSEHOLD CHAPELS

Considered *en masse* and on their own terms, *licencie celebrandi* appear to be 'a very good guide' to the maintenance of household chapels.<sup>226</sup> These licences for the celebration of domestic masses in chapels, oratories, or simply in appropriately disposed places within houses, provide the most extensive source of evidence pertaining to the maintenance of household chapels in late-medieval England. Such licences were a universal tool employed throughout all English dioceses from the turn of the fourteenth century until the English Reformation. Considered individually and in groups they provide a remarkably consistent, whilst individually nuanced, account of the maintenance of household chapels.

First and foremost, this is an account of the nationwide maintenance of household chapels on a vast scale. The 280 or so licences registered in Edmund Lacy's *Registrum Commune*, between 1420 and 1455, and the 1,500 or more licences recorded in the registers of the bishops of Lincoln, between 1320 and 1360, represent only a proportion of the many thousands of such licences recorded in *extant* episcopal registers. Many registers have been lost, whilst practices of registration left many licences unrecorded. *Licencie celebrandi* were probably issued in their tens of thousands. The scale of licensing evident from *c.* 1300 alone argues that the

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<sup>225</sup> J. Lomas, 'Restoration of Higher Hareston Manor, Brixton (1972-1973)', *Transactions of the Devonshire Association*, 106 (1974), 119-40, 120-21; *Registrum*, i, 18.

<sup>226</sup> In contrast to Mertes's assertion to the contrary, *Chapter 3*, pp. 130-31.

maintenance of household chapels in late-medieval England was widespread, if not entirely ubiquitous.

The volume of registered *licencie celebrandi* contrasts markedly with the few hundred extant household-chapel buildings.<sup>227</sup> Such disparity is due, in part, to the simple loss of the vast majority of late medieval residences along with their chapels and oratories. However, it may also reflect the canonical purpose of *licencie celebrandi*: to facilitate the celebration of masses within their domestic religious routines. Individual licences do not each account for a chapel building. *Licencie celebrandi* and household-chapel buildings were both manifestations of the maintenance of household chapels, not household chapels in and of themselves.

The evidence of registered *licencie celebrandi* provides a picture of remarkable consistency and continuity. As registered, individual *licencie celebrandi* differ little according to either date or diocese. Such consistency supports the argument that the licensing of domestic masses, and the upkeep of household chapels, were institutional commonplaces; that English diocesans (or their administrators) employed licensing as a means of *facilitating* the canonical maintenance of household chapels, rather than imposing control upon them. By the same token, it does not seem to have been common for lords or their households to have ignored the requirement or responsibility of acquiring *licencie celebrandi* (unless they possessed an equivalent form of right or privilege from the pope). Margaret Paston's concern for the renewal of her licence certainly seems genuine.

In turn, those household chapels maintained by means of the acquisition of *licencie celebrandi* appear predominately the prerogative of the middle and lower tiers of the English nobility, in particular of those households of knightly or armigerous rank. It remains difficult to gauge satisfactorily the population of the late-medieval gentry and knightly class. Saul has recently drawn previous estimates together, citing Denholm-Young's figure of 1,250 'actual' knights in 1300 and positing the possible existence of 3,000-5,000 gentry families (or households) in the fifteenth century.<sup>228</sup> Comparing

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<sup>227</sup> *Conclusion*, pp. 258-62.

<sup>228</sup> Saul, 'Gentry and the Parish', p. 244.

these figures with the partial account of registered *licencie celebrandi*, it is difficult not to conclude that the majority of medieval knights and gentlemen (who possessed multiple residences, in multiple parishes), alongside a proportion of the 'parish gentry' (with interests limited to one parish) and civic leaders, were frequent petitioners of *licencie celebrandi* and proprietors of household chapels.<sup>229</sup> The maintenance of chapels continues to be interpreted as elite rejection of the parochial community. Saul considers the attendance of Sir John Trevelyan at his church, but notes that 'very few of the gentry followed his admirable ... example'.<sup>230</sup> He regards it as 'a mark of detachment' that the gentry rarely served as church wardens, noting that 'parishioners found their own leaders'. French's study of the parishes of the diocese of Bath and Wells (Somerset) supports a similar conclusion that 'the local gentry usually did not fill this office; instead, parish leadership generally rested in the hands of the non-elite'.<sup>231</sup> However, the extent to which members of the gentry and knightly classes were practically (and actively) excluded from parochial membership or leadership, rather than simply dismissive of it, may be questioned. Knightly and gentry households naturally formed communities at one remove from those formed by the bulk of parishioners, and many resided in individual parishes for only a proportion of their time. As parishes established themselves, over generations, as jurisdictionally independent from local lordship, and as 'sub-gentry communities' with their own leaders and social hierarchies, members of the gentry and their superiors were potentially excluded from close engagement with parishes, in particular as social institutions. The case argued here is that such potential tensions were negated by the established practice of parishes and household chapels being maintained alongside one another, serving related, but distinct, communities. By the maintenance of such chapels the English gentry and lesser nobility, including a substantial proportion of senior ecclesiastics and religious, were enabled, not to retreat into elite 'private' worship, but rather to provide a consistent and communal form of religious provision for their families and households. Indeed, household chapels appear to have constituted the primary source of religious provision and focus for the significant

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<sup>229</sup> It is possible that *licencie celebrandi* could be employed as evidence for the estimation of the 'gentle' population, alongside that of tax returns.

<sup>230</sup> Saul, 'Gentry and the Parish', pp. 246-47.

<sup>231</sup> K.L. French, *The People of the Parish. Community Life in a Late Medieval English Diocese* (Philadelphia, PA, 2001), p. 85.

proportion of the medieval population which resided or travelled as members of gentry and noble households.

As was argued in respect of chapel grants, *licencie celebrandi* appear to have provided a ubiquitous and simple means of facilitating the canonical maintenance of household chapels, and one actively supported by the institutionalized practices of the late-medieval ecclesiastical hierarchy. Whilst this evidence has been undervalued by previous historians, it is fair to draw attention to its fragmentary and partial nature. Most significantly, as has been seen, members of the English aristocracy or titled nobility appear comparatively rare recipients of *licencie celebrandi*. Their absence in episcopal registers may, however, be accounted for by their possession of alternate forms of established liberty or extraordinary privilege which enabled their canonical maintenance of household chapels. It is such alternate, or additional, means of establishing or constituting household chapels, in particular to papal privileges associated with households chapels, which the following chapter considers.

## CHAPTER 4

### PAPAL PRIVILEGES AND THE MAINTENANCE OF HOUSEHOLD CHAPELS

From the late-twelfth century the papal *curia* began to issue privileges and dispensations to English petitioners concerning the maintenance of household chapels. Dispensations permitted breaches of canon law, the result of which might be considered beneficial or for the common good.<sup>1</sup> Common classes concerned the irregular status of those entering holy orders; the possession of multiple benefices; and marriages contracted within prohibited degrees of consanguinity. Privileges (or indults) likewise permitted divergence from the strict terms of canon law, but generally concerned 'a positive favour not generally enjoyed by most people',<sup>2</sup> which enabled their recipients to expand or elaborate their manner of religious practice or observance.<sup>3</sup> It is with those papal privileges and dispensations associated with the maintenance of household chapels in England that this chapter is principally concerned.<sup>4</sup>

Elements of the canon law of the English Church explicitly recognized that the power of diocesans to regulate household chapels, or the domestic celebration of sacraments and sacramentals, might be superseded by privileges issued by the papal *curia*. In 1240, Walter de Cantilupe required that magnates demonstrate possession of any privileges concerning household chaplains which over-rode his jurisdiction.<sup>5</sup> Likewise, twice in his glosses on *Quam sit inhonestum* Lyndwood referred to papal privileges pertaining to household chapels.<sup>6</sup> Whereas the issue of *licencie celebrandi*

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<sup>1</sup> R. Naz, A. Villien and A. Amanieu (eds.), *Dictionnaire de Droit Canonique, Contenant tous les Termes du Droit Canonique, avec un Sommaire de l'Histoire et des Institutions et de l'État Actuel de la Discipline*, 7 vols. (Paris, 1935-65), iv, cols. 1284-96 ('Dispense'); W.J. Sparrow Simpson, *Dispensations* (London, 1935); J.A. Brundage, *Medieval Canon Law* (London, 1995), p. 161.

<sup>2</sup> *Ibid.*, p. 160-61.

<sup>3</sup> Naz, Villien and Amanieu (eds.), *Dictionnaire de Droit Canonique*, vii, cols. 225-29 ('Privilège').

<sup>4</sup> The canonical basis of associated privileges and dispensations is surveyed further in: Chambers (ed.), *Faculty Office*, pp. xiv-xix ('Dispensations: The Papal Background'); J.A.F. Thomson, 'The Well of Grace': Englishmen and Rome in the Fifteenth Century', in R.B. Dobson (ed.), *The Church, Politics and Patronage in the Fifteenth Century* (Gloucester, 1984), pp. 101-102.

<sup>5</sup> *Chapter 1*, p. 54.

<sup>6</sup> *Appendix IV*, gls. 3, 11.

has been widely recognized, though not closely considered, by a body of previous scholarship, papal privileges associated with household chapels have received scant notice. Chambers, in his introduction to the registers of the Faculty Office, notes that this assumed responsibility for issuing privileges and dispensations equivalent to those formerly sought from Rome, including 'positive concessions... to permit the celebration of offices in chapels of ease and private oratories, or the provision of portable altars'.<sup>7</sup> Thomson, as part of his examination of the relationship between late-medieval English petitioners and the papal *curia* (described in 1473 by John Paston as 'the welle of grace'), briefly considers indults for portable altars and those to choose one's own confessor. He remarks on the great volume of such indults granted, suggesting that their acquisition was motivated by a 'desire to live a more active spiritual life'.<sup>8</sup> More recently, Webb has drawn attention to the issue of indults for portable altars and celebration before dawn, associating them with celebration in domestic chambers.<sup>9</sup> To date, no study has considered the wider range of papal privileges associated with the maintenance of household chapels, which included those for the possession of portable altars; for the choice of personal confessor; for the celebration of mass before dawn; for celebration in spite of interdict; and for the entertainment of (and by) members of religious orders. Finally, and most significantly, dispensations were issued for the possession by household clergy of multiple benefices, and for their non-residence when in the service of lordly households.<sup>10</sup>

This chapter examines the systematic granting of each class of privileges not only individually, but more significantly in sets or bodies of 'chapel privileges'. Alongside these it considers related, but distinct, papal grants of the ability to establish and maintain household chapels. In each case this chapter seeks to examine how papal privileges served to support aspects of the maintenance of domestic religious routines, and to what class of recipient (or household) such privileges were granted. In turn, it

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<sup>7</sup> Chambers (ed.), *Faculty Office*, pp. xvi-xviii (Introduction).

<sup>8</sup> Thomson, 'Well of Grace', pp. 109-10; M.M. Harvey, *England, Rome and the Papacy, 1417-1464: The Study of a Relationship* (Manchester, 1993), pp. 74-75, 106.

<sup>9</sup> Webb, 'Domestic Space and Devotion', pp. 37-38.

<sup>10</sup> Dispensations concerning household chapels are not considered in any detail here; they better support a study of household chaplains, *Conclusion*, pp. 262-66. For a case study of such provision or patronage see: Harvey, 'The Household of Cardinal Langham', in particular, pp. 37-44.

discusses the relationship between papal privileges and episcopal *licencie celebrandi*. The material examined below is drawn principally from the extracts of the Lateran registers, as calendared in the *Stationery Office* series.<sup>11</sup> In terms of both their scope and composition, these calendars are a limiting and partial source. Much material comparable to that considered here may be found in the fourteenth-century Avignon registers, partly published by the *Bibliothèque des Écoles Françaises d'Athènes et de Rome*.<sup>12</sup> The calendared material employed here is, however, sufficient to support the present (necessarily schematic) investigation of the institutional framework of the household chapel.

#### INDULTS FOR THE POSSESSION OF PORTABLE ALTARS

Very few English medieval portable altars survive; those that do mostly date to the eleventh or twelfth centuries.<sup>13</sup> An extremely rare late-medieval example appears to have remained in the continuous possession of the Stonor family, at Stonor Park (Oxfordshire), since the fifteenth century (*Figures 12-13*).<sup>14</sup> This constitutes a thin slab of semi-precious stone, probably incorporating a relic, set within a wooden frame. In all likelihood it is typical of the thousands of portable altars possessed and employed by English households throughout the medieval period, but which did not survive the Reformation.

Portable altars enabled the celebration of masses whilst travelling, though their principal purpose may have been to enable the celebration of masses in unconsecrated chapels, oratories and other 'suitable places'. In 1347, John de Herlyng, an usher of Edward III's chamber, petitioned the *curia* that he might have 'sacraments and

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<sup>11</sup> *Cal. Pap. Pets.*; *Cal. Pap. Regs.* i-xviii.

<sup>12</sup> For a recent discussion of these registers: P.N.R. Zutshi, 'The Registers of Common Letters of Pope Urban V (1362-1370) and Pope Gregory XI (1370-1378)', *Journal of Ecclesiastical History*, 51 (2000), 497-508.

<sup>13</sup> M. Budde, *Altare Portatile. Kompendium der Tragaltäre des Mittelalters 600-1600*, 3 vols. (Frankfurt, 1997). For eleventh-century German portable altars see: M. Peter, *Der Gertrudistragaltar aus dem Welfenschatz: eine Stilgeschichtliche Untersuchung* (Schriften des Dom-Museums Hildesheim, Bd. 2; Mainz am Rhein, 2001).

<sup>14</sup> I am grateful to Lady Georgina Stonor for bringing this to my attention and to the present Lord Camoys for providing me with a photograph.

sacramentals ministered in the chapel of his manor, a long way from the parish church of Herlyng', and received the grant of a 'portable altar in the said place for his life'.<sup>15</sup> In 1401, Robert, lord of Haryngton, and his sons were granted an indult:

... that they may, in every oratory within their manors, and wherever they please without, have a portable altar.<sup>16</sup>

Likewise in 1415, Richard Beauchamp, earl of Warwick, received another:

...to have a chapel and in it a portable altar on which he and his wife may cause to be celebrated by their own priest or priests, in presence of themselves and their servants, mass and other divine offices, even in time of interdict - with closed doors - and even before daybreak.<sup>17</sup>

In 1473, Roland FytzEustace and his wife, Elena, received an indult for celebration upon an portable altar 'in vestra et etiam familiarium vestrorum domesticorum presentia'.<sup>18</sup> Thus the possession of a portable altar, and of a papal indult for celebration upon it, was closely equivalent to the acquisition of a *licencia celebrandi*, except that most indults appear to have been universal in their scope, whilst licences were limited to individual dioceses. As such, the possession of portable altars probably constituted a more convenient means of enabling celebration in residences situated throughout one or more dioceses.

Hincmar of Reims's *Collectio de Ecclesiis et Capellis* (c. 858-60) provided for celebration upon portable altars in public oratories, and their use *in lieu* of consecration is well attested with regard to late-medieval parochial chapels. In 1437 the population of Waplod (dio. of Lincoln) were licensed by the abbot of Thorney (Cambridgeshire), acting under papal mandate, to have masses celebrated upon a portable altar in their unconsecrated parochial chapel of the Holy Trinity, due to difficult winter journeys to the parish church of Waplod (the mandate cites both flooding and the muddiness of the roads).<sup>19</sup> In 1412, the inhabitants of the village (*villule*) of *Botovisdale* (dio. of Norwich) received a similar privilege permitting

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<sup>15</sup> *Cal. Pap. Pets.*, 130.

<sup>16</sup> *Cal. Pap. Regs.*, v, 420. Cf. *Ibid.*, iii, 113 (named manors).

<sup>17</sup> *Cal. Pap. Regs.*, vi, 361.

<sup>18</sup> *Cal. Pap. Regs.*, xiii (pt. 2), 548.

<sup>19</sup> *Cal. Pap. Regs.*, viii, 84.

celebration upon a portable altar in their unconsecrated chapel of St. Botolph, where previously they had celebrated under licence ‘by the grant of the then bishop’.<sup>20</sup> Their new privilege was issued with the consent of Reginald, the parish priest of Redgrave, an indication that papal privileges were granted with regard to, rather than simply to supersede, local or lesser jurisdictions. (The interrelation of diocesan licences and papal privileges is considered further, below, with respect to Edmund Lacy’s *Registrum Commune*.)

The use of portable altars was sometimes necessitated by matters of convenience, at least as stated in the registered text of indulgences. In an extreme instance of 1343, Robert de Littlebirs, knight, was permitted a portable altar, ‘specially since he is about to fight the Saracens, where there are not many churches’.<sup>21</sup> More commonly, the necessity of travel between residences or estates was adduced. In 1263, Hugh de Neville, received an indulgence, supported by the petition of the bishop and archdeacon of Rochester, both his kinsmen, which permitted that his chaplain might have and celebrate upon a portable altar in the presence of himself and his household: ‘tibi, uxori et familie tuis in domibus, manerii, et in locis in quibus uos esse contigerit’.<sup>22</sup> Likewise the prior of St. Pancras, Lewes, petitioned in 1355 for a portable altar, ‘to be used in the divers manors, which he has to visit, distant from parish churches’; whilst in 1426 the prioress and community of Polsloe (Devon) were granted an indulgence, which permitted them ‘when they leave the monastery on its business, to have a portable altar’.<sup>23</sup> Similar indulgences were commonly granted to senior officers within royal or greater households, whose status and responsibilities required frequent and varied travel. Typical grants were made in 1349 to Edward III’s butlers; in 1351 to Walter Attebergh, a steward of the duke of Lancaster; and in 1363, to both the steward and chamberlain of Edward, the Black Prince, and to their wives.<sup>24</sup> More generically,

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<sup>20</sup> *Cal. Pap. Regs.*, vi, 247, 363.

<sup>21</sup> *Cal. Pap. Pets.*, 14. Cf. *Ibid.*, 490.

<sup>22</sup> Sayers, pp. 306-7 (no. 682). N.A., SC 7/64/7 [Indulgence to Hugh de Neville for his chaplain to possess a portable altar, 1263].

<sup>23</sup> *Cal. Pap. Pets.*, 285. *Cal. Pap. Regs.*, vii, 453.

<sup>24</sup> *Cal. Pap. Pets.*, 152, 211, 452.

indults for portable altars were issued to petitioners described as ‘domino diversorum locorum’.<sup>25</sup>

On occasion, illness or disability were cited in justification of the possession of portable altars, but as with *licencie celebrandi* such cases were comparatively rare. In 1351, Joan, widow of Walter de Bouford, received an indult for a portable altar, ‘in consideration of her being more than seventy years of age’.<sup>26</sup> Likewise Henry, first duke of Lancaster, petitioned in 1355 for a portable altar on behalf of the wife of his steward, Matilda de la Mare, ‘who by reason of her frequent pregnancy cannot conveniently come to the parish church’.<sup>27</sup> More prosaically, in 1449-50, Thomas Marchiall, a priest, was permitted to possess a portable altar due to his chronic gout (‘gutte infirmitatem pateris’).<sup>28</sup>

Although a substantial number of eleventh- and twelfth-century portable altars of continental manufacture survive in British and foreign collections, papal privileges concerning the possession of portable altars by the English laity can only be documented from the mid-thirteenth century. Two of the earliest examples were received in 1254 by Henry III’s half-brother, William de Valence, earl of Pembroke, and by Robert Valeant, Henry’s steward.<sup>29</sup> Similar privileges granted over the following half century are often associated with the crown or royal family. Amongst them were those granted in 1255 to Henry de Winham, a chaplain ‘engaged in the king’s service’; in 1278 to Queen Eleanor (of Castile); and in 1286 to the baron and ‘king’s knight’, John de Vescy.<sup>30</sup> In 1291, the elderly William de Valence received a further indult which permitted his chaplain to possess a portable altar and celebrate for his household. The form of the papal bull received by Valence appears typical of those acquired at this date:

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<sup>25</sup> For examples: *Cal. Pap. Regs.*, x, 95, 484 (but also *passim*).

<sup>26</sup> *Cal. Pap. Regs.*, iii, 456.

<sup>27</sup> This petition referred to the previous receipt by Matilda’s husband, Robert, of the grant of a portable altar: *Cal. Pap. Pets.*, 271.

<sup>28</sup> *Cal. Pap. Regs.*, x, 77.

<sup>29</sup> *Cal. Pap. Regs.*, i, 300.

<sup>30</sup> *Cal. Pap. Regs.*, i, 316, 456, 487.

Nicholaus episcopus, servus servorum Dei, dilecto filio, nobili viro, Guilielmo de Valentia, comiti Pambrochiæ, salutem & apostolicam benedictionem. Vota tua, in hiis præsertim quæ animæ salutem respiciunt, favorabiliter prosequi cupientes, devotionis tuæ precibus inclinati; Ut capellanus tuus habere possit altare portatile, cum debita reverentiâ & honore, & in illo tibi, uxori, filiis, ac familiaribus tuis, in loco congruo & honesto, missarum sollempnia celebrare, sine juris præjudicio alieni, auctoritate tibi præsentium indulgemus. Nulli ergo, &c. Dat' apud Urbem Veterem, kalendas Julii, pontificatûs nostri anno quarto.<sup>31</sup>

Senior ecclesiastics likewise possessed and employed portable altars, one such being the dean of Salisbury who received an indult for one in 1297.<sup>32</sup>

The first half of the fourteenth century witnessed a marked increase in the possession, or at least registration, of portable altars by English petitioners, both lay and ecclesiastic. From the middle of the century groups of entries recording the grant of indults for portable altars regularly appear in extant papal registers, these becoming substantial lists by the turn of the fifteenth century.<sup>33</sup> As with the issue of *licencie celebrandi*, it is difficult to overstate the volume of such indults granted by the papal *curia* in the two centuries prior to the English Reformation. The registered number of indults for portable altars issued to English petitioners during the papacy of Martin V (1417-31) amounts to at least 890 (despite Martin's dispute with England regarding the Statute of Provisors) over half being received by members of the laity.<sup>34</sup> The total volume issued between c. 1300 and the creation of the Faculty Office in 1534 must have numbered many thousands. The possession of portable altars by English households, both lay and ecclesiastic, in earlier centuries is largely unattested (and likely to be under-represented). However, the seeming increase in English acquisition of indults for portable altars appears to correspond, in date and extent, with the dramatic rise in possession of *licencie celebrandi* considered above. Certainly, from c.

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<sup>31</sup> Rymer, i, pt. 2, 757.

<sup>32</sup> *Cal. Pap. Regs.*, i, 574.

<sup>33</sup> For examples: *Cal. Pap. Regs.*, ii, 257; iii, 112-14, 181-82, 195, 400, 491. A substantial list of indults for privileges associated with the maintenance of household chapels, covering the years 1393-4, occurs in: *Cal. Pap. Regs.*, iv, 490-99 (*Lateran Regesta XXXIV*). This records in distinct sections the issue of 128 indults for portable altars (57 to lay petitioners); 64 indults for choice of confessor (18 to the laity); 15 indults for celebration in spite of interdict (6 to the laity); and 13 indults for celebration before dawn (5 to the laity). Similar, generally shorter, lists occur throughout later registers. Compare the less formally ordered lists of identical privileges issued almost a century later, between 1465-79: *Cal. Pap. Regs.*, xii, 458-61, 521-25, 586-94, 610-20, 699-705, 739-41, 771-774, 815-18.

<sup>34</sup> Thomson, 'Well of Grace', p. 109.

1300 until the English Reformation, it appears that the receipt of *licencie celebrandi* and indults for portable altars provided associated means by which the heads of medieval households might constitute household chapels and domestic religious routines.

Recipients of fourteenth- and fifteenth-century indults for the possession of portable altars were drawn from a much broader social range than those of earlier centuries. Indults continued to be received by the members of the royal household and by the titled nobility. In 1348, Simon Islep, keeper of the privy seal, Thomas Brembre, receiver of the king's privy chamber, and Thomas de Cary, another member of Edward III's household, were each permitted to possess portable altars,<sup>35</sup> whilst in 1363, Prince Edmund, earl of Cambridge, John Hastings, earl of Pembroke, and John, fourth Lord Mowbray, each petitioned for and received like indults, as well as grants of plenary remission at the hour of death.<sup>36</sup> Senior ecclesiastics continued to be regular recipients of indults for portable altars. Simon Briselee, dean of Lichfield, received an indult in May 1349, as did his successor, John de Buckingham (whose licensing of domestic masses, as bishop of Lincoln, has been examined above) in May 1350.<sup>37</sup> Increasingly, lesser ecclesiastics might also possess portable altars, one such being William Sawyer, described as a 'clerk' of Durham diocese, who in 1425 received an indult for a portable altar on which he might have masses celebrated, or perform them himself once ordained.<sup>38</sup>

However, as Thomson has observed, it appears that 'the majority of beneficiaries of such indults were laymen', and these of increasingly varied rank.<sup>39</sup> In the manner of *licencie celebrandi*, indults for portable altars were frequently issued to married

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<sup>35</sup> *Cal. Pap. Pets.*, 135.

<sup>36</sup> *Cal. Pap. Pets.*, 466.

<sup>37</sup> *Cal. Pap. Regs.*, iii, 306, 385.

<sup>38</sup> *Cal. Pap. Regs.*, vii, 420.

<sup>39</sup> Thomson, 'Well of Grace', p. 109. Statistical approaches to registered material must be treated with caution. With this in mind, of the 33 indults for portable altars issued to English recipients entered in 1423 on ff. 1-4r of *Lateran Regesta CCXXXVII*, 18 were for members of the laity; of the 27 like indults, on ff. 60-64r, 17 were for lay recipients; and of the 64, on ff. 233-38r, 44 were for lay recipients: *Cal. Pap. Regs.*, vii, 305-7, 313-15, 334-48. If this basic division remained more-or-less constant throughout the later medieval period, then approximately a half to two thirds of indults for portable altars were issued to lay recipients. The number issued to ecclesiastics, of all ranks, nevertheless remained significant.

couples, the joint heads of households, such as those received in 1327 by Edmund Trussel and his wife, described as donzel; in 1343, by Thomas, Lord Bradeston, and his wife, and by William Warkyngton, knight, and his wife, Eleanor, in 1350.<sup>40</sup> Most entries for indulgences of this type were registered only in brief, commonly under the heading 'DE ALTARIBUS PORTATILIBUS', many being issued to donzels and knights, described as nobles. Those few registered more fully, such as that issued in 1429 to Richard Wye and his wife Emota, of Worcester diocese, reveal that portable altars, like *licencie celebrandi*, might support religious routines for entire households:

Indult to have a portable altar, on which they may cause mass and other divine offices to be celebrated in their presence and that of members of their household by their own or other fit priest.<sup>41</sup>

Alongside territorial lords, residents of cities and towns were also regular petitioners for portable altars. Three petitioners, Henry Pichard, John Goldbert and John Maleweyn, each described as citizens of London (registered in a group with Mary, countess of Norfolk) were each granted permission to possess a portable altar in November 1350.<sup>42</sup> Amongst those issued indulgences for portable altars in 1423 were John Preston, described as a citizen of Norwich, and his wife Beatrice, and in 1425, William Cambrigge described as an alderman and his wife, Edith, both 'citizens of London'.<sup>43</sup> In 1431, William Nuby, described as a burgess of the town of Leicester, and his wife Maud, received an indulgence permitting:

...each of them to have a portable altar on which they and each of them may, in their lodging situate in the said town, and in other fit places, in the presence of them and each of them, and of the children and the members of their household, and also of any other comers, cause mass and other divine offices to be celebrated by their own or other fit priests, secular or regular.

The same couple also received an indulgence permitting that these masses might be celebrated before daybreak.<sup>44</sup>

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<sup>40</sup> *Cal. Pap. Pets.*, 22; *Cal. Pap. Regs.*, iii, 382.

<sup>41</sup> *Cal. Pap. Regs.*, viii, 134.

<sup>42</sup> *Cal. Pap. Regs.*, iii, 385.

<sup>43</sup> *Cal. Pap. Regs.*, vii, 300, 420.

<sup>44</sup> *Cal. Pap. Regs.*, viii, 366, 434.

Papal indulgences for the possession and use of portable altars were, then, in many respects equivalent to *licencie celebrandi* issued by English diocesans. These also permitted the celebration of domestic masses, not simply for the personal benefit of their recipients, but as part of domestic religious routines maintained by lordly families and households.

#### CHOICE OF CONFESSOR (AND PLENARY REMISSION)

One of the defining practices of medieval Catholicism was the sacrament of confession. The Fourth Lateran Council of 1215 decreed that the laity should confess to their parish priest at least once annually. This obligation provided parish priests with ‘an immensely valuable pastoral and educational tool, for the priest in confession could explore not only the moral condition of his parishioners, but also their knowledge of Catholic faith and practice’.<sup>45</sup> At the heart of the argument presented here is that household chapels functioned, to a varied extent, as surrogate parochial chapels and churches, providing pastoral care for those who lived or resided within greater medieval households. It is, then, particularly significant, that the sacrament of confession, normally the preserve of the parish priest, might be performed, in accord with appropriate licences or privileges, within the setting of the household, and for household members.

Two distinct, but related, classes of papal privilege pertained to confession, though they are sometimes difficult to distinguish in their registered (or calendared) form. The first granted the faculty of choose (or appoint) a confessor to grant the recipient plenary remission of sins, in most instances at the hour of death; that is, to remit all temporal punishment due for sin otherwise punishable in Purgatory.<sup>46</sup> Such indulgences only pertained if their recipient was ‘in a state of grace ... truly repented, sincerely confessed, and [had] been duly absolved of all grave sins’.<sup>47</sup> The possession of papal privileges for plenary remission, at times other than and including death, also

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<sup>45</sup> Duffy, *Stripping of the Altars*, p. 54.

<sup>46</sup> *Ibid.*, pp. 287-89, 338-76 (‘The Pains of Purgatory’).

<sup>47</sup> *Ibid.*, p. 288.

enabled penitents to be absolved of serious or 'reserved' sins, beyond the remit of their parish priest or bishop (or a diocesan penitentiary); a confessor of their choice could temporarily possess the powers of a papal penitentiary. The issue of such indults was commonly registered under the heading 'DE PLENARIA REMISSIONE', and did not permit the choice of confessor *in general*. Such indults were commonly petitioned for alongside those for possession of portable altars.

The second permitted the choice of personal confessor, commonly registered under the heading 'DE CONFESSORALIBUS', and were often associated with those for plenary remission. One such indult, probably registered in full due to the exceptional powers granted, was issued in March 1426 to Thomas Spofford, bishop of Hereford:

Indult that the confessor of his choice, after hearing his confession, may grant him, enjoining a salutary penance, absolution for all crimes and excesses, in all cases, even those reserved to the apostolic see, except only voluntary homicide and mutilation of members, absolve him from all sentences of excommunication etc., even if the absolution therefrom be reserved to the said see or to any other; dispense him on account of irregularity contracted, and rehabilitate him; and commute any of his vows into other works of piety.<sup>48</sup>

In most cases the powers of a personal confessor, to hear confession and grant absolution, appear equivalent to those of a parish priest. An earlier indult received by John of Brittany, earl of Richmond, in 1319 requested that 'his confessor shall during the wars [on the Northern March] have faculties as a parish priest for the said earl and his household and dependants'.<sup>49</sup>

Of those papal privileges associated with the maintenance of household chapels, faculties for the choice of personal confessor were the most frequently granted, after indults for portable altars. Like these, privileges for the choice of confessor occur with regularity only from the mid-thirteenth century, the majority of earlier privileges being received by members of the royal family or titled nobility. William de Valence, earl of Pembroke, appears amongst the earliest recorded recipients of faculties for the

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<sup>48</sup> *Cal. Pap. Regs.*, vii, 449.

<sup>49</sup> *Cal. Pap. Regs.*, ii, 188. Cf. *Ibid.*, ii, 228; 291 (the choice of a household's confessor associated with other chapel privileges).

choice of confessor (as he was for indults for portable altars). In 1248 he was permitted:

... tuis supplicationibus inclinati, tibi confitendi peccata tua alicui sacerdoti discreto, & recipiendi ex eo pœnitentiam salutarem, concedimus liberam, auctoritate præsentium, facultatem.<sup>50</sup>

Subsequently, in 1255, he received a similar privilege, which allowed him, his wife, his children and their household, to take as their confessor the Franciscan, Peter de Rupe.<sup>51</sup> Henry de Lacy, fifth earl of Lincoln, received privileges in 1289, both for possession of a portable altar and for choice of confessor who might dictate penance and grant absolution in all cases, except those pertaining to the apostolic see.<sup>52</sup> In 1301 he received others permitting choice of confessor, as well as the celebration of masses in his chapel in places under interdict; whilst in 1306 he received an indulgt to be accompanied by his confessor, Michael de Mercona, a Franciscan.<sup>53</sup> Likewise, senior ecclesiastics were permitted to choose confessors. In 1291, Roger Longespee, bishop of Coventry and Lichfield (1258-95), received papal licence 'to choose a confessor who shall give him absolution, even in cases reserved to the apostolic see'.<sup>54</sup>

Over the course of the fourteenth century, papal privileges permitting choice of personal confessor came to be granted (at least as calendared) to a wider proportion of the English aristocracy and lesser nobility, although they seem fewer in number than indults for portable altars.<sup>55</sup> These classes of privilege were often associated or granted simultaneously, such as those received in May 1319 by Edward I's sons, Edmund of Woodstock, earl of Kent, and Thomas of Brotherton, earl of Norfolk.<sup>56</sup> It is particularly noteworthy that indults for choice of confessor were continuously

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<sup>50</sup> Rymer, i, pt. 1, p. 269.

<sup>51</sup> *Cal. Pap. Regs.*, i, 321.

<sup>52</sup> *Cal. Pap. Regs.*, i, 499.

<sup>53</sup> *Cal. Pap. Regs.*, i, 592; ii, 7 ('Mercona' is possibly a mistaken transcription of 'Mertona'). Cf. R. Graham (ed.), *Registrum Roberti Winchelsey, Cantuariensis Archiepiscopi, A.D. 1294-1313* (Canterbury & York Society 51, 52; 1952, 1956), i, 394 (Lacy requested that a friar be licensed to hear confessions).

<sup>54</sup> *Cal. Pap. Regs.*, i, 534.

<sup>55</sup> *Cal. Pap. Regs.*, ii-iv, and *passim*.

<sup>56</sup> *Cal. Pap. Regs.*, ii, 188.

received by members of the royal family and titled nobility, including monarchs and their consorts, throughout the medieval period. Indeed, they appear to have been intrinsic to the maintenance of aristocratic and royal confessional routines; and by implication, the choice of personal confessor seems not to have been amongst those privileges permanently associated with the crown or Chapel Royal.<sup>57</sup> Edward III, for instance, received an indult from Clement VI in 1342 for his choice of confessor, who might absolve him in all cases except those reserved to the apostolic see, and administer to him the sacraments of the Eucharist and extreme unction;<sup>58</sup> whilst in 1345, Queen Philippa received a similar indult permitting her, and six members of her household chosen by her, to choose a confessor with the faculty to grant them plenary remission at the hour of death.<sup>59</sup> Over a century later in June 1474, Queen Elizabeth Woodville, received an indult for a portable altar; whilst in June 1477, Edward IV received an indult to choose his confessor, either secular or religious, who might possess the faculty to commute vows of pilgrimage and abstinence.<sup>60</sup>

From the later-fourteenth century, lists of indults to choose personal confessors occur alongside those for portable altars.<sup>61</sup> These record their grant to recipients of increasingly varied status, who also occur prior to this period in discrete entries. In 1343, Henry de Schelton, described as a kinsman of William de Ufford, earl of Suffolk, received a papal privilege which granted him the faculty to choose his confessor.<sup>62</sup> In 1353, John de Insula, lord of Ridgmont (dio. Ely) received an indult:

... to take with him two or three priests when he goes into foreign parts, who shall hear his confessions and those of his household.<sup>63</sup>

These papal privileges complemented equivalent licences issued by contemporary diocesans. The register of Robert Stretton, bishop of Coventry and Lichfield (1360-

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<sup>57</sup> Ullmann (ed.), *Liber Regie Capelle*.

<sup>58</sup> *Cal. Pap. Regs.*, iii, 87.

<sup>59</sup> *Cal. Pap. Pets.*, 84.

<sup>60</sup> *Cal. Pap. Regs.*, xiii (pt. 1), 239, 381.

<sup>61</sup> Above, p. 191, n. 33.

<sup>62</sup> *Cal. Pap. Pets.*, 25.

<sup>63</sup> *Cal. Pap. Regs.*, iii, 511.

1385), records alongside the issue of *licencie celebrandi*, that of licences for choice of confessor. On 14th July 1361, Stretton granted the office of ‘penitentiary’ (confessor) to Brother Robert Pynk, a Dominican and professor of theology, that he might serve the Countess of Warwick, her children and their free household.<sup>64</sup> Likewise, the same day, he issued a licence to Master Hugh de Hopewas, a canon of Lichfield, both for celebration in his oratories and for choice of confessor for himself and his household.<sup>65</sup> In March 1365/6, Sir Nicholas Bornell received a similar licence, for two years, to choose a confessor for himself, his wife, children and household.<sup>66</sup> Other diocesans licensed choice of confessor in the same manner. In 1386, John de Wysham, knight, and his wife received a licence from John Gilbert, bishop of Hereford (1375-89), which permitted them to choose a priest who might hear their confessions and those of their household, absolve them and admit them to the celebration of the Eucharist:

Nos petitioni vestre annuentes presbitero quem duxeritis eligendum ad audiendum confessiones vestras et famularium vestrorum et vos de peccatis vestris de quibus sibi confitebimini absolvendum et sacramentum corporis Christi conferendum...<sup>67</sup>

The following month, Gilbert similarly licensed Richard de Burley, knight, and his wife. Their confessor was empowered to hear their confessions and those of their household (‘ad audiendum confessiones vestras et familiares vestrorum’) and to grant absolution in all cases not specially reserved to the bishop.<sup>68</sup> In addition, the chaplains of their chapel within Newland Castle (Pembridge Castle, Herefordshire) were by the same licence empowered to celebrate divine service (‘facere celebrari divina’) and to administer other sacraments to the couple and their household (‘possit coram vobis et familiaribus vestris in dicta vestra capella sacramenta ecclesiastica ministrare ...’).<sup>69</sup>

Edmund Lacy’s *Registrum Commune* likewise records a series of licences for choice of personal confessor. In 1421, John Coplestone, donzel, received a licence to choose

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<sup>64</sup> Wilson, p. 15.

<sup>65</sup> Ibid.

<sup>66</sup> Wilson, p. 27.

<sup>67</sup> Parry (ed.), *Register of John Gilbert*, pp. 84-85.

<sup>68</sup> Ibid., p. 91.

<sup>69</sup> Ibid. A small chapel, predominately of later date, survives at Pembridge Castle.

his own confessor or confessors, who might absolve him, even in reserved cases;<sup>70</sup> while in 1434-5 the wife of John Herle, knight, received a licence from Lacy, simply, 'ad eligendum ydoneum confessorem seu confessores ad audiendum confessiones suas'.<sup>71</sup> Licences or privileges were commonly sought concerning the power of confessors, personal and parochial, to advise on fasting and to serve, more generally, as spiritual advisers to lords and their households.<sup>72</sup> In March 1446/7, Lacy issued Elizabeth, 'wife of John Coplestone esquire', a licence which permitted her to eat dairy products and meat during the forthcoming Lent, due to her bodily weakness, and upon the condition that 'she is to perform instead works of piety and mercy as her devotion or her confessor may direct'.<sup>73</sup> In 1389, John Trefnant, bishop of Hereford (1389-1404), rebuked a confessor for failing in this duty:

... to our beloved brother Adam Asturley ... It is not without distress of mind we hear in friendly conversation that you who are confessor and learned physician of the soul to the venerable lady of Corfham, who is ever prone to extremes (*parata ultra modum*), do not restrain her from excessive fasting, vigils and recitals of psalms and offices, for bodily medicine ought to be administered with great discretion to bodies according to their strength, age and constitution ... Whence it is written that the care of souls is the art of (all) arts and the science of (all) sciences, and ... they err to no small degree who ... put fastings and vigils before common sense (*sensus integritati*) ... For the joy of the lady is your strength, and the length of her days is pleasing to God and most useful to the world and Christian people ...<sup>74</sup>

The possession of papal privileges or episcopal licences which permitted the choice of personal confessors, alongside that of *licencie celebrandi* or indults for portable altars, appears, then, to have been commonplace amongst the households of the English nobility, as well as some proportion of the gentry, from (at least) the mid-fourteenth century. The choice or appointment of personal confessor appears to have been an institutional practice, common to household chapels in general. Chaplains were thus

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<sup>70</sup> *Registrum*, i, 78-79.

<sup>71</sup> *Registrum*, i, 293.

<sup>72</sup> Such licences and privileges constitute material for a future study of the roles of household chaplains, *Conclusion*, pp. 262-66. For typical references see: *Cal. Pap. Regs.*, vi, 463 (Thomas Lucy, knight, 1415); ix, 67 (Eleanor, duchess of Gloucester, 1439), 182 (Robert, bishop of Durham, 1441-42), 374 (William Oldhall, nobleman, 1443).

<sup>73</sup> *Registrum*, ii, 379.

<sup>74</sup> E.N. Dew (ed.), *Extracts from the Cathedral Registers, A.D. 1275-1535* (Hereford, 1932), pp. 83-84.

enabled to act as confessors to lords and their households, and to substitute for parish priests as the principal spiritual advisers of greater medieval households.<sup>75</sup>

#### INDULTS FOR THE CELEBRATION OF MASS BEFORE DAWN

In addition to indults and faculties for portable altars and choice of personal confessor, a number of other privileges might be obtained in support of maintenance of domestic religious routines. Although less ubiquitous, these were very commonly possessed by greater English households from the mid-fourteenth century. One such privilege permitted the celebration of mass before dawn or daybreak, in breach of canonical practice, where travel, business or other necessity required. Since daily religious routines often appear to have begun with the performance of mass and matins, such indults enabled their continued maintenance despite the pressures of business, travel or more simply the semi-itinerant routines of greater medieval households. Furthermore, the celebration of mass may have been part of the rituals associated with departure on long journeys, many of which presumably began before daybreak.<sup>76</sup>

Indults of this kind were received by a similar range of recipients as those for portable altars, and appear in conjunction with or alongside these in the papal registers, usually under the heading 'DE LITTERIS ANTE DIEM'.<sup>77</sup> A typical, briefly registered, example is that granted by Nicholas V in 1450 to the lord of Lumley Castle (Co. Durham):<sup>78</sup>

Licencia de faciendo celebrare missam ante diem in forma etc. pro nobili viro Thoma Lomley milite domino castelli de Lomley Dunelmensis diocesis et nobili muliere eius in presenciarum uxore.<sup>79</sup>

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<sup>75</sup> *Conclusion*, p. 265.

<sup>76</sup> *Conclusion*, pp. 267-68.

<sup>77</sup> Above, p. 191, n. 33.

<sup>78</sup> A small, but identifiable, chapel survives in the north-western tower of this late-fourteenth-century castle: N. Pevsner and E. Williamson, *County Durham* (The Buildings of England, Revised Ed.; London, 1983), pp. 357-62.

<sup>79</sup> *Cal. Pap. Regs.*, x, 70.

Joint indults for portable altars and celebration before dawn were issued, in 1348, to William de Navesby, a priest and the nephew of the bishop of Lincoln, and in 1355, to Joan, countess of Surrey, widow of John de Warenne.<sup>80</sup> A century later in 1449, similar indults were issued on the same day to Thomas Tudenham, lord of Oxburgh, and to Thomas Hergham, lord of Denham, and his wife, Isabel, the former being registered simply, 'Conceditur altare portabile cum clausula ante diem'.<sup>81</sup>

#### INDULTS FOR THE CELEBRATION OF MASS DESPITE INTERDICT

Another class of papal indult associated with domestic religious routines permitted the celebration of masses in spite of interdict, both local or general. These commonly stipulated that masses be celebrated privately, without bells, within closed doors and only in the presence of individual petitioners and their immediate households. The possessor of the indult had not to be the cause of the particular interdict. Such privileges emphasize the independence of household chapels from the immediate jurisdictions in which they were maintained, in particular that of the parish. Households in receipt of such privileges were partly freed from the communal religious responsibility of the parish (or nation).

The threat or imposition of interdict served ecclesiastics as a political tool. Indults for the celebration despite interdict may have served to protect recipients and their chapels from malicious imposition of interdict as a consequence of personal or political dispute. Such may have been the case when Hugh Foliot, bishop of Hereford (1219-34), imposed an interdict upon Goodrich Castle and excommunicated the men of William Marshal, fifth earl of Pembroke, in the early-to-mid 1220s.<sup>82</sup> More dramatically, the imposition of a nationwide interdict between 1208 and 1214, in consequence of a dispute between King John and Innocent III regarding ecclesiastical appointments, presumably demonstrated the value of such privileges and may have

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<sup>80</sup> *Cal. Pap. Pets.*, 141; *Cal. Pap. Regs.*, iii, 563.

<sup>81</sup> *Cal. Pap. Regs.*, x, 49-50.

<sup>82</sup> Archbishop Langton mandated the lifting of this interdict: Major (ed.), *Acta Stephani Langton*, pp. 126-28 (nos. 109-10).

motivated subsequent petitions for them, which seem to be documented only from the late 1220s.

Many of the earliest indulgences for celebration despite interdict were issued either to the crown or royal family. In July 1245, Henry III received a papal inhibition, valid for ten years, which protected royal chapels, oratories and 'exempt churches' from the imposition of excommunication, interdict and the imposition of unaccustomed burdens.<sup>83</sup> Queen Berengaria, widow of Richard I, principally resident in Le Mans (Maine), possessed an indulgence protecting 'her or her chapel' against sentences of excommunication or interdict, which Honorius III mandated the bishop of Orleans to acknowledge in 1222.<sup>84</sup> Meanwhile, in 1238, Richard, son of King John and earl of Cornwall, received a typical indulgence:

... that his chaplains and clerks may celebrate divine offices without bells, with closed doors, and in a low voice in time of interdict, and that he, his wife, and son, may hear them.<sup>85</sup>

This was accompanied by a further mandate:

... that no sentence of excommunication or interdict shall be issued against him or his land, his wife or children, without manifest and reasonable cause.<sup>86</sup>

From the mid-thirteenth century onwards, the heads of noble households, as well as English diocesans, began to receive similar indulgences. Phillip Basset received two indulgences from Innocent IV in 1245 and 1246:

... ut liceat sibi, & uxori suæ, ac familiæ utriusque, in ecclesiis vel capellis, ad quas eum venire contigerit, audire divina; non obstante, si eadem ecclesiæ, vel capellæ sententiæ suppositæ fuerint interdicti: dummodo ipsi eidem interdicto, per se, causam non dederint, vel per suos.<sup>87</sup>

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<sup>83</sup> Sayers, pp. 131-32 (no. 289). Cf. *Cal. Pap. Regs.*, i, 310 (similar indulgence for Henry's daughter, Margaret, 1255); Sayers, p. 132 (no. 291) (attempted imposition of interdict upon the Royal Free Chapel of Bridgenorth); *Cal. Pap. Regs.*, i, 387 (threat by Urban IV to interdict Henry's chapel).

<sup>84</sup> *Cal. Pap. Regs.*, i, 89-90.

<sup>85</sup> *Cal. Pap. Regs.*, i, 171.

<sup>86</sup> *Ibid.*

<sup>87</sup> Rymer, i, pt. 1, 260, 263; Sayers, pp. 135 (no. 298), 142 (no. 312).

Phillip and his household were, likewise, protected against sentences of excommunication or interdict issued without a special mandate.<sup>88</sup> William de la Corner, bishop of Salisbury (1289-91), and his chaplain received an indult to celebrate divine offices during general interdicts in 1291.<sup>89</sup> Alongside other classes of privilege, those for celebration in spite of interdict were registered with indults for portable altars, in lists and individually, from the mid to late fourteenth century, commonly under the heading 'DE LOCIS INTERDICTIS'.<sup>90</sup> In 1408, for instance, Maud, countess of Oxford, received a typical indult that she might have masses celebrated in places under interdict, 'in the presence of herself, her servants and five honest persons of her choice ... with closed doors, without bells and *submissa voce*'.<sup>91</sup>

#### PRIVILEGES FOR ENTERTAINMENT OF, AND BY, MEMBERS OF RELIGIOUS ORDERS

The maintenance of chaplains or priests within households was achieved by a variety of different means. Amongst these was a class of papal privilege which permitted members of religious orders, often mendicants, literally to eat meat at the licensee's table, that is, to be entertained as a guest or member of a lordly household. Such entertainment is famously depicted in the *Luttrell Psalter* (c. 1325-35) (Figures 14-15). The role of friars, in particular, as household chaplains and confessors may prove to have been very significant.<sup>92</sup>

These classes of indult were registered in far fewer numbers than those previously considered above, and appear to have been more closely restricted to those of noble status. They appear (at least in calendared material) from no earlier than the mid-fourteenth century and do not appear to have been a common possession of the crown or royal family before being held more widely. Nevertheless, one of the earliest examples of such a privilege was that received in 1320 by Edmund of Woodstock, which permitted: 'that Carmelites and other religious orders dining in his house may

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<sup>88</sup> Ibid. For a similar case: *Cal. Pap. Regs.*, i, 247 (Robert 'de Bello Campo' and family, 1248).

<sup>89</sup> *Cal. Pap. Regs.*, i, 524.

<sup>90</sup> Above, p. 191, n. 33.

<sup>91</sup> *Cal. Pap. Regs.*, vi, 140.

<sup>92</sup> This is a subject which must, of necessity, be reserved for a future study: *Conclusion*, pp. 263-64.

eat flesh meat on two days a week'.<sup>93</sup> Similar requests were made by many English petitioners in 1340s (it may only be a function of registration or calendaring that they are not attested earlier). In 1343, Richard of Bury, bishop of Durham (1333-45), was granted the privilege that, 'all religious of his province may eat flesh meat when dining at his table or in his presence', whilst in the following year religious were permitted take meat at the table of Richard Fitzalan, earl of Arundel and Surrey, at all lawful times.<sup>94</sup> Also in 1344, friars and other religious were permitted to eat meat at the table of 'Margaret de Ros, of England'; whilst Elizabeth de Burgh, countess of Clare, petitioned for and received a similar privilege in 1345.<sup>95</sup> Further, in 1352, both Ralph, earl of Stafford, and Guy, baron Brian, with his wife Elizabeth, received privileges permitting members of any religious order to eat at their tables.<sup>96</sup> Senior ecclesiastics, both secular and religious, commonly requested and acquired like privileges, amongst them Thomas de Lisle, bishop of Ely (1345-61), in 1345, and the abbot of Evesham in 1350.<sup>97</sup>

Closely associated with those privileges which permitted the entertainment of members of religious orders within households, were those which, in turn, permitted that lords and members of their travelling households might be entertained within religious houses. Such privileges presumably served a practical purpose, enabling monastic houses to serve as staging posts on a journey. However, as such they also enabled their recipients to maintain daily religious routines to a fuller extent than was possible by possession of portable altars or travelling in company with household chaplains.

Such privileges appear to have been regularly issued only from the mid-fourteenth century, although one was issued in 1291 to Joan, countess of Hereford and Gloucester and daughter of Edward I, which permitted her to enter Cistercian

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<sup>93</sup> *Cal. Pap. Regs.*, ii, 202.

<sup>94</sup> *Cal. Pap. Pets.*, 49, 68.

<sup>95</sup> *Cal. Pap. Pets.*, 78, 102.

<sup>96</sup> *Cal. Pap. Pets.*, 230-1, 233.

<sup>97</sup> *Cal. Pap. Pets.*, 100; *Cal. Pap. Regs.*, iii, 392. Members of religious orders might also receive similar indulgences, permitting them to eat, or be entertained, outside their monastery, such as that granted to Roger, abbot of Coggeshall, in 1352: *Cal. Pap. Regs.*, iii, 467.

monasteries in the company of eight 'honest matrons'.<sup>98</sup> The majority of privileges permitting entrance into religious houses appear to have been granted to women, in part a reflection of the fact that they often concerned single-sex establishments. Thus, in 1343, Queen Philippa, received a faculty for herself and her retinue to enter the houses of religious communities of either sex; whilst in 1408, Philippa, duchess of York, was permitted to enter the houses of enclosed nuns of any order in the company of six honest matrons or virgins, and to reside there for three days and nights.<sup>99</sup> Likewise in 1422, Joan, countess of Westmorland, received a similar indult for herself and a retinue of eight women to enter any nunnery and 'stay there with the nuns, eating, drinking and talking with them, and spending the night'.<sup>100</sup>

In some instances, indults of this class were restricted to those of advanced years, which may, in part, explain the notable proportion of women amongst recorded recipients. In 1364, for example, Mary de St Pol, countess of Pembroke and widow of Aymer de Valence, the patron of the Franciscan nunnery at Denney (Cambridgeshire), was permitted to enter the house and to eat and sleep there, provided that she, and up to four female companions, were all over the age of sixty.<sup>101</sup> Similarly, in 1366, Eleanor of Lancaster, wife of Richard Fitzalan, earl of Arundel and Surrey (whose privilege to entertain religious is cited above), petitioned for a licence to enter houses of Franciscan nuns accompanied by her sons, daughters and kinsfolk, the resulting grant being restricted to four women aged over forty.<sup>102</sup>

Privileges for the entertainment of religious within domestic households, and those which permitted entry into religious houses, emphasize the personal and communal nature of relationships maintained between religious communities and lay households, often those of their founders and patrons. Such relationships comprised much more than commemoration, upon which function previous scholarship has tended to

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<sup>98</sup> *Cal. Pap. Regs.*, i, 525.

<sup>99</sup> *Cal. Pap. Pets.*, 64; *Cal. Pap. Regs.*, vi, 132. Cf. *Ibid.*, iii, 165 (John de Prittelwell and his wife Sibyl, described as citizens of London, to enter a nunnery outside the city, 1344).

<sup>100</sup> *Cal. Pap. Regs.*, vii, 220.

<sup>101</sup> *Cal. Pap. Pets.*, 502. Cf. *Ibid.*, 47.

<sup>102</sup> *Cal. Pap. Pets.*, 533.

focus.<sup>103</sup> Individual religious and religious communities actively participated in, and helped define, the religious routines of many greater medieval households. In turn, such privileges hint at the continuous and varied nature of domestic religious routines, which were not dependent upon individual residences or chapel-building, and which might vary according to locale or with the immediate constitution of the household.

#### BODIES OF PRIVILEGES AND THE MAINTENANCE OF HOUSEHOLD CHAPELS

Papal privileges were often granted in groups or sets, rather than individually. As has been seen, from the mid to late fourteenth century different classes of privilege associated with household chapels were registered together in lengthy lists which grouped them with variable formality.<sup>104</sup> Such groups of privileges, or single indults drawing together multiple privileges, amounted to *de facto* statutes for individual households chapels, which defined the sacramental and liturgical scope of the religious routines they might maintain. They emphasize that the principal purpose of each individual class of papal privilege was to facilitate the day-to-day maintenance of household chapels. This case is further supported by the nature of these additional privileges, made alongside or as part of such sets, which permitted chaplains or clerks to possess multiple benefices or to be absent from them in the service of medieval households.<sup>105</sup> Moreover, many bodies of privileges were explicitly granted with respect to the families and households of their recipients.

In the manner of the individual privileges, the earliest recorded sets of privileges associated with household chapels date from the late-thirteenth century and were possessed by members of the royal family and the titled nobility. As seen, between 1289 and 1301, Henry de Lacy, fifth earl of Lincoln, received indults for possession of a portable altar, choice of confessor and celebration in spite of interdict. In 1291, Edmund Crouchback, first earl of Lancaster and son of Henry III, and his wife

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<sup>103</sup> For instance: N. Saul, 'The Religious Sympathies of the Gentry in Gloucestershire, 1200-1500', *Transactions of the Bristol & Gloucestershire Archaeological Society*, 98 (1980/1), particularly, pp. 104-9.

<sup>104</sup> Above, p. 191, n. 33.

<sup>105</sup> *Conclusion*, p. 263.

Blanche of Artois, formerly queen and regent of Navarre, were granted a similar body of privileges: for portable altars, choice of confessors, celebration in spite of interdict, and for each to enter Franciscan nunneries with small retinues once a year (but not to eat or spend the night within them).<sup>106</sup> Edmund's elder brother, Edward I, his queen, Margaret, and his son, Prince Edward, each received indulgences for choice of confessor, to whom their households, lay and ecclesiastic, might confess and from whom they might receive absolution. Margaret was granted four additional indulgences: for a portable altar; for celebration in her chapel in places under interdict; that her chaplains might retain the oblations of her household ('tui servientes & familiares'); and that four of her clerks might be absent from their benefices.<sup>107</sup> In these cases, as in others, the king, queen and prince, acquired these privileges as the head of a distinct household, rather than as a pious individual.<sup>108</sup>

From the mid-fourteenth century, similar bodies of privileges were commonly possessed by members of the upper- and middle-ranking English nobility. In 1343 and 1349, William and Elizabeth de Bohun, earl and countess of Northampton, acquired privileges including those for entertainment of religious, including mendicants, wherever their household might be, and choice of confessor.<sup>109</sup> Likewise in 1346 Thomas de Lisle, the new bishop of Ely, received indulgences for a portable altar, for celebration before dawn, in spite of interdict, and, 'to have ecclesiastical sacraments ministered to members of his household, wherever he may be'.<sup>110</sup> Equivalent sets of privileges were received in 1343, by Matilda de Lancaster, countess of Ulster and her new husband, Ralph Ufford;<sup>111</sup> in 1347, by Katherine Montagu, countess of Salisbury;<sup>112</sup> in the same year, by John Gynwell, bishop-elect of Lincoln (whose

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<sup>106</sup> *Cal. Pap. Regs.*, i, 526-27.

<sup>107</sup> Rymer, i (pt. 2), 930. *Cal. Pap. Regs.*, i, 592-93.

<sup>108</sup> *Introduction*, p. 24, n. 51.

<sup>109</sup> *Cal. Pap. Pets.*, 27, 160.

<sup>110</sup> *Cal. Pap. Regs.*, iii, 213.

<sup>111</sup> *Cal. Pap. Pets.*, 69 (for a portable altar, plenary remission by confessor, to entertain religious, to enter monasteries with a retinue).

<sup>112</sup> *Cal. Pap. Regs.*, iii, 251 (for a portable altar, celebration before dawn, and for her confessor to dispense religious to eat at her table).

licensing of domestic masses has been considered above);<sup>113</sup> in 1349, by Laurence Hastings, earl of Pembroke, and his wife, Agnes de Mortimer;<sup>114</sup> and also in that year by Thomas Cok, knight.<sup>115</sup>

Almost a century later, in 1440, Robert, fifth baron Willoughby, was likewise granted a typical set of privileges pertaining to the maintenance of his household chapel:

To Robert, nobleman, lord of the place of Wyllybi, baron, of the diocese of Lincoln. Indult to have a portable altar, on which he may, when his business requires it, in presence of himself and his servants, have mass celebrated before daybreak, and have mass and other divine offices celebrated, privately, in places under interdict.<sup>116</sup>

Similarly in 1482, Thomas Thwaytes, 'an esquire among the councillors of Edward, king of England', and his wife, received an indult for choice of confessor and for a portable altar:

... on which they may have mass, etc. celebrated by their own priest in presence of themselves and their household servants, which priest may administer to them the Eucharist and other ecclesiastical sacraments, except at Easter.<sup>117</sup>

Less extensive sets of privileges appear, in turn, to have become a common possession of the lesser nobility. In 1366, Walter Pavely, 'lord of Helperton', was granted an indult for possession of a portable altar and a faculty to choose his own confessor; Ralph Basset, lord of Drayton, received similar privileges the same year.<sup>118</sup> Robert Gayton and his wife, described as 'citizens of London' received a like set, including that for choice of confessor, in February 1445/6.<sup>119</sup> In 1448, indults for the

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<sup>113</sup> *Cal. Pap. Regs.*, iii, 251 (for a portable altar, choice of confessor, celebration before dawn and despite interdict). Cf. *Cal. Pap. Pets.*, 189-90 (Simon Islep, archbishop-elect of Canterbury, in 1349); *Cal. Pap. Regs.*, iii, 562 (Thomas Percy, bishop-elect of Norwich, 1355).

<sup>114</sup> *Cal. Pap. Pets.*, 162-63 (for a portable altar, entertainment of religious, plenary remission, as well as various benefices for members of his household).

<sup>115</sup> *Cal. Pap. Regs.*, iii, 351 (for celebration despite interdict and for his confessor to dispense religious to eat at his table).

<sup>116</sup> *Cal. Pap. Regs.*, ix, 100.

<sup>117</sup> *Cal. Pap. Regs.*, xiii (pt. 1), 260.

<sup>118</sup> *Cal. Pap. Pets.*, 522, 531.

<sup>119</sup> *Cal. Pap. Regs.*, viii, 305.

possession of portable altars, 'cum clausula ante diem et in locis interdictis', were granted to Thomas Rent, 'lord of divers places', and his wife.<sup>120</sup>

After 1534, the Faculty Office took up the issue of dispensations and privileges including those pertaining to household chapels and chaplains, although these do not appear to have been issued in the volumes that they had previously been sought from the *curia*.<sup>121</sup> Typically, in 1547, Sir John Haydon, received a 'dispensation', comparable both with early papal indulgences and episcopal *licencie celebrandi*, at a cost of 4s. 5d.:

... to have a portable altar, & for suitable priests to say offices & celebrate the Eucharist in his chapel or oratory at Baconsthorp Hall.<sup>122</sup>

In 1539 Andrew Natares, the rector of Carleton (dio. Ely) and 'chapl. of the Earl of Westmorland' was dispensed to possess another benefice.<sup>123</sup>

From the mid to late-fourteenth century, as bodies of chapel privileges became a ubiquitous possession of middle-ranking nobility, members of the titled nobility appear to have commonly petitioned for even more extensive privileges. These allowed their household chapels wide-ranging liturgical and jurisdictional freedoms, in particular with regard to the celebration of the sacraments and the adoption of other 'parochial' rights, thus setting aristocratic chapels apart from those maintained by lesser households. An early and notable petitioner for such privileges was Henry of Grosmont, earl of Derby, later duke of Lancaster, and author of *Le Livre des Seyntz Medicines*.<sup>124</sup> In 1344 he successfully petitioned the *curia*, on behalf of himself and his father, that their chaplains might retain all the offerings made in their chapels, in spite of parochial rights and customs, and, in addition, that religious of either sex

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<sup>120</sup> *Cal. Pap. Regs.*, x, 24.

<sup>121</sup> Chambers (ed.), *Faculty Office*, pp. xviii, xxiv (Introduction).

<sup>122</sup> *Ibid.*, p. 291. A first-floor chamber in the barbican of Baconsthorpe Castle (Norfolk) may have served as an oratory: Emery, ii, 49.

<sup>123</sup> Chambers (ed.), *Faculty Office*, p. 196.

<sup>124</sup> W.M. Ormrod, 'Henry of Lancaster, First Duke of Lancaster (c. 1310-1361)', *Oxford Dictionary of National Biography* (Online Edition; Oxford, 2004).

might eat meat at the table of his sister, Isabel of Lancaster, the recently elected prioress of Amesbury.<sup>125</sup>

Following his father's death in 1345, and his own subsequent creation as the first duke of Lancaster, in early 1351, Henry petitioned for a further set of privileges: for the possession of a portable altar upon which his chaplain might celebrate for his family and household, before dawn and in spite of interdict; and that his chaplain might hear their confessions, impose penance and administer the eucharist. This petition appears to have met with limited success, the *curia* granting only that he and his wife might possess a portable altar, with the ability to celebrate before dawn and despite interdict.<sup>126</sup> Early in 1352, towards the end of an abortive crusade against the Prussian heathens, he successfully petitioned for a more substantial set of privileges. These permitted that his chaplains or other priests might administer the sacraments of confession and the eucharist to his wife, children and household in his 'free chapel'; that marriages might be performed within it; that his principal chaplain might grant members of his family and household absolution at the hour of death; and that Henry, with a retinue of twelve others, might enter any monastery.<sup>127</sup> Henry further petitioned on behalf of his household and those in his service, on crusade with him, for the privilege to choose confessors to grant plenary remission.<sup>128</sup> Likewise, the same year, Henry again petitioned that John Bardolf, styled baron, and his wife Elizabeth, as well as Joan, the widow of Philip Despenser, might each possess portable altars.<sup>129</sup>

The authorship of *Le Livre des Seyntz Medicines* has drawn particular attention to the personal piety of Henry of Grosmont, whilst the circumstance of his Prussian crusade undoubtedly necessitated the maintenance of an extensive 'travelling' chapel.<sup>130</sup> However, the privileges for which he petitioned between 1344 and 1352 are in many respects typical of those possessed by aristocratic households from this date and do

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<sup>125</sup> *Cal. Pap. Pets.*, 78-79.

<sup>126</sup> *Cal. Pap. Pets.*, 214-15.

<sup>127</sup> *Cal. Pap. Pets.*, 225. In 1353, Henry petitioned for papal authority for the promotion of his father's hospital of St. Mary, Leicester, into a college: *Ibid.*, 225.

<sup>128</sup> *Cal. Pap. Pets.*, 225.

<sup>129</sup> *Cal. Pap. Pets.*, 232.

<sup>130</sup> E.J. Arnould (ed.), *Le Livre des Seyntz Medicines. The Unpublished Devotional Treatise of Henry of Lancaster* (Anglo-Norman Text Society 2; Oxford, 1940).

not appear to be a unique reflection of Henry's individual piety or his Prussian expedition. The registers of petitions received by the *curia* in the decade or so after 1352 record rolls or lists of petitions for similar sets of privileges. Between 1357 and 1363, Edward the Black Prince and, after 1361, his wife Joan, countess of Kent, received substantial bodies of chapel privileges. In 1357, Edward petitioned for a portable altar, that the dean or sub-dean of his chapel might grant plenary remission at the hour of death to members of his household (which was granted for twenty of its members), whose confessions they might likewise hear (this being granted without qualification) and that religious might eat meat at his table at the principal feasts.<sup>131</sup> The couple also petitioned on behalf of others, including that Margery de Mere, a lady of Joan's household, might eat white meats in Lent because of an allergy to fish, and that Andrew and Elizabeth Luttrell might possess portable altars and choose their confessor.<sup>132</sup> Likewise in 1363, Thomas, eleventh earl of Warwick, received indults for a portable altar and choice of confessor, whilst a year later he submitted a roll of petitions to the *curia* concerning both his college of St. Mary, at Warwick, and his household chapel.<sup>133</sup> In addition to petitions for benefices on behalf of many of his household clergy, this roll sought privileges for the administration of the sacraments to himself and his wife, Katherine, 'by any fit priests, in any of their places without prejudice to the parish church'; for their choice of personal confessor in perpetuity; for plenary remission when in danger of death; for the entertainment of religious; and for 'a fit priest, who journeys with the earl, to hear the confessions of his household, and give them absolution'.<sup>134</sup> Indults for portable altars, choice of confessor and plenary remission, were also granted to Thomas's sister and her husband, John Butourt, as well as to his nephew and his wife.<sup>135</sup>

Successful receipt of papal privileges required access to and influence at the *curia*. Petitioners, or presenters, were dealt with according to hierarchy and precedence,

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<sup>131</sup> *Cal. Pap. Pets.*, 291.

<sup>132</sup> *Cal. Pap. Pets.*, 456, 493-95.

<sup>133</sup> *Cal. Pap. Pets.*, 456.

<sup>134</sup> *Cal. Pap. Pets.*, 493-4. Thomas's son William was granted an indult for a portable altar in the same month, at which time his 'kinsman', John Beauchamp and his wife, Elizabeth, received an indult that they 'and their household, may have the sacraments administered to them by any fit priest, and in any decent place': *Cal. Pap. Pets.*, 493.

<sup>135</sup> *Cal. Pap. Pets.*, 499.

many petitions being made by proxies or proctors, the higher-ranked the better. It therefore appears common for petitioners to have sought privileges for members of their extended families and households, as well as for their peers and social clients. The ability to do so successfully probably served as a noteworthy form of social and political patronage. Sets of petitions made by particular individuals commonly include requests on behalf of others, for portable altars, choice of confessors or plenary remission. Two frequent proxies were Bartholomew de Burghersh the elder, Edward III's chamberlain, who petitioned for indulgences for portable altars, choice of confessors and various other privileges on behalf of various parties in 1353 and his son, Bartholomew de Burghersh the younger, who was sent to Avignon to negotiate the marriage of Edmund of Langley, and in 1366 petitioned for privileges for portable altars, plenary remission and choice of confessors for a group of English notables including Philippa, daughter of William Montagu, first earl of Salisbury, and widow of Roger Mortimer, second earl of March.<sup>136</sup> In many instances, the record of registered 'chapel privileges' probably represents what could be acquired, at certain times, by certain people, rather than an account of what was actually sought.

Leading nobles continuously sought and acquired significant bodies of chapel privileges, often to support elaborate domestic religious routines. In 1409, the twenty-year-old prince, John of Lancaster, received an indulgence from Alexander V:

... to have, wherever he may reside, a chapel in which he may cause mass and other divine offices, even with music (*ad notam*), to be celebrated in presence of himself and his household by his own or other fit priests and clerks, of which priests one may, as dean, wear almuces of vair and grey, and may, as also the rest of such priests, administer to him and the members of his household the sacraments, receive from him and them any oblations, and convert them to their own and other lawful uses; saving the right of the parish church and any other.<sup>137</sup>

These privileges were variously renewed and expanded between 1425 and 1427, after John had been created duke of Bedford.<sup>138</sup> On 31st August 1425, Martin V issued three indulgences to Bedford. The first permitted the celebration of mass and the canonical

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<sup>136</sup> *Cal. Pap. Pets.*, 253, 531-32.

<sup>137</sup> *Cal. Pap. Regs.*, vi, 150.

<sup>138</sup> This period more-or-less coincides with time Bedford spent in England, away from his duties in France: J. Stratford, 'John, Duke of Bedford (1389-1435)', *Oxford Dictionary of National Biography* (Online Edition; Oxford, 2004).

hours in his chapel, lodgings or presence ('hospicio uel presencia') according to the use of Sarum. It further permitted Bedford's household clergy to adopt the dress of cathedral and collegiate clergy: priests might wear almuces of vair and grey, those in minor or holy orders almuces of squirrel, both 'ad instar cathedralium', whilst vicars, and other lower clergy, might wear black hoods lined with lambskin, 'ad modum collegiatarum ecclesiarum'.<sup>139</sup>

Similar privileges regarding the dress of household and collegiate clergy were received by other English nobles. In 1439, John, third earl of Huntingdon, and his wife Beatrice, received indults permitting the administration of the sacraments to themselves and their household, and that their chaplains might dress 'like the canons of cathedral churches of those parts'.<sup>140</sup> Likewise, in 1441, Ralph, lord Cromwell, received a papal faculty to distribute 'divers and distinct habits to the above master or warden, chaplains' of his newly founded college of the Holy Trinity, neighbouring his castle at Tattershall (Lincolnshire), their style to be 'like that worn by other chaplains, clerks and choristers in the chapel of St. Stephen at Westminster or in other collegiate churches of England'.<sup>141</sup>

Bedford's second indult, of 1425, extended confessorial powers to the dean of his chapel:

...the pope hereby grants indult for the dean to have and exercise cure of souls in regard to the duke and the said members of his household, and all parochial rights, and to use and enjoy the said rights in the same way as the rectors of parish churches of the realm of England have been wont to do in their churches and parishes; but not burials of members of the duke's household.<sup>142</sup>

The third allowed that the said dean, or priests of Bedford's chapel or lodging ('seu hospicii tui') deputed by him, might hear the household's confessions, grant absolution (in those cases an ordinary might), enjoin penance, and commute vows of

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<sup>139</sup> *Cal. Pap. Regs.*, vii, 384-85.

<sup>140</sup> *Cal. Pap. Regs.*, viii, 262.

<sup>141</sup> *Cal. Pap. Regs.*, ix, 163-64. Cf. *Cal. Pap. Regs.*, vi, 49-50 (the dress of the chaplains of Cobham College, 1405).

<sup>142</sup> *Cal. Pap. Regs.*, vii, 385.

pilgrimage and abstinence (except those to the Holy Land, Rome or Compostela).<sup>143</sup>

Furthermore, this indult granted Bedford's chapel wide-ranging jurisdictional freedom:

The said dean, priests and other clerks of the duke's chapel are furthermore exempted from all jurisdiction etc. of any ordinaries and their officials during the pleasure of the apostolic see, and the said jurisdiction etc. can and shall be exercised by the dean over the said priests and clerks and the members of the duke's household.<sup>144</sup>

One difficulty of maintaining a household chapel and a consistent religious routine, whilst travelling as extensively and often as Bedford, appears to have been adherence to local religious custom. In 1426, Bedford requested Martin V's advice upon the matter of regional customs appertaining to fasting and abstinence from meat, and was advised that he should respect the customs of the country in which he happened to reside. Accompanying this advice, however, was an indulgence for his wife, Anne, daughter of the duke of Burgundy, which permitted her to eat milkmeats (dairy products) on those days when, 'according to the custom of the country in which she is living for the time-being, the eating of milkmeats is abstained from'.<sup>145</sup> Later the same year, the couple received an indult permitting their confessors, upon the advice of their physicians, to dispense them from fasting.<sup>146</sup>

In 1425, Bedford also received indults permitting that:

... for the duke's life the dean and other priests and clerks of his chapel, when residing in it or in his lodging or otherwise engaged in his service, may take and rent, let and grant to farm ... all their benefices.<sup>147</sup>

In addition, bishops of his choice, might:

... in his chapel, lodging or presence ... consecrate chrism and holy oil ... tonsure therein all the scholars and clerks of the duke's household, etc.,

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<sup>143</sup> Ibid.

<sup>144</sup> *Cal. Pap. Regs.*, vii, 386.

<sup>145</sup> *Cal. Pap. Regs.*, vii, 440 (also for their entrance into religious houses).

<sup>146</sup> *Cal. Pap. Regs.*, vii, 496.

<sup>147</sup> *Cal. Pap. Regs.*, vii, 388.

and promote to all holy orders those of the said chapel ...<sup>148</sup>

In 1427, these privileges were confirmed and expanded:

Indult for life to choose, as often as he pleases, a catholic bishop to consecrate in the duke's chapel or lodgings or presence, at the statutory times, chrism and holy oil and [the oil] of the sick, bless and consecrate virgins and widows of his household or lodging who wish to enter religion, oratories and altars, chalices and ecclesiastical ornaments in the chapel or lodgings, dedicate and consecrate monasteries, parish or collegiate churches and chapels founded or to be founded by the duke, and tonsure and promote to all holy orders in the said chapel or lodging or in the duke's presence anysoever scholars and clerks of his household etc.<sup>149</sup>

Bedford's chapel was one of particular magnificence, as is further attested by the richness of his chapel's books and furnishings.<sup>150</sup> It had particularly wide-ranging liturgical and jurisdictional freedoms and was in essence a quasi-royal chapel befitting the status of the regent of France. Many of its privileges are, for instance, comparable with those of the chapel maintained by Henry V's widow, Catherine of Valois, amongst them that any bishop might consecrate 'chalices, crosses, paraments (*paramenta*) and other jewels and ornaments (*ornamenta*) kept therein for divine worship'.<sup>151</sup>

Nevertheless, household chapels of similar sophistication, and supported by similar privileges, were maintained by Bedford's contemporaries and their successors. Thomas Beaufort, duke of Exeter, possessed a substantial group of privileges with respect to his household chapel ('capelle hospicii tui'), issued in the form of two indults in 1421 and 1422.<sup>152</sup> The confessions of his household might be heard 'as opportune' and all the sacraments and sacramentals, other than burial, administered to its members 'in the said chapel, wherever the duke may reside or sojourn... saving the

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<sup>148</sup> Ibid.

<sup>149</sup> *Cal. Pap. Regs.*, vii, 528.

<sup>150</sup> J. Stratford, 'The Manuscripts of John, Duke of Bedford: Library and Chapel', in D. Williams (ed.), *England in the Fifteenth-Century: Proceedings of the 1986 Harlaxton Symposium* (Woodbridge, 1987), 329-50; eadem (ed.), *The Bedford Inventories: The Worldly Goods of John, Duke of Bedford, Regent of France (1389-1435)* (London, 1993).

<sup>151</sup> *Cal. Pap. Regs.*, viii, 486. Cf. The privileges acquired by James II of Scotland in 1447, and by Scottish magnates including the earls of Ross and Douglas, *Cal. Pap. Regs.*, x, 9-10.

<sup>152</sup> *Cal. Pap. Regs.*, vii, 199, 320.

right of the parish church within whose bounds the duke may be resident'.<sup>153</sup> In 1443, Humphrey Stafford, earl of Buckingham, and his wife, Anne of Woodstock, received a similar indult:

... at their recent petition, containing that they are often obliged to go to divers places and domains in England, with their household (*familia*), to have in any of the said places mass and other divine offices celebrated by their own or other fit priest, in the presence of themselves and the members of their household, and to have their children baptized, and for such priests to administer to their children and to them the sacraments of baptism and eucharist and other sacraments, without requiring licence of the ordinaries or any others, saving the right of parish churches etc.<sup>154</sup>

Similar indults likewise emphasize the itinerant and communal nature of aristocratic households, with respect to the maintenance of chapels. That received by Humphrey, duke of Gloucester, in 1439 permitted the dean of his chapel to retain all oblations made 'within the duke's court, saving the right of the parish church, within [the bounds of] which the said court shall be'.<sup>155</sup> Likewise, the renewal of this privilege in 1446 confirmed that 'wherever he shall sojourn', his dean might hear the confessions of the 'continual commensual members of his household', a construction reminiscent of the earlier definition of Martival's free household.<sup>156</sup>

A similar indult granted in 1451, to Richard, duke of York, and his wife, Cecily, may serve as a final example of the privileges typically possessed by greater aristocratic households:

... to choose a priest, secular or regular of any order, as their confessor, who may hear their confessions and those of their household servants, and grant them absolution, once only, even in cases reserved to the apostolic see, in other cases as often as opportune, enjoining penance, and moreover administer the sacraments to the same; also to have a portable altar, on which they may have mass and other divine services celebrated even before daybreak and, privately, in places under interdict, in the presence of themselves and the said servants.<sup>157</sup>

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<sup>153</sup> *Cal. Pap. Regs.*, vii, 199.

<sup>154</sup> *Cal. Pap. Regs.*, ix, 364.

<sup>155</sup> *Cal. Pap. Regs.*, ix, 103-4.

<sup>156</sup> *Cal. Pap. Regs.*, ix, 583. Cf. *Cal. Pap. Regs.*, x, 84 (the confessor of the 'domestic commensal [*sic*] members of his household', William, earl of Douglas, 1450).

<sup>157</sup> *Cal. Pap. Regs.*, x, 92. Cf. *Ibid.*, xiii (pt. 1), 269 (Richard Martini and family, 1481).

From the mid-fourteenth century, the heads of greater medieval households could canonically maintain chapels by the acquisition both of *licencie celebrandi* and of papal privileges. Some privileges, such as those for celebration before dawn or in spite of interdict, could only be acquired from the papal *curia*. Others, such as the ability to appoint a personal confessor, could be acquired in the form of licences or privileges; whilst indults for portable altars and *licencie celebrandi* seem closely equivalent privileges both of which enabled their recipients to celebrate mass as a central element of domestic religious routines. Although considered separately here, in practice papal privileges and episcopal licences might be petitioned for and held at the same time. The manner in which they related to one another, in support of the maintenance of household chapels, is therefore particularly significant. An impression of this is provided by returning to the evidence of Edmund Lacy's *Registrum Commune*, comparing the recipients of *licencie celebrandi* this records with the grant of papal privileges to residents of the diocese of Exeter.

Entries which record privileges associated with household chapels to members of Exeter diocese occur throughout those papal registers covering the years 1420-1455; that is in the registers of Popes Martin V (1417-1431), Eugene IV (1431-1447) and Nicholas V (1447-1455).<sup>158</sup> Amongst these privileges, those for the possession of portable altars predominate, just under a hundred registered indults being received by residents of the diocese during Lacy's episcopate. Other privileges, including those for choice of personal confessor, for the celebration of masses before dawn and in spite of interdict, as well as those for plenary indulgence, were also received, but in smaller numbers. In some instances, a direct correspondence can be established, where recipients are recorded in possession of both a *licencia celebrandi* and a papal privilege. In others a looser relationship is revealed, with members of the same family recorded in varied receipt of *licencie celebrandi* and papal privileges. Just under a

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<sup>158</sup> *Cal. Pap. Regs.*, vii, 141 through to xi, 21. They appear to occur no more or less frequently than those associated with other dioceses.

third of recipients of papal privileges may be demonstrated to have also possessed *licencie celebrandi*.

In some cases *licencie celebrandi* and papal indults for portable altars were possessed concurrently. Strikingly, on 21 December 1435, Nicholas Ayssheton, his wife, Margarit, their children and household, received a *licencia celebrandi* from Lacy, whilst Nicholas Aysston, lord of ‘part of the town of Calyngton’, and Margaret, his wife, were granted a papal indult for possession of a portable altar the previous day (for which they must have petitioned sometime in advance).<sup>159</sup> The same day, a like indult was granted to Roger Champernon, the newly created sheriff of Devon, and his wife Blanche, supplementing a *licencia celebrandi* received from Lacy the previous October.<sup>160</sup> Other members of the diocese received *licencie celebrandi* from Lacy one year and indults for portable altar soon after.<sup>161</sup> Lacy issued two *licencie celebrandi* to recipients named John Crokker (but with different wives) and his children and servants in 1420 and 1434-5, whilst a John Crokker received papal indults for a portable altar and choice of confessor in 1426.<sup>162</sup> However, it was also common for licences and privileges to be received many years apart. William Bonevyle, knight and his wife, Margaret, received a *licencia celebrandi* in 1421, and an indult for a portable altar in 1426; whilst Baldwine Folaforde and his wife, Elizabeth, received a licence in 1435 and an indult in 1456.<sup>163</sup>

The receipt of episcopal licences and papal privileges in this related, but patchy, manner further suggests that registered *licencie celebrandi*, and by extension papal privileges, provide only fragmentary glimpses of the maintenance of late-medieval

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<sup>159</sup> *Registrum*, i, 317. *Cal. Pap. Regs.*, viii, 573. Given that the durations between the petition for, and grant of, these two classes of privilege probably differed greatly, the close correspondence between dates is likely to have been coincidental.

<sup>160</sup> *Cal. Pap. Regs.*, viii, 571; for Lacy’s licence, *Chapter 3*, p. 174, n. 193. Isabella, widow of Richard Champernoun, who received a licence for domestic masses from Lacy in February 1420/1, may perhaps be associated with Isabel Champpernoun, ‘damsel’, who was granted an indult for a portable altar in 1423: *Cal. Pap. Regs.*, vii, 314; *Registrum*, i, 20.

<sup>161</sup> For examples: *Registrum*, i, 9 (Cole, for celebration in chapels and oratories in the diocese), 220 (Holand, for celebration in their house in Exeter); *Cal. Pap. Regs.*, vii, 314 (Cole, for a portable altar); viii, 184 (Holand, for a portable altar).

<sup>162</sup> *Registrum*, i, 4, 293; *Cal. Pap. Regs.*, vii, 431-32.

<sup>163</sup> *Registrum*, i, 29 (Bonevyle), 317 (Folaforde); *Cal. Pap. Regs.*, vii, 428 (Bonevyle, plenary remission), 429 (Bonevyle); xi, 298 (Folaforde).

domestic religious routines. An impression of the maintenance of an uninterrupted, but very partially recorded, religious routine is provided by the pair of privileges possessed by John Cokkeworthy. The first in 1424, received with his wife Margery, was a licence for celebration, at Lacy's pleasure, in their chapel or oratory at 'Ermyscomb'; the second, a papal indult for possession of a portable altar granted in 1447 to 'John Cogeworthy, nobleman, lord of the place of Emyscumbe'.<sup>164</sup> *Licencie celebrandi* and indults for portable altars appear to have been possessed both independently of one another and concurrently. Whilst they both provided for the canonical celebration of domestic masses, the latter, as has been suggested above, appear to have permitted greater flexibility, in particular celebration across dioceses where multiple licences would otherwise be required.

Other classes of papal privilege enlarged the liturgical or canonical remit of household chapels supported by *licencie celebrandi*, in particular indults for celebration before dawn. Walter Reynell and his son, for example, received two *licencie celebrandi* from Lacy, between 1423 and 1424, supplemented in 1426 by such an indult.<sup>165</sup> Similarly, the Copleston family, in addition to their *licencie celebrandi*, acquired papal indults for a portable altar in 1423, and for the celebration before dawn in 1442.<sup>166</sup>

Generations of the same family are sometimes recorded as possessors of distinct privileges. John Wyse and Constance, his wife, received a licence for celebration 'in any suitable place in their house in the parish of Sydenham', in 1425; whilst Thomas Wyse, 'nobleman lord of Sydenham' and his wife, Margaret, were subsequently granted indults for the a portable altar and celebration before dawn in 1442.<sup>167</sup>

It is equally significant that the majority of those members of Exeter diocese who received papal privileges associated with the maintenance of household chapels, during Lacy's episcopate, were not recorded recipients of *licencie celebrandi*. For these individuals and their households, papal privileges appear to have been the

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<sup>164</sup> *Registrum*, i, 103; *Cal. Pap. Regs.*, x, 302.

<sup>165</sup> *Registrum*, i, 90, 99; *Cal. Pap. Regs.*, vii, 552.

<sup>166</sup> *Chapter 3*, pp. 198-99; *Cal. Pap. Regs.*, vii, 313; ix, 314.

<sup>167</sup> *Registrum*, i, 113; *Cal. Pap. Regs.*, ix, 313. For other instances of what appear to be close familial relationships: *Registrum*, i, 35 (Sage, 1421), 77 (Chuderlegh, 1421), 279 (Bodulget, 1434); *Cal. Pap. Regs.*, vii, 429 (portable altar, Bodulgate, 1426); viii, 366 (portable altar and celebration before dawn, Cuddelegh, 1431-2); ix, 315 (portable altar, Bodulgath, 1442); xi, 288 (portable altar, Sage, 1456).

primary means of canonically constituting chapels. Their registered privileges provide evidence for the maintenance of many household chapels of which Lacy's *Registrum Commune* provides no account, emphasizing further the fragmentary record of chapel maintenance provided by *licencie celebrandi*. Thus, whilst the earls of Devon and dukes of Exeter do not appear as registered recipients of Lacy's *licencie celebrandi*, papal privileges granted in support of their maintenance of household chapels are at least partially documented.<sup>168</sup> In May 1441, Thomas Courtenay and his wife Margaret, the daughter of John Beaufort, marquis of Dorset and Somerset, received papal indulgences for a portable altar, celebration of mass before dawn and choice of confessor;<sup>169</sup> while, in 1422 and 1427, respectively, Thomas Beaufort, second duke of Exeter, and John Holand, the third duke, received indulgences for plenary remission.<sup>170</sup> After John's death in 1447, his widow, Anne, the daughter of the earl of Stafford, received indulgences for a portable altar and celebration before dawn.<sup>171</sup> In turn, John's heir, Henry Holand, and his wife Anne, daughter of Richard, duke of York, received an indulgence for a portable altar in 1455.<sup>172</sup> The household chapels of these aristocratic families, and of others nationwide, were primarily constituted with papal privileges, rather than episcopal *licencie celebrandi*.

Other residents of Exeter diocese, of lesser rank, likewise received papal privileges, but are not recorded recipients of *licencie celebrandi*, a significant proportion are described simply as noblemen, or as the lords of particular locales. In 1442, both Roger Baron, lord of *Wodebeare*, and Walter Gorfen, lord of *Gorsh* were granted indulgences for portable altars; in 1431 and 1442, Robert Craas and Simon Halle received like indulgences as 'nobles'; whilst William Duke, and his wife Juliana, were described as 'lord and lady of divers places'.<sup>173</sup> Although comparatively few of Lacy's *licencie celebrandi* were issued to those described as knights, various recipients of papal

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<sup>168</sup> Chapter 3, pp. 172-73. Earlier generations of these families received similar privileges: *Cal. Pap. Pets.*, 498 (faculty for Edward de Courtenay's chaplains to perform divine offices in the presence of himself or his wife, Emmeline, 1364).

<sup>169</sup> *Cal. Pap. Regs.*, ix, 238, 313, 315. Margaret's was dispensed by Lacy in February 1446/7 to moderate her fasting under the direction of her confessor: *Registrum*, ii, 371.

<sup>170</sup> *Cal. Pap. Regs.*, vii, 320, 549.

<sup>171</sup> *Cal. Pap. Regs.*, vii, 605. Anne Talbot, widow of Hugh Courtenay, likewise received *licencie celebrandi* from Lacy in her own right after his death: *Registrum*, i, 101, 103.

<sup>172</sup> *Cal. Pap. Regs.*, xi, 228.

<sup>173</sup> *Cal. Pap. Regs.*, viii, 365; ix, 308, 315, 316; x, 382.

privileges were of this rank. Thus, in 1426, John Beauchamp, knight, received an indult for possession of a portable altar, and in 1428, William Haryngton, knight, and his wife, Margaret, received an indult to choose their own confessor.<sup>174</sup> In turn, the papal registers also record the grant of privileges to petitioners of equivalent status to the majority of the recipients of Lacy's *licencie celebrandi*.<sup>175</sup> On the 9-10 March 1423, three esquires of the diocese of Exeter, Richard Sturgeon, William Fokeray and William Gilbert, were granted indults for portable altars.<sup>176</sup> In 1428, John Asshe, described as 'donsel', and Alice his wife, 'damsel', received indults both for plenary remission and for a portable altar, and Thomas Chedder and his wife Isabel; 'donsel' and 'damsel', a like indult for a portable altar.<sup>177</sup>

A final category of petitioners to the *curia* for papal privileges associated with household chapels were ecclesiastics of all ranks. The most notable of these was Lacy himself, who received indults for plenary remission in 1428 and to have masses and other services celebrated despite interdict in 1431-2.<sup>178</sup> Other senior members of the Exeter clergy received indults for the possession of portable altars, including Michael Lercedekne, 'treasurer of Exeter', in 1421, and John Suetysham, 'chancellor and canon of Exeter', in 1443.<sup>179</sup> In the same year, John Morton, canon of Exeter, was granted an indult to choose his own confessor, a privilege also acquired that year by Peter Stucle, archdeacon of Exeter.<sup>180</sup> These privileges appear to have supported the domestic religious routines maintained by ecclesiastics and their households. However, a substantial number of those indults for the possession and use of portable altars issued to residents of Exeter diocese during Lacy's episcopate, just over a third (thirty-six), were granted to the parochial clergy seemingly in support of the celebration of public or parochial masses.<sup>181</sup> The use of portable altars to provide for

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<sup>174</sup> *Cal. Pap. Regs.*, vii, 447; viii, 128.

<sup>175</sup> *Chapter 4*, pp. 171-74.

<sup>176</sup> *Cal. Pap. Regs.*, vii, 314.

<sup>177</sup> *Cal. Pap. Regs.*, viii, 125-27.

<sup>178</sup> *Cal. Pap. Regs.*, viii, 125, 389.

<sup>179</sup> *Cal. Pap. Regs.*, vii, 331; ix, 364.

<sup>180</sup> *Cal. Pap. Regs.*, ix, 367. Cf. *Ibid.*, vii, 127, 338, 429. For religious in possession of papal indults for choice of confessor: *Ibid.*, viii, 361; ix, 309.

<sup>181</sup> For instances: *Cal. Pap. Regs.*, vii, 533-34, 550, 556. In some instances parish priests possessed licences from Lacy to celebrate in parochial chapels and indults for portable altars: *Registrum*, i, 103

parochial worship, in particular within parochial chapels, appears to have been entirely ubiquitous. Against this background, their use to support domestic religious routines and household chapels conformed with common practise rather than serving as mark of elite or aristocratic religion.

This basic comparison of the possession of *licencie celebrandi* and papal privileges, in support of the maintenance of household chapels, by members of the diocese of Exeter between 1420-55, demonstrates, above all, the established nature of the regulatory structure which existed to enable the maintenance of such chapels. Heads of medieval households, lay and ecclesiastic, appear to have acquired *licencie celebrandi* and different classes of papal privilege as their individual (and variable) circumstances required. Petitioners of gentle through to aristocratic rank acquired papal indulgences to support their maintenance of household chapels. At the same time, however, it appears that those of knightly status, and greater, often relied principally or exclusively upon papal privileges, whilst those of lower status depended primarily upon *licencie celebrandi*. This seeming distinction perhaps mirrored a significant social division between those households whose residences and routines were usually restricted to a single diocese, and those whose properties and interests were more extensive and wide-ranging.

#### STATUS AND THE RECEIPT OF PAPAL PRIVILEGES

As argued above, with regard to *licencie celebrandi*, papal privileges pertaining to domestic religious routines appear to have been principally granted to those who maintained their own households; that is, to members of the English nobility, as well as to a proportion of the knightly and gentle population. In the case of papal privileges, the significance of social status can be demonstrated even more explicitly than in that of episcopal licences.

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(Roger Toker, vicar of Broadclyst (Devon), for celebration in three parochial chapels, 1424), 166 (Walter Marschal, vicar of Fowey (Cornwall), for celebration in two parochial chapels, 1426); *Cal. Pap. Regs.*, viii, 127 (Roger Toker, vicar of Broadclyst and to Walter Marschal, vicar of Fowey).

From the mid-fourteenth century, the registered terms of many papal privileges accorded their recipients noble or lordly rank. Others placed greater emphasis upon a petitioner's status. In 1350, the prior of the Hospitallers in England petitioned for an indult for a portable altar on behalf of 'the noble and powerful citizen of London Adam Francisci', the wealthy merchant and future mayor of London.<sup>182</sup> Likewise in 1447 (to employ a comparable Scottish example) when James de Lyndesay, rector of Douglas, was dispensed to possess multiple benefices, his status was stressed, in accordance with the canonical rule that such dispensations only be granted to 'sublime and lettered persons':

[he] ... is also a bachelor of canon law, is a baron of the realm of Scotland, is by both parents of a race of barons, [and] is first secretary and counsellor of William, earl of Douglas.<sup>183</sup>

Remarkably, in 1365, Stephen Wellington, described as knight of the diocese of Wells, received an indult for a portable altar provided his house was 'of the style of an earl or baron'.<sup>184</sup> A broader concern regarding the relative status of petitioners is evinced by the group of chapel privileges granted in 1351 to Edward III, Philippa of Hainault, Prince Edward and Bartholomew de Burghersh: 'in the form [of those] for the eldest son of the king of France'.<sup>185</sup> In 1474-5, the indult for choice of household confessor received by William, first baron Hastings, noted that he was 'a chamberlain, called a household chamberlain of Edward, king of England'.<sup>186</sup>

Papal legates and representatives in England were often granted the power to issue privileges.<sup>187</sup> The terms of the faculties they possessed commonly prescribed the number of such grants and, in the case of those for the possession of portable altars in particular, stipulated that their recipients be of noble status or sufficient ecclesiastical rank. In 1353, the archbishop of Canterbury, Simon Islep, received amongst other

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<sup>182</sup> *Cal. Pap. Pets.*, 198; S. O'Connor, 'Fraunceys, Adam (c.1310-1375)', *Oxford Dictionary of National Biography* (Online Edition; Oxford, 2004).

<sup>183</sup> *Cal. Pap. Regs.*, x, 9.

<sup>184</sup> *Cal. Pap. Pets.*, 508.

<sup>185</sup> *Cal. Pap. Pets.*, 207.

<sup>186</sup> *Cal. Pap. Regs.*, xiii (pt. 2), 550.

<sup>187</sup> F. Wasner, 'Fifteenth Century Texts on the Ceremonial of the Papal Legatus a Letere', *Traditio*, 14 (1958), pp. 342-43.

faculties one to permit three persons to possess portable altars, provided said 'persons are fit to receive the same'.<sup>188</sup> Similar legatine faculties were often possessed by resident cardinals such as Henry Beaufort (created 1417), John Kemp (created 1439), John Morton (created 1493) and Thomas Wolsey (created 1515); they may also have been responsible for the issue of many papal privileges of which little record now survives.<sup>189</sup> In 1413, Anthony de Challant, papal nuncio in England, possessed multiple faculties including those to celebrate mass before dawn himself and to grant the same privilege to fifty persons of the realm of England; to grant secular ecclesiastics the right to perform the hours according the rite of their choice; to grant a hundred persons the ability to choose a confessor to grant them plenary remission; and to license fifty persons, 'provided that they be prelates or nobles or graduates', to possess portable altars.<sup>190</sup> In 1428, the nuncio John de Obizis possessed the faculty to permit ten persons to possess portable altars, 'provided that they be nobles or masters of theology or doctors of canon or civil law'; whilst in 1445-6, he was empowered to grant the same 'to ten persons of either sex, nobles', and to twelve persons that they might choose their own confessor.<sup>191</sup> Nicholas, cardinal and legate to England and Burgundy, possessed the faculty 'to grant to forty bishops or superiors of those parts to have a portable altar' in 1451.<sup>192</sup> Ten years later John, bishop of Arras and papal nuncio in England, had a faculty to grant twenty-five indulgences to:

... persons within his legation, who are lords of some place or knights or counsellors of some great prince, to have a portable altar ... to celebrate mass and other divine offices ... in the presence of themselves and their household servants.<sup>193</sup>

Civic rank might also merit the grant of privileges, as it did that of *licencie celebrandi*. In 1442, the mayor and aldermen of London, a group defined by their civic rank alone, received an indulgence from Eugene IV:

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<sup>188</sup> *Cal. Pap. Pets.*, 252.

<sup>189</sup> Wolsey may have run a form of 'faculty office' and fragments of a register of his dispensations survive: Chambers (ed.), *Faculty Office*, pp. xvii-xviii (Introduction).

<sup>190</sup> *Cal. Pap. Regs.*, vi, 175-79.

<sup>191</sup> *Cal. Pap. Regs.*, viii, 83, 303-4.

<sup>192</sup> *Cal. Pap. Regs.*, x, 223.

<sup>193</sup> *Cal. Pap. Regs.*, xi, 687.

...for them and each of them and their successors, and their wives, to have a portable altar, on which they may, in presence of themselves and the members of their households, have mass and other divine offices celebrated, even in places under interdict, with closed doors, etc., and, when their business requires it, mass celebrated before daybreak.<sup>194</sup>

A major factor which defined the status of the recipients of papal privileges may simply have been wealth. The cost of travelling to Rome or Avignon, of contributing to an embassy, or of paying for the services of a professional proctor, probably restricted the numbers able to petition. Likewise, as seen above, personal fortune or connections may have dictated who had the ability to petition via their lords or patrons. Finally, there was the matter of the fee, or tax, payable for individual privileges. These appear to have been thirty *grossi* for indults for plenary remission, and ten *grossi* each for those for choice of personal confessor, possession of a portable altar, celebration in spite of interdict, and celebration before dawn.<sup>195</sup> Indults for portable altars granted to pairs of petitioners, as the joint heads of a household, cost more at twelve *grossi*.<sup>196</sup> Many of those who possessed *licencie celebrandi* may simply not have been in the financial or social position to petition for papal privileges.

#### PAPAL GRANTS AND THE ESTABLISHMENT OF HOUSEHOLD CHAPELS

A significant proportion of late-medieval household chapels were constituted by the acquisition of those classes of papal privilege considered above. In addition to these, the papal *curia* also made regular grants which permitted the establishment or construction of chapels of all kinds, including household chapels.<sup>197</sup> The earliest

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<sup>194</sup> *Cal. Pap. Regs.*, viii, 240-41. Cf. *Ibid.*, vi, 64 (German merchants for a portable altar in their guildhall, 1405); xiii (pt. 1), 270 (wardens of the Mercers's guild and their wives and households, for portable altars, 1480).

<sup>195</sup> *Cal. Pap. Regs.*, v, 30, 47, 52, 62, 63; and *passim*.

<sup>196</sup> *Cal. Pap. Regs.*, vi, 145; and *passim*.

<sup>197</sup> Large numbers of such grants were made. A typical example of a grant for a parochial chapel was received by the inhabitants and lord of Denton (dio. of York) in March 1450/1:

Licence to have, by their own or other fit priest, those who die in the said place or its district buried in the cemetery, and children born in the said place baptized in the font, of the chapel (in which they have been wont to keep their own priest at their own expense for the celebration of masses and other divine offices) of St. Mary the Virgin situate within the parish of Ottelay in the diocese of York, and distant more than two miles of those parts from that church, thereby avoiding the dangers which might arise on account

examples of such papal grants may be associated with twelfth- and thirteenth-century chapel grants of the type examined above. In 1233, Gregory IX mandated the bishop of Worcester, if he saw fit, to permit William de Taneworth to construct a chapel on his estate (*fundus*). Likewise two of those chapel grants made by Robert Grosseteste, bishop of Lincoln (1235-53), were enrolled with the texts of the papal mandates he had received from Gregory IX. These requested that Grosseteste make the said grants, ‘si expedire videritis postulata concedas sine juris prejudicio alieni’.<sup>198</sup> Both mandates summarized an initial petition: that of Richard de Turri, dated to April 1234, requested ‘ut ei construendi capellam in proprio fundo de Eston et habendi proprium capellanum in eadem’.<sup>199</sup> In turn, Grosseteste’s grants record that consent was received from the patrons, rectors and vicars of the parish churches. On other occasions it is probable that significant privileges of this kind were vetted by papal judges delegate prior to submission to the *curia*, in order to ensure that local rights were considered and protected. Certainly, in 1240, Gregory IX emphasized the immediate jurisdiction of diocesans over the foundation of chapels, when he confirmed to William Raleigh, bishop of Norwich (1239-43), that:

... he shall not be bound to grant the requests of those who wish to build chapels, and have obtained papal letters to that effect, unless they so endow them that, at their deaths, a proper provision is made for supporting the chaplains.<sup>200</sup>

Most papal grants of this kind are broadly comparable with contemporary chapel grants made by diocesans and monastic authorities. In 1243, Geoffrey Despenser received a licence from Innocent IV to build a chapel on his estate, provided that it was properly endowed:

... in fundo proprio construendi capellam, cum paratus sit presbytero, in eâ

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of a certain stream which flows between the said church and chapel; with indult to the said priest to administer to them all the sacraments and sacramentals, all oblations etc. arising therefrom to be paid, as hitherto, to the rector of the said church or the vicar thereof. (*Cal. Pap. Regs.*, x, 109.)

For examples of grants pertaining to other classes of chapel see: Sayers, p. 195 (no. 436) (Flaxley Abbey, Gloucester, 1253); *Cal. Pap. Regs.*, iii, 87 (Queen’s Hall, Oxford, 1342); vii, 221-2 (a hospital, Maidstone, 1422); x, 210 (the confraternity of St. Christopher, York, 1448).

<sup>198</sup> Davis (ed.), *Rotuli Roberti Grosseteste*, pp. 258, 349.

<sup>199</sup> *Ibid.*, pp. 258, 349.

<sup>200</sup> *Cal. Pap. Regs.*, i, 190.

perpetuò servituro, de bonis propriis sufficientes redditus assignare ...<sup>201</sup>

Likewise in 1256, John Despenser (probably Geoffrey's son) was permitted to construct a chapel upon his estate on equivalent terms.<sup>202</sup> Both grants were petitioned for on account of bad weather and difficulty of travel to and from the parish church:

... cum ipse propter loci distantiam ad matricem ecclesiam, hyemali præcipuè tempore, sine gravi periculo non possit accedere, pro divinis audiendis officiis, & recipiendis ecclesiasticis sacramentis ...<sup>203</sup>

Such justifications are frequently cited in papal grants throughout this period, and closely recall the ninth-century terms of Hincmar of Reims's *Collectio de Ecclesiis et Capellis* (c. 858-60). Comparable grants were made to contemporary ecclesiastics. Roger 'dictus Burnel' (in all probability the later bishop of Bath and Wells) was granted permission to construct a chapel on his estate at Bere in Wayford (Somerset) in 1249; whilst, in 1255, Roger 'Luvel', a papal chaplain and royal clerk, was permitted:

... to build a chapel on his property for the sole use of himself and his successors, and to have a chaplain and a bell; making assignment of a fit stipend, with the consent of the diocesan.<sup>204</sup>

Likewise, in 1286, the abbot and convent of St. Mary's, York, were licensed by Honorius IV to build chapels or oratories on their manors and granges.<sup>205</sup>

Whilst chapel grants made by parochial authorities, religious houses and diocesans appear to have been superseded by *licencie celebrandi*, equivalent papal privileges continued to be granted throughout the late-medieval period. In 1337, William, earl of Huntingdon, established an Augustinian Priory at Maxstoke (Warwickshire). This was consecrated in 1342, at roughly the same time as work began on his castle a mile and half away.<sup>206</sup> In 1350 he petitioned Clement VI that:

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<sup>201</sup> Rymer, i, pt. 1, 250; Sayers, p. 115 (no. 247).

<sup>202</sup> Rymer, i, pt. 1, 349; Sayers, pp. 255-56 (no. 563).

<sup>203</sup> Rymer, i, pt. 1, 250.

<sup>204</sup> Sayers, p. 60 (no. 356); *Cal. Pap. Regs.*, i, 322.

<sup>205</sup> *Cal. Pap. Regs.*, i, 487. Cf. *Cal. Pap. Pets.*, 139 (Thomas, abbot elect, of Augustine's, Canterbury, 1348), 506 (the abbot and convent of Westminster, 1365).

<sup>206</sup> Emery, ii, 417-18.

Whereas he and his wife and family spend much time at his manor of Maystoke [*sic*], which he built in an outlying place on the edge of the parish, in the diocese of Coventry and Lichfield, and cannot, except rarely and with danger, get to the parish church, the way to which lies through more than a league of wood, where the road is flooded in winter, that he may build a chapel in his manor and have chaplains who shall baptize the children of the lords of the manor and shall minister other sacraments to him, his wife and the lords and ladies of the manor, their household and guests, without prejudice to the parish church.<sup>207</sup>

This request was granted with the proviso that William provide a sufficient endowment for the chapel. At the same time six beneficed clerks in his service were permitted to be non-resident for three years.<sup>208</sup> Similar grants permitting the construction or renewal of household chapels were made throughout the fifteenth century. In 1408, Thomas Gray received a grant concerning the reconstruction and quasi-parochial privileges of the chapel of his castle at Heaton (Northumberland):

Licence, seeing that his castle of Heton, situate near the borders of Scotland and within the bounds of the parish church of Norham, is about three miles distant from that church, and that the inhabitants of the castle, parishioners thereof, now through floods, and now through raids and invasions of their enemies, cannot without great danger repair thither - to enlarge, in accordance with his proposal, the chapel which he has already had built in the castle, or to build a new and larger one, in which he and his successors and the said inhabitants may have masses and other divine offices celebrated by a fit priest, who may administer the sacraments, hear their confessions and enjoin penance in those cases only in which parish rectors may do so.<sup>209</sup>

Likewise in 1453, John Pury, 'lord of the place or manor of Cambrehous' (dio. Salisbury) petitioned that they might build:

... a chapel of [the] Holy Trinity and St. Mary the Virgin, with a baptismal font, bell-tower and bells ... and to found and endow ... perpetual chaplaincies or chantries for chaplains to administer to them and their household etc. all the sacraments and sacramentals except burial ...<sup>210</sup>

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<sup>207</sup> *Cal. Pap. Pets.*, 192-93. For the disputed attribution of a window at Maxstoke Castle (Warwickshire) as the remains of a chapel: Emery, ii, 418-19.

<sup>208</sup> *Cal. Pap. Pets.*, 193.

<sup>209</sup> *Cal. Pap. Regs.*, vi, 130.

<sup>210</sup> *Cal. Pap. Regs.*, x, 715-16.

To this petition Nicholas V (or his *curia*) responded with a mandate, reminiscent of earlier chapel grants, to Richard Beauchamp, bishop of Salisbury (1450-81):

... to summon the rector of the said church and others concerned, and if he finds the foregoing to be lawful, to grant them licence to build the said chapel and endow the said chaplaincies ...<sup>211</sup>

The perpetual nature of the rights possessed by certain families with respect to particular chapels is further attested by a faculty received by William, baron FitzHugh, in 1341-2: 'for him and his heirs to have in future chapels on his manors with the same liberty as he and his parents have had them for more than forty years'.<sup>212</sup> Likewise, in 1453, John Merston, lord of Horton, received an indult from Nicholas V:

... at his recent petition (containing that the above place, situate in the parish of St. Martin's, Ebbescham, is very distant from the parish church), for him, who is keeper of the jewels of king Henry, and for his successors lords of the said place, to have in the chapel of St. Mary situate in the said place mass and other divine offices celebrated by their own or other fit priest, and for the said priest to minister to the said lord and his successors all ecclesiastical sacraments and sacramentals, but not (*preter*) burial.<sup>213</sup>

Other papal grants were more closely equivalent to contemporary *licencie celebrandi* or bodies of papal privileges. Robert Ufford, earl of Suffolk and his wife, Margaret, were granted various privileges in 1344, amongst which was the simple licence 'to erect an oratory or altar in any fit place where they may be'.<sup>214</sup> Likewise in 1346, Agnes de Cormayls received an indult simply to have 'divine offices celebrated in her chapel, built of old in the said manor, it being a mile from the parish church'.<sup>215</sup> The grant received in 1415 by the earl of Warwick permitting him to have a portable altar

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<sup>211</sup> Ibid.

<sup>212</sup> *Cal. Pap. Regs.*, viii, 409. The hint of a dispute is strengthened by a contemporaneous indult which protected William from being summoned by apostolic or legatine letters more than two days journey from Ravensworth: Ibid.

<sup>213</sup> *Cal. Pap. Regs.*, x, 250.

<sup>214</sup> *Cal. Pap. Pets.*, 49.

<sup>215</sup> *Cal. Pap. Pets.*, 177. Cf. *Cal. Pap. Regs.*, iii, 224.

in his chapel has been cited above;<sup>216</sup> whilst in the same year Hugh Mortimere, described simply as donzel, was permitted:

... to have a chapel, and in it a portable altar upon which he and his wife and children may cause mass and other divine offices to be celebrated by their own priest or priests, in the presence of him and his wife and children, or of his wife and children and household, even in time of interdict, *submissa voce*, the doors being closed, and the excommunicate and interdicted excluded, and even before daybreak; which priest or priests may administer to him and his wife, children and household all the sacraments, but not burial ...<sup>217</sup>

#### PAPAL PRIVILEGES AND THE MAINTENANCE OF HOUSEHOLD CHAPELS

This examination of papal privileges is partial and schematic. The calendared editions are a distorting lens, potentially disguising subtle variations between privileges or creating distinctions where none existed. Moreover, in addition to those privileges, considered here, papal registers systematically record dispensations concerning household chaplains, in particular for their possession of benefices and non-residence in the service of lordly households. As a source, papal registers have much left to reveal concerning the establishment and maintenance of household chapels in medieval England and Europe.

Nevertheless, those grants and privileges received by English petitioners from the papal *curia*, and considered here, constitute a voluminous body of evidence pertaining to the maintenance of household chapels. The issue and receipt of such privileges appears to have provided a further means of facilitating the canonical maintenance of household chapels, rather than imposing restriction or control. The thousands of individual privileges recorded in the papal registers mirror the many thousands of *licencie celebrandi* issued by English diocesans and, in their turn, demonstrate the institutional uniformity and ubiquity of household-chapel maintenance. Moreover, one should not discount the equivalent privileges likewise issued in substantial numbers to petitioners of other nationalities in Britain and on the continent.

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<sup>216</sup> Above, p. 188.

<sup>217</sup> *Cal. Pap. Regs.*, vi, 492.

Papal privileges associated with the maintenance of household chapels, especially those for portable altars, have previously been interpreted quite narrowly, as a means of supporting or articulating the particular piety of individual petitioners. Reeves comments of Henry, third baron Fitzhugh: 'Fitzhugh's religious life was one of commitment. By 1396 he had papal permission to have a private altar for the celebration of mass'.<sup>218</sup> More forcefully, Macfarlane conjured the world of fourteenth-century elite religion:

The period was one by the way much given to private devotions, to private chapels in the houses of the laity, the privilege of appointing one's own confessor with a portable altar and no parochial responsibility – and hence independence [*sic*] of episcopal surveillance. This is the background of the Lollard movement and it merges with its background.<sup>219</sup>

This vision of the medieval lay elite retreating into extraordinary and secretive religious practices is hardly supported by the evidence of papal privileges. By contrast papal privileges appear to have been sought and granted in support of the maintenance of household chapels and the religious routines, both commonplace and communal, which these supported.

In the first instance, those classes of papal privilege considered here allowed the sacramental rights or routines performed within greater medieval households to be extended beyond those permitted by episcopal *licencie celebrandi* alone. These commonly included the hearing of confessions; the celebration of masses at times or in places dictated by domestic and itinerant routines; and the maintenance of priests and members of religious orders, including mendicants, within lay households. Such privileges were held extremely widely by the heads both of lay and ecclesiastical households, to the point that they were entirely commonplace. Often explicitly, these supported the communal religious routines of entire households, or subsections thereof, not the performance of isolated devotions on the part of their recipients alone.

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<sup>218</sup> A.C. Reeves, 'Fitzhugh, Henry, Third Baron Fitzhugh (1363?-1425)', *Oxford Dictionary of National Biography* (Online Edition; Oxford, 2004). *Cal. Pap. Regs.*, v, 53 (portable altar), 62 (celebration in spite of interdict), 63 (celebration before dawn). Cf. *Ibid.*, xi (indult for various chapel privileges to the subsequent Henry, lord Fitzhugh, and his household, 1458).

<sup>219</sup> K.B. Macfarlane, *Lancastrian Kings and Lollard Knights* (Oxford, 1972), p. 225.

Moreover, nothing in the nature of the sacramental practices permitted by papal privileges tended towards the unorthodox or 'a rejection of sacerdotalism in favour of the personal';<sup>220</sup> indeed most were concerned with facilitating the canonical celebration of mass, confession and other sacraments.

The often wide-ranging jurisdictional and sacramental freedoms which papal privileges permitted household chapels were of particular significance to those members of the English aristocracy and nobility whose status placed great distance between them and the social worlds of individual parishes and even dioceses. Considered crudely, if the possession of *licencie celebrandi* permitted the maintenance of household chapels similar in status to parochial chapels, then papal privileges enabled the maintenance of household chapels whose rights approximated those of parish churches or secular colleges (as was, on occasion, explicitly stated). The primary purpose of chapels constituted in this manner was to provide religious provision for the many constituent members of aristocratic households, and their guests, who resided in (and travelled between) multiple residences situated in different dioceses and sometimes distinct realms.

The evidence pieced together here is partial, but it would appear that the majority of those household chapels maintained by members of the English aristocracy, including those of the royal family and aspects of the establishment of Chapel Royal itself, were primarily constituted by means of papal privileges. The fundamental manner in which these chapels were established differed little from household to household or over the course of the fourteenth and fifteenth centuries, although the precise scope of the privileges possessed by individual households or chapels might vary. Further down the social hierarchy, where household chapels were maintained primarily by means of episcopal licences, we are again presented with a picture of remarkable uniformity; with the framework of a religious institution rather than a collage composed of individual pieties or private devotions.

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<sup>220</sup> Ibid.

## CHAPTER 5

### DISPUTES, VARIETY AND 'FREE CHAPELS'

It is a legal truism that exceptional cases make bad law and the same applies, to an extent, to the study of medieval institutions. The circumstances of one or more disputes are not necessarily indicative of the norm. Previous scholarship which has discussed household chapels has tended to consider them in terms of dispute or competition with parish churches, whilst the evidence assembled here is employed to challenge this basic assumption. Tellingly, few instances of dispute have actually been adduced in previous works. A noteworthy exception concerns the 'lady of Crawethorne' of whom it was accused in 1292 that she:

... doth not come to church as she ought, and is bound to do, nor does she contribute either to the work of the church, to the paschal candle, or the blessed bread, because she hath a chapel in which her chaplains use a bucket for a font (*faciunt sibi fontem in uno buketto*).<sup>1</sup>

Given the great scale upon which household chapels appear to have been maintained in medieval England, it would be remarkable had disputes not occasionally arisen. Likewise, it is natural that many household-chapel buildings were maintained over long periods by successive generations or owners, and that some household chapels were not constituted in exact accordance with the schematic principles and practices examined above. In short, if the household chapel was a significant ecclesiastical institution, then evidence of dispute and variety should be expected. This chapter is concerned with evidence arising from disputes and the long-term maintenance of 'free chapels', and what light that this can shed upon the institution of the household chapel in general.

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<sup>1</sup> C.E. Woodruff, 'Some Early Visitation Rolls Preserved at Canterbury', *Archaeologia Cantiana*, 32 (1917), 143-80, 151. Cf. *Ibid.*, 160 (the suspension of parochial chaplain of Paddlesworth). This case cited, for instance, by: Moorman, *Church Life in England*, p. 16; Crouch, *The Image of Aristocracy*, p. 270.

## DISPUTES CONCERNING THE MAINTENANCE OF HOUSEHOLD CHAPELS

The relative rarity of disputes concerning household chapels ought, perhaps, to come as no surprise, since only a small proportion of those household chapels maintained in medieval England possessed fiscal or jurisdictional rights of any significance. Indeed, those constituted by the possession of *licencie celebrandi* commonly possessed none. In one of his glosses upon Archbishop Stratford's canon, *Quam sit inhonestum*, composed in c. 1430, Lyndwood stated his opinion that licences for the celebration of domestic masses concerned a voluntary rather than a contentious jurisdiction.<sup>2</sup> In a similar judgment of 1338, a public oratory in Buntingford (Hertfordshire), was considered:

... not [to have been] built to the injury of any person; it hinders nobody in passing, and, if any persons wish to enter and pray, their hearts are moved to devotion favourable to their soul's health and profit.<sup>3</sup>

On those comparatively rare occasions when disputes did arise, the majority appear to have concerned disputed ownership, the restitution of tithes and oblations, or the responsibility for providing religious services or chaplains for medieval households.<sup>4</sup> Less frequently disputes occurred regarding the right to maintain a household chapel, or the unauthorized or non-canonical performance of services within chapels or residences. This chapter focuses particularly upon disputes of this latter type.

When considering disputes concerning twelfth- or thirteenth-century chapels, it is often difficult to determine the status of the chapels in question, whether they were proto-parish churches, parochial chapels or household chapels.<sup>5</sup> Nevertheless, taken together, these disputes document the role of contemporary diocesans as arbitrators and authorities with regard to the foundation of churches and chapels within individual dioceses. This evidence complements that of chapel grants made or supported by English diocesans. As has been seen, as early as 1114, William Giffard, bishop of Winchester (1107-1129), arbitrated a dispute between the priest of

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<sup>2</sup> *Appendix IV*, gl. 11.

<sup>3</sup> *Cal. Misc.*, ii, no. 1596.

<sup>4</sup> Such disputes provide a body of evidence for a future study of household chaplains and are not, therefore, considered here in detail: *Conclusion*, pp. 262-66.

<sup>5</sup> *Chapter 2*, pp. 82-85.

Carisbrooke and Hugh Gernun, whereby half of the income of Hugh's church of Chale was gifted to Carisbrooke, but it was permitted to retain the income deriving from Hugh's demesne and from the endowment he had made.<sup>6</sup> Later in the century, between 1146 and 1161, Theobald of Bec, archbishop of Canterbury (1139-61), supported the bishop of Norwich's earlier prohibition against the construction of a new (seemingly parochial) chapel at Yarmouth (Norfolk), stating that its construction would be at the expense of the diocesan's jurisdiction ('dignitatem Norwycensis ecclesie diminuere').<sup>7</sup> In the early 1140s, Bishop Henry of Blois, Giffard's successor at Winchester (1129-71), sought to restrict the celebration of services in newly constructed chapels, and the construction of others, within the parish of Llancarvan (County Glamorgan), a possession of Gloucester abbey.<sup>8</sup>

Amongst the earliest recorded disputes concerning a household (or at least a proprietary) chapel is that which concerned the construction by Richard de Wika, knight, of a chapel in a parish belonging to the abbey of Tavistock, without the monks' permission.<sup>9</sup> This dispute is attested by an undated act of Bartholomew, bishop of Exeter (1161-84), addressed to Hugh, the prior of Tavistock Abbey, which required him to place an interdict upon this chapel and to cite Richard and his chaplain to appear before Bartholomew, to justify themselves:

– miles, super hoc quod predictam capellam auctoritate propria fabricari fecit, sacerdos vero super hoc quod in eadem capella divina celebrare presumpsit.<sup>10</sup>

A similar division of legal responsibility for the uncanonical maintenance of a household chapel was applied by Robert Grosseteste, bishop of Lincoln (1253-53), in

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<sup>6</sup> Chapter 2, pp. 84-85. Cf. Mayr-Harting (ed.), *Chichester*, pp. 107-8 (no. 44): the bishops of Salisbury and Chichester acted as papal judges-delegate in a dispute over the chapel of Eddington (Buckinghamshire) between the priory of St. Frideswide (Oxford) and the church of Hungerford.

<sup>7</sup> C. Harper-Bill (ed.), *Norwich, 1070-1214* (English Episcopal Acta 6; Oxford, 1990), p. 360 (Appendix I, 30). Saltman, *Theobald, Archbishop of Canterbury*, p. 408 (no. 186).

<sup>8</sup> Franklin (ed.), *Winchester, 1070-1204*, p. 33 (no. 47). Cf. Cheney and Jones (eds.), *Canterbury, 1162-1190*, p. 154 (no. 179) (prohibition of the construction of a monastic chapel, c. 1180).

<sup>9</sup> Barlow (ed.), *Exeter, 1046-1184*, pp. 120-1 (no. 131).

<sup>10</sup> *Ibid.*

a case concerning William de Warenne, earl of Surrey, and his chaplain, 'N'.<sup>11</sup> A remarkable letter of c. 1238, from Grosseteste to Warenne, records his citation of both the earl and his chaplain, whom he had already suspended, to appear before him and his official, as well as his irritation at receiving a reply from the earl questioning both this summons and his chaplain's suspension.<sup>12</sup> Grosseteste succinctly summed up the case to be answered:

Ut autem intelligat vestra discretio non nos vobis, sicut insinuat, fuisse injuriosos, vobis significamus per famam bonorum et gravium ad nos esse delatum, quod vos fecistis a dicto N. capellano vestro in aula vestra de Graham missam celebrari, quod ipsum vos etiam per scriptum vestrum conceditis, addentes pro ratione hoc factum esse corporis vestri infirmitate cogente.<sup>13</sup>

The precise circumstances which led to the earl's alleged request that his chaplain celebrate mass in his hall at Grantham (Lincolnshire), rather than in a chapel or oratory, are not recorded, although illness cannot be discounted. If Luard's dating of this letter to 1238 is reliable, the earl may well have been infirm, since he died in May 1240.<sup>14</sup>

Noteworthy, if Grosseteste's and his informant's words are taken at face value, is the claim that Warenne had attempted to regularize the celebration of masses in his hall in writing, citing his ill-health. This recalls, and suggests the earl's awareness of those broadly contemporary English statutes which required that the chaplains of magnates only celebrate in their master's chapels with episcopal or papal authority; or, in the case of Quinel's later statute of 1287, only in case of unforeseen necessity.<sup>15</sup> The

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<sup>11</sup> H.R. Luard (ed.), *Roberti Grosseteste Episcopi Quondam Lincolniensis Epistolae* (Rerum Britannicarum Medii Aevi Scriptores 25; London, 1861), p. 171. Cf. Grosseteste's chapel grants, *Chapter 3*, pp. 133-34.

<sup>12</sup> *Ibid.*, pp. 171-73 (no. 56).

<sup>13</sup> *Ibid.* Translated in W.H. Blaauw, 'Warenniana. Ancient Letters and Notices Relating to the Earls de Warenne', *Sussex Archaeological Collections*, 6 (1853), p. 113:

But that Your Discretion may know that we have not wronged you, as you insinuate, we inform you that information was brought to us by good and trustworthy persons that you caused mass to be celebrated by the said N., your chaplain, in your hall of Graham [Grantham], that you even authorised him to do this by your writing, adding as a reason, that this was done necessarily, owing to the sickness of your body.

<sup>14</sup> N. Vincent, 'Warenne, William (IV) de, Fifth Earl of Surrey (d. 1240)', *Oxford Dictionary of National Biography* (Online Edition; Oxford, 2004).

<sup>15</sup> *Chapter 1*, pp. 47-60.

subsequent passage of Grosseteste's letter directed Warenne's attention to those, now familiar, precepts of canon law which underpinned the regulation of the celebration of domestic masses by himself and his fellow diocesans. In turn it provides an implicit, but nevertheless clear, argument for the necessity of constituting chapels and oratories as sacred spaces, in contrast to and within the domestic environment of medieval residences:

Cum igitur aula vestra non sit locus Deo dicatus, sed sit communis habitatio hominum, receptaculum comedentium et bibentium, frivola, scurrilia, et forte multoties immunda facientium, canibus etiam ubique in ea discurrentibus et cubantibus, sordesque plerumque relinquentibus; quam inconueniens sit Corpus Domini nostri Jesu Christi, filii Dei vivi, quod assumptum est de mundissima Virgine, passum in cruce, in resurrectione glorificatum et supra caelos elevatum, ibidem conficere et contrectare, neminem Christianum debet latere; praesertim cum novi et veteris Testamenti praecepta et canonicae sanctiones evidentissime prohibeant, ne alibi celebrentur missarum solennia, quam in locis Deo dicatis et sacratis, nisi summa coegerit necessitas.<sup>16</sup>

The subsequent passages in his epistle primarily concern Warenne's apparent rejection of Grosseteste's authority:

Nec suggerat quisquam vestrae discretioni, quod indecens sit vestrae excellentiae ab episcopis citari, vel coram eis comparere et juri parere; quia hujusmodi suggestor hoc agit, ut Christus in episcopis spernatur ...<sup>17</sup>

One may identify with Warenne's frustration. At Conisborough Castle (Yorkshire), and perhaps in his other residences, including the castles of Castle Acre (Norfolk) and Reigate (Surrey), the earl possessed physical household-chapel buildings, whilst from

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<sup>16</sup> Luard (ed.), *Roberti Grosseteste Epistolae*, p. 172. Translated in Blaauw, 'Warenniana', pp. 113-4:

Since, however, your hall is not a dedicated place, but a common habitation of men, the receptacle of eaters and drinkers, conversing frivolously, scurrilously, and perhaps often filthily, and perhaps sometimes even acting filthily, with dogs also running about it, and sleeping and often leaving their dirt there, no Christian should be unaware how unfitting it is to consecrate and to handle there the body of our Lord Jesus Christ, Son of the living God, who was born of a most pure Virgin, suffered on the cross, and was glorified in resurrection, and raised above heaven, especially since the precepts of the Old and New Testament, and canonical authorities most evidently prohibit the solemnity of masses to be celebrated elsewhere than in places dedicated and consecrated to God, unless on compulsion of the strongest necessity.

<sup>17</sup> Luard (ed.), *Roberti Grosseteste Epistolae*, pp. 172-73. Translated in Blaauw, 'Warenniana', p. 114:

Nor let any one suggest to Your Discretion, that it is an indecorum [sic] for your Excellency to be summoned by Bishops, and to appear before them, and to submit to law, because such a suggestor does this that Christ may be despised in his Bishops.

the evidence of this letter alone he appears to have maintained at least one chaplain or household priest.<sup>18</sup> Nevertheless on this particular occasion, at Grantham, he was not in a position to have masses canonically celebrated. Despite the fact that the maintenance of a household chapel, or of a religious routine including the celebration of domestic masses, was an established part of the earl's household, like those of his peers, its maintenance remained dependent upon the possession of the appropriate canonical rights and privileges, and subject to the authority of the local diocesan.

The dispute between Grosseteste and Warenne is well, if partially, attested and, although unusual, was not unique. In 1298, Grosseteste's successor, Bishop Sutton, required the dean of 'Hoyland' to punish those who had profanely celebrated masses, 'sine superioris licencia et legitima auctoritate quacumque', in a new oratory constructed in the house of Joyce of Haigh.<sup>19</sup> Earlier, in 1170, certain priests of Hugh Bigod, earl of Norfolk, ('sacerdotes de terra comitis Hugonis') were temporarily excommunicated for celebration of masses despite interdict.<sup>20</sup> Almost three centuries later, in 1447 (to employ a noteworthy Irish example), the dean and archdeacon of Limerick received a papal mandate to rehabilitate one Dermit Ohiki:

...being chaplain of the earl of Desmond (to whom an indult was granted by the apostolic see to have a portable altar, and to have [masses] celebrated in fit and honest places by his own or other priest in the presence of himself and the members of his household)... [and who] has often, in ignorance of the law, celebrated in a profane place, in the presence of the said members but in absence of the said earl... and who has followed the said earl in battles and conflicts, in which homicides, rapines, burnings etc. were perpetrated, but did so only for the celebration of divine offices and masses, and without in any way assisting the earl in the perpetrating of the aforesaid...<sup>21</sup>

Naturally, disputes arose upon occasion concerning the foundation or maintenance of household chapels without the consent, or at the expense, of parochial authorities.

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<sup>18</sup> Luard (ed.), *Roberti Grosseteste Epistolae*, p. 172.

<sup>19</sup> Hill, vi, 112-13.

<sup>20</sup> Harper-Bill (ed.), *Norwich, 1070-1214*, p. 363 (no. 60); J.C. Robertson and J.B. Sheppard (eds.), *Materials for the History of Thomas Becket, Archbishop of Canterbury*, 7 vols. (*Rerum Britannicarum Medii Ævi Scriptores* 67; London, 1875), iii, 131.

<sup>21</sup> *Cal. Pap. Regs.*, x, 280.

However, at least as far as they were recorded, the volume of such disputes was small; few (if any) resulted from the grant or misuse of fourteenth and fifteenth-century *licencie celebrandi*. In 1224, William, dean of Salisbury, visited the oratory of John de Erlegh, and subsequently suspended his chaplain, William, for admitting parishioners of Sunning in addition to the free household:

Insuper etiam passim solebat admittere parochianos de Sunning quando celebrabat in predicta capella, cum neminem deberet recipere nisi dominum, et dominam, et eorum liberam familiam. Insuper et die Purificationis proximo preterita, suscepit circiter xxv. homines et feminas in capella sua, ad oblationem, qui fuerunt de parochia de Sunning, et hæc omnia publice confessus est in pleno capitulo de Sunning, unde et W. decanus eum suspendit a celebratione divinorum.<sup>22</sup>

In 1267, the rector of the church of Hornchurch (Essex) received papal confirmation of the judgement of the official of the bishop of London, issued against John of Dover who had built an oratory in the parish and had had celebration within it to the rector's detriment.<sup>23</sup> A similar case occurred in 1300, when the oratory of Henry de Thorne, a parishioner of Minster-in-Thonet (Kent), was placed under interdict by the abbot of St. Augustine, Canterbury, since:

...in prejudicium ipsius matricis ecclesie non modicum & gravamen, ac plurimorum pernitosum exemplum, in quodam oratorio privato apud *Spinam* [Thorne] in manerio suo contra canonicas sanctiones missas publice facit celebrari.<sup>24</sup>

In this case, the abbot appears to have had difficulty enforcing his interdict and the associated sentence of anathema imposed upon any individual continuing to attend mass, and had to demand its enforcement by the vicar of Minster-in-Thonet.<sup>25</sup>

In most instances of disputes or uncanonical maintenance, the settlement or outcome rarely (if ever) saw the suppression of the chapel. Indeed, many were favourable or at

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<sup>22</sup> W.H. Jones (ed.), *Vetus Registrum Sarisberiense alias Dictum S. Osmundi Episcopi. The Register of S. Osmund*, 2 vols. (*Rerum Britannicarum Medii Ævi Scriptores* 78; London, 1883), i, 307-8.

<sup>23</sup> Sayers, p. 328 (no. 728A). H.F. Westlake (ed.), *Hornchurch Priory. A Kalendar of Documents in the Possession of the Warden and Fellows of New College, Oxford* (London, 1923), p. 74 (no. 320).

<sup>24</sup> Hussy, 'Chapels in Kent', p. 248; J. Lewis (ed.), *The History and Antiquities, as Well Ecclesiastical as Civil, of the Isle of Tenet, in Kent* (London, 1736), p. 40 (no. 24) ('A Collection of Papers, Records, &c.').

<sup>25</sup> *Ibid.*, p. 115 (no. 5).

least accommodating to the chapel in question. When, in c. 1190-93, a dispute arose between Hilary of Beckhampton, knight, and Asketil, the vicar of Avebury (Wiltshire) regarding Hilary's maintenance of a chapel at Beckhampton, the terms of the resulting settlement were generous to Hilary and closely comparable with those of contemporary chapel grants.<sup>26</sup> In return for an annuity of two acres of corn, these permitted the celebration of marriages and churchings, and unusually, allowed parishioners to celebrate the (probably dedicatory) feast of St. Vincent in Hilary's chapel:

Ceterum oratorium de Bach' per totum annum, exceptis iiij. principalibus festis predictis, plenarium habebit servicium per suum proprium capellanum et omnes obventiones et oblaciones de curia, preter illas que superius excepte sunt et omnes de curia confessiones. Die quoque sancti Vincencii quicumque ex parochianis devocionis intuitu ad oratorium illud venire voluerint sine contradictione qualibet vel impedimento vicarii de Aveberia libere accedant et eorum oblaciones ibidem remaneant.<sup>27</sup>

A further case comparable both with this, and with Roger de Martival's later re-endowment of his chapel at Noseley, concerns the chapel established by the Esturmi family within their *curia* at Burbage (Wiltshire). In c. 1213, Henry received a typical chapel grant for the establishment of this chapel from Bartholomew des Roches, the prebendary of Burbage, confirmed by the dean of Salisbury.<sup>28</sup> However, between 1235 and 1243, the succeeding prebendary, Luke of Winchester, archdeacon of Surrey, demanded that Geoffrey de Esturmi make a further indemnity to the parish church, since he considered it to have been injured by the original grant.<sup>29</sup> Geoffrey agreed to an annuity of ten shillings, payable at Easter and Michaelmas, and further confirmed some rights of pasture. In return, he acquired an expanded grant of rights for his chapel, similar in many regards to that negotiated by Martival over fifty years later, amongst which were those to receive the sacraments and to have churchings and marriages performed.<sup>30</sup>

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<sup>26</sup> Devine, ii, 429-30 (no. 487/743).

<sup>27</sup> Ibid.

<sup>28</sup> W.S.R.O., Savernake Estate 9/7/1 [Chapel grant to Henry de Esturmi, 1213]. Jones (ed.), *Registrum Sarisberienense*, i, 250-52.

<sup>29</sup> W.S.R.O., Savernake Estate 9/7/3 [Additional chapel grant to Geoffrey de Esturmi, 1235-43].

<sup>30</sup> Ibid.

A similarly measured outcome was reached in 1296 to an episode concerning ‘a certain private chapel newly constructed at the manor of Hambleden (Buckinghamshire) belonging to the nobleman Edmund, Earl of Cornwall’.<sup>31</sup> In a mandate to the archdeacon of Buckingham, Bishop Sutton described how:

Ad nos dudum insinuatio clamosa pervenit quod quidam in oratorio quodam in manerio nobilis viri domini Edmundi comitis Cornubie apud Hameldon’ noviter constructo sine auctoritate legitima divina celebrare palam et pupplice presumpserunt, locum ipsum omnio prophanum tanquam sacrum moti quibusdam superstitionis figmentis et adinventionibus vanis illicite venerantes.<sup>32</sup>

The manor of Hambleden was the birthplace of Thomas de Cantilupe, bishop of Hereford (1275-82). In 1288, his contemporary and friend, Edmund of Almain, founded a chapel there in his honour which appears to have become an informal place of pilgrimage.<sup>33</sup> Sutton’s mandate, ‘out of zeal and respect for the lord earl’, required his archdeacon to ‘forbid divine service to be celebrated henceforth in the private chapel when the lord earl is absent unless legitimate authority intervenes to allow it’.<sup>34</sup> In March 1297, he permitted that:

... tamen cessante nunc ut accepimus concursu prefato, ut dictus dominus comes in prefata capella divina ad quod facienda affectus esse videtur sine cujusquam juris prejudicio per capellanum propriis sumptibus exhibendum sublata confluentia pretacta facere valeat celebrari usque ad festum sancti Andree proxime futurum duximus concedendum.<sup>35</sup>

In those cases considered above the sanction imposed for illicit celebration tended to be the temporary imposition of interdict or suspension. It is notable that household or proprietary chapels do not appear to have been regularly closed or suppressed altogether. Other chapels were so suppressed. A convoluted instance concerns the attempted establishment of a collegiate chapel by Baldwin, archbishop of Canterbury

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<sup>31</sup> Hill, v, 143-44; translation as J. Shinnars (ed.), *Medieval Popular Religion 1000-1500: A Reader* (Peterborough, Ont., 1997), pp. 463-65.

<sup>32</sup> Ibid.

<sup>33</sup> R.C. Finucane, ‘Cantilupe, Thomas de [St Thomas of Hereford] (c. 1220–1282)’, *Oxford Dictionary of National Biography* (Online Edition; Oxford, 2004); N. Vincent, ‘Edmund of Almain, Second Earl of Cornwall (1249-1300)’, *Oxford Dictionary of National Biography* (Online Edition; Oxford, 2004).

<sup>34</sup> Hill, v, 143-44; Translation as Shinnars (ed.), *Medieval Popular Religion*, pp. 463-65

<sup>35</sup> Hill, v, 176. Cf. Ibid., 212 (renewal of this grant).

(1184-90), at Hackington (outside Canterbury), which was disputed by the abbey of Christ Church, Canterbury, and its demolition instructed by papal mandate in 1191.<sup>36</sup> An alternate scheme for the establishment of a collegiate chapel at Lambeth was begun in 1188, but was, in turn, opposed by the monks of Canterbury. Baldwin's successor, Hubert Walter, was likewise ordered by a papal mandate of Innocent III in 1198, 'to pull down within thirty days what he built of the chapel at Lambeth and cancel certain appointments'.<sup>37</sup> Likewise in 1351, John Grandison, bishop of Exeter (1327-69), issued an order regarding a chapel constructed by the prior of the small Augustinian priory of Frithelstock (Devon). This chapel which had been constructed 'contra sacros canones', was to be completely destroyed, 'usque ad aream dirui et funditus demoliri'.<sup>38</sup>

Disputes and cases of illicit chapel maintenance thus provide an alternative, but complementary, view of the establishment, maintenance and regulation of household chapels, in particular in the period prior to c. 1300. The canonical conventions often cited in such cases correspond closely with the established body of canon law concerned with household chapels examined above, and with the associated conditions of chapel grants and later *licencie celebrandi*. Likewise, the role of archdeacons and other diocesan officials in the investigation and resolution of such cases accords directly with their responsibilities as articulated in canonical statutes and otherwise exemplified in chapel grants. In the exceptional case of Hambleden, Bishop Sutton personally visited to enquire into the misuse of the chapel, but nevertheless mandated the local archdeacon to oversee the suspension and resumption of services. The comparative scarcity of records which record the acts of such archdeacons or officials, and their courts, perhaps serves to disguise the frequency or nature of disputes concerning household chapels. Nevertheless, the apparent infrequency of disputes, when compared with the large numbers in which household

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<sup>36</sup> Ramsey (ed.), *Bath & Wells, 1061-1205*, pp. 77-80 (nos. 103-6); 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), pp. 319-22.

<sup>37</sup> *Cal. Pap. Regs.*, i, 3; H.E. Malden (ed.), *A History of the County of Surrey: Volume 2* (Victoria History of the Counties of England; 1967), p. 127.

<sup>38</sup> G. Oliver (ed.), *Monasticon Dioecesis Exoniensis ...* (Exeter, 1846), p. 219. Cf. The chapel of Stanford-le-Hope (Essex) was disputed by the abbot of Waltham and the parson of Stanford. It was pulled down by the latter, who was subsequently compelled to rebuild it by episcopal instruction: Fowler, 'Essex Chapels', p. 117.

chapels have been shown to have been maintained, and the manner in which disputes were resolved, strongly supports the argument presented here that household chapels were an ubiquitous and established ecclesiastical institution. At the very least, the majority of medieval households do not appear to have entered into regular disputes with parochial or other religious authorities regarding their maintenance of household chapels or their celebration of domestic masses. Indeed, the reverse appears more likely, that their ability to maintain chapels, and the manner in which this was facilitated, helped define a common basis upon which lordly households interacted with all other religious and social communities.

#### 'FREE CHAPELS' AND THE LONG-TERM MAINTENANCE OF HOUSEHOLD CHAPELS

Instances of the maintenance of household chapels according to exceptional or long-established rights were an inevitable consequence both of the scale of household-chapel maintenance in medieval England and of the patchwork of ecclesiastical jurisdictions and privileges which existed throughout this period. As has been seen, in the early fifteenth-century Lyndwood identified two categories of household chapel which were exempted from the necessity of episcopal regulation: the chapels of senior ecclesiastics, and those of the royal family (considered to be the king, queen, their children and grandchildren).<sup>39</sup> The rights of the fifteenth-century Chapel Royal as codified (or claimed) in the *Liber Regie Capelle* (1449), included that for celebration on portable altars according to papal privilege:

#### XII. DE ALTARI PORTATILI ET CELEBRACIONE IN OMNI LOCO HONESTO

Omne preterea de Capella Regis necnon omnes seruiantes eiusdem per priuilegium apostolicum habent potestatem audiendi missam et cetera diuina officia faciendi in quocumque loco honesto, necnon erigendi altare, etiam sub diuo, si oportuerit, et ibidem conficiendi corpus Christi ac ministrandi sacramenta necessitatis, dummodo aliquis de Capella Regis aut aliorum seruitorum eiusdem presens in eodem loco fuerit.<sup>40</sup>

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<sup>39</sup> *Appendix IV*, gl. 39.

<sup>40</sup> Ullmann (ed.), *Liber Regie Capelle*, p. 66.

Most 'royal chapels' in Lyndwood's broad sense appear to have been maintained without resort to episcopal *licencie celebrandi*, but were supported by the acquisition of papal privileges concerning the religious routines of their proprietors and those of their households. Likewise, many chapels maintained by greater aristocratic households, especially those endowed as collegiate foundations, tended to be founded by means of papal privilege, supported by royal grants of licences *in mortmain*, rather than by acquisition of episcopal licences.<sup>41</sup>

Within their own dioceses, bishops appear to have maintained household chapels entirely by their own right, although some certainly sought and acquired grants or licences for the maintenance of chapels (and religious routines) outside their own jurisdictions.<sup>42</sup> Lyndwood's statement that senior ecclesiastics maintained chapels within their residences by way of a custom, 'which is old and must be kept most faithfully', finds an echo in the terms of a composition, of 1392, between John Waltham, bishop of Salisbury (1388-95), and the chapter of the cathedral:

To safeguard consciences, [bishop] John conceded that dean and canons and their successors might freely celebrate or have divine services celebrated in existing chapels within canons' houses in the Close ... according to ancient custom.<sup>43</sup>

Similarly, many monastic authorities possessed established rights regarding most or all of the chapels upon their estates, or otherwise within their jurisdiction. In January 1418, for example, the abbot of St. Mary's (York), received an indult from Martin V, confirming his right and that of his successors to:

... consecrate chalices of the monastery and its dependencies, and reconcile their churches and cemeteries...; with indult thereby to reconcile churches and chapels and their cemeteries, dependent on or belonging to the monastery and its priories and cells, and bless the water, and to consecrate all altars and chalices of the said churches and chapels.<sup>44</sup>

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<sup>41</sup> For the further examination of such foundations, *Conclusion*, p. 264.

<sup>42</sup> *Chapters 3-4, passim*.

<sup>43</sup> *Appendix IV*, gl. 33. Timmins, p. 206 (no. C1). At least one of these chapels partially survives: Royal Commission on Historical Monuments, *Salisbury: The Houses of the Close* (London, 1993), 118-27 (Aula le Stage).

<sup>44</sup> *Cal. Pap. Regs.*, vii, 58. The abbot also received confirmation of his right to hear the confessions of all the monks of the monastery and its dependencies: *Ibid*, vii, 59.

On occasion, monastic authorities continued to license or grant permission for the celebration of divine service within household chapels. As seen above, in 1237 Hugh, abbot of Cirencester, granted William of Culworth and his heirs, the right to maintain an oratory at Ellington (Berkshire), in 1237.<sup>45</sup> Nearly a hundred years later, in 1335, his successor, Abbot William, granted the same right, to maintain an oratory at Ellington, to John le Despenser and his heirs.<sup>46</sup> This second grant was modelled upon the first, down to the stipulated dimensions of the chapel. The immediate context of its reissue was a dispute between John and the abbey of Cirencester regarding John's refusal to pay an annuity of 2*s.* due in return for the maintenance of the oratory at Ellington. The dispute was settled 'coram nobis presidente consilii domini episcopi Sar'', John being required to pay the annuity.<sup>47</sup>

The case of Ellington provides a noteworthy example of the perpetuation of the right to maintain a household chapel, at one particular residence, over a number of generations. As has been seen, many twelfth- and thirteenth-century chapel grants, and their equivalents issued by the papal *curia*, conceded the right to maintain specific household chapels in perpetuity, and instances of such long-term maintenance can occasionally be recognized in practice. The term 'libera capella', loosely and inconsistently employed to describe individual chapels, in many instances probably indicated those constituted by a chapel grant, whose proprietors possessed the perpetual right to maintain them. Denton previously approached this same conclusion:

This had become the most common use of the term 'libera capella': the freedom was from the parish, not freedom from the bishop. A free chapel of this sort had no parochial responsibilities, and all the rights of the local parish were themselves safeguarded.<sup>48</sup>

However, it should be questioned whether the term 'libera capella' ever possessed such a precise meaning even as this. In most cases it may simply have served as an administrative short-hand to indicate proprietary chapels in possession of their own endowments and some sacramental liberties, the majority of which remained firmly within the jurisdiction of both the parish and the diocesan. Indeed it was the right or

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<sup>45</sup> Chapter 2, p. 87.

<sup>46</sup> Devine, ii, 485-6 (no. 560/833); iii, 1104-5 (no. 834).

<sup>47</sup> Devine, iii, 1105 (no. 835).

<sup>48</sup> Denton, *English Royal Free Chapels*, p. 9.

liberty to celebrate masses, and in some cases other sacraments, which the heads of medieval households principally sought, not ‘freedom’ from the regulation or jurisdiction of the parish or diocesans. As such, ‘free chapels’ appear to have been those where services were celebrated by established right, in contrast to those maintained by the temporary possession of episcopal licences or papal privileges. In 1284, just such a distinction was articulated (to employ a pertinent Welsh example) in a case concerning the service of the chapel of the castle of Buelst (Brecknockshire), traditionally provided by the prior and convent of Brecon:

... a chaplain ... was wont to celebrate divine service in the castle every Wednesday and Friday, and every second Sunday, and, when he celebrated to eat with his clerk in the castle, until ... the said chantry was withdrawn by Master Nicholas de Marnham, commissary of the bishop of St. David’s, because it was to the prejudice of the mother church. *The jurors know not whether the said chaplain celebrated by right or by grace.*<sup>49</sup>

In some cases, household-chapel owners sought to justify or legitimize their right to maintain particular chapels by reference to their longevity or ancient establishment. Thus in 1250, Henry, lord of Cotherstone (Yorkshire), was the subject of a mandate issued by Innocent IV to the abbot of Egglestone (Yorkshire), which required that Henry was:

... not to be molested over the chapels, which have been built by him and his parents on their manors over the past forty years and more, for which the pope has granted him a licence.<sup>50</sup>

Perhaps more controversially, in November 1440, William, fifth baron Zouch, requested and received a confirmation from Eugene IV regarding the chapel at his family’s *caput* of Harringworth (Northamptonshire), its ‘construction, building, endowment, assignment and administration of sacraments’.<sup>51</sup> The substance of William’s original petition was included within this confirmation. It dwelt upon the longevity of the chapel and the historical ‘toleration’ of it by former bishops of Lincoln:

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<sup>49</sup> *Cal. Misc.*, i, 389 (no. 1350) (my italics).

<sup>50</sup> Sayers, pp. 162 (no. 361).

<sup>51</sup> *Cal. Pap. Regs.*, ix, 101. For descriptions of this lost chapel: Emery, ii, 190, n. 34.

...his progenitors had founded and built within their manor of Haryngworth a chapel of All Saints and endowed it for a chaplain... that the chaplains had buried therein, and had administered all ecclesiastical sacraments to, those who died within the same manor, and likewise administered the same to the said lords when dwelling in the manor and to their servants, and that the said lords and servants paid to them parochial rights; that all the aforesaid had been observed from time immemorial, and that the bishops of Lincoln had known, tolerated, and tacitly consented.<sup>52</sup>

Whilst established claims of right might be successfully defended, as in this case, in others they were deliberately challenged, or proof of their canonical basis demanded. By the early 1240s, Nicholas Farnham, bishop of Durham (1241-49) was seeking to exert his authority over chapels 'ab antiquo constructis'; whilst Walter de Cantilupe, bishop of Worcester (1237-66), required that any privileges which permitted magnates' chaplains to celebrate without episcopal authority should be produced.<sup>53</sup> Subsequently, the variant text of *Quam sit inhonestum*, probably promulgated by Walter Reynolds, archbishop of Canterbury (1313-27), included a clause which required that proof of any exceptional right to celebrate domestic masses, especially by papal privilege, be displayed and proved within two months of the statute's promulgation.<sup>54</sup> In addition, from the thirteenth century, as has been seen, archdeacons were active in investigating the rights of chapel proprietors.

An instance in which possession of a longstanding right to maintain a chapel appears to have been demonstrated occurs in the register of Wolstan de Bransford, bishop of Worcester (1339-49). This takes the form of a full transcript of a charter of a certain Gondevill, of c. 1180-84, which records his landed endowment of 'the chapel of St. Katherine the Virgin, which he has founded in his *curia* of Campden', and his grant of the tithes of four mills of the parish church of Campden:

... ita quod predicta capella plenam libertatem habeat.<sup>55</sup>

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<sup>52</sup> Ibid.

<sup>53</sup> Chapter 1, pp. 154-56.

<sup>54</sup> Chapter 1, pp. 62-63.

<sup>55</sup> Haines (ed.), *Register of Wolstan de Bransford*, pp. 154-55 (no. 905); 514-15 (no. 905).

This transcription is included in Bransford's register amongst unrelated entries dating to the mid to late 1340s, and no explanation is given for its inclusion. Was this transcription a record of the demonstration of the 'ancient' rights of the chapel of Campden made in response to requirements of the statute *Quam sit inhonestum* or otherwise at the behest of Bransford, or one of his archdeacons?

A better-contextualized instance of the demonstration and defence of the established rights dates from the early-fifteenth century and concerns the performance of services within the extant mid-thirteenth-century chapel of Hendred House (Berkshire).<sup>56</sup> The register of Robert Hallum, bishop of Salisbury (1407-17), includes an entry which records the excommunication of 'William Streccher, chaplain' for contumacy;<sup>57</sup> this is followed soon after, in July 1441, by a notification that:

... William Strecher, chaplain of St. John the Baptist's chapel, East Hendred (*Esthenreth*), has been freed from the sentence of suspension imposed during the bishop's visitation, and has been restored to his former status ...<sup>58</sup>

This restoration was confirmed the following August by Thomas Arundel, archbishop of Canterbury.<sup>59</sup> On the reverse of the folio recording this notification is a transcription of a charter issued in 1293:

Copy made from the register of Nicholas [Longsepee], bp. of Salisbury, of a grant by the bp. to Geoffrey de Turbevile, knight, and Isabel his wife at their request, that they may have a chapel with a chaplain on their manor of East Hendred (*Esthenreth*) for the use of their household. The chaplain is to be supported by tithes owed from the manor and is to be presented for institution by the bp. He is to swear that he will pass on to the parish church all offerings and revenues other than the tithes, that he will obey the rector, that he will admit no parishioner to any sacrament in the chapel unless he be of the Turbevile household, and that he will not allow anything prejudicial to the parish church...<sup>60</sup>

To this transcription was appended the note that:

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<sup>56</sup> Emery, iii, 87-88. This is one of a handful of medieval household chapels which remained places of continuous Catholic worship. The others include Hazlewood Castle (Yorkshire) and Stonor Park (Oxfordshire): *Ibid.*

<sup>57</sup> Horn (ed.), *Register of Robert Hallum*, p. 155 (no. 869).

<sup>58</sup> *Ibid.*, p. 117 (no. 876).

<sup>59</sup> *Ibid.*, p. 123 (no. 910).

<sup>60</sup> *Ibid.*, p. 117-8 (no. 880).

This ordinance of St. John's chapel, East Hendred, was copied into the register at the bishop's command, when the suit arose between the rector and the chaplain.<sup>61</sup>

Immediately following this is recorded a notification of the official of the archdeacon of Berkshire which provides a description of this dispute. It states that during his visitation Bishop Hallum had discovered that Stretcher had been withholding 'certain offerings and tithes which belonged to the parish church, apart from the tithes of the manor in which the chapel is situated'.<sup>62</sup> Hallum had therefore ordered the restoration of these tithes upon pain of excommunication, and required the archdeacon or his official to publish, and if necessary enforce, his sentence.<sup>63</sup> Despite the restoration of Stretcher, his dispute with the rector of East Hendred, John Robtot, appears to have continued, since Hallum's register subsequently records the terms of an agreement reached between these parties, dating to June 1412, 'concerning the tithes belonging to the manor for the support of the chaplain'.<sup>64</sup> The text of this agreement comprises a lengthy description of all the greater and lesser tithes which the chaplain might retain. Although all other tithes were to 'be paid in full to the rector without hindrance by the lord or chaplain', this agreement basically appears to represent the successful defence of the chapel's rights.<sup>65</sup>

A subsequent and opaque chapter in this chapel's history is hinted at by a marginal record added in the first half of the sixteenth century against the text of the 1412 agreement. This details the terms of a papal privilege pertaining to the chapel of 1255:

Mandate of Pope Alexander [IV] to the bp. of Salisbury, at the petition of John de Turbelvyle, lord of Hendred (*Henreth*). The latter is so far from the mother church that particularly in winter he cannot conveniently attend it to hear the divine offices and receive the sacraments. The pope has therefore granted him a licence to build a private chapel on his own land and have his own chaplain to whom he is prepared to assign a

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<sup>61</sup> Ibid.

<sup>62</sup> Horn (ed.), *Register of Robert Hallum*, p. 118 (no. 881).

<sup>63</sup> Ibid.

<sup>64</sup> Horn (ed.), *Register of Robert Hallum*, pp. 125-30 (no. 918).

<sup>65</sup> Ibid.

sufficient income. He orders the bp. as diocesan to allow Turbelvyle to do this if it seems good to him.<sup>66</sup>

The marginal record was made by:

Thomas Candell, notary public... from a transcribed public instrument signed by one Thomas Hopkyns, which mentions the original papal bull made with hemp strings and with the *bull*a attached in the fashion of the Roman curia.<sup>67</sup>

The record of this dispute concerning the chapel of East Hendred serves to demonstrate that it was possible for individual household chapels, built or established within particular residences, to be maintained indefinitely upon the basis of historic privileges; and also that, at least in some cases, chapel owners or incumbent chaplains were able to provide documentary proof of long-held rights or liberties.<sup>68</sup>

Returning almost full circle, to where this survey of the regulation of English household chapels began, to the chapel of Eselingham (Kent), established by Hugh de St. Clare in the late-eleventh century, we discover a further case of long-term chapel maintenance.<sup>69</sup> In 1350, perhaps as a consequence of a dispute, Walter Neel, described as a citizen of London, sought and received papal confirmation:

... of the customs and liberties of the chapel of St. Peter's, Eselingham, within the limits of St. Andrew's parish, appropriated to the bishop of Rochester, held since the time of bishop Gundulf, and confirmed by his successor John, as obtained by the lords of Eselingham, and now held by the said Walter, lord of that place.<sup>70</sup>

Thorpe described the fabric of this lost chapel:

The chapel was a small stone building with Gothic windows, and iron bars. It was about thirty feet in length, by twenty in breadth, and stood east and west of the side of the yard south of the dwelling house, and was used as an oast-house; but becoming ruinous, and inconvenient for that

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<sup>66</sup> Horn (ed.), *Register of Robert Hallum*, pp. 224-25 (no. 1149).

<sup>67</sup> *Ibid.*

<sup>68</sup> W. Page and P.H. Ditchfield (eds.), *A History of the County of Berkshire: Volume 4* (Victoria History of the Counties of England; 1924), p. 302.

<sup>69</sup> *Chapter 2*, pp. 82-84.

<sup>70</sup> *Cal. Pap. Regs.*, iii, 335.

purpose, was pulled down in the year 1772, and a new oast erected near the spot.<sup>71</sup>

Chapels similar to these, maintained continuously over generations and possessing their own endowments, appear to account for the numerous 'free chapels' to which late medieval sources occasionally refer, in particular registered lists of institutions.<sup>72</sup> For instance, in 1499, Richard Lee was instituted to 'the free chapel of St Michael the Archangel' at Norrige (Wiltshire) by the patronage of John Lee, esquire.<sup>73</sup> Again, archdeacons appear to have been active in inquiring into such rights of patronage.

In other cases, rights bestowed by 'ancient' grants appear to have been successfully challenged by other subsequent authorities or simply to have lapsed, some being superseded by episcopal licensing or the acquisition of papal privileges. In 1346, for example, Agnes de Cormayls, described as 'lady of the manor of Schottesden, in the diocese of Winchester', sought a papal faculty that, 'she may have divine offices celebrated in her chapel, built of old in the said manor, it being a mile from the parish church'.<sup>74</sup> This faculty was granted, but in this instance the age of the chapel appears, alongside distance from the parish church, simply as a factor supporting Agnes's petition, not as statement of an established right.

Penshurst Place (Kent) provides a fuller example of a chapel which was maintained according to different grants or privileges over successive generations. In the early-thirteenth century, the patron, rector and vicar of the parish of Lyghe, made a typical chapel grant:

... concessimus domino Thome de Pensherste, & heredibus suis, concessione & assensu Benedicti tunc temporis episcopi Roffen. [1215-26] unam capellam liberam in perpetuum in manerio suo de Peneshurste, per proprium capellanum suum deserviendam. ... Et si contigerit forte quod missa non celebretur die Paschalis in predicta capella, tota familia

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<sup>71</sup> Thorpe (ed.), *Registrum Roffense*, p. 116 (*Antiquities in Kent*), pl. 1 (fig. 3).

<sup>72</sup> Also the 'free chapel' of Ramsden Belhouse (Essex): Newcourt (ed.), *Repertorium Ecclesiasticum*, ii, 486-87.

<sup>73</sup> Harper-Bill (ed.), *Register of John Morton*, ii, 155 (no. 513). Such institution lists provide a potential source of great value to the study of medieval household chaplains: *Conclusion*, p. 265.

<sup>74</sup> *Cal. Pap. Pets.*, 117.

predicta hospicij venient ad matricem ecclesiam de Leghe ad corpus Christi recipiendum. ...<sup>75</sup>

A generation later, in 1239, this grant was confirmed to John Belemeyns, a canon of St. Paul's (London), and his successors by Richard Wendene, bishop of Rochester (1235-50). In 1249, upon the institution of Walter de Ferenche, 'capellanum nobis a dicto domino Johanne Belemeyns presentatum ad eandem admittendo', Wendene emphasized his episcopal jurisdiction in this matter:

Statuimus eciam ut cedente vel decedente ipsius loci capellano, liceat domino ipsius manerij, qui pro tempore fuerit, alium capellanum idoneum ad dictam capellam libere presentare, a nobis vel successoribus nostris benigne admittendum.<sup>76</sup>

In the same year, he also granted an indulgence, which records the maintenance of multiple altars within the chapel and hints at its liturgical sophistication:

... qui in anniversario dedicacionis capelle in curia manerij de Peneshurste constructe, & a nobis in honore beati Thome apostoli, & beate Thome martyris dedicate superius, XL. dies ad altare ipsorum sanctorum a nobis consecratum oracionis causa accesserint, de injuncta sibi penitentia relaxamus. Et ad altare in honore beatorum confessorum Edmundi & Nicholai subtus a nobis consecratum, XL. dies, cum devocione illuc accedentibus, de injuncta sibi penitentia relaxamus.<sup>77</sup>

In 1284, Stephen de Peneshurst endowed (or re-endowed) the chapel to provide for its continuous service:

Et pro hac donacione, concessione, & warantizacione, predictus capellanus & successores sui deservient dictam capellam per se, & alium capellanum sibi, & successoribus suis, sua disposicione associatum, & unum clericum competentem.<sup>78</sup>

Nevertheless, despite this long-standing process of confirmation and renewal of rights pertaining to the chapel at Penshurst, over a century later, in 1393, Margaret, the widow of John Devereux, found it necessary to petition William, bishop of Rochester

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<sup>75</sup> Thorpe (ed.), *Registrum Roffense*, p. 461-62; Hasted, *History and Topographical ... of Kent*, i, 426.

<sup>76</sup> Thorpe, op. cit., p. 461; Hasted, op. cit., i, 426.

<sup>77</sup> Hasted, op. cit., i, 426.

<sup>78</sup> Thorpe (ed.), op. cit., p. 463; Hasted, op. cit., i, 426-27.

(1389-1400) for a licence for Thomas, 'capellano perpetuo capelle magne infra manerium de Pensherst':

Ut in capelle predicta, coram eadem nobili domina, filijs & filiabus suis, ac eorundem tota familia, divina celebrare, ac confessiones eorundem, ac omnium & singulorum in dicto manerio habitantium, saltem tibi confiteri volencium audire, ac eis penitencias salutare, pro modo culparum suarum injungere ...<sup>79</sup>

Whether the 'great chapel' at Penshurst of 1393 may be identified with that founded and constructed in the early-thirteenth century cannot be known, since no chapel now survives at the house. Indeed, this description perhaps implies the existence of one or more 'lesser' chapels.<sup>80</sup> The original thirteenth-century chapel at Penshurst may have been replaced or reconstructed as part of the lavish remodelling of the house undertaken by Sir John Pulteney between 1338-40, and subsequently by Margaret's husband, Sir John Devereux, between 1382-93.<sup>81</sup> Certainly a chapel building was maintained in the fifteenth century when its porch and vestry were subject to works and was finally suppressed, as an institution, in 1547-8.<sup>82</sup> Whatever the details of the architectural development of this chapel, by the late-fourteenth century it, or its chaplaincy, retained its original endowment, but the religious routines of this chapel and household were at least partly supported by the possession of an episcopal licence.<sup>83</sup>

The case of Penshurst further draws attention to the mutable nature of individual chapel buildings and the rights associated with them. Household chapel buildings appear to have fallen in and out of use, in association with the upkeep of residences, with far greater frequency than did churches and perhaps other classes of chapel. The remains of a thirteenth-century chapel survive at Umberleigh House (Devon).<sup>84</sup> In

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<sup>79</sup> Thorpe (ed.), *op. cit.*, p. 469-70; Hasted, *op. cit.*, i, 427. The hearing of confessions was a right explicitly reserved to the parish church in the initial chapel grant: Thorpe (ed.), *op. cit.*, p. 461-62.

<sup>80</sup> Emery, iii, 386-94.

<sup>81</sup> *Ibid.*

<sup>82</sup> C.L. Kingsford (ed.), *Report on the Manuscripts of Lord de l'Isle & Dudley Preserved at Penshurst Place*, 6 vols. (Historical Manuscripts Commission 77; London, 1925-66), i, 234; Emery, iii, 393, n. 13; Hasted, *History and Topographical ... of Kent*, i, 427.

<sup>83</sup> Cf. The maintenance of a chapel at Ingleby (Lincolnshire): Owen, 'Medieval Chapels', p. 20.

<sup>84</sup> Pevsner and Cherry, *Devon*, 140.

1397, Thomas West, knight, was accused of committing waste in this manor, during the minority of John de Wylngton, that in the chapel amounting to 100s.<sup>85</sup> By 1439, the chapel had been rehabilitated and was held by a 'perpetual chaplain or warden' presented by Sir William Palton, whilst in 1450, Bishop Lacy licensed the celebration of the marriage of William's widow, Anna, to Richard Denfyll, esquire, 'in the chapel or oratory of Womberlegh House'.<sup>86</sup> Even chapels of royal patronage might fall out of use. In 1403 it was reported that the chapel of the manor of Piddletrenthide (Dorset) 'is today occupied only by implements for husbandry'.<sup>87</sup>

#### HOUSEHOLD CHAPELS: CONTINUITY AND VARIETY

The handful of cases considered here in which the right to maintain a household chapel was challenged or became the subject of dispute appear to be typical of those which occurred throughout the period examined by this thesis. Compared to the great numbers of household chapels which appear to have been maintained by medieval households in this same period, the number of disputes or investigations concerning them, at least as far as they are recorded, appears negligible. Moreover, the consequence of the majority of these was the continued maintenance of the chapel in question either on the basis of its established rights or upon new terms. The evidence provided by disputes and by instances of 'free chapels' maintained over a number of generations, appears to bolster the argument that the household chapel, as an institution, had an established place within the contemporary ecclesiastical hierarchy, alongside other classes of chapel and the parish church. What scattered instances of dispute and of long-term chapel maintenance reveal, by way of contrast to the formulaic evidence of grants, licences and privileges, are the individual variations which existed between chapels maintained by different households or by various generations of the same family. Considered against the schematic institutional framework outlined and examined above, such evidence begins to reveal the manner

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<sup>85</sup> *Cal. Misc.*, vi, 72 (no. 152). Similar reports commonly occur in many contemporary inquisitions.

<sup>86</sup> *Registrum*, ii, 148-49, 166; iii, 71.

<sup>87</sup> *Cal. Misc.*, vii, pp. 139-40 (no. 269). This was a common fate of free-standing household-chapel buildings subsequent to the English Reformation.

in which the constitution of individual chapels might be moulded to suit the nature and requirements of different households.

To dwell in detail upon disputes regarding household chapels is, however, to risk over-emphasizing the significance of such cases. By way of a coda, we might take note of cases in which the peaceful or beneficial co-existence of household chapels and parish churches is explicitly attested. These are rare, since the nature of the documentary record is one defined by regulation and dispute. Indeed it is worth bearing in mind that as an institution the household chapel served to promote active religious practice, or at least regular observances, within medieval households. As such it is difficult not to assume that it was commonly recognized as both a necessary institution and one which promoted a beneficial 'increase of divine service'.<sup>88</sup> More prosaically, instances of mutual respect or co-operation occasionally merited record. In 1291, according to later parochial depositions, the parish church of Thundersley (Essex) burnt down over Christmas week and for the next six years, whilst it was ruinous and undergoing repair, all services were held in the chapel of the manor of Thundersley.<sup>89</sup> Likewise, if more formally, in 1430, John Wyntershulle, lord of Wyntershulle (dio. Winchester), received a papal indult:

... for him and his successors to have in the chapel of the said manor, which is almost four miles distant from the parish church of Shaldeforde, mass and other divine services celebrated by his own or other fit priest, in presence of himself and his household, and of the sick and weak inhabitants of the manor village, and for the said priest or regular, to administer ecclesiastical sacraments.<sup>90</sup>

John's chapel probably stands for many others maintained in harmony with parish churches, indeed to the mutual benefit of both parishioners and households.

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<sup>88</sup> C. Burgess, "'For the Increase of Divine Service': Chantries in the Parish in Late Medieval Bristol', *Journal of Ecclesiastical History*, 36 (1) (1985), 46-65

<sup>89</sup> *Cal. Misc.*, v, 168-89.

<sup>90</sup> *Cal. Pap. Regs.*, viii, 172.

## CONCLUSION

### THE INSTITUTION OF THE HOUSEHOLD CHAPEL (C. 1100 - C. 1500)

The potential of the medieval chapel as a subject of historical study has been questioned:

It is not a class that has received much attention from historians ... chapels make a poor showing alongside cathedrals, religious houses and parish churches in terms of surviving buildings, written records, and famous personnel. Usually unendowed and lacking permanent staff, they cannot often be traced through charters, like monasteries, or the institution of clergy, like parish churches... Chapels did not generate many records ...<sup>1</sup>

A similar view has been taken of the household chapel:

If the history of chapelries presents a confusing picture, that of private chapels and oratories is one of total obscurity.<sup>2</sup>

This thesis has sought to meet the historical challenge implicit in such statements. It has, for the first time, drawn together a sufficient body of evidence pertaining to the maintenance of household chapels to permit their study as an ecclesiastical institution. Three broad, but striking, conclusions arise from a consideration of this material.

First, the household chapel possessed an established basis in medieval canon law which enabled the canonical maintenance of individual chapels alongside other classes of chapel and church. Aspects of this canonical framework predated the establishment (or conglomeration) of the English parish, whilst its basic tenets served to facilitate, rather than restrict, the maintenance of household chapels. Most such chapels were constituted by one of three means, or a combination of these: grants of the right to establish and perpetually maintain household (or 'free') chapels; episcopal licences for the celebration of domestic masses and the choice of personal confessor; and papal privileges pertaining to aspects of domestic celebration and religious routines, in particular indulgences for portable altars. Indeed, where these regulatory instruments have previously been considered as evidence of restraint or caution, this

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<sup>1</sup> Orme, 'The Other Parish Churches', p. 78.

<sup>2</sup> Pounds, *English Parish*, p. 100.

thesis instead interprets them as evidence of active *facilitation* of chapel maintenance. Nationwide (indeed internationally), comparable grants and licences were issued by different ecclesiastical and diocesan administrations, as well as by the papal *curia*, to the heads of medieval households.

Secondly, household chapels – in the sense of an institutionalized religious routine – were maintained within lay and ecclesiastical households throughout this period. Since household chapels commonly possessed few fiscal rights, Orme has commented that ‘it ... [seems] odd, with such restrictions, that there was any interest in founding such chapels’.<sup>3</sup> However, the fundamental purpose for which household chapels were maintained was to establish religious provision for medieval households which could not easily be served by the parochial system, either as a consequence of their itinerant character, or over time, on account of their size and social distinction from parish communities.

Household chapels were, then, maintained partly out of religious and pastoral necessity, and partly in accord with established practice. They appear to have been a basic concomitant of lordly status, rather than a means of articulating or demonstrating this. As such, chapels seem to have been maintained more or less continuously during the lifetime of a household, whilst chapel buildings and furnishings might pass from one generation to another. Few chapels, if any, were primarily established to articulate or appease the ‘personal piety’ of individual lords, nor do such chapels appear to have been maintained primarily as a means of acquiring jurisdictional or fiscal rights at the expense of parish churches. Rather, the manner in which household chapels were constituted enabled the maintenance of orthodox religious routines by lordly families and their households, in accordance with the interests of other ecclesiastical institutions, in particular the parish.

The third conclusion is that all the evidence considered here points to the maintenance of household chapels on a remarkably wide scale. A substantial proportion of the medieval population above the loose rank of ‘parish gentry’ can be shown to have maintained household chapels. Indeed, although it is difficult to demonstrate

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<sup>3</sup> Orme, ‘The Later Middle Ages’, p. 63.

categorically, it is hard not to conclude that all gentle and noble households, lay and ecclesiastic, maintained some form of household chapel. That disputes concerning chapel maintenance appear so rarely further supports the impression that household chapels occupied a ubiquitous and established place within the contemporary ecclesiastical hierarchy. In short, the household chapel appears as universal an institution as the parish itself.

There can be little doubt that individual household chapels may be recognized as instances of the broad institution of 'the household chapel', as parishes are of 'the parish' or households of 'the household'. The manner in which household chapels were established, maintained and regulated was in all significant regards institutional rather than individual. Yet the conclusion of this thesis is not that household chapels were uniform in form or nature. On the contrary, if the recognition of the household chapel as an institution has historical significance, it must be that differences between household chapels were variations *within* an institution, and should therefore be considered in this context.

If this thesis emphasizes conformity over diversity, it certainly paints a picture of the household chapel which is monochromatic and administrative, and from which the richness and vitality of medieval religious practice is mostly lacking. It is in consideration of those other institutional elements of the household chapel, identified earlier but set aside, that these are to be found and where continued investigation should focus, namely: its architectural manifestations (chapel buildings); its personnel (household chaplains); and its principal *raison d'être*, domestic religious routines.

#### FURTHER DIRECTIONS: HOUSEHOLD-CHAPEL BUILDINGS

This thesis equates the possession of a household chapel with the maintenance of an institutionalized domestic religious routine. One expression of this institutionalization was the construction of chapel buildings. Extant chapels constitute a unique source of evidence for the study of the household chapel. Significant questions to be asked of these include, what basic forms did chapel buildings take, and how did these relate to the religious, liturgical or ceremonial routines undertaken within them? How were

chapel buildings disposed within domestic residences, and was this indicative of aspects of their use, or of those who had access to them? Were household chapels physically disposed to provide opportunities for architectural or ceremonial display? How were household chapel buildings decorated and furnished, and what can this reveal about the religious routines or preoccupations of individual lords or households?

First and foremost, one might ask how many household-chapel buildings remain extant. Wood's eighty-nine 'examples of the domestic chapel', and Turner and Parker's oft-cited exemplars, demand reconsideration within the context of a comprehensive gazetteer of English household-chapel buildings.<sup>4</sup> Work towards this by the present author has identified somewhere between 250 and 350 such chapels, existing in states from fragmentary ruins to functioning chapels.<sup>5</sup> Indeed, whilst medieval churches survive in relative proportion to their original number, the number of extant household chapels (and chapels in general) is no indication of their previous ubiquity.

Household-chapel buildings exhibit great variety, demonstrating the limited value of citing lone exemplars such as Beverston Castle (Gloucestershire) or Old Soar (Kent).<sup>6</sup> In any period, chapels occurred as free-standing buildings, as structures attached to residences, and as chambers fully incorporated within domestic structures (*Figures 16-21*). However, the form of chapels appears also to have varied over time. Chapels attached to chambers were particularly common in the thirteenth century, when descriptions of 'chapel-and-chamber' blocks also frequently occur, for example:

... to have made in the court of Guldeford manor a chamber with upper storey (*cum stadio*), fireplace, wardrobe and outer chamber and a chapel

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<sup>4</sup> *Introduction*, pp. 19-20.

<sup>5</sup> This figure includes approximately 190 free-standing buildings or elements of residences which may *definitely* be identified as household chapels; 80 which can *probably* be so identified; and 90 which *might* (or have some cause) to be so identified. Other chapels probably remain to be identified in addition to these.

<sup>6</sup> Pounds, 'The Chapel', p. 19; Pounds, *English Parish*, pp. 102-5; Webb, 'Domestic Space and Devotion', pp. 40-41.

at the head of the same chamber with upper storey and glass windows befitting the chamber and chapel ...<sup>7</sup>

It should be possible to identify architectural forms particular to both chapels and household chapels. The prevalence of single-cell construction is certainly noteworthy and probably predominated in the construction of chapels.<sup>8</sup> Single-cell chapels with neither distinct chancels nor bell-towers probably contrasted markedly with churches marked out by *insignia parochialia*: 'beautiful churches with cemeteries, baptismal fonts, choirs, chancels, and the other marks of a parish church'.<sup>9</sup> In the case of household chapels, the incidence of western galleries (or full first-floor 'naves') and of polygonal apses, are both striking.

Some residences appear to have maintained a hierarchy of 'religious spaces'. At Warkworth Castle (Northumberland), the remains of two chapels, one within the bailey, the other within the donjon, survive alongside the footings of a substantial, but uncompleted, collegiate chapel (*Figures 22-25*).<sup>10</sup> Similarly at Brougham Castle (Westmorland), a small polygonal chapel of c. 1300 served the earlier keep, whilst another of the late fourteenth was accessible from the principal courtyard.<sup>11</sup> However, many household-chapel buildings remain difficult to identify archaeologically in particular those without fixed furnishings (altars, piscinas, aumbries etc.) or the 'oratories and other suitable places' oft-cited in *licencie celebrandi*. Indeed, it must be recognized that domestic religious routines were not limited to chapels or oratories. Webb has suggested that, 'Custom-built accommodation would be used for prayer if it was available, but religion penetrated the other rooms of the houses of the devout'.<sup>12</sup> However, a wider point should be made: that religious routines were undertaken throughout domestic residences, and that discrete chapels or oratories served only to

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<sup>7</sup> *Calendar of Patent Rolls*, 51 vols. (H.M.S.O., 1892-1916), vi, 11 (no. 91) (royal manor of Guildford, Surrey, 1267-8).

<sup>8</sup> Orme, 'The Other Parish Churches', p. 88.

<sup>9</sup> Harper-Bill (ed.), *Register of John Morton*, i, 260-61.

<sup>10</sup> Emery, i, 144-50.

<sup>11</sup> H.R.T. Summerson, M. Trueman and S. Harrison, *Brougham Castle, Cumbria: A Survey and Documentary History* (Cumberland & Westmorland Antiquarian & Archaeological Society Research Series 8; Kendal, 1998), pp. 100-4, 126-29.

<sup>12</sup> Webb, 'Domestic Space and Devotion', p. 42.

accommodate the sacramental, liturgical and congregational elements of such routines.

The furnishings and decorative schemes of household chapels may prove harder to reconstruct and examine. However, wills, household accounts and inquisitions provide a serviceable record of chapel goods. An inquisition of 1249 noted the shortcomings of the chapel furnishings at Rockingham Castle (Leicestershire):

Capella. Defectus ornamentorum capelle. Nullus calix; nullum missale; nullum antiphonarium; nullum breviare; nullum gradale; nullum troparium; nullum spalterium; nullum hymnarium; nullum ordinale; nullum collectarium; nulle phyole.<sup>13</sup>

The distribution of chapel goods upon death may have allowed both for reward and personal commemoration. In 1298, William de Beauchamp, earl of Warwick, bequeathed:

... to Maud, my wife, all my silver vessels, with the cross, wherein is contained part of the wood of the very cross whereon our Saviour died; likewise the vestments of my Chapel to make use of during her life; but afterwards the best suit to belong to Guy, my eldest son; the second best to my Chapel of Hanslape; and the third best to my Chapel of Hanley...

In 1368, Lionel, duke of Clarence, left:

... to John de Capell, my chaplain, a girdle of gold, to make a chalice in memory of my soul; and to the said John my best portiforium, with musical notes ...<sup>14</sup>

Where decorative schemes are extant or described, they may be considered in terms of the devotional focus of individual households. A remarkable panel painting of c. 1370, depicting St. Edward the Confessor giving alms in the form of a ring to a pilgrim, probably formed part of the furnishings of the abbot's chapel at Forthampton Court (Gloucester) (*Figure 26*).<sup>15</sup> Similar panels and iconographic themes are attested

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<sup>13</sup> *Cal. Misc.*, i, 29-31 (no. 91).

<sup>14</sup> *Testamenta*, i, 70-71.

<sup>15</sup> J.J.G. Alexander and P. Binski (eds.), *Age of Chivalry: Art in Plantagenet England, 1200-1400* (London, 1987), p. 214-15 (cat. 35).

amongst the chapel furnishings described in the *Liberate Rolls* of Henry III.<sup>16</sup> More conventionally, stained glass depicting eight of the apostles, installed in the chapel at Hampton Court (Herefordshire) in c. 1435, represents some of the finest contemporary work of its kind and incorporates passages from the Apostles' Creed (*Figures 27-28*).<sup>17</sup>

Archaeologically, individual household chapel buildings also constitute a unique account of changing patterns of use. The remodelling of a twelfth-century church into a household chapel for the Vernon family at Haddon Hall (Derbyshire), in c. 1425, is potentially of great interest,<sup>18</sup> as are modifications made over centuries to the eleventh-century chapel at Ludlow Castle (Shropshire), in particular those associated with Prince Arthur of c. 1502.<sup>19</sup>

#### FURTHER DIRECTIONS: HOUSEHOLD CHAPLAINS

Whilst a household chapel might be maintained without chapel buildings, the celebration of mass and other sacraments as part of a domestic religious routine required the services of at least one household chaplain. It is remarkable, then, what little historiographical attention has been paid to household chaplains. The fullest account remains that of Mertes, which, typically of previous scholarship, draws particular attention to those priests and chaplains who served the remarkable household of Henry Percy, fifth earl of Northumberland, in 1511.<sup>20</sup> Many questions remain regarding household chaplains, most basically: how were household chapels served? How were household chaplains recruited? What class of men served as chaplains? What were a chaplain's duties, religious, secular and administrative? What is it possible to glean about the relationships between individual chaplains, their lords and households? What proportion of the medieval clergy served, or had served, as

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<sup>16</sup> Dixon-Smith, 'The Image and Reality of Alms-Giving', *passim*.

<sup>17</sup> M. Caviness, 'The Stained Glass from the Chapel of Hampton Court, Herefordshire', *Walpole Society*, 42 (1968-70), 35-60.

<sup>18</sup> Emery, ii, 386-88. P.A. Faulkner, 'Haddon Hall and Bolsover', *Archaeological Journal*, 118 (1961), 188-205.

<sup>19</sup> Coppack, 'The Round Chapel', pp. 150-54.

<sup>20</sup> Mertes, *English Noble Household*, pp. 143-46.

household chaplains, and what influence did this have upon the character of the medieval ecclesiastical establishment?

The material examined in this thesis provides a context for inquiry and some tentative answers. Certainly, it is apparent that household chapels were served in a variety of ways, the simplest of which was the stipendiary employment of chaplains within households, or on the permanent staff of particular residences. Alternatively, chaplains might be beneficed. Household chapels could themselves be endowed whilst some lords possessed other advowsons by which they provided for their chaplains.<sup>21</sup> Episcopal licences and papal dispensations permitting the non-residence of household clergy have been briefly considered above, whilst the *Liber Niger* of Edward IV (c. 1471-2) notes:

... lordes rewarde theire knyghts, capeleyns, esquiers, yomen, and other of theyre servants, after theyre deserts. Some... chapleyns with officyashippes, deanriez, prebendez, fre chapels, personages, pensions, or suche other ...<sup>22</sup>

Furthermore, household chapels might be served by religious houses or the parish, either directly or via proxies. At the turn of the twelfth century, when William fitz Baderon, lord of Monmouth, confirmed grants to the abbey of St. Florent (Samur), 'it was agreed that the monks are to find William a chaplain'.<sup>23</sup> In 1415, a papal indult confirmed that service in the chapel of Taunton Castle (Somerset) should be provided by the Augustinian priory of Taunton, appointing secular priests or ministering themselves if necessary.<sup>24</sup> Most disputes regarding household chapels appear to have arisen over such obligations of external service. The role of religious and mendicants as chaplains and confessors is particularly significant. In 1346, for instance, John Trilleck, bishop of Hereford (1344-60), received a papal faculty, 'to have to serve in his chapel or his lodging two mendicant or professed religious, even if they be not of

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<sup>21</sup> Chapter 3, pp. 139-41; Chapter 4, p. 186.

<sup>22</sup> A.R. Myers (ed.), *The Household Book of Edward IV. The Black Book and the Ordinance of 1478* (Manchester, 1959), p. 98.

<sup>23</sup> J.H. Round (ed.), *Calendar of Documents Preserved in France, Illustrative of the History of Great Britain and Ireland, Vol I. A.D. 918-1206* (London, 1899), p. 407.

<sup>24</sup> *Cal. Pap. Regs.*, vi, 486.

his diocese'.<sup>25</sup> Their entertainment in company with households has been noted above. From the late thirteenth century, the role of friars of various orders 'as household chaplains and confessors to the great', especially in royal households, is one which has been previously recognized, but which has not been related to the broader institution of the household chapel.<sup>26</sup> This appears to have continued as a practice until the Reformation: in 1428, for example, members of the Augustinian priory at Syon, were permitted to visit Margaret, duchess of Clarence, in order to hear her confession, grant her penance and perform other sacraments.<sup>27</sup>

Many greater households were served by groups of chaplains, supported by choirs and other chapel staff, sometimes formally instituted as colleges, as at Noseley.<sup>28</sup>

Considerable further work is required to establish the nature of interrelationships between those chaplains who actively served within households, and the personnel of great aristocratic colleges, such as those of the house of York, at St. Mary's, Leicester (c. 1355); of the house of York, at Fotheringhay Castle (Northamptonshire) (c. 1411); and of Ralph, lord Cromwell, at Tattershall (Lincolnshire) (1440).<sup>29</sup>

Whilst the central role of household chaplains was to celebrate mass and, where permitted, other sacraments, as part of domestic religious routines, they regularly undertook other roles. Henry Percy's *Northumberland Household Book* (1511) provides a remarkable list of priestly offices, which in lesser households were probably undertaken by fewer men:

FURSTE A Preist a Doctour of Devinity a Doctour of Law or a Bachelor  
of Devinitie to be Dean of my Lords Chapell.

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<sup>25</sup> *Cal. Pap. Pets.*, 112-3.

<sup>26</sup> D. Knowles, *The Religious Orders in England* (Cambridge, 1948), p. 166. Also: B. Jarrett, *The English Dominicans* (London, 1921), pp. 124-27; Catto, 'Religion and the English Nobility', p. 50; C. Given-Wilson, *The Royal Household and the King's Affinity: Service, Politics and Finance in England 1360-1413* (London, 1986), pp. 177-79.

<sup>27</sup> *Cal. Pap. Regs.*, viii, 63-64.

<sup>28</sup> Chapter 2, pp. 115-27. F. Kisby, 'Courtiers in the Community: The Musicians of the Royal Household Chapel in Early Tudor Westminster', in B. Thompson (ed.), *The Reign of Henry VII* (Harlaxton Medieval Studies 5; Stamford, 1995), 229-60; eadem, 'A Mirror of Monarchy: Music and Musicians in the Household Chapel of the Lady Margaret Beaufort, Mother of Henry VII', *Early Music History*, 16 (1997), 203-34.

<sup>29</sup> Hamilton Thompson, *English Clergy*, pp. 147-60; Emery, ii, 238-42, 308-16; P. Jeffery, *The Collegiate Churches of England and Wales* (London, 2004).

... A Preist ... Surveyour of my Lordes Landis  
 ... Secretary to my Lorde  
 ... Aumer to my Lorde  
 ... Sub-Dean for ordering ande keaping the Queir in my Lordis Chappell  
 daily  
 ... a Riding Chapleyn to my Lorde  
 ... a Chapleyn for my Lordis Eldest Sone to awaite upon him daily  
 ... my Lordis Clark of the Closet  
 ... a Maister of Gramer in my Lords Hous  
 ... for Reading the Gospell in the Chapell daily  
 ... for Singing of our Ladies Mass in the Chappell daily  
 THE NOUMBRE of thois PERSONS as CHAPLEINS and PREISTS IN  
 HOUSHOULD ar – xj.<sup>30</sup>

The manner and extent to which household chaplains undertook such roles, and served more generally as personal advisers, both spiritual and secular, is a question defining of the nature of medieval households and lordship. Typically, in 1205, the abbot of Ramsey took ‘two monks ... as chaplains, to be witnesses, helpers, and advisers in all his affairs’.<sup>31</sup> As Harvey has remarked, ‘Almost certainly such titles [*capellanus continuus commensalis*] covered some administrative positions not in the chapel but in the household, though it is almost never possible to specify what these might have been’.<sup>32</sup> It may, however, be possible to do so *collectively*, in the context of an institutional study.

As men, chaplains were probably as varied as the households they served. We may never know much about the majority of them; exceptionally, in 1345 and 1346, the *licencie celebrandi* issued to Sir John Segrave, of Kingswood (Herefordshire), named his chaplain: Master Henry Crisp.<sup>33</sup> Likewise, institutions to endowed or ‘free’ chapels provide a brief record of the names of their chaplains. Anecdotal accounts add colour. The Pastons’s chaplain of twenty-five years’ service, James Gloys, is described by Richmond as ‘prosaic and businesslike’, and the family’s religion as ‘as

<sup>30</sup> *Northumberland*, p. 311.

<sup>31</sup> C.R. Cheney and E. John (eds.), *Canterbury, 1193-1205* (English Episcopal Acta 3; London, 1986), pp. 235-6 (no. 582).

<sup>32</sup> Harvey, ‘The Household of Cardinal Langham’, p. 30.

<sup>33</sup> Parry (ed.), *Registrum Johannis de Trillek*, pp. 59, 98.

uncomplicated as their private chaplain seems to have been'.<sup>34</sup> He was a force within the household, John Paston III grumbled:

Syr Jamys and I be tweyn. We fyll owght be-for my modyr wyth 'Thow prowde prest' and 'Thow prowde sqwyer', my modyr takyng hys part ...<sup>35</sup>

A different caste of man was the scholar, John Trevisa, who after his expulsion from Queen's College (Oxford) in 1379, became the chaplain and confessor of Lord Thomas Berkeley (and family) to whom he dedicated his translation of Higden's *Polychronicon*, and the walls and ceilings of whose chapel at Berkeley he decorated with passages from the Apocalypse, some extant.<sup>36</sup> In his *Dialogue between a Lord and a Clerk*, representing his discussions with Lord Thomas, he argued:

Also thou wotest where the Apocalypse is written in the walls and roof of a chapel, both in Latin and in French... then English translation is good and needful.<sup>37</sup>

For other men, the role of household chaplain seemingly served as a stepping stone to further appointments, potentially in the royal household or Chapel Royal. The function of gentle and aristocratic households as a training school for ecclesiastical administrators and the English episcopate is another subject which has been recognized, but demands further attention.<sup>38</sup>

#### FURTHER DIRECTIONS: DOMESTIC RELIGIOUS ROUTINES

The defining purpose of the household chapel, as an institution, was to facilitate, manage and accommodate the performance of domestic religious routines within medieval households. These routines have been partially considered by Mertes and

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<sup>34</sup> Richmond, 'Religion and the Fifteenth-Century English Gentleman', pp. 199-200.

<sup>35</sup> Davis (ed.), *Paston Letters*, pp. 575-77 (no. 353).

<sup>36</sup> E.W. Tristram, *English Wall Painting of the Fourteenth Century* (London, 1955), 140; D.G. Fowler, 'John Trevisa: Scholar and Translator', *Transactions of the Bristol and Gloucestershire Archaeological Society*, 89 (1970), 99-108; Saul, 'The Religious Sympathies of the Gentry', pp. 100-1; R. Waldron, 'Trevisa, John (b. c. 1342, d. in or before 1402)', *Oxford Dictionary of National Biography* (Online Edition; Oxford, 2004).

<sup>37</sup> Fowler, 'John Trevisa', 103-4.

<sup>38</sup> Swanson, *Church and Society*, p. 67-68.

Catto, both from a distinctly late-medieval perspective.<sup>39</sup> There remains a marked tendency to consider domestic religious routines in terms of the ‘privatization’ of elite religious practice or of personal, often idiosyncratic, devotion. Mertes’s households are presented as supporters of the private religious routines of their lords and a means of their salvation. If, as argued here, the function of household chapels was to serve the community of the household, albeit under the rule of a lord or master, further questions should be posed regarding religious routines. Can the elements of the daily and annual routines orchestrated by household chapels be reconstructed? How did these vary and develop over the medieval period? What variation of routines or practices is apparent between households of differing status, or between lay and ecclesiastical households? Were domestic religious routines coordinated with those of other religious communities (parishes, religious houses, the Chapel Royal), of whom the heads and personnel of households were also members or affiliates? Which elements of the household participated in, or led, different routines and services? Were distinctive liturgies employed in some household chapels or for some domestic services, or, did chapels share a liturgical character with parish churches or secular colleges? Again, the material presented in this thesis provides the beginnings of answers to these questions, and helps define the parameters within which others may be posed.

Central to most domestic religious routines appears to have been the celebration of mass and the performance of versions of the canonical hours. Many daily routines appear to have begun with celebration of mass. The thirteenth-century chronicle-romance, *The History of Fulk Fitz-Warine*, describes the reveille of the lord of Ludlow Castle:

And on the morrow, Joce de Dynan arose, and he went to his chapel within the castle, the which was built and was dedicated to the honour of the Magdalene ... Here he heard the service of God, and when he had done this, he ascended the highest tower ... And Joce surveyed the country, and naught saw he amiss.<sup>40</sup>

Just such a routine was prescribed for Prince Edward in 1474. He was to:

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<sup>39</sup> *Introduction*, pp. 22-24.

<sup>40</sup> Kemp-Welch (ed.), *Fulk Fitz-Warine*, pp. 22-23.

... arise every morning at a convenyent hower, according to his adge, and tyll he be readye noe man be suffered to entre into his chamber, except ... his Chamberlayne, and his chapleynes, ... which chaplins shall say mattyns in his presence; and when he is ready, and the mattins sayde, forwith to goe into his Chappell or Closet to here his masse there, and in noe wise in his chamber without a cause reasonable, and noe man to interrupte him duringe his masse tyme.<sup>41</sup>

Edward's household officers were, in turn, expected to attend a said mass in the hall at six, matins in the chapel at seven, and a sung mass there at nine.<sup>42</sup> The social benefit of domestic religious routines was articulated by the ordinances for the household of George, duke of Clarence, composed in 1469:

FYRST, sith that alle wisdom, grace, and goodnesse, procedeth of veray love, drede, and feythfulle service of God, withoute whose helpe and socoure no good governaunce ne politique rule be hadde; it is ordeyned therefore, that every holy day the clerke of seid Duke's closett shalle ringe a bell, at places convenient, to matyns, masse, and evensonge; and one of the chapleyns shall be redy to saye matyns and masse to the housholde, and also evensonge; and that every gentylman, yeoman and groome, not having resonable impediment, be at the seid dyvine service ...<sup>43</sup>

In greater households, the daily celebration of a series of masses (by different chaplains) appears to have been common. The French *Livre du Chevalier de la Tour* (1371-2) includes the improving account of 'a Countesse that euery day herd thre masses', one even celebrated by an angel after a chaplain was incapacitated by falling from his horse.<sup>44</sup> The author and father of daughters, Geoffroy de la Tour-Landry, regretted:

... that ther ben many ladyes at this day that passe well with lasse than thre masses[.] For it suffyseth them ynowe of one masse only soo lytell loue and deuocion haue they in god & in his seruyce[.]<sup>45</sup>

The religious routines of the gentry and households may prove harder to illuminate, but similar patterns appear to have pertained.

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<sup>41</sup> *Ordinances*, p. \*27.

<sup>42</sup> *Ordinances*, p. \*29.

<sup>43</sup> *Ordinances*, p. 89.

<sup>44</sup> M.Y. Offord (ed.), *The Book of the Knight of the Tower* (Early English Text Society, Sup. Series 2; London, 1971), p. 54.

<sup>45</sup> *Ibid.*

As Lyndwood noted, the canonical hours might be celebrated freely, without need of licence.<sup>46</sup> In 1254, the chaplain serving the chapel of Adam and Avice Punteyse was required to:

... daily say in the said chapel all the canonical hours of the day except Vespers; but so that Adam and Avice and the heirs of Avice be there he shall say Vespers if they wish to hear them.<sup>47</sup>

Chapel grants and licences occasionally mention the celebration of the hours. In 1266, for instance, Robert de Paleghe, was required to exclude parishioners from the celebration of matins, mass and vespers in his chapel at Swantone (Kent);<sup>48</sup> whilst in 1431, William Swan and his wife were permitted by indult:

... in their manors ... in presence of themselves and their children and household servants, by their own or other fit priests, even regulars, the canonical hours sung, and on a portable altar mass and other divine offices celebrated, even with music and aloud, and with bells rung.<sup>49</sup>

These examples provide a necessary context for the oft-cited description of the religious routine of Cecily, duchess of York and mother of Edward IV:

Me semeth yt is requisyte to understand the order of her owne person, concerninge God and the worlde.

She useth to arise at seven of the clocke, and hath readye her Chapleyne to saye with her mattins of the daye, and mattins of our lady; and when she is fully readye she hath a lowe mass in her chamber, and after masse she takethe somethinge to recreate nature; and soe goeth to the Chappell hearinge divine service, and two low masses; from thence to dynner; duringe the tyme whereof she hath a lecture of holy matter...

...after she hath slepte she contynueth in prayer unto the first peal of evensonge; then she drinketh wyne or ale at her pleasure. Forthwith her Chapleyne is ready to saye with her both evensonges; and after the last peale she goeth to the Chappell, and heareth evensonge by note...

...one howre before her goinge to bed, she taketh a cuppe of wyne, and

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<sup>46</sup> *Appendix IV*, gl. 10.

<sup>47</sup> J. Parker (ed.), *Feet of Fines for the County of York from 1246 to 1272* (The Yorkshire Archæological Society Record Series 82; 1932), 97-98.

<sup>48</sup> Hussy, 'Chapels in Kent', pp. 222-23.

<sup>49</sup> Cal. Pap. Regs., viii, 571.

after that goeth to her pryvie closette, and taketh her leave of God for all nyghte, making ende of her prayers for that daye: and by eichte of the clocke is in bedde. I trust to our lordes mercy that this noble Princesse thus divideth the howers to his hyge pleasure.<sup>50</sup>

Alongside daily routines, annual feasts and festivals were also celebrated by medieval households and their guests. Indeed, although it has been established above that households might be mandated to attend certain major feasts at their (or a) parish church, it remains to be seen whether this was common in practice. Certainly, greater medieval households commonly celebrated feast days, both major and minor.<sup>51</sup> The tantalizing *Northumberland Household Book* alludes to the celebration of at least twenty-one festivals, including Michaelmas, All Souls, the feast of St. Nicholas (when the earl gave gifts of money to the chapel children), Christmas, Good Friday, Easter, and Corpus Christi.<sup>52</sup> Annual commemorations were likewise celebrated, the earl:

... useth and accustomyth When he is at home Ande kipith Dergen over Nyght and Mes of requiem uppon the morrowe my Lord his Father xii Month Mynde To offer at the Mas of Requiem – iiij d.<sup>53</sup>

Earlier, in 1437, an early Henry Percy, the third earl of Northumberland, received a papal indult which perhaps alludes to the domestic ceremony of feast days:

... that the dean of his chapel, present and future, may, within the earl's principal chapel only, on days and at hours at which masses and other divine offices are celebrated therein, or solemn processions made in the earl's court, wear almuces of vair and grey (*de variis grisiiis*), like secular canons of those parts ...<sup>54</sup>

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<sup>50</sup> *Ordinances*, p. \*37. For the papal privileges possessed by Cecily, *Chapter 4*, p. 216. Cf. John Fisher's account of the religious routine of Lady Margaret Beaufort: J.E.B. Mayor (ed.), *The English Works of John Fisher, Bishop of Rochester. Part I* (Early English Text Society, Extra Series 27; London, 1876), pp. 294-98. Armstrong, 'The Piety of Cicely'. Underwood, 'Politics and Piety in the Household'.

<sup>51</sup> Mertes, *English Noble Household*, pp. 151-54.

<sup>52</sup> *Northumberland*, *passim*.

<sup>53</sup> *Northumberland*, p. 324.

<sup>54</sup> *Cal. Pap. Regs.*, viii, 677-78.

Comparatively few 'rites of passage' appear to have been celebrated in household chapels, indeed it seems that baptism was a rare privilege and burial an exceptional one, limited to major collegiate foundations. Most households appear to have relied upon parishes, or other religious foundations, for baptism, burial and public commemoration. In 1357, the proof of age of the son of Thomas Cary, knight, was taken:

William le Clerk ... says that he has present at the said Thomas's baptism, and at the request of Thomas the father wrote in the calendar of a portifor of the said church and likewise in a missal of the said Thomas's chapel at Blondeleshay, the day and year of the birth of the said Thomas the son ...<sup>55</sup>

Marriages, by contrast, appear to have been a common domestic ceremony, as attested by the issue of episcopal licences.<sup>56</sup> A 'Second Northumberland Household Book', a form of precedence book and a companion to the *Household Book*, provides a rich (but late and perhaps exceptional) record of the ceremony and liturgy of a great aristocratic household. Its twenty-four ordinances include:

[viii] The orduring ande preparing of the Chirche ande chirch Porches against the Cristynnyng of Estates Childryn in the Estate of Erleis Childryn ...

[xvii] The Order of allmaner of billis of orders that shall Concerne or may concern the ordering of the Preistes And gentlemen of my Lordes chappell for keping of goddis service daily in the Quear ...<sup>57</sup>

Lastly, but no less significantly, household chapels provided a vehicle for personal devotion or spirituality. This has frequently be assumed or asserted. Richmond writes of 'those oratories or closets where the more devout of the gentry might go to escape from the household to pray, to read, or to pore over those books of hours'.<sup>58</sup> However, little scholarly work has addressed in detail how personal devotions were ordered by household chaplains or accommodated within households chapels. For instance, the

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<sup>55</sup> *Cal. Misc.*, x, 327 (no. 399).

<sup>56</sup> *Chapter 3*, pp. 139-41.

<sup>57</sup> D.M. Barratt, 'A Second Northumberland Household Book', *Bodleian Library Record*, 8:2 (1968), 93-8. Mertes cites but did not employ this text and it remains unpublished: Mertes, *English Noble Household*, p. 155.

<sup>58</sup> Richmond, 'Religion and the Fifteenth-Century English Gentleman', p. 199.

presumably immediate relationship between books of hours and household chapels has been little examined, although a case might certainly be made that the former were a manner of chapel prayer book: 'clearly the Hours of the Virgin were a necessity to Susanna's day'.<sup>59</sup> Indeed, Morgan has speculated whether thirteenth-century devotees of the hours of the Virgin 'always read them in their private chamber, or whether it was customary on occasions to recite such prayers in church'.<sup>60</sup> Some household-chapel buildings surely provided a setting for personal contemplation. A partial impression of such a devotional environment is provided by the thirteenth-century prior's chapel at Durham, the interior of which was redecorated in c. 1470 with a major series of wall-paintings depicting the Annunciation, Nativity, Resurrection and Ascension – quite possibly part of a series of the joys and sorrows of the Virgin, since they are accompanied by the text of a hymn to her (*Figures 29-30*).<sup>61</sup> The devotional routines developed or adopted by households may have influenced those of the parish and town. Remarkably, a missal produced prior to 1388 and belonging to William Beauchamp, Lord Bergavenny, contains the earliest English text of the mass of the Holy Name.<sup>62</sup>

In turn, the retention and veneration of relics within chapels presents a potentially significant subject. In 1355, an inquisition concerning the manor of Lee (Lincolnshire) recorded that this possessed:

... a chapel, founded time out of mind by the lords of that manor, in which were divers ecclesiastical ornaments given by the said lords to remain there for ever ... and divers other relics ... which Norman de Swynford, knight, alienated and took away ... an arm with a hand of silver, in which were bones of St. Laurence, and some of the rock with which St. Stephen was stoned, value of the silver two marks; a crystal flask with a silver foot and a lid of silver, in which was milk of St. Katherine, value of gold and crystal 6s. 8d.; a bell called 'Mungobell' and a piece of shirt (*camisia*) of

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<sup>59</sup> C. Donovan, *The de Brailes Hours: Shaping the Book of Hours in Thirteenth-Century Oxford* (London, 1991), p. 130; also 42-131 ('The Devotional Day').

<sup>60</sup> N.J. Morgan, 'Texts and Images of Marian Devotion in Thirteenth-Century England', in W.M. Ormrod (ed.), *England in the Thirteenth Century* (Harlaxton Medieval Studies 1; Stamford, 1991), p. 81.

<sup>61</sup> Emery, i, 83-85.

<sup>62</sup> Catto, 'Religion and the English Nobility', p. 49. R.W. Pfaff, *New Liturgical Feasts in Later Medieval England* (Oxford, 1970), pp. 65-66.

St. Agatha and of the hair of the head of St. Margaret; which relics no one can appraise (*summare*) ...<sup>63</sup>

The architecture, furnishings, routines and personnel of chapels appear, in some cases, to have worked with personal piety or conviction to conjure rich spiritual environments, by no means restricted to elite or ecclesiastical households. In support of Thomas Cantilupe's canonization, witnesses attested that crows, doves, and starlings flocked at the windows of the earl of Cornwall's chapel at Wallingford, at Pentecost 1281, as Cantilupe recited the hymn *Veni Creator Spiritus*.<sup>64</sup> At the age of twenty-two, Richard Rolle underwent his first mystical experience in the chapel of the Daltons, a Yorkshire gentry family:

I satte forsoth in a chappell & qwhilst with swetnes of prayer of meditacion mikyll I was delityd, sodanly in me I felt a mery heet & vnknawen. ... Whils treuly in þe same chappell I satt, & in þe nyȝt before sopar als I myght salmys I songe, als wer þe noyes of redars or rather singars abowen me I beheld. Qwhilst also prayand to heuyns with all desire I toke hede, on what maner I wote not sodanly in me noys of songe I felt, & likyngest melody heuynly I toke, with me dwellyng in mynde. Forsoth my toyth continuly to myrth of songe was chaungyd, end als wer loueynge I had þinkand, & in prayers & salmys sayand þe same sounde I scheuyd, & so forth to synge þat before I sayd for plente of inward swetnes I bryst oute, forsoth priuely, for allonly befor my makar.<sup>65</sup>

Such cases might, however, be contrasted with the complaint made by Langland's *Piers Ploughman* of contemporary priests:

And somme serven as servaunts lordes and ladies,  
And in stede of stywardes sitten and demen.  
Hire messe and hire matyns and many of hire houres  
Arn doone undevoutliche; drede is at the laste  
Lest Crist in Consistorie acorse ful manye.<sup>66</sup>

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<sup>63</sup> *Cal. Misc.*, x, 327 (no. 399).

<sup>64</sup> Vincent, 'Edmund of Almain'.

<sup>65</sup> R. Harvey (ed.), *The Fire of Love, and the Mending of Life or the Rule of Living ... Of Richard Rolle* (London, 1896), p. 36.

<sup>66</sup> A.V.C. Schmidt (ed.), *The Vision of Piers Plowman: A Critical Edition of the B-Text Based on Trinity College Cambridge Ms. B.15.17* (London, 1978), p. 4.

To reconcile such diverse accounts of household chapels, chaplains and religious routines is a task that can only be achieved by examining each in the context of the household chapel as a mature and well-established ecclesiastical institution.

#### THE HOUSEHOLD CHAPEL: AN ECCLESIASTICAL INSTITUTION

The account of the medieval household chapel presented here is necessarily a partial one. This thesis has examined the essential canonical and legal foundations of the household chapel and has thereby established its basic institutional character. It has, in turn, identified and defined other elements of this institution: household-chapel buildings, household chaplains, and domestic religious routines. Each of these requires further study within the context of the canonical and legal institution examined here, in order to establish a fully-rounded account of the medieval household chapel.

To recognize that the household chapel was an institution is to challenge basic historiographical assumptions and approaches which currently define discussion of this subject. Where previously household chapels have been predominately considered in terms of 'private' or 'voluntary' religious practice, this thesis argues that such chapels were maintained in accordance with established social practice, in part based on practical religious necessity, and that the religious routines facilitated by the maintenance of household chapels were predominately orthodox in nature. Household chapels served to define the communal life and social identity of medieval households: royal, ecclesiastical, aristocratic, and gentle.

Most previous scholarship has relied upon the implicit assumption that individual household chapels were each established and constituted in accordance with a deliberate and conscious decision on the part of their proprietors. However, if the household chapel was an institution, particular chapels can no longer be adduced as evidence of an individual's piety or desire for social expression. This poses a challenge: previous scholarship has perhaps established less about the personal religion or pieties of the medieval gentry and aristocracy than has been assumed. However, by the same token, if the household chapel was an institution, closer study

of this should enable the reconstruction of those religious routines and environments ubiquitously manifested within medieval households. This should, in turn, constitute a firmer foundation upon which to construct or reassess arguments concerning the nature of domestic or elite religious practice.

To advocate the study of the household chapel as an institution is simply to place it on a par, as a subject of historical research, with others such as the medieval household, the parish church, or religious guilds. For instance, although recent scholarship has addressed the manner in which parish churches constituted arenas for the expression of piety and social display, both on the part of individuals and of distinct communities, neither piety nor display are adduced to account for the fundamental maintenance or nature of the medieval parish.<sup>67</sup> Likewise, the household chapel existed as an institution independently of the individual motives or pieties of those who maintained them. Central to the ongoing study of the household chapel must be a clear recognition of the necessity of distinguishing, as far as possible, between the individual and the institutional. Historiographically, this requires a general shift away from anecdotal descriptions of household chapels and domestic religious routines, towards a critical examination of them. To what extent were the routines attributed to Cecily of York or the household of the fifth earl of Northumberland typical of those of equivalent rank, personally shaped, or a reflection of wider institutionalized practices?

At the same time, the religious and social significance of the household chapel, as an institution, must be more directly considered. If the scale of household chapel maintenance posited here is accepted, then the most immediate and influential religious environment experienced by the medieval aristocracy, a great proportion of the gentry, and that of their families, staff, retainers and guests, was that of their own households and household chapels. Rather than adducing the maintenance of household chapels as evidence of personal or popular piety, the reverse question must be posed. How did the maintenance of household chapels, throughout this period, shape the wider development of orthodox, popular and elite religious practices? For instance, how did the established religious routines of household chapels shape the

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<sup>67</sup> French, *People of the Parish*; Burgess and Duffy, *The Parish in Late Medieval England*.

late-medieval reception of the *Devotio moderna*? To what extent did household chapels, throughout this period, allow for or encourage the maintenance of a 'mixed life' of the type advocated by Walter Hilton?<sup>68</sup> Likewise, rather than asserting that household chapels served to articulate social status, it must be questioned in what unique ways the architecture, liturgy or personnel of household chapels (as opposed to the 'secular' architecture, ceremonies, and officers of the hall or chamber) supported the definition of aristocratic or gentle identity. How, in particular, was Thomas of Woodstock's 'sense of his social position reinforced by the ceremonies of his chapel'?<sup>69</sup>

Finally, the institution of the household chapel must be further considered alongside other classes of medieval chapel. To what extent did the Chapel Royal and other great collegiate chapels, provide models and exemplars for household chapels of the less exalted; or, are greater chapels better considered as the extraordinary pinnacles of a near-universal institution? Alternatively, in what manner did the maintenance of household chapels relate to, or mirror, that of other chapels by distinct sub- or super-parochial communities, in particular religious guilds? Can further examination of the household chapel be used to reveal, in greater depth and detail, a picture of the medieval church, or of medieval Catholicism, constructed not only upon distinct parishes, but also around the maintenance of chapels and chaplains by varied and interrelated communities? This thesis provides an institutional structure within which future studies can consider and contextualize such questions relating to the household chapel specifically and the medieval chapel in general.

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<sup>68</sup> Hilton's 'Epistle on Mixed Life' in: G.G. Perry (ed.), *English Prose Treatises of Richard Rolle de Hampole ... Edited from R. Thornton's Ms. (c. 1440 A.D.)* (Early English Text Society, Org. Series 20; London, 1866), pp. 19-42.

<sup>69</sup> Catto, 'Religion and the English Nobility', p. 46.

## APPENDIX I

### FARNHAM'S STATUTE, *DE CAPELLIS*, FOR THE DIOCESE OF DURHAM (1241 x 1249)

De capellis vero sic disponimus ordinandis quod in eisdem de novo constructis non celebretur nisi auctoritate episcopi speciali. Quod si eo inconsulto constructe fuerint aut in ipsis ausu temerario celebratum, per archidiaconum in suis visitationibus hoc comperto cantaria sine more dispendio suspendatur quousque super hoc per episcopum gratiam invenerint specialem, sine iuris preiudicio alieni. Hoc idem decernimus in capellis ab antiquo constructis que non sunt episcopali munimine roborate, prohibentes ne alique de novo sine nostra licentia construantur nisi in casibus a iure concessis. Subtractas vero cantarias debitas et antiquas restitui faciant, dum tamen iuris suffragio fulciantur. Volumus etiam et ordinamus quod cum capelle plures site sint in parochiis diversis propter parochiarum amplitudinem, diligenter et artius inquirent de predictis et sacramento simili astringantur quod excessus subditorum sine aliqua fraude vel scrupulo demonstrabunt. Et in capitulis compareant quotiens opus fuerit aut necesse. Iniungimus etiam quod sacerdotes in ecclesiis aut capellis qualitercunque celebrantes, quod ad minus bis in anno in generalibus capitulis coram archidiaconis aut eorum officialibus compareant, que ab ipsis proponenda fuerint audituri.

Powicke, F.M., and Cheney, C.R. (eds.), *Councils & Synods. With Other Documents Relating to the English Church. II. A.D. 1205-1313. Part I. 1205-1265* (Oxford, 1964), p. 429.

## APPENDIX II

### OTTOBUONO'S CANON, *DE OBLATIONIBUS CAPELLARUM* (1268)

De oblationibus capellarum restituendis matri ecclesie. Rubrica.

Gratia, que de concedentis benignitate procedit, recipientem manifeste reddit ingratum si vertitur in abusum, et suis non contenta finibus extenditur in alterius lesionem. Ecclesiastice quidem providentie pietas, dum alteri per alterum non vult iniquam conditionem afferri, si quando privata persona capellam propriam desiderat optinere, idque causa iusta mediante concesserit, semper adicere consuevit ut id fiat sine iuris preiudicio alieni. Quod et nos salubri et oportuno remedio prosequentes, statuimus et districte precipimus ut capellani ministrantes in capellis huiusmodi, que salvo iure matricis ecclesie sunt concesse, universas oblationes et cetera que ipsis non recipientibus ad matricem ecclesiam pervenire deberent, ipsius rectori sine difficultate restituant, cum id tamquam alienum iuste nequeant detinere. Si quis autem restituere contempserit, suspensionis vinculo quousque restituerit se noverit innodatum.

Powicke, F.M., and Cheney, C.R. (eds.), *Councils & Synods. With Other Documents Relating to the English Church. II. A.D. 1205-1313. Part I. 1205-1265* (Oxford, 1964), p. 766.

### APPENDIX III

#### QUINEL'S STATUTE, *DE ECCLESIIS, CAPELLIS, ET ORATORIIS*, FOR THE DIOCESE OF EXETER (1287)

De ecclesiis, capellis, et oratoriis construendis et reparandis.

Quoniam ecclesiarum ordinatio, a quocumque constructe fuerint, non in constructis potestate sed loci diocesani consistere dinoscitur, prout utriusque iuris sancta et salubris decernit auctoritas, nec liceat cuiquam ecclesiam vel capellam de novo construere absque episcopi sui licentia speciali, precipimus quod nullus ecclesiam vel capellam in nostra diocesi de novo fabricare presumat nisi nostro primitus requisito et accedente consensu, nec in eisdem divina aequaliter facere ministrari, nec ipsa sine nostro consensu totaliter diruta renovare. Capelle vero, cum fuerint sic constructe, nichil in eis fiat quod in matricis ecclesie cedat preiudicium. Illa etenim nonnunquam de rectoris assensu mediante iustitia conceduntur, hoc adiecto ut id fiat absque iuris preiudicio alieni. Quo casu statuimus ut sacerdotes in dictis capellis ministrantes universas oblationes quas in ipsis offerri contigerit ecclesie matricis rectori cum integritate restituant et, ut sibi super hoc salubrius consulatur, dictos sacerdotes ad id religione sacramenti precipimus obligari. Libertatem etenim que de concedentis benignitate processit in suam lesionem nolumus redundare. Hec nedum de construendis sed de iam simili modo constructis firmiter precipimus observari. Si quis autem restituere contempserit preter reatum pariurii ipsum suspensionis vinculo donec restituerit innodamus. Si vero laycus restitutionem impedierit et post trinam amonitionem non distiterit ab impedimento, hoc ipso maioris excommunicationis incurrat sententiam. Inhibemus etiam ne in capellis que proprios parochianos non habent parochianis matricis ecclesie nec aliis quibuscumque sacramenta vel sacramentalia ministrentur, nisi aliquibus amplius fuerit indultum, nec sit in ipsis fons baptismalis, nec in eisdem nuptie vel divina celebrentur, nisi foundationis tempore vel postea maiori donate fuerint libertati, et ob hoc matrix ecclesia honorem receperit competentem. Obventiones tamen earum que a predictis personis contigerit provenire rectori ut prediximus reserventur. Idem de oratoriis que in aliquorum domibus construuntur statuimus observari. Ad hoc onus constructionis et reparationis cancelli matricis ecclesie ad ipsius ecclesie rectorem, navis vero ecclesie ad parochianos

volumus et precipimus pertinere, consuetudine contraria non obstante. Verum onus capelle que distinctam habet parochiam ad ipsos capelle parochianos totaliter pertinebit, eo quod ob ipsorum favorem et comodum sunt constructe, et nichilominus matrici ecclesie, si refectione indiguerit, iuxta discretionem locorum archidiaconorum ipsos decernimus subvenire. Quia domini terrarum, in diversis parochiis terras possidentes et in una illarum tantummodo perhendinantes, ad onera ecclesie, in cuius parochia non inhabitant sed sui famuli et servientes, ipsis parochiis incumbentia contribuere contradicunt, ut autem huiusmodi caliditati in posterum obvietur, presentis synodi auctoritate sanctimus quod domini huiusmodi onus reparationis ecclesie et cimiterii secundum portionem terre quam possident in eadem parochia, sicut ceteri parochiani, agnoscant et persolvant totaliter in futurum, et ipsi ad id faciendum, si necesse fuerit, per illarum ecclesiarum prelatos per omnimodam censuram ecclesiasticam de cetero compellantur. Si quis vero altare cum parietibus et tecto in ecclesia ex devotione velit construere, hoc fiat, prius a nobis petita licentia et optenta ac assignata perpetua et sufficienti sustentatione ad reparationem huiusmodi edificii cum indiguerit, ita quod parochiani propter hoc procedente tempore non graventur. Onus oratoriorum, que in privatis domibus construuntur, et etiam capellarum proprios non habentium parochianos ad ipsorum dumtaxat partineat fundatores. Item, ecclesie vel capelle si fuerint superflue vel dirute, an debeant reparari vel aliis uniri an totaliter destrui, ordinandi potestatem nobis decetero reservamus iuxta canonicas sanctiones.

Powicke, F.M., and Cheney, C.R. (eds.), *Councils & Synods. With Other Documents Relating to the English Church. II. A.D. 1205-1313. Part II. 1265-1313* (Oxford, 1964), pp. 1002-1004.

## APPENDIX IV

### STRATFORD'S STATUTE, *QUAM SIT INHONESTUM* (1342) AND LYNDWOOD'S GLOSSES UPON IT FROM HIS *PROVINCIALE* (C. 1430)

Neither the Latin text of Stratford's canon *Quam sit inhonestum* nor that of Lyndwood's *Provinciale* exist in critical modern editions. The sources for the text reproduced in this appendix are:

Hall, H. (ed.), *Provinciale (sue Constitutiones Angliæ) ... Cui Adjiciunter Constitutiones Legatinæ D. Othonis, et D. Othoboni, Cardinalium, & Sedis Apostolicæ in Anglia Legatorum, Cum Profundissimis Annotationibus Johannis de Athona, Canonici Lincolniensis* (Oxford, 1679), pp. 233-34.

Wilkins, D. (ed.), *Concilia Magnae Britanniae et Hiberniae, a Synodo Verolamiensi, A.D. CCCCLXVI. ad Londinensem A.D. MDCCXVII. Accedunt Constitutiones et alia ad Historiam Ecclesiae Anglicanae Spectantia*, 4 vols. (London, 1737), ii, 696.

The text is formatted to reflect these sources as follows:

#### **Bold text:**

Text common to both Wilkin's edition of the Stratford's statute and Hall's editions. Where capitalisation is the sole variation between these editions Hall's text alone is reproduced.

[Plain square brackets]:

Variations and sections of the text unique to Wilkin's edition of Stratford's statute. From 'et reverentiae divinae' to 'commodo consueto. Nos', Wilkin's edition provides the sole source text, since this section of Stratford's statute was excised by Lyndwood.

**[Bold square brackets]:**

Variant text unique to Hill's edition of the *Provinciale*.

Text and numbering of glosses:

The gloss text is unique to Hall's edition of the *Provinciale*. In this, Lyndwood's thirty-nine glosses are alphabetically referenced (s-z, a-e, a-z, a-e). In the following text they are renumbered 1-39 for ease of identification. Hall's alphabetical references appear in square brackets.

[I. *Ne in privatis oratoriis missarum solennia sine licentia episcopi de caetero celebrentur.*]

[*Celebrans in Loco non Consecrato sine Diœcesani permissione, mense uno de facto suspensus sit à Celebrandi Officio; nec Diœcesanus permittat, nisi Magnatibus à Consecrato latè distantibus. Prælati tamen & Regiis Capellani hic Canon non præjudicat. Johannes Stratford.*]

<sup>1</sup> QUàm sit [inhonestnm] [inhonestum] [, & infrà.] [et reverentiae divinae contrarium, tam in privatis oratoriis, quam capellis pro divinorum celebratione non deputatis antiquitus nec dotatis, aut domibus minime consecratis, sacrarum missarum celebrare mysteria, non tantum Veteris Testamenti pagina, et sanctiones canonicae, verum etiam traditiones principum secularium debitae considerationis iudicio perspexerunt; quas sacerdotes seculares nequiter contemnentes, nulla necessitate cogente, divina celebrantes, in eis varia discrimina pariunt animabus, dum ecclesiarum parochiani a suis ex hoc se retrahentes parochialibus ecclesiis, ac sic informationibus salutaribus, quae in eis solent fieri, frequenter carentes, nonnullis prohibitis, et communioni quorundam illicite et temere se ingerunt, ac contra doctrinam, qua praecipitur iniquam conditionem alteri per alterum non afferri, plurimis ex hoc malis emergentibus, parochialium ecclesiarum detrahitur honori et commodo consueto. Nos] **De Fratrum nostrorum, [&] [et] totius Concilii assensu** [et consilio,] **Decernimus** <sup>2</sup> **quemcunque in** <sup>3</sup> **Oratoriis,** <sup>4</sup> **Capellis,** aut <sup>5</sup> **domibus** <sup>6</sup>

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<sup>1</sup> [s] *QUam sit inhonestum.* Hæc est Constitutio *Johannis Stratford*, & habet quatuor dicta. Primò prohibet sub pœna Missas celebrare in Oratoriis non consecratis, publicis vel privatis, seu locis non Dedicatis, sine licentia Episcopi. Secundò ibi, *Licentiam*, disponit quibus personis debet concedi talis licentia. Tertiò ibi, *per hoc*, restringit hoc Statutum quoad certas personas. Quartò ibi, *Sacerdotes*, excipit ab hoc Statuto Sacerdotes Regum & Reginarum *Angliæ*, & liberorum suorum.

<sup>2</sup> [t] *Quemcumq;*. sc. Sacerdotem, & intellige etiam de exempto; nam etsi sit exemptus, in hoc tamen casu subest coertioni Ordinarii loci. *de privile. c. auctoritate. li. 6.*

<sup>3</sup> [v] *Oratoriis.* Supple, *etiam publicis*, de quibus loquitur Textus *de privile. c. auctoritate. li. 6.* secundum *Archid.* ibidem, qui illud intelligit de Ecclesiis, prout aliàs sumitur Oratorium. 42. *di. c. ulti.* Et sic ibi notatur per eundem in suo *Rosario*. Quandoq; tamen Oratorium sumitur pro loco privato, quod deputatur ad Orandum, & sic sumitur hic: unde, secundum *Jo. An. Oratorium* differt ab *Ecclesia*; nam in Ecclesia statuitur certa dos pro Rectore, & aliis necessariis. *de conse. di. I. nemo. Oratorium* verò dicitur, quod non est ædificatum ad Missam dicendam, nec dotatum, sed ordinatum ad Orandum. *de conse. di. I. unicuique.* Et tale Oratorium potest quis ædificare sine consensu Episcopi, tamen sine

**[non Consecratis] [hujusmodi], seu in <sup>7</sup> loco minimè <sup>8</sup> Dedicato[,] seu <sup>9</sup> delibato[,]**

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licentia Episcopi non potest ibi Celebrari; sed hanc licentiam non concedet in majoribus Festivitatibus. *ea. dis. Clericos. & c. si quis.* Et hujusmodi Oratoria quandoque construuntur ex necessitate, cùm ibi non sit Ecclesia vicina, & tunc debet permittere Episcopus, ut ibi Celebretur, & non aliter; ut *d.c. unicuique. & c. si quis.* In dictis tamen Oratoriis non possunt imponi Campanæ sine auctoritate Episcopi. *Extra. de privile. c. patentibus.* Fiunt enim hujusmodi Oratoria ad Orandum, non ad Celebrandum, nisi auctoritas Episcopi interveniat, vel aliud privilegium à Sede Apostolica impetretur. *de privile. c. in his.* Et expressum est *Authent. ut nullus fabricet Oratorii domum. §. I. col. 5.* Prædicta notantur *de cens. c. ult. per Jo. in no.*

<sup>4</sup> [x] *Capellis.* Simile habes *de conse. di. I. concedimus. de privile. c. auctoritate. li. 6.* Et potest *Capella* dici idem quod Oratorium, vel quæ præparata est non solùm causâ Orandi, sed etiam Missas celebrandi, tamen cum Episcopi auctoritate, sed non habet propriam parochiam ei deputatam: & dicitur quandoque etiam *Capella*, licèt sit dedicata, ad differentiam Ecclesiæ majoris à qua dependet, secundùm ea quæ dixi *suprà. de ma. & obe. c. Presbyteri. verb. Capellarum.*

<sup>5</sup> [y] *Domibus.* Quæ sc. non habent similitudinem Oratoriorum, neque Capellarum.

<sup>6</sup> [z] *Non consecratis.* Hoc referas non solùm ad domos, sed etiam Capellas & Oratoria.

<sup>7</sup> [a] *Loco.* Supple, ubi nec est Oratorium, nec Capella, neq; domus, utputà, sub Divo, vel in Tentorio; *de conse. di. I. concedimus.* nisi in casu necessitatis, ut ibi patet. Et facit ad hoc quod hic dicitur *de conse. di, sicut. & 4. c sequenti.*

<sup>8</sup> [b] *Dedicato.* Istud quod dicit *dedicato*, sive *delibato*, idem est qd prius dixit, *consecrato. de conse. di. I. sicut.*

<sup>9</sup> [c] *Delibato.* Aliàs est in litera *delibato*: differunt namq; *delibare & delibuerere.* Est enim *delibare* idem quod sacrificare, immolare, consummare, contingere, vel parumper degustare; sed *delibuerere* idem est qd inungere, vel liquore perfundere, & hoc solet fieri in Templi vel Ecclesiæ Dedicatione. *de conse. di. I. c. I. in prin.* Sed istud quod hic dicitur, sumitur ex *c. sicut. de conse. di. I.* ubi habetur in Textu *delibatis*, i.e. *consecratis*, secundum *Jo. ibi.*

<sup>10</sup> Missarum Solennia[,] [( ) <sup>11</sup> Diœcesani <sup>12</sup> non obtentâ licentiâ[,] [ ) ] contra <sup>13</sup> Canonum prohibitionem de cætero celebrantem, Suspensionem à <sup>14</sup> Divinorum <sup>15</sup> celebratione <sup>16</sup> per mensem <sup>17</sup> incurrere ipso facto. <sup>18</sup> [Licentiâ] [Licentiam] autem ab Episcopis nostræ [Proviñciæ] [provinciae,] Missas in <sup>19</sup> locis hujusmodi non [consecratis] [sacratis] <sup>20</sup> concessam celebrandi, [&] [et] [in posterū] [inposterum] <sup>21</sup> [concedendā] [concedendam] <sup>22</sup> personis aliis[,] quàm <sup>23</sup> Magnatibus, seu <sup>24</sup>

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<sup>10</sup> [d] *Missarum solennia*. De Matutinis verò, & aliis Horis, non sic est prohibitum; ut notat *Archid. de conse. de. l. c. Ecclesias*.

<sup>11</sup> [e] *Diœcesani*. Supple, vel *Papæ*. Sed nunquid Archiepiscopus possit licentiam, de qua hic dicitur, concedere extra Diœcesin [*sic*] suam? Ex hac litera videtur quòd non, æstimo tamen quòd sic: quia concedere talem licentiam non concernit Jurisdictionem contentiosam, sed voluntariam, secundùm ea quæ notantur *per Ber. de pœni. & remis. c. nostra.* & quicquid sit de Jure, sic observat Archiepiscopus de Consuetudine.

<sup>12</sup> [a] *Non obtentâ*. Non ergo sufficit licentiam petere, nisi obtineatur.

<sup>13</sup> [b] *Canonum*. De *conse. di. l. sicut. cum. 4. c. sequenti*.

<sup>14</sup> [c] *Divinorum*. Id est, Missarum.

<sup>15</sup> [d] *Celebratione*. Simile habes *de conse. di. l. c. nullus*.

<sup>16</sup> [e] *Per mensem*. Incipiendo sc. statim ab illo die, quo in tali loco celebraverit.

<sup>17</sup> [f] *Incurrere*. Sume qd est *Suprà. decernimus*.

<sup>18</sup> [g] *Licentiâ*. Secunda pars.

<sup>19</sup> [h] *Locis hujusmodi*. sc. Oratoriis, Capellis, domibus, aut locis aliis supradictis.

<sup>20</sup> [i] *Concessam*. sc. De præterito.

<sup>21</sup> [k] *Concedendam*. sc. De futuro. Simile habes *de homici. c. 2.* ubi videas. *Jo. An. Super ver. providere. li. 6. & de sen. Excom. c. Romana. ver. futuris. per eundem*.

<sup>22</sup> [l] *Personis aliis*. sc. Singularibus.

<sup>23</sup> [m] *Magnatibus*. i.e. Potentibus in populo, quibus etiâ Episcopi licentiam audiendi Missas extra Ecclesiam Parochialem nisi cum magna difficultate concedere non debent. *de conse. di. l. c. certū*.

<sup>24</sup> [n] *Nobilibus*. i.e. Nomine & genere præclaris. Et hic nota, qd *Nobilitas* est qualitas illata per Principatum tenentem, qua quis ultra honestos Plebeios acceptus ostenditur. Hanc descriptionem ponit *Bart. C. de digni. l. l. li. 12.* ubi notabiliter tractat de Nobilitate, ponendo ibi quatuor opiniones super eo, viz. quis dicatur *Nobilis*; & ibi subsequenter declarat singula contenta in descriptione prædicta. Et ex dicta Definitione colligi potest, quòd Milites, & eorum Superiores, habent dici *Nobiles*. Et idem intelligo de Armigero, cui conceditur Officium vel Administrario, cui Dignitas & Nobilitas

**Nobilibus[,] moram facientibus in locis ab Ecclesiis Parochialibus <sup>25</sup> notabiliter distantibus, aut <sup>26</sup> notoriè debilibus vel <sup>27</sup> infirmis, <sup>28</sup> irritam Decernimus [, &] [et] inanem. <sup>29</sup> Per hoc tamen [ecclesiarum] <sup>30</sup> Prælati, [&] [et] Rectoribus, [&] [et] Canonicis [Ecclesiarū] [ecclesiarum] Cathedralium, vel <sup>31</sup> Religiosis [nō] [non] intendimus derogare, [quo minus] [quominus] ipsi in <sup>32</sup> Oratoriis suis[,] <sup>33</sup> ab**

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annectuntur. ff. de muner. & hon. l. honor. Et intelligo illa Officia habere Nobilitatem & Dignitatem annexam, quæ sic habentur in Provincia seu loco ubi tale Officium administratur. Hoc probat ex dicto Inno. in c. de multa. extra. de Præben. et per Textum ff. de mune & hone. l. fi. in prin. ibi, *Quæstura in aliqua civitate inter honores non habetur.* Et sic ille censendus est *Nobilis*, qui major est popularibus & Plebeiis in Dignitate & Honore, & pro Nobili reputatur. Et nota, quòd *Nobilium* status consideratur in multis. Primò in obtinenda Licentia, de qua hic loquitur. Secundò in pœnis infligendis. Quod dic ut *no. 24. q. 1. quæ contra pacem. de jurejur. cum quidam.* ff. de pœnis. l. quædam. cum similibus. Tertiò in Honorum exhibitione, Salutatione, & Sedis inter Judices assignatione. *C. de advo. diver. judi. l. 2. & 3. C. ubi Sena. vel cla. l. 3. §. sedendum.* & notatur *3. q. 9. neceße.* Quartò in Beneficiorum obtinendorum pluralitate. *de Præben. c. de multa. in fi.* Quintò in facienda de eis cæteris paribus electione. *Auth. de defens. civi. c. interim. coll. 3. de appel. c. constitutis. ver. impotentiam.* Sextò in facienda Beneficiorum æquali distributione, & in aliorum bonorum liberâ administratione ff. *de dona. l. filius. §. nonnunquam.* ff. *de admi. tu l. cum populares. §. tu. jurejur. l. quæro. cum similibus.* Pro istis vide *Gess. in Extravag. quæ incipit, Execrabilis. verb. generis claritatem.*

<sup>25</sup> [o] *Notabiliter distantibus.* Utputá, per unum Milliare, vel ultra. Et facit in simili *Extra. de Eccle. ædi. c. ad audientiam.* Sed ibi loquitur de Oratorio publico: unde meliùs facit *de conse. di. l. si quis extra.*

<sup>26</sup> [p] *Notoriè debilibus.* Etiam licèt non sunt nobiles, sed aliàs propter debilitatem non possunt accedere ad Ecclesiam,

<sup>27</sup> [q] *Infirmis.* Quomodo *infirmi* differant à *debilibus*, dixi *suprà. de consti. c. quia incontinenti. c. prope finem. ver. infirmitas.*

<sup>28</sup> [r] *Irritam.* sc. Ipso Jure.

<sup>29</sup> [s] *Per hoc tamen.* Tertia pars.

<sup>30</sup> [t] *Prælati.* Viz. Abbatibus, Decanis, Archipresbyteris, & Archidiaconis. Et hic vide quod scripsi *suprà. de sacra. iteran. vel non. c. ignorantia. ver. Prælati Ecclesie.*

<sup>31</sup> [u] *Religiosis.* sc. Qui non sunt Prælati.

<sup>32</sup> [x] *Oratoriis suis.* Solent namque Abbates, & hi[c] qui superiùs exprimuntur, in suis habitationibus Oratoria habere, non solùm ad Orandum, sed etiam ad Celebrandum.

<sup>33</sup> [y] *Ab antiquo.* Mos namque fidelissimæ Vetustatis servandus est. *C. de testa. l. testamenta.*

**antiquo<sup>34</sup> constructis[,] Missas possint licitè celebrare, seu facere celebrari, sicut fieri<sup>35</sup> consuevit. <sup>36</sup> Sacerdotes insuper, quos in Oratoriis [, sue Capellis Regū, aut <sup>37</sup> Reginarum <sup>38</sup> Angliæ, <sup>39</sup> liberorū] [regum, seu capellis, seu reginarum Angliæ, aut liberorum] suorum[,] erectis vel erigendis[,] Missas celebrare contigerit, pœnâ prædictâ Nolumus coarctari.**

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<sup>34</sup> [z] *Constructis*. Idem intelligas de construendis in loco antiquorum. *Ar.* eorum quæ leguntur & notantur *de Judæis. c. 3.* Secus tamen si talia Oratoria de novo fuerint ædificata. *18. q. 2. c. de Monachis.* ubi vide notata per *Archi.* Et circa hoc vide quæ leguntur & notantur *de conse. di. 1. c. de fabrica.* Nam in Oratoriis de novo constructis, ad effectum quòd in eis Missæ celebrentur, requiritur licentia Episcopi, ut superiùs dictum est.

<sup>35</sup> [a] *Consuevit*. Hoc intellige verum, maximè eo casu quo talis Consuetudo habuit ortum à consensu Episcopi, qui, ut in talibus Oratoriis celebrari possint Missæ, concessit à principio, sicut aliàs solet notari, secundùm *Docto. extra. de institu. c. cum venissent.* quòd Institutio auctorizabilis non posset pertinuisse ad Archidiaconum *Richmond*, nisi prius eam habuisset ex concessione Archiepiscopi *Eboracensis*: aliàs autem talis Consuetudo introducta contra Canones, non valeret. Circa quod vide notata per *Hosti. de consue. c. cum venerabilis. glo. ulti.*

<sup>36</sup> [b] *Sacerdotes*. Quarta pars.

<sup>37</sup> [c] *Reginarum*. Quæ hoc nomine decorantur quamdiu Regibus viventibus conjunctæ sunt. Nam Rege mortuo Uxor ejus desinit esse Regina. *no. 27. q. 2. c. scripsit. glo. 1. per Jo. & facit ad hoc Textus de fo. compe. c. ex parte. ibi, quondam Reginæ & c.* Et hoc verum intelligas quoad Administrationem, nam nomen retinet quousque cum inferiori contraxerit. *C. de nup. l. cum te. ff. ad munici. l. filii. §. vidua.* Sed & tunc consuevit nomen à Principe impetrari. *ff. de sena. l. fæminæ. & l. nuptæ. sic no. per Hostien. d. c. ex parte. glo. 1. & eo. c. glo. ult. per Ber.*

<sup>38</sup> [d] *Angliæ*. Unde si Rex vel Regina alterius Terræ veniret in *Angliam*, non posset facere in tali Oratorio coram se celebrari sine licentia Episcopi absque hoc, quòd Sacerdos sic celebrens incurreret pœnam hic inflictam: nam quod in uno conceditur, in aliis videtur esse denegatum. *de præsump. c. nonne. cum similibus.* Et hoc verum, nisi aliunde cum talibus fuerit super hoc sufficienter dispensatum.

<sup>39</sup> [e] *Liberorum suorum*. Horum appellatione qui contineantur, vide *ff. de verb. sig. l. liberorum. & quòd Filii Naturales tantùm in hoc casu contineantur appellatione liberorum, facit l. generaliter. §. ult. C. de insti. et substi. & circa hoc vide notata per Jo. An. in Cle. unica. de Baptismo. ver. liberi.* qui videtur concludere, quòd appellatione *liberorum*, quoad Commodum vel Honores, non continentur Filii Naturales tantùm. Et concordat ibi *Paulus eo. ver.* Unum tamē scias, qd appellatio *liberorum* non extendit se ad omnes Inferiores in infinitum, sed propriè verbum *liberorum* porrigitur ad Nepotes, ultra quos alii posterius nuncupantur; ut *l. Jurisconsultus. §. parentes. ff. de gradibus.* sic notat *Bart. d. l. liberorum. ad fi.*

## APPENDIX V

### ABBOT ROBERT DE LURDINDEN'S GRANT TO REGINALD DE CORNHILL (C. 1200)

Sciant præsentes & futuri ad quos præsens scriptum pervenerit quod ego Rogerus Dei gratia Abbas Sancti Augustini Cantuarien. & Conventus ejusdem loci concessimus Reginaldo de Cornhelle & heredibus suis habere cantariam suam in capellâ sua quæ constructa est intra septa Curiaë suæ de Lukedale faciendam per Capellanum suum commensalem in propriis expensis, salvo in omnibus Jure matricis ecclesiae de Littlebourne, ita quod præfatus Reginaldus vel heredes sui nullis futuris temporibus onerabunt personam vel sacerdotem prædictæ ecclesiae de Littlebourne occasione cantariae in jam dicta capella facienda. Reddet igitur tam prædictus Reginaldus quam heredes sui integrè & plenariè decimationes omnium terrarum quas habent in eadem parochia tam magnas quam minimas matrici ecclesiae de Littlebourne. Præterea dabunt decimas duarum partium molendini de Bremlinge & tertiæ partis si eam recuperare potuerint, & decimas feni tantilli prati quod ibi habent & duos solidos annuos super altare matricis ecclesiae de Littlebourne, reddend. per manum Willielmi de Stocting vel heredum suorum in duobus terminis, scilicet in media quadragesima 12*d.* & in festo sancti Michaelis 12*d.* Visitabunt etiam matricem ecclesiam cum oblationibus suis in quatuor annuis festivitibus, Natalis scilicet Domini, Purificationis, Paschæ & festivitate sancti Vincentii, cum in partibus illis fuerint, ut parochiani sæpedictæ ecclesiae de Littlebourne. Sacerdos etiam qui pro tempore in sæpenominatâ capellâ ministrabit fidelitatem faciet personæ sæpedictæ matricis ecclesiae, quod in nullo defraudabit eam in decimis magnis sive minimis, nec in prædictis oblationibus, confessionibus sive testamentis, sponsalibus, sive purificationibus, vel tricennialibus, vel in aliquibus ad Jus ecclesiae de Littlebourne pertinentibus. Veniens itaque sæpenominatus Reginaldus in Capitulum nostrum sacramentum præstitit pro se & heredibus suis, se & heredes suos in omnibus & per omnia hæc supradicta fideliter observaturos. Hiis testibus, &c.

Battely, N., and Somner, W. (eds.), *The Antiquities of Canterbury* (Wakefield, 1703; reprinted 1977), Appendix I, p. 8 (no. 9b).

## FIGURES

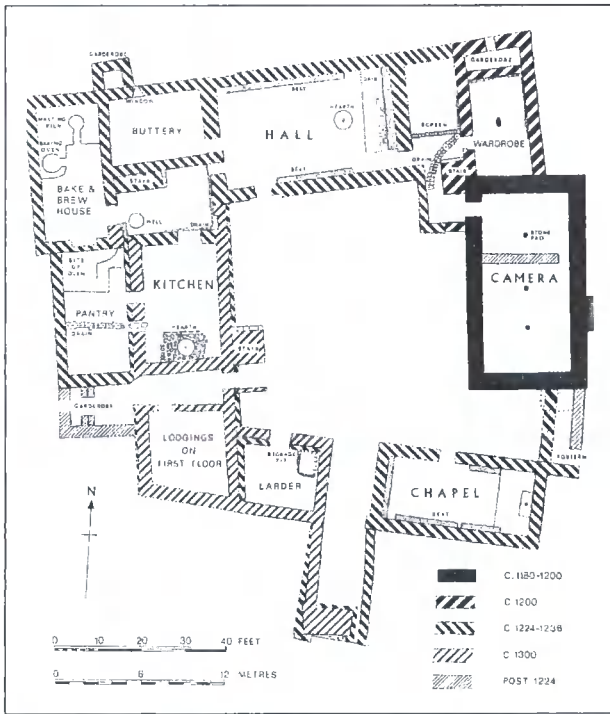
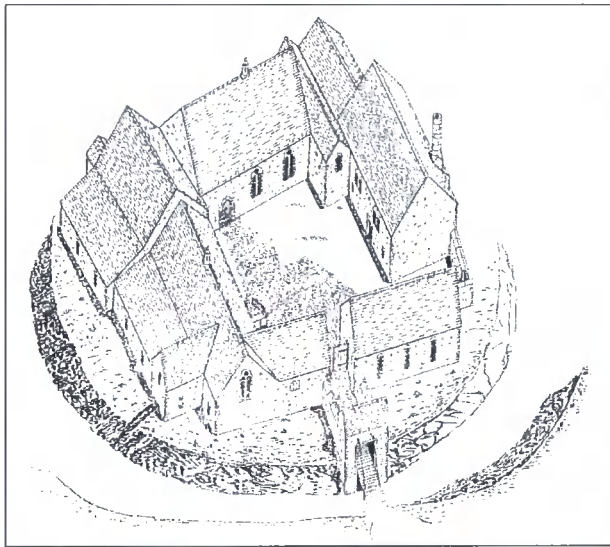


FIGURE 1 (Top). Reconstruction of **Penhallam Manor (Cornwall)**. The excavated single-cell chapel to the east of the entrance was probably constructed for Andrew de Cardinham soon after c. 1226.

FIGURE 2 (Bottom). Excavated plan of **Penhallam Manor**.

(Beresford, G., 'The Medieval Manor of Penhallam, Jacobstow, Cornwall', *Medieval Archaeology*, 18 (1974), 101-2 (figs. 26-27).)

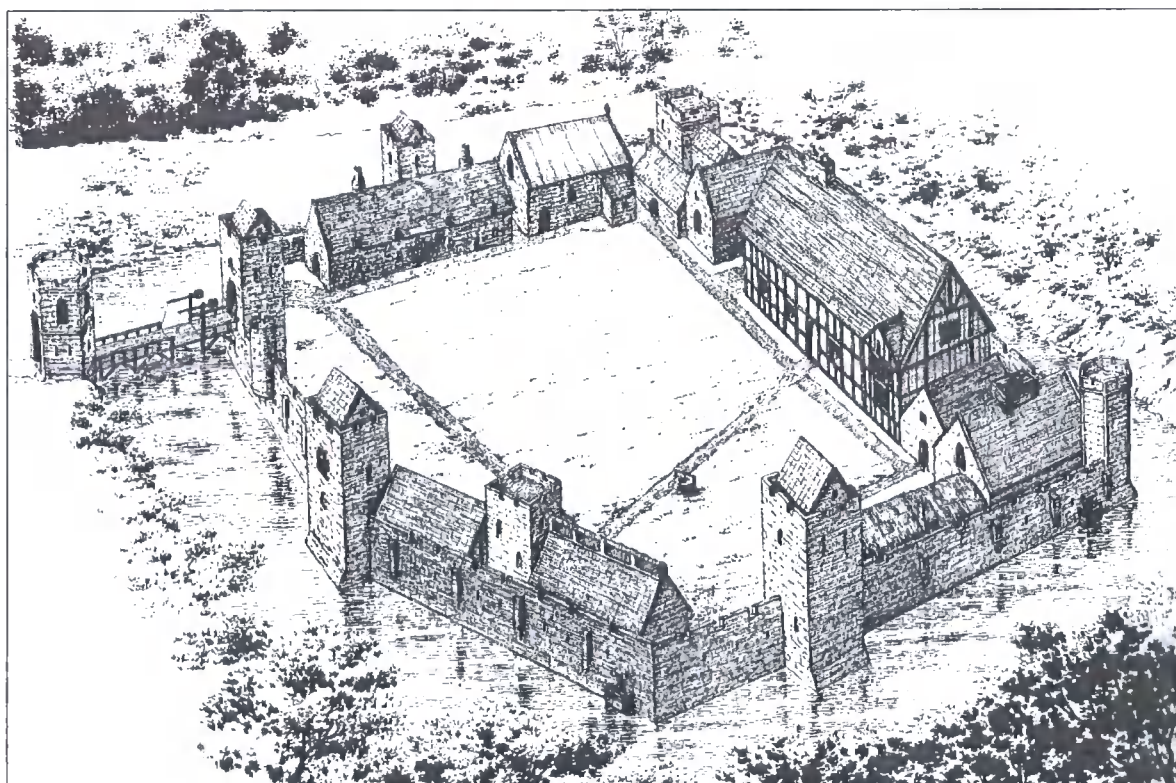


FIGURE 3. Reconstruction of **Weoley Castle (Warwickshire)** showing domestic buildings ranged around a moated courtyard. The excavated chapel of c. 1320 can be seen top centre.

(Emery, ii, 445-47 (pl. 223); © Birmingham Museum & Art Gallery.)



FIGURE 4 (Top). The early-thirteenth-century chapel at **Chisbury Manor (Wiltshire)**, from the north. (*Author's photograph*)

FIGURE 5 (Bottom). The interior of the chapel at **Chisbury**, looking east. The chapel was original subdivided by a screen positioned between the two pairs of windows shown here. (*Author's photograph*)



FIGURE 6 (*Top*). The early-fourteenth-century chapel or oratory at **Broadway (Worcestershire)**, a possession of the abbots of Pershore, seen from the east. The oratory is the first-floor chamber of the projecting range. (*Author's photograph*)

FIGURE 7 (*Bottom*). The interior of the above. This has no fixed chapel furnishings suggesting that it may have been an 'oratory' rather than a 'chapel'. (*Author's photograph*)

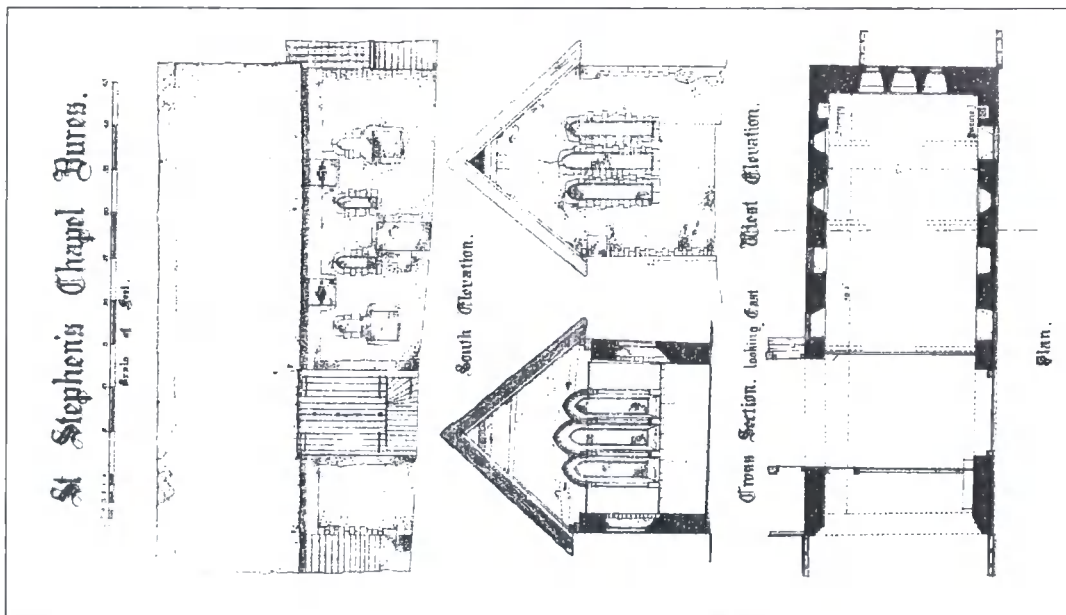
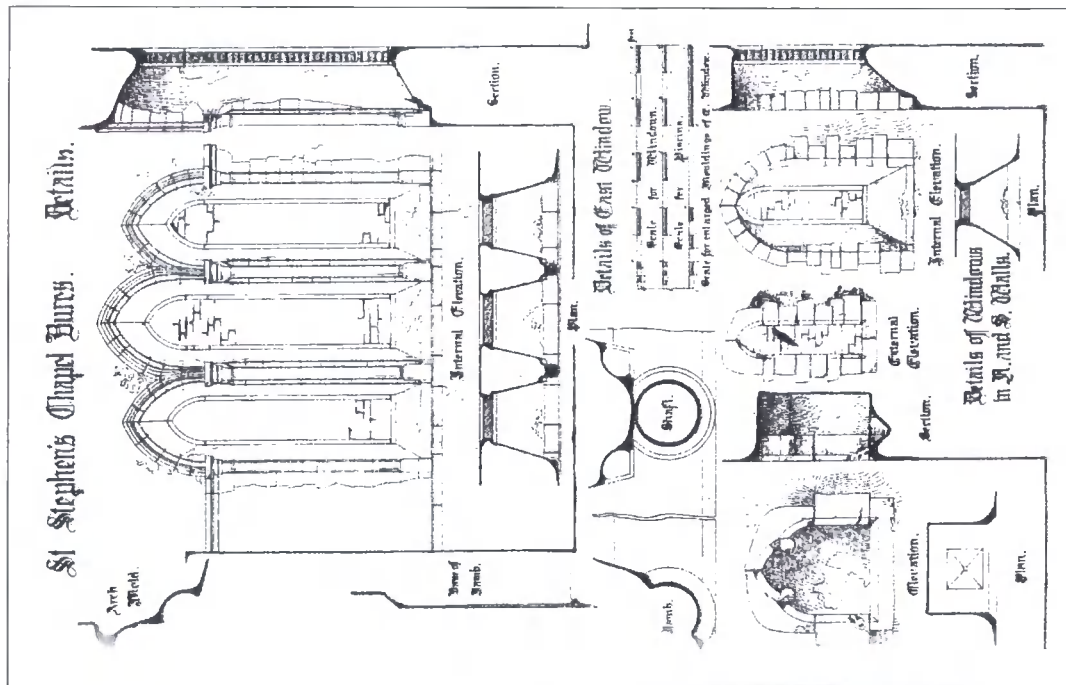


FIGURE 8 (Top). Architectural details of the early-thirteenth-century chapel of 'St. Stephen' at **Bures (Suffolk)** dedicated by Stephen Langton, archbishop of Canterbury (1207-28), at the request of Gilbert de Tany.

FIGURE 9 (Bottom). Plan and elevations of the chapel at **Bures**.

(Anon., 'The Ancient Chapel of Bures', *Suffolk Institute of Archaeology and Natural History*, 15 (1915), 221, 223.)

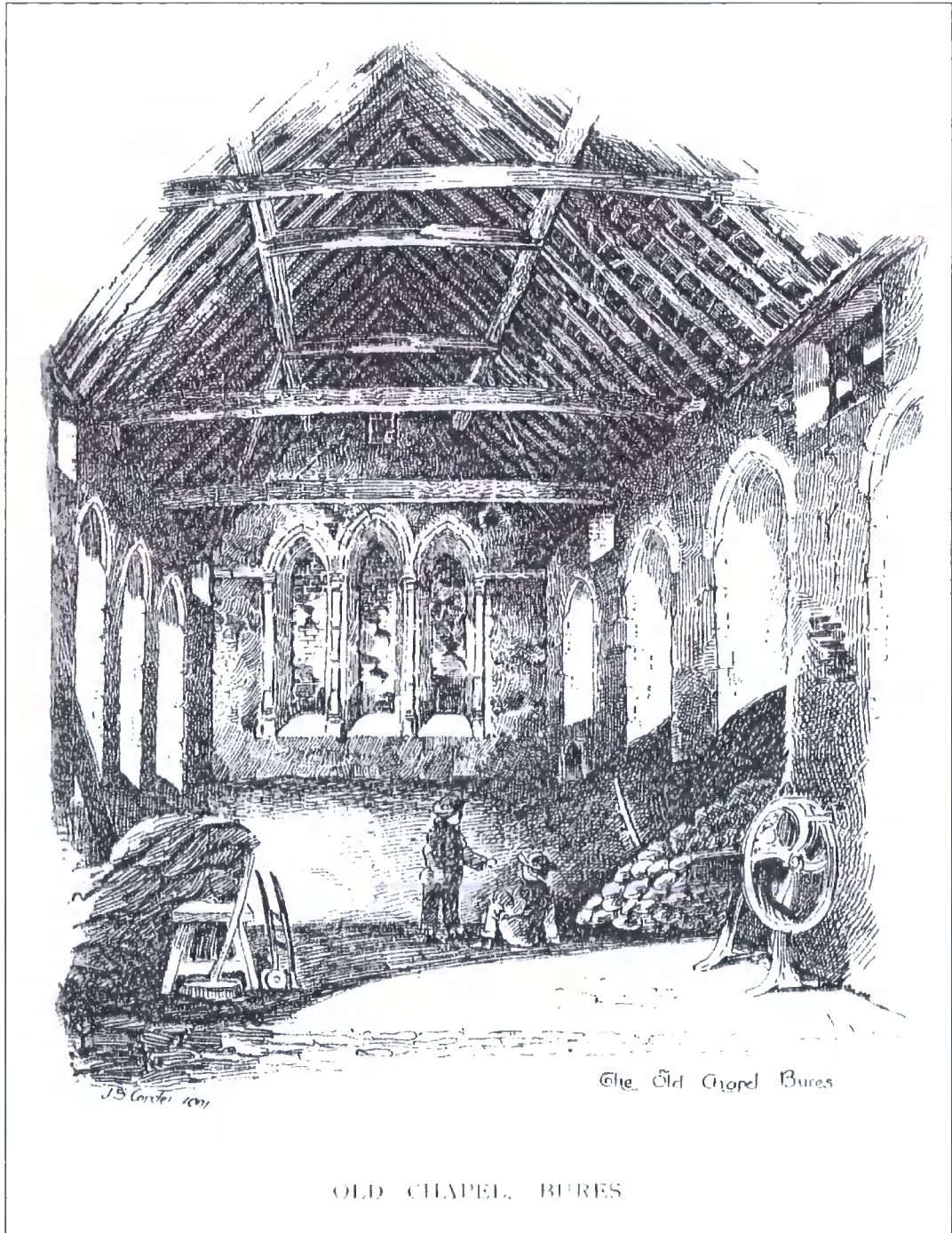


FIGURE 10. Interior of the early-thirteenth-century chapel at **Bures (Suffolk)**, looking east. Like many extant household chapels this served for a long period as a barn.

(Anon., 'The Ancient Chapel of Bures', *Suffolk Institute of Archaeology and Natural History*, 15 (1915), 219.)

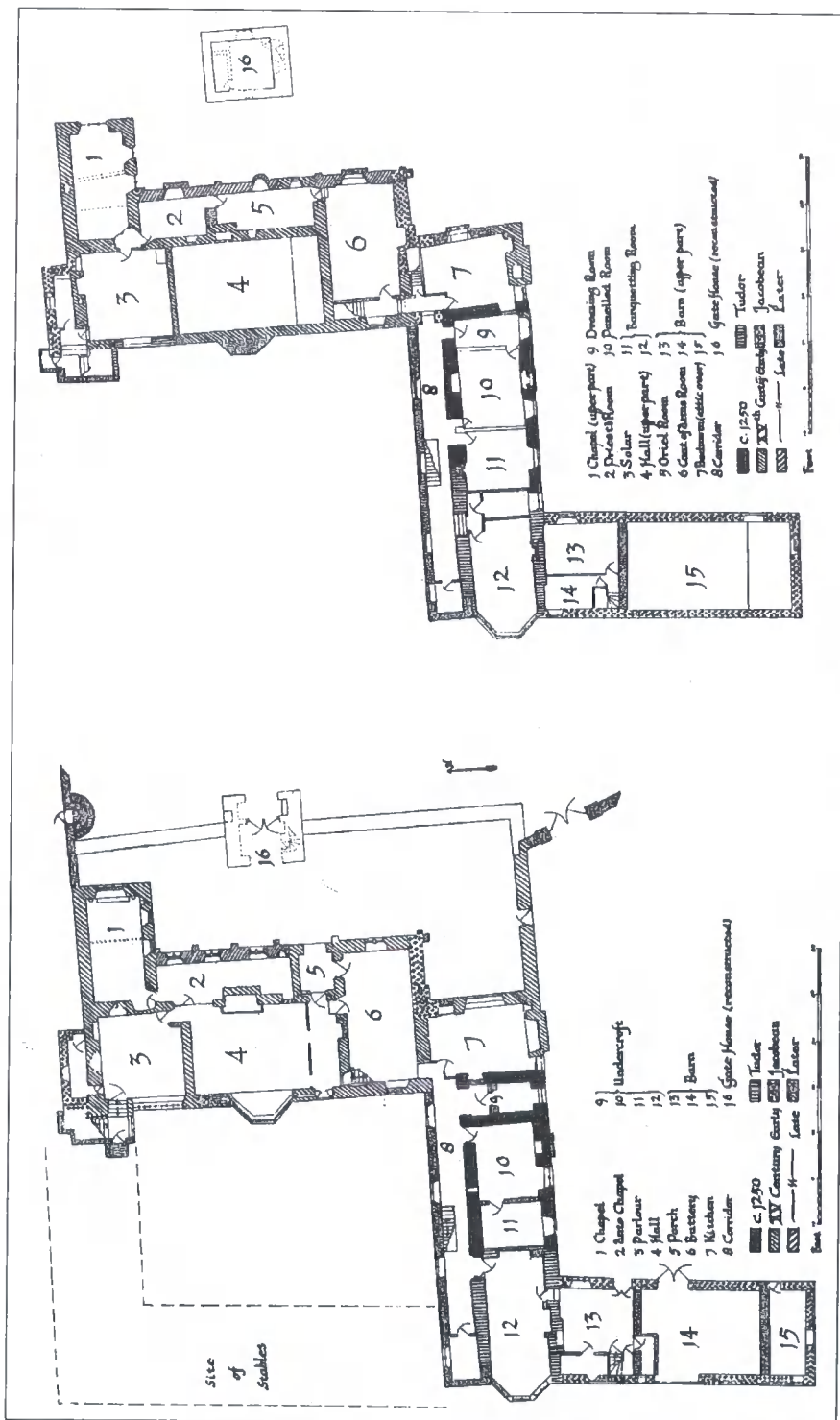


FIGURE 11. Plan of **Bradley Manor (Devon)**. The early-fifteenth-century chapel (1), with a western gallery, was constructed by Richard and Joan Yarde who received a *licencia celebrandi* from Bishop Edmund Lacy in 1428-9.

(Woolner, D., 'Bradley Manor', *Archaeological Journal*, 'The Exeter Area', Supplement 147 (1990), 100.)

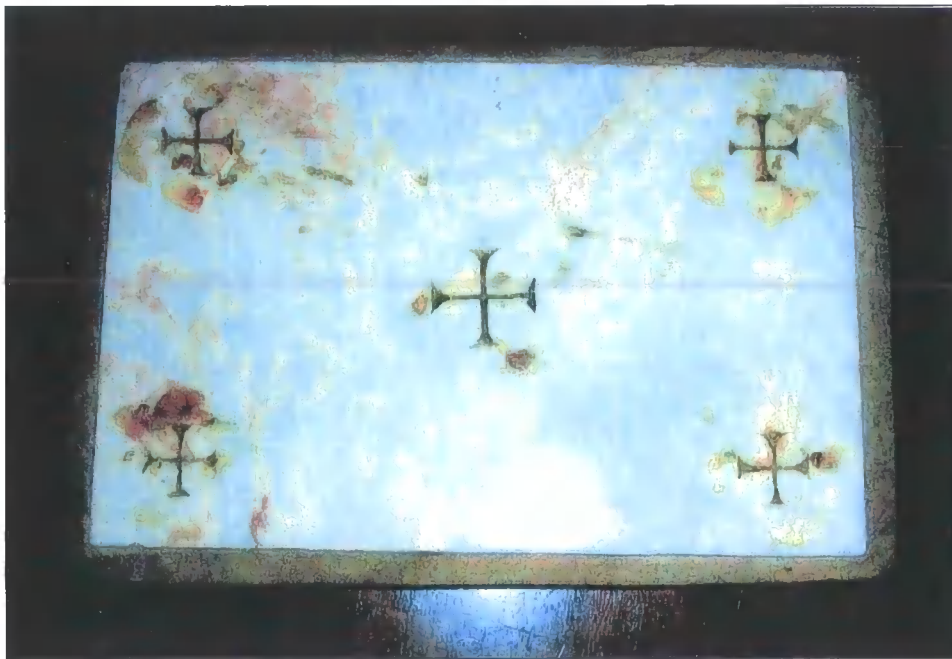


FIGURE 12 (*Top*). The late-thirteenth-century chapel at **Stonor Park (Oxfordshire)**, from the south. (*Author's photograph*)

FIGURE 13 (*Bottom*). A **late-medieval portable altar** surviving at Stonor Park (Oxfordshire). (*Reproduced with kind permission of Lord Camoys, Stonor Park*)



FIGURE 14 (*Top*). Manuscript illustration from the *Luttrell Psalter* (c. 1325-35), showing Sir Geoffrey Luttrell at his table with two Dominican friars, one probably William of Fotheringhay, his confessor.

(Backhouse, J., *The Luttrell Psalter* (London, 1989), pp. 41-43 (fig. 48) © British Library)

FIGURE 15 (*Bottom*). Manuscript illustration from the *Pageant... of Richard Beauchamp* (post 1483): 'Here shewes how Sir Baltirdam at that dyner in his owne place set first Erle Richardes Chapelleyn in the chief place and next to him Erle Richard...'

(Dillon, H.A.L., and St John Hope, W.H. (eds.), *Pageant of the Birth, Life and Death of Richard Beauchamp, Earl of Warwick, K.G. 1389-1439* (London, 1914), pl. 19; © British Library)



FIGURE 16 (*Top*). The chapel of the royal castle of **Newcastle (Northumberland)**, *c.* 1168-78. This view looks from the chancel through the chancel-arch into the chancel which is orientated at ninety degrees to the nave. (*Author's photograph*)

FIGURE 17 (*Bottom*). The prior's chapel at **Finchale Priory (Co. Durham)**, from the south-east. This first-floor chapel dates to the late-thirteenth century with alterations of the fourteenth and fifteenth. (*Author's photograph*)



FIGURE 18 (*Top*). The east window of the chapel of **Markenfield Hall (Yorkshire)**, built by John Markenfield after *c.* 1310. The chapel is completely incorporated within a domestic range. (*Author's photograph*)

FIGURE 19 (*Bottom*). The chapel at **Liscombe Park (Buckinghamshire)**, *c.* 1350. The chapel was originally free-standing, but was for a time physically connected to other buildings. (*Author's photograph*)



FIGURE 20 (*Top*). The large eastern and southern windows of the earl of Northumberland's chapel incorporated within the south-eastern tower of **Wressle Castle (Yorkshire)**, c. 1380. (*Author's photograph*)

FIGURE 21 (*Bottom*). The north windows of the chapel and two-storey ante-chapel of William, first Baron Sandys, chapel at **The Vyne (Hampshire)**, c. 1525. (*Author's photograph*)



FIGURE 22 (*Top*). The castle of the Percy earls of Northumberland at **Warkworth (Northumberland)**, viewing the late-fourteenth-century tower-house from the south across the bailey. (*Author's photograph*)

FIGURE 23 (*Bottom*). The footings and south wall of early-fourteenth-century chapel in the bailey at **Warkworth**, situated immediately adjacent to the gatehouse, viewed from the north-east. (*Author's photograph*)



FIGURE 24 (*Top*). The two-storeyed chapel within the tower-house at **Warkworth Castle (Northumberland)**, c. 1390, viewing the chancel steps and east window. (*Author's photograph*)

FIGURE 25 (*Bottom*). The footings of the uncompleted collegiate chapel at **Warkworth** situated between the bailey and tower-house (from the north). (*Author's photograph*)



FIGURE 26. A panel painting (76 x 42 cm) of *c.* 1370, possibly part of the furnishings of the abbot's chapel at **Forthampton Court (Gloucestershire)**, where it remains. It depicts the story of King Edward the Confessor giving his ring as alms to a pilgrim, who is subsequently revealed to have been St. John.

(Tristram, E.W., 'An English Mid-Fourteenth Century Picture', *Burlington Magazine*, 83, no. 484 (July 1943), 158, 160-63, 165.)

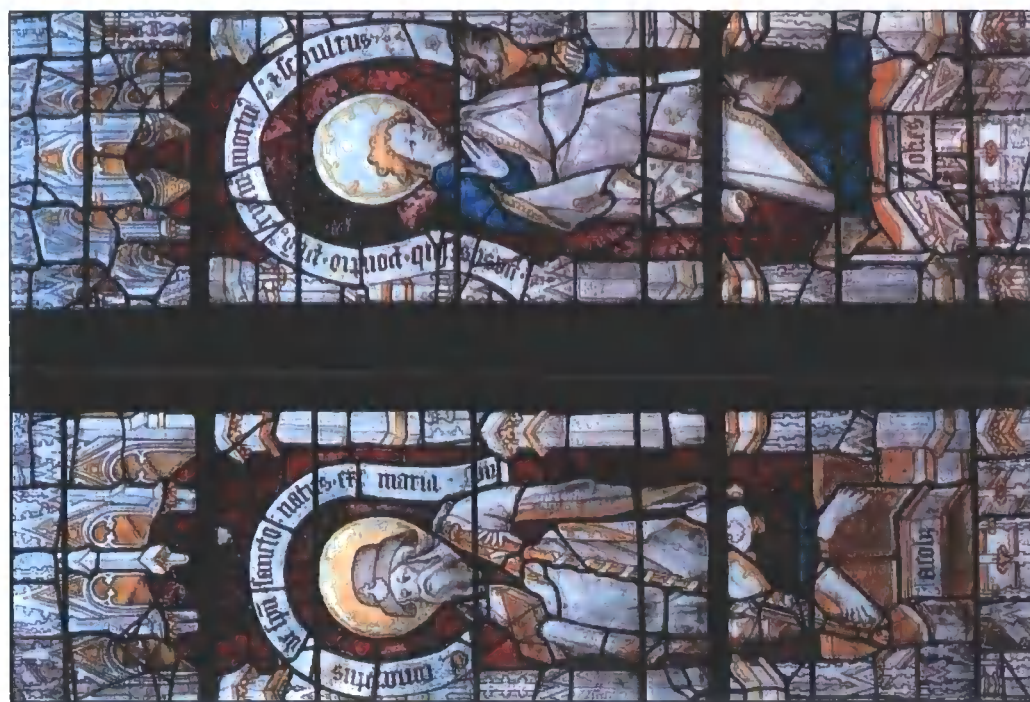
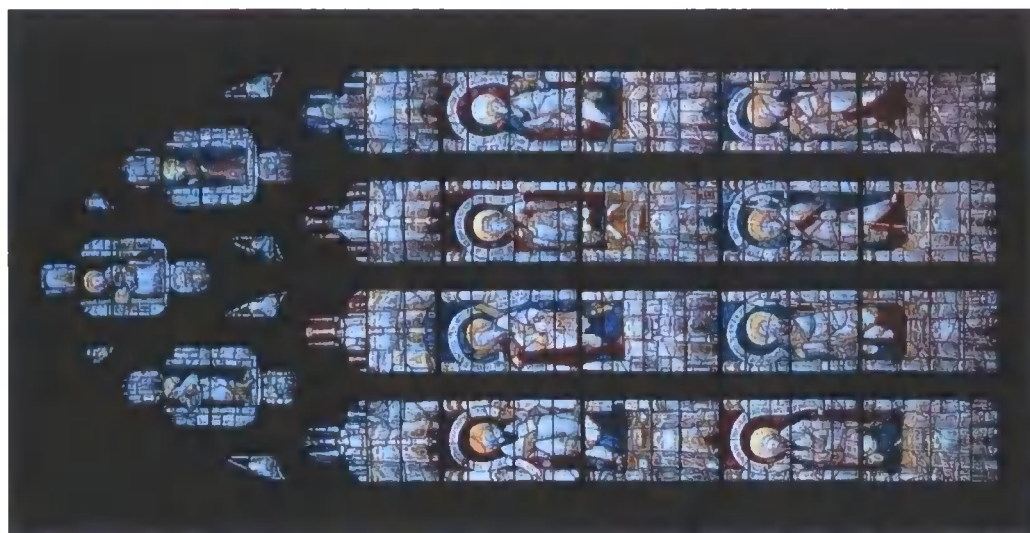


FIGURE 27 (*Top*). Window depicting eight apostles and other saints, c. 1420-35, from the early fifteenth-century house of Sir Rowland Lenthall at **Hampton Court, Hope-under-Dinmore (Herefordshire)**.

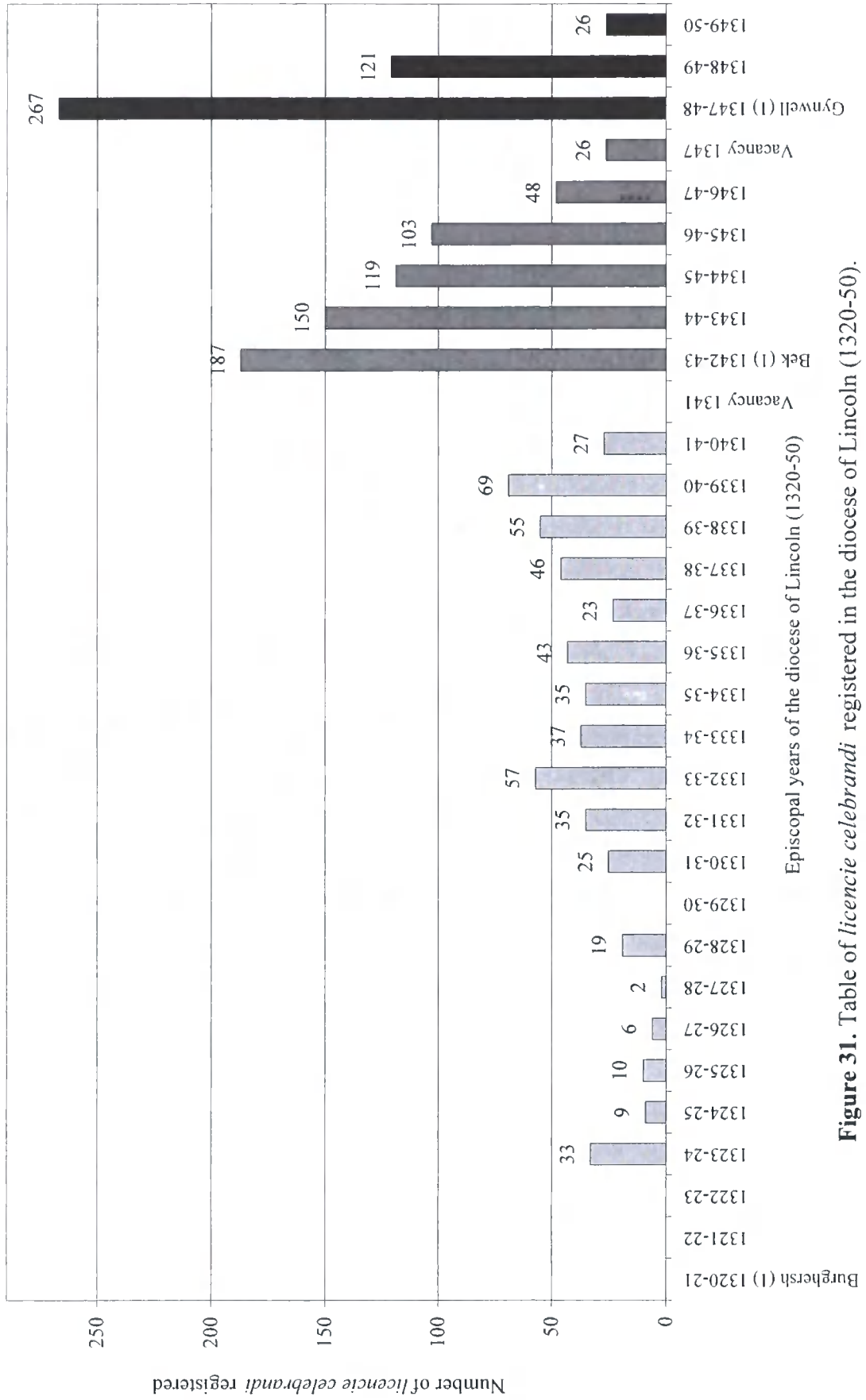
FIGURE 28 (*Bottom*). Detail of the above, showing St. James (left) and St. John (right).

(© Museum of Fine Arts, Boston. 25.21)

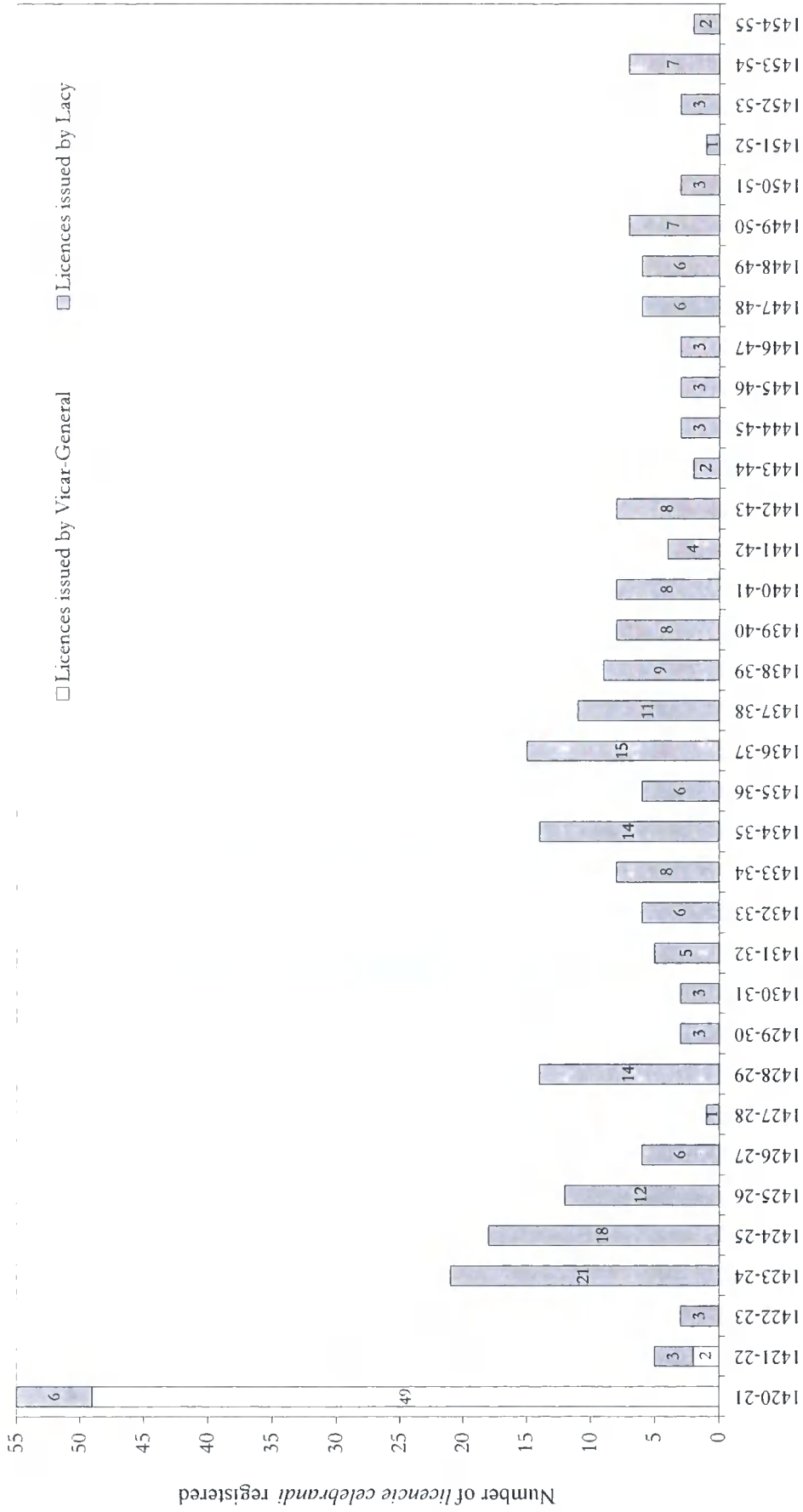


FIGURE 29 (*Top*). The thirteenth-century prior's chapel at **Durham**, the chapel itself was at first-floor level with a substantial undercroft below; view from the south-west. (*Author's photograph*)

FIGURE 30 (*Bottom*). Part of a cycle of wall paintings of *c.* 1470 depicting the Annunciation, Nativity, Resurrection and Ascension (or the 'Joys and Sorrows of the Virgin'), from the interior of the above chapel. (*Author's photograph*)



**Figure 31.** Table of *licencie celebrandi* registered in the diocese of Lincoln (1320-50).



Episcopate of Edmund Lacy, bishop of Exeter (1420-55)

Figure 32. Table of *licencie celebrandi* recorded in the *Registrum Commune* of Edmund Lacy (1420-55).

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