

The External History of Dale Abbey.

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I. DALE AS A PREMONSTRATENSIAN ABBEY.¹

THE Premonstratensian Order represented an attempt to combine the priestly duties of the secular clergy with the disciplined life of the cloistered monk. Those who took its vows were known as canons regular, and followed the Rule of St. Augustine, in due course taking orders and serving either the altars in their own abbey church or else those of the parish churches whose revenues were appropriated to it.² Their organisation was based largely on that of the Cistercian monks, while the brother order of Augustinian canons³ looked rather to Benedictine precedents. The abbot of Prémontré, like the abbot of Cîteaux, was head of his order, but the supreme legislative body was the General Chapter which he summoned to meet in October of every year, and which all the abbots were bound to attend, as the Cistercian

¹ The Premonstratensian registers (edited by Cardinal Gasquet as *Collectanea Anglo-Premonstratensia*: Camden third series, 3 vols.) upon which this section of the history of Dale depends, were compiled for the use of the Vicar-General of the English Province, Bishop Redman, at the end of the fifteenth century, and their value as material for the history of individual abbeys is necessarily subordinate to their original purpose of providing Redman with forms and precedents. Enough has in fact survived to give a fair picture of the part played by the abbots of Dale as members of their order, but what follows should be regarded as no more than a fortuitous if representative account of their activities in this capacity.

² In the case of Dale, the churches of Stanton-by-Dale, Kirk Hallam, Hleanor and Ilkeston, all in Derbyshire.

³ Represented in Derbyshire by the Abbey of Darley and the Priors of Repton and Breadsall Park.

abbots were at their own September Chapters. In addition he exercised the right of visitation, and claimed an annual subsidy from all the abbeys under his authority. The monasteries themselves were grouped into national provinces, and these again were divided into circaries (in England, northern, midland and southern) for purposes of administration. At the same time each abbot owed obedience to the superior of the house from which his own had been founded, the whole system of filiation culminating in the person of the abbot of Prémontré, but permitting a considerable degree of provincial autonomy, and so to some extent reconciling centralisation with flexibility.

The first monastery of the Order to be founded in England was Newhouse in Lincolnshire (1143), and it was to this, the oldest and most prolific of all the English houses, that Dale owed filial obedience, in company with ten other abbeys, of which it was the last in order of foundation.¹ Whenever the abbacy of Dale fell vacant, the abbot of Newhouse would supervise the election of a new superior,² and his paternal authority similarly entitled him to visit and correct his daughter-house. At the same time the abbot of Dale was a member of the provincial chapters which regulated the affairs of the English province, and he was bound to attend the annual General Chapter at Prémontré, where he became one of the oligarchy of abbots which legislated for the Order as a whole. He might be chosen as one of the *diffinitores*, a select committee which did the real work in provincial chapters,³ or he might be asked to sing the mass with

¹ See the table of abbeys published by Gasquet in *Collectanea Anglo-Prémonstratensia* 1, p. ix. Coverham (c. 1189) is here wrongly dated 1212 and placed after Dale.

² Cf. the recorded election of Abbot William de Horsley in 1332 (see p. 36).

³ Abbot John Stanley was so chosen at a chapter held at Leicester on 26 April, 1479 (*C.A.-P.*, no. 84), and Abbot Richard Nottingham at a chapter held at Lincoln on 23 Sept., 1495 (No. 92).

which the proceedings customarily opened. He might be deputed by the abbot of Prémontré to carry out a visitation, of some specific house, of his own midland circary, or of the whole English province. Finally he might be elected abbot of Prémontré itself, an honour which fell to William, second abbot of Dale, in October 1233. His rule at Prémontré was one of considerable austerity, and the Dunstable chronicler records that "there were very many stern statutes in that chapter."¹ The visitations of the Order had hitherto been performed by Cistercian abbots, but William succeeded in having this power transferred to the person of the Father-Abbot, and almost immediately set off to visit the Italian houses under his authority. On his return to Prémontré he issued an injunction changing the dress of the lay-brethren from a white to a grey cope. This was confirmed both by the papacy and by the general chapter, but strongly opposed by the lay-brothers, who sent letters of appeal to Rome. These had no effect, and when they organised a deputation it was sent back discomfited. But other troubles followed, and after holding his high office for only three years, Abbot William was compelled to resign. Failing to obtain satisfaction at the hands of the Pope for the loss of his abbacy, he returned to England and became an inmate of Bayham Abbey in Sussex, where he died.²

But with this eminent exception, the abbots of Dale were limited in their activities to the English province of their Order. Of this there are few records for the thirteenth century, and the surviving series opens with a struggle between the English abbots and the Father-Abbot at Prémontré, which was to free them from the burden of tribute to their French superior, and to curtail very considerably his authority over the English province. In 1307, by the statute of Carlisle, Edward I prohibited

¹ *Annales Monastici* (R.S.) III, p. 135.

² W. H. St. J. Hope "The Abbots of Dale," *D.A.J.* v (1883), p. 84.

the payment of taxes to foreign superiors by English abbots of any Order.¹ The Premonstratensian abbots showed no desire to resist the royal injunction, and when Abbot Adam de Creçy summoned them to a General Chapter and demanded the immediate payment of his dues they informed him that they were quite unable to comply, and that by paying subsidies they would run grave risk of outlawry.² The Father-Abbot replied by threatening to impose a sentence of excommunication on the English abbots.³ Edward II countered by repeating his father's prohibition.⁴ The abbots were no martyrs: resistance to the royal decree meant outlawry and confiscation, while disobedience to Adam, far away at Prémontré, could result only in excommunications which he was powerless to enforce. Proctors were dispatched to the papal curia appealing against the abbot of Prémontré and the sentence of excommunication which they knew would not long be delayed.⁵ How the proctors were ultimately successful in their suit at Rome cannot be told in this paper,⁶ but at a General Chapter held in 1316 a final settlement was reached whereby subsidies were to be demanded only when absolutely necessary, and with the approval both of the General Chapter and of the English abbots; the presence at Chapter of the yearly visitors alone was to suffice instead of that of all the abbots; and if the Father-Abbot chose to visit the English province only his bare personal expenses were to be borne for him.⁷ In this dispute, so important for the future of his own, as of the other English abbots, abbot John de Horsley of Dale (1305-1332) played his part. He attended meetings

¹ *Statutes of the Realm* I, pp. 150-2.

² *C.A.-P.*, Nos. 2, 3.

³ *C.A.-P.*, No. 4.

⁴ *C.A.-P.*, No. 8.

⁵ *C.A.-P.*, No. 9.

⁶ The documents will be found in *C.A.-P.*, Vol. I, and Abbot Gasquet's preface includes a narrative account of the struggle.

⁷ *C.A.-P.*, No. 30.

of abbots,¹ he shared in the general excommunication,² he contributed towards the cost of the appeal,³ and when, during the early months of 1311, it was sent round to each abbey for ratification, he duly set his seal to the document in his chapter-house, and had it witnessed by two of his canons and two laymen.⁴

Indeed, the dispute had affected him personally. For in 1310 abbot Adam of Prémontré had issued a mandate to the abbots of Langdon, Dale and Welbeck to visit Hales Owen Abbey in Worcestershire as soon as possible, and there to effect a thorough reformation.⁵ But it was not until May, 1311, by which date the appeal against Adam had been safely dispatched to Rome, that the appointed abbots were free to execute their task. To ensure, no doubt, that this mandate from Prémontré was not made a pretext for the exaction of subsidies, on 7th May the king sent the abbots of Langdon and Dale a copy of his former prohibition.⁶ A week later the three abbots came to Hales Owen, where they found the abbot incontinent and totally unfit to rule, the prior, a priest's son, of so bad a character that none of the canons would confess to him, another member of the convent incontinent, and others guilty of divers offences. They were proceeding to a thorough reformation when the abbot and senior canons "openly manifesting their wickedness," exhibited the king's inhibition, alleging that it rendered the visitors powerless to declare sentence against them.⁷ The three abbots, however, were not to be disposed of so easily, and finding his bluff a failure, the rebellious abbot "caused us to be wickedly and monstrously expelled from his monastery, not even allowing us to be entertained at our

¹ See *C.A.-P.*, Nos. 2, 3, 7, 9, 19, 20.

² *C.A.-P.*, Nos. 22, 23.

³ *C.A.-P.*, Nos. 20, 21.

⁴ *C.A.-P.*, No. 14.

⁵ *C.A.-P.*, No. 95. Langdon Abbey was in Kent.

⁶ *C.A.-P.*, No. 15.

⁷ *C.A.-P.*, No. 16.

own expense at any of his granges or even of his farmsteads." On reaching Dale the visitors passed a formal sentence of excommunication upon the abbot and conventual officers of Hales Owen, until such time as the Father-Abbot should absolve them,¹ though it may be doubted whether spiritual censure alone was of any avail against such hardened offenders.²

A year or two previously, Abbot John de Horsley of Dale had been entrusted by Adam of Prémontré with a mission even more delicate. This was to go to Eggleston Abbey in Yorkshire and there to effect some settlement between the brethren and William de C., their former abbot, who since his resignation had been ill-treated and maligned, and at length forced to leave the convent. He was to try to persuade the canons to receive him back and treat him in a more charitable manner. Failing this the ex-abbot was to be assigned a suitable place elsewhere at the expense of the canons of Eggleston. The abbot of Dale was engaged in important business concerning his own monastery,³ and so wrote to the abbot of Easby, the nearest Premonstratensian house to Eggleston, asking him to carry out the mission on his behalf.⁴ But the abbot of Easby evidently did not relish the task and wrote back excusing himself.⁵ Eventually, it would seem, the abbot of Dale was forced to attend to the matter himself, for there is a letter to him from the abbot of Welbeck, expressing his duty to the commands of Prémontré, but pointing out that as the abbot and convent of Eggleston intended to lodge an appeal, it was obvious that they had no intention of paying William de C.'s expenses if he came to Welbeck, and that they would in fact have to be borne

¹ *C.A.-P.*, No. 17.

² It seems not to have prevented one of the principal rebels, a brother Laurence, from successfully seeking election to the abbey of Bayham (*C.A.-P.*, I, p. 27, note 2).

³ See below, p. 87.

⁴ *C.A.-P.*, No. 391.

⁵ *C.A.-P.*, No. 392.

by himself. He was, moreover, indignant at what he called the "admonishments and threats" of brother H. de N.,¹ Horsley's messenger.² The abbot of Dale replied that he did not consider that his canon had in any way exceeded his powers, and that, much as he regretted inconveniencing a brother abbot, his orders were from Prémontré, and he was not prepared to waive them.³ Nevertheless the matter seems to have dragged on undecided until about 1313, when full powers to find a home for the expelled abbot were given to the abbot of Newhouse,⁴ who sent him to an abbey far removed from the scene of the controversy—T[orre] in Devonshire.⁵

At the General Chapter of 1316 the regulations governing the movements of nuns were tightened up, and during the same year the abbot of Dale was mandated to visit the Order's two sisterhoods of Brodholme in Notts. and Irford in Lincolnshire.⁶

Abbot William de Horsley (1332-1354) played a not unimportant part in the affairs of the English province. In 1336 he was appointed visitor of the midland circary by the abbot of Prémontré.⁷ His position was a difficult one, for late in 1335 a strange dispute had broken out over the abbacy of Croxton, which was contested by no less than three claimants, all of whom appear to have instituted appeals at Rome, while the abbot of Welbeck was defying his superior the abbot of Newhouse over the application of a certain Bull conferring visitatorial and other powers on the latter. From the surviving records it is difficult to discover exactly what was taking place,

¹ Almost certainly Henry de Nottingham, who served the appropriated vicarage of Kirk Hallam from 1317 to 1322 (Cox, *Churches of Derbyshire*, IV, p. 213).

² *C.A.-P.*, No. 393.

³ *C.A.-P.*, No. 394.

⁴ *C.A.-P.*, No. 395.

⁵ *C.A.-P.*, No. 396. Only the initial T. is given, but Gasquet assumes it to mean Torre, although it quite possibly stands for Titchfield or Tupholme.

⁶ Harl. MS. 45, A. 19.

⁷ *C.A.-P.*, No. 33.

but there is much talk of legal proceedings and meetings of abbots, together with a constant exchange of letters and messengers, in all of which the abbot of Dale was closely involved. One day he is at Dale anxiously scanning letters from Master Ralph de Selby, a mysterious but important figure in the negotiations, and forwarding others to Newhouse: a week or two later, receiving no reply, he is himself setting off to Newhouse with William de Sleaford, one of the Croxton claimants, and there having a long and earnest consultation with his superior abbot: next morning he is hurriedly writing to Master Ralph de Selby before returning to Derbyshire. A month or two later he is at Leicester dispatching a *carte blanche*, with his seal attached, to his London agent Hugh de Tofte—possibly one of his canons¹—who is carrying on complicated and expensive negotiations with a Lombard who has influence at Rome. In May there was to be a provincial chapter at Newbo Abbey, and the defeated but still rebellious abbot of Welbeck to pacify.² At the end of it all he was obliged to attend the General Chapter at Prémontré as representative of the English province, but after “setting out sufficiently early, he reached Dover, not without great danger and fear of the sea, and by places notoriously unsafe,” only to find that war was on the point of breaking out with France, and that the channel crossing was far too dangerous to attempt. Learning, moreover, that such a journey would be prohibited by the king, Abbot Horsley returned to the midlands, after dispatching a letter explaining his absence.³

In the spring of 1344 the abbot of Prémontré appointed

¹ *cf.* another letter (No. 36) from Hugh de Tofte to the abbot of Dale describing the ruin at Prémontré caused by the rising of the Duke of Orleans: in this connection see also a letter (No. 35) from the abbot of Bayham to the abbot of Dale asking him to help relieve their Father-Abbot's distress.

² See *C.A.-P.*, No. 139, 141, 31, 140, in order of date so far as can be determined, though none of the documents is dated, and 1336 (?) is Gasquet's conjecture. See also No. 137.

³ *C.A.-P.*, No. 33.

the abbot of Dale as his deputy to carry out a visitation of all the houses in England subject to his authority, with powers to correct and amend everything he should find amiss, and to punish and chastise any delinquent canons or lay-brethren he might detect. Owing to the French war the abbot "did not dare to act on this appointment without the king's license," which was granted with the inevitable injunction that no tribute was to be sent abroad, although the abbot might levy the procurations to which he was entitled. The king also granted the abbot protection for himself and his attendants, his horses and harness, while performing his visitation.¹ Abbot Horsley was still visitor during the following year, and on October 4th, 1345, as the Father-Abbot's representative, he supervised the election of canon John R. to the abbacy of St. Radegund's in Kent, that house having been founded direct from Prémontré. He was accompanied by the abbot of Bayham, whom he had specially asked to assist him in his tour of the southern abbeys.² On the following day he made a provision for the retiring abbot Henry, giving him a manor and a pension of ten marks a year out of the endowments of his convent.³ In 1346 he was again visitor in company with the abbot of Newhouse, and, as on the former occasion, he received royal permission to levy the procurations to which a visitor was entitled.⁴

In 1411 the abbot of Dale was mandated to carry out a visitation of Newhouse abbey.⁵ In May 1462 he was a member of the court of appeal nominated by the abbot of Prémontré to hear the appeal of abbot Downham of Beauchief, who had broken out of his abbey with seven armed canons when the visitor-general had attempted to

¹ *Cal Pat. Rolls*, 1343-5, pp. 251, 256.

² *C.A.-P.*, No. 542.

³ *C.A.-P.*, No. 543.

⁴ *Cal. Pat. Rolls*, 1345-8, p. 41.

⁵ Harl. MS. 44, A. 15.

carry out a visitation. He was promptly excommunicated and deposed, but appealed against the sentence, and demanded his restoration.¹ The court met at Nottingham and confirmed the deposition of Downham,² who was sent into retirement at Wymeswold in Leicestershire, a vicarage appropriated to Beauchief.³ On October 20th, 1472 (?)⁴ the abbot of Welbeck visited his daughter-house of B[eauchief], taking with him the abbot of D[ale]. The visitors found "the greatest peace and mutual concord" among the brethren, and declared that "considering the wickedness of the times"—an allusion to the Wars of the Roses—the temporal affairs of the abbey were in good order, although the details they give seem scarcely to support their favourable verdict.⁵

Although the abbots of Dale had no daughter-house whose elections they were entitled to regulate, it sometimes happened that they were called in to assist the abbots of Newhouse or Welbeck in the exercise of this prerogative at one of their numerous daughter-abbeyes. Thus in 1278 the abbot of Dale accompanied the abbots of Welbeck, Newhouse and Newbo to Beauchief, where they accepted the resignation of abbot Ivo and supervised the election in his place of Roger de Foulstowe, the prior.⁶ When, in May, 1327, John Nottingham, tenth abbot of Welbeck, did obeisance to archbishop Melton, he "presented a certificate of his benediction in the abbey church of Welbeck by John abbot of Newhouse, assisted by the abbots of Beauchief and Dale."⁷ In December, 1335 the

¹ *C.A.-P.*, Nos. 222, 223.

² S. O. Addy, *Beauchief Abbey*, pp. 85-6.

³ S. O. Addy, *Beauchief Abbey*. p. 87.

⁴ The references to a newly-elected abbot in the record of this visitation are inconsistent with the date given, since by 1472 John Swift had been abbot for ten years, and a further reference to "the lately deceased abbot" would not be true of Beauchief at any date after the deposition of John Downham in 1462, since all his successors were either translated to other abbeyes or else resigned.

⁵ *C.A.-P.*, No. 228.

⁶ S. O. Addy, *Beauchief Abbey*, p. 73.

⁷ A. Hamilton Thompson, *The Premonstratensian Abbey of Welbeck*, p. 73.

abbots of Newhouse, Croxton and Dale petitioned the archbishop to grant benediction to William Aslakton, the newly-elected abbot of Welbeck.² In April, 1450, as coadjutor to the abbot of Newhouse, the abbot of Dale went to Welbeck to assist in the creation of a new abbot. The canons declined to exercise their right of election, and besought the two supervising abbots to provide an abbot for them. After some deliberation they chose John Green "a prudent and discreet" canon of the house, "much to be commended in his life."² On July 4th, 1505, the abbot of Dale assisted the abbot of Welbeck to supervise the election of Edmund Green, the prior of Hornby, to the abbacy of Hales Owen.³ On September 6th, 1519, John, abbot of Dale, assisted John, abbot of Welbeck and Christopher, abbot of Newhouse, to supervise the election made necessary at Beauchief by the translation of the said Christopher to Newhouse.⁴ After the usual formalities John Sheffield was chosen to fill the vacancy and was installed by the three visiting abbots in the presence of various witnesses, one of whom was Thomas Gilbert, canon of Dale.⁵

II. CROWN AND PAPACY.

The relations of a medieval abbot to his king were governed, on the one hand by the ultimate feudal authority of the king, and by his perennial need for money, and on the other, by the fact that the abbot was the ruler of large estates, and a man of importance in his own county. The abbot looked to the king for justice and protection, the king turned to the abbot for financial assistance and occasional administrative employment. He was concerned with the abbot rather as a great prelate, as the head

¹ *op. cit.*, p. 74.

² *op. cit.*, pp. 84-5: *C.A.-P.*, No. 621.

³ *C.A.-P.*, No. 447.

⁴ H. Kirk, "Beauchief Abbey," *The Reliquary*, VIII (1866-7), p. 204.

⁵ According to Cox, *Churches of Derbyshire*, IV, p. 472, Thomas Gilbert in 1519 succeeded John Sheffield as vicar of Norton, a church of which the abbot of Beauchief was patron, retaining the benefice until his death in 1547.

of a richly-endowed corporation, than as the pastor of a religious community whose preoccupation was with things spiritual, not temporal. Nevertheless, he was careful to solicit the prayers of the convent on his behalf as part of the price of lands acquired in mortmain, and when Queen Joanna of France died in 1305, the abbot of Dale, like his brother-prelates, received a royal writ requesting him to commend her soul to the Almighty by "the singing of masses and other forms of devout entreaty."¹ But if the king was sometimes not unmindful of the value of masses, the abbot could never afford to forget the strength of royal authority. He enjoyed his lands and privileges only in virtue of royal charters, confirmations and licenses, for which he paid substantial fees, and which might still be challenged by an *inquisitio quo warranto*: his allegiance to the foreign head of his Order could break down through royal intervention, as did that of the English abbots of the Premonstratensian Order at the beginning of the fourteenth century, and it required only the resolution of the Tudor monarchy, at a time when monasticism had lost its value as a refuge for learning and as a haven for religion, to confiscate his possessions and dissolve his community.

The reign of Henry III is one which must be excepted from the foregoing generalisations. For if he was an improvident and incompetent ruler, Henry could claim to be a generous benefactor to the church, and his pious extravagance more than once found an object in the abbot and convent of Dale. There were gifts of timber in 1233,² 1235,³ and 1251,⁴ the first of four oaks to be given to the abbot to make shingles for his dormitory, the second of seven oaks for a similar purpose, and the third of

¹ Rymer, *Foedera* (Rec. Comm.) 1 (ii), p. 971.

² *Cal. Close Rolls*, 1231-4, p. 216.

³ *Cal. Pat. Rolls*, 1234-7, p. 140.

⁴ *Cal. Close Rolls*, 1251-3, p. 19.

twenty oaks from Sherwood Forest.¹ In 1246 it was a cup worth six marks which the sheriff of Nottingham was ordered to give to the abbot of La Dale,² and in the same year royal munificence took the form of twenty sides of bacon from the stores at Nottingham Castle.³

But royal relations were usually of a more formal character. In 1229 the abbot of Dale and William, Earl of Ferrars appeared before the king and prayed for a perambulation to be made between their lands in Spondon.⁴ In 1230 the king commanded William, Earl of Warenne not to oppose the ship of John de Estring which the abbot of Dale had assigned to go to the ports of Norway on the business of the Lord Pope, and which had been arrested at Lynn.⁵ On September 11th, 1235, at Burton-on-Trent, the king confirmed a lengthy list of past benefactions to the abbey.⁶ In 1264 he granted the abbot simple protection until next Michaelmas.⁷

With the accession of Edward I, the need for money became dominant in royal policy towards the monasteries. One consequence of this was the prohibition of subsidies to foreign superiors:⁸ another was the summons to parliament of Cistercian and Premonstratensian abbots, whose great sheep-farms placed them among the wealthiest subjects of the crown. Thus the abbot of Dale received summonses in 1294, 1295, 1296, 1300, 1301, twice in 1302, in 1305, 1307 (for the passing of the Statute of Carlisle in January, and again for Edward II's first

¹ Dr. Cox, in his paper "The Abbey of Dale," in *D.A.J.* XL (1918), adds five more grants of timber, etc., but these are all to Stanley Abbey, Wilts., as the *Calendar* index makes abundantly clear. This paper contains innumerable errors and is worse than useless.

² *Cal. Liberate Rolls: Henry III*, III, p. 53.

³ *Cal. Close Rolls*, 1242-7, p. 425.

⁴ *Cal. Close Rolls*, 1227-31, p. 246.

⁵ *Cal. Close Rolls*, 1227-31, p. 358.

⁶ Dugdale and Dodsworth, *Monasticon*, VI (ii) (1846 ed.), p. 896 (indexed by error under Stanley Abbey, Wilts. in the *Calendar of Charter Rolls*).

⁷ *Cal. Pat. Rolls*, 1258-66, p. 313.

⁸ See section I of this paper.

parliament in October), in 1309, 1311, and twice in 1312.¹ How far the abbots of Dale obeyed these summonses cannot be determined, but Abbot Richard de Normanton was present at the stormy session which opened at Westminster on September 21st, 1294, for three days later he successfully petitioned the king in parliament for a grant of free warren in all his demesne lands of Stanley, Ockbrook, Boyha, Alvaston, Kirk Hallam, Grif and Bathley.² The business transacted in these parliaments forms no part of the history of Dale, but many of them were concerned with the king's attempt to impose clerical taxation, and it was clearly to this end that Edward I summoned the Cistercian and Premonstratensian abbots in such strength. But between 1312 and 1322 their names disappear from the writs of summons, and at the dissolution neither Cîteaux nor Prémontr  was represented among "the great and fat abbots" who sat with the spiritual peers in the parliament chamber.³ In the case of the Premonstratensians it is tempting to see in this development the successful termination of the policy inaugurated by the Statute of Carlisle, for the writs came just as the English province had won its victory over the abbot of Pr montr  and so had brought to an end the "intolerable taxes" denounced by the crown.

Parliamentary taxation of the monasteries was now out of the question, and the king resorted to direct requests for aids and loans, addressed to each abbot individually. Thus in June, 1332, the abbot of Dale received letters from the king requesting an aid towards the expenses incurred by the marriage of his sister Eleanor to Reginald, Count of Guelders.⁴ This demand was generally evaded, and the abbot of Dale figures in the long list of delinquents.⁵ With

¹ *Parl. Writs*, I, p. 562: 11 (iii), p. 751.

² *Cal. Charter Rolls*, II, p. 454.

³ See H. M. Chew, *English Ecclesiastical Tenants-in-Chief* (1932), pp. 169-179 for the monastic clergy and their summons to parliament.

⁴ *Cal. Close Rolls*, 1330-3, p. 589.

⁵ Rymer, *Foedera* (Rec. Comm.), II (ii), p. 853.

the French wars the financial difficulties of the monarchy became acute, and extensive loans were demanded from the monasteries: hence in the Patent Roll for the year 1347 we find the abbot of Dale accredited with a loan of 50s. towards the prosecution of the war in France, which it was promised should be repaid the following November.¹ During the same year he sent to the abbot of Dale letters under privy seal asking for a loan of four sacks of wool, which were to be delivered in London on September 30th.² Edward III had already claimed all the taxes which the abbot of Prémontré persisted in claiming from the English abbeys, and in 1343 he summoned them to appear before the Barons of the Exchequer for their failure to pay.³ The Patent Roll of 1379 records that the abbot of Dale lent Richard II five marks as a war-loan,⁴ which the king promised to repay. The series concludes in 1522, when Henry VIII announced "an annual grant to be made by the spirituality for the king's personal expenses in France for the recovery of the crown." The abbot of Dale had to find £66. 13s. 4d., a common and average contribution, and was collector for the archdeaconry of Derby into the bargain.⁵ "John, abbot of Dale" occurs also in a list of the prelates who were summoned to a convocation of the province of Canterbury in 1529, where they made King Henry VIII a rather pathetic grant of £100,000 for protection against the Lutherans and their anti-clerical writings.⁶

After the Statute of Mortmain (1279) the appropriation of lands by monastic houses required royal license, which was granted only after the payment of a fine. It was the practice for the crown to issue a general license covering

¹ *Cal. Pat. Rolls*, 1345-8, p. 342.

² *Cal. Close Rolls*, 1346-9, p. 262.

³ *C.A.-P.*, No. 34.

⁴ *Cal. Pat. Rolls*, 1377-81, p. 636.

⁵ *L. & P. Henry VIII*, III (ii), p. 1047: *Addenda*, I (i), p. III.

⁶ *L. & P. Henry VIII*, IV (iii), p. 2700.

the appropriation of lands up to a certain value, and this could be 'satisfied' in stages until the total value of land so licensed had been acquired.

On December 7th, 1323, at Belper, King Edward II granted a general license to the abbot and convent of Dale, after inquisition *ad quod damnium*, to acquire in mortmain lands and rents to the value of 100s. yearly, notwithstanding the Statute of Mortmain.¹ Thus, in 1343, Edward III granted license for the alienation in mortmain to the abbot and convent of Dale, in satisfaction of 10s. of the 100s. yearly which they held of the license of Edward II, of 60 acres of moor in Hopton, by Richard le Curson, parson of Breadsall, and William Shymmyng, and a toft, seven and a half acres of land, and an acre of meadow in Stanton-by-Dale, by Robert de Sallowe, the whole being of the annual value of 5s. 2d.² In June, 1392 this was followed by a further grant by John Parker and William Wright, chaplain, of five messuages, 100 acres of land and thirteen acres of meadow in Elvaston, Stanley, Thulston and Alvaston, not held in chief, "in full satisfaction of a license granted by the late king to acquire in mortmain lands, tenements and rents of the yearly value of 100s."³ The original license was thereupon surrendered, and the letters patent duly cancelled.⁴

Again, in 1364, the king granted a general license to the abbot and convent of Dale to acquire in mortmain £20 yearly of land and rent not held in chief, provided that inquisitions were made in due form, on condition that the convent "continually and specially" had daily recommendation of the king by name in their prayers, masses and chapters, for ever.⁵ Thus in 1382 license was granted

¹ *Cal. Pat. Rolls*, 1321-4, p. 352.

² *Cal. Pat. Rolls*, 1343-5, p. 53: Jeayes, *Derbyshire Charters*, No. 1453.

³ *Cal. Pat. Rolls*, 1391-6, p. 75: *Cal. Inq. post Mortem* (Rec. Comm.), III, p. 145.

⁴ *Cal. Pat. Rolls*, 1321-4, p. 352.

⁵ *Cal. Pat. Rolls*, 1361-4, p. 438.

for the alienation in mortmain to the abbot and convent, by William de Ketelby, chaplain, and Ralph Palmer of Boney, of a messuage and two bovates of land in Trowell, two bovates of land and two acres of meadow in Lambercote, and six acres of land in Radcliffe, not held in chief, of the yearly value of 16s., as appears by inquisition of William de Sallowe, escheator in co. Derby, to the value of four marks yearly, in part satisfaction, *viz.* £20,¹ of lands which they had license by letters patent of the late king to acquire in mortmain.² In the following year the abbot and convent received further license to acquire in mortmain from Geoffrey de Chaddesden, parson of Long Whatton, Leicestershire, and John de Twiford, vicar of Spondon, lands in Stanton, Alvaston, Elvaston, Thulston and Bolton, Stanley, Kirk Hallam and Spondon, to the yearly value of 50s., in part satisfaction, *viz.* £10 yearly, of lands to the annual value of £20, which they had license by letters patent of the late king to acquire in mortmain.³ In 1365 the king granted another general license to the abbot and convent, empowering them to acquire in mortmain, after inquisition, land and rent in Derby not exceeding the value of 60s. yearly, for the lodging and receiving of their victuals and other necessaries,⁴ and ten years later license was issued for the alienation by Geoffrey de Chaddesden, parson of Long Whatton, Richard Whiteman of Stanley, chaplain,⁵ and Thomas Pouse of Elvaston, chaplain, to the abbot and convent of Dale, of a messuage in Derby, held of the king in burgage, of the yearly value of 10s., to hold in satisfaction of 13s. 4d. of the 60s. yearly in land and rent in Derby, which they had the king's license to acquire.⁶

¹ This must be a slip for 20s.

² *Cal. Pat. Rolls*, 1381-5, p. 182: *Cal. Inq. post Mortem* (Rec. Comm.), III, p. 44.

³ *Cal. Pat. Rolls*, 1381-5, p. 288: *Cal. Inq. post Mortem* (Rec. Comm.), III, p. 45.

⁴ *Cal. Pat. Rolls*, 1364-7, p. 122.

⁵ He was chantry priest at Crich 1368-70 (Cox, IV, p. 47).

⁶ *Cal. Pat. Rolls*, 1374-7, p. 88.

In each instance it will be seen that the property acquired was deliberately overvalued by the Crown, so that a general license was declared 'satisfied' before the total value originally permitted had in fact been reached. This was evidently done in order to reduce as much as possible the value of lands acquired in mortmain, while retaining the heavy fines which were demanded for general licenses, and at the same time to offset any undervaluation by the religious of the property they were acquiring. As a fresh license was required for each individual alienation, even though it was already covered by a general license, the acquisition of property in mortmain was clearly an expensive transaction.¹

Royal licenses were also necessary for the appropriation of parish churches, and such are recorded in connection with the acquisition by the abbot and convent of the advowson of Greasley church (1338),² the half rectory of Egginton (1345),³ and the rectories of Ilkeston (1385)⁴ and Heanor (1473).⁵ In the latter two cases the rectory was first transferred to a body of trustees, who then handed it over to the abbot; by this expedient it was possible technically to avoid violation of the Statute of Mortmain.⁶

On two occasions there is record of an *inquisitio quo warranto* into the tenures, rights and privileges of the abbot of Dale. The first took place in 1281, and was a particular inquiry concerning five bovates of land in Sandiacre whose tenure by the abbot was challenged by the crown. The circumstances appear to have been as

¹ See J. N. L. Myres "Notes on the History of Butley Priory, Suffolk," in *Oxford Essays in Medieval History presented to H. E. Salter*, pp. 195-7. Other minor licenses of this kind relating to Dale are *Cal. Pat. Rolls*, 1307-13, p. 326 (1311): *Cal. Pat. Rolls*, 1391-6, p. 163 (1392): *Cal. Pat. Rolls*, 1413-16, p. 243 (1414).

² *Cal. Pat. Rolls*, 1334-8, p. 392.

³ *Cal. Pat. Rolls*, 1343-5, p. 536.

⁴ *Cal. Pat. Rolls*, 1385-9, p. 21.

⁵ *Cal. Pat. Rolls*, 1467-76, p. 410.

⁶ Cox, *Churches of Derbyshire*, IV, pp. 234, 258 note †.

follows. Peter de Sandiacre held from Henry III five bovates of land in his native village, by tenure of bearing a red goshawk. This land descended to his son Sir Richard de Sandiacre, who enfeoffed Richard de Stapleford of one, and Phillip de Touke of the remaining four, bovates. Not long after the foundation of Dale the two sub-tenants granted the canons their five bovates,¹ but without seeking permission of the king, who thereupon seized the land. Abbot Grauncorth went to court, however, and obtained from the king a new grant of the land, for the rent of 20s. a year. In 1244 Henry III issued letters close to the sheriff to permit the abbot to cultivate and sow two bovates and 30 acres of land in Sandiacre which was of the serjeanty which Richard de Sandiacre held of the king in chief,² and at the same time restored to him Drizco wood,³ which formed part of Peter de Sandiacre's fief in Sandiacre,⁴ and which had been granted to Dale in free alms by the under-tenant Geoffrey de Salicosa Mara, the abbey's founder.⁵ In 1250 the Testa de Nevil records that the abbot of Dale holds fifteen bovates in Sandiacre including a wood, in part for the service of 20s. yearly.⁶ In 1281 the abbot's attorney appeared *coram rege* to give a long account of the past history of the fief in answer to the king's *quo warranto*, and the matter was eventually referred to the rolls of the Exchequer for proof.⁷ Here the abbot was being treated purely and simply as a feudal tenant, as in 1297, when he was summoned to perform military service beyond the seas.⁸

The second inquiry, which took place in 1330-1, consisted of an investigation into the abbot's claim to have

¹ Dale Chartulary, ff. 92-93, 95^b-99: Jeayes, *Derbyshire Charters*, No. 936.

² *Cal. Close Rolls*, 1242-7, p. 236.

³ *Cal. Close Rolls*, 1242-7, p. 427.

⁴ Jeayes, *Derbyshire Charters*, No. 941.

⁵ *Cal. Inq. post Mortem* (P.R.O.), 1, p. 13.

⁶ *Testa de Nevil* (P.R.O.), p. 1195.

⁷ *Plac. de Quo Warranto* (Rec. Comm.), p. 443.

⁸ *Parl. Writs*, 1, p. 562.

free warren in all his demesne lands of Stanley, Ockbrook, Boyha, Alvaston, Kirk Hallam, Grif and Bathley, and parks in Stanley, Ockbrook and Hallam, and finally to enjoy all the privileges which other abbots of the Premonstratensian Order possessed. John de Sherwood, the abbot's attorney, showed Edward I's charter of 1294, granting the abbot free warren in all the demesne lands above-mentioned, and pleaded that the abbots of Dale and all those who had held the manor of Stanley from time immemorial, had had the parks in question. It was found that the abbot had failed to protect the warren of Bathley, and this was forfeited in consequence. As for the privileges of a Premonstratensian abbot, these had been granted in 1196 by charter of Richard I, and were defined by a charter of Henry II to Welbeck Abbey.¹

In April, 1364 the abbot of Dale and others were commissioned to carry out a visitation of the Hospital of St. Leonard in Derby, "of the foundation of the king's progenitors, and of his patronage," which had fallen into neglect through the carelessness of its wardens,² and when the visitation had to be repeated in 1397 he was again included in the royal commission, in company with the abbot of Darley, and John Brewode, clerk.³

Another task with which the abbot of Dale was sometimes entrusted by the crown, was to take the oath of allegiance of some newly-elected abbot or prior—in 1425 that of Robert Cutwulf, prior of Newstead,⁴ in 1518, in company with the abbot of Burton, that of Henry Wyndley, the new abbot of Darley,⁵ and six years later that of his successor Thomas Groves, this time with the aid of the prior of Repton.⁶ In 1525 and 1530 the abbot of Dale was

¹ *Plac. de Quo Warranto* (Rec. Comm.), pp. 146, 634.

² *Cal. Pat. Rolls*, 1361-4, p. 537.

³ *Cal. Pat. Rolls*, 1396-9, p. 95: see also *V.C.H. Derbyshire*, II, pp. 85-6.

⁴ *Cal. Pat. Rolls*, 1422-9, p. 233.

⁵ *L. & P. Henry VIII*, II (ii), p. 1335.

⁶ *L. & P. Henry VIII*, IV (i), p. 167.

associated with Sir Henry Sacheverell and other local gentry in the performance of *inquisitiones post mortem*.¹

Finally, there are the cases when the abbot of Dale came before the royal justices to prosecute or defend a lawsuit. Thus, in the year 1269, at Derby Assizes, Abbot Simon had to defend his rights against the claims of Geoffrey de Stapleford to six bovates of land in Sandiacre, and those of "Margery who was the wife of Henry Essebourne," to the third part of one messuage and one bovat in Normanton, which she claimed as dower, while at the same time Sir Thomas Bardolf was challenging his right to one acre of land in Ockbrook, on the banks of the Derwent, above the site of the abbot's mills at Borrowash.² The land, he claimed, had been demised to a former abbot by Geoffrey le Provost, who held it from him in villeinage; the abbot, on the other hand, denied that Geoffrey had ever held it of Thomas, either freely or in villeinage, and said that his predecessor had acquired it by exchange with Geoffrey, with the assent of Sir William Bardolf, Thomas's father. Both parties put themselves on the county, and the date for the summoning of the jury was fixed, when Bardolf "came and acknowledged the land with the site of the abbot's mill, to be the right of the abbot and his church," and abjured all further claim to it. But this surrender was not obtained without cost, for the abbot's agents bound themselves to pay Bardolf the heavy fine of forty marks for the settlement. Afterwards Bardolf acknowledged that as soon as the abbot recovered from his infirmity, or a new abbot was appointed, he would come before the justices itinerant and levy a fine granting the land to the abbot in pure and perpetual alms. This obligation is recorded in the Dale chartulary,³ from which it appears that the contested claim involved not merely

¹ *L. & P. Henry VIII*, iv (i), p. 691: iv (iii), No. 6542 (iii).

² *The Derbyshire Assize Roll of Henry III*, ed. C. E. Lugard, pp. 97, 107-8, 123-4, 147, 169.

³ ff. 16, 16^b.

the site, but the actual ownership of the mill, or rather mills, which no doubt explains why the abbot was prepared to pay so heavily for the surrender of Bardolf's claim. But the mills did not cease to be a source of trouble, and in 1276 the burgesses of Derby lodged a complaint against the abbot and the Bishop of Lichfield for obstructing the course of the Derwent by their dams.¹ The dispute was still in progress in 1281, when it was again "presented by twelve men of Derby that in the time of King John . . . the water of Derwent was open so that ships and boats were accustomed to come to Derby, and to carry victuals and other merchandise there." But now "the abbot of Dale so obstructs the aforesaid water by his weirs at Borrowash that no ship can pass there."² In 1283 the same mills were the scene of a serious encounter between abbot Lawrence of Dale at the head of a small army of nearly a hundred men, including two future abbots, brothers Richard de Normanton and John de Lincoln, besides men in the abbey's service like "Richard the Porter of the Dale," and the brethren of Burton Lazars, Leicestershire, who had apparently occupied one of his mills. The abbot's men assaulted and wounded the hospitallers, ejecting them from the mill, besides doing damage to the tune of £100. The master of Burton Lazars complained to the crown, and a commission of *oyer and terminer* was issued to try the case.³ It is not, however, recorded who was declared to be the lawful owner of the mill, or whether the warlike abbot succeeded in justifying his violent methods.

Lawrence seems to have been a typical medieval abbot in his litigious zeal for his convent's rights, and there were other lawsuits and disputes during his rule, one with the prior of Dunstable,⁴ and others arising out of the enclosure

¹ Hundred Rolls, I, p. 62, II, p. 295.

² Add. MS. 6666, p. 171 (ff. 557-9).

³ *Cal. Pat. Rolls*, 1281-92, pp. 93-4.

⁴ See below.

of common pasture now made possible by the Statute of Westminster the Second.¹ So in 1287 the abbot was accused of preventing Richard Grey from pasturing his cows on the common pasture of Sandiacre, but the plaintiff failed to appear and was declared in mercy.² In the same year, however, the abbot was himself declared in mercy for unjustly accusing a number of tenants of evicting him from certain of his lands in Sandiacre and Ockbrook,³ although he was successful in an action against Ralph de Cromwell, the lord of West Hallam, whom he accused of enclosing about half the common pasture of West Hallam, which was the abbot's in virtue of the demesne lands which he held in Stanley, of appropriating all the best pasture to the detriment of his neighbours, in contravention of the provisions of Merton, which required that sufficient common should be left by the encloser for his neighbours, even though by the more recent provisions of Westminster, which Cromwell cited, enclosure itself was permissible, and finally of encroaching on the road where formerly he, Lawrence, had been "accustomed to drive 40 or 60 beasts abreast."⁴ Cromwell was fined 13s. 4d. and the abbot recovered seisin of his common of pasture in West Hallam, which pertained to his free tenement of Stanley.⁵ But soon afterwards the abbot's weir at North Muskham, where he had fishponds and a mill, was broken down by Cromwell and over thirty of his men, against whom the abbot was awarded 6s. 8d. damages.⁶

In 1327 the abbot of Dale was the plaintiff in a suit in

¹ Yet another, concerning some lands in Stanton, took place in 1281 between Robert Fox and his wife and William de Breaston and his wife, plaintiffs, and Lawrence, abbot of Dale—see *D.A.J.* XII (1890), p. 41.

² Trueman, *History of Ilkeston*, p. 328.

³ *Ibid.*

⁴ Trueman, pp. 328, 358 (Assize Roll 15 Edward I, No. 155).

⁵ Pym Yeatman, *Feudal History of Derbyshire*, II (iii), p. 19 (Estreats of Grants 16 Edward I, R. 25).

⁶ *Abbrev. Plac. Richard I-Edward II* (Rec. Comm. 1811), p. 212.

the court of common pleas against Adam Scot of Derby concerning his accounts as bailiff of Ockbrook.¹ On November 28th, 1381, for 20s. paid in the hanaper, a commission of *oyer and terminer* was issued to William Lord Zouche and others, on complaint by William, abbot of Dale, that Thomas son of Godfrey Foljambe, John Smyth of Stanley, and others had lain in wait to kill him at Derby, assaulted and threatened him and his servants and driven them from the town.² In 1450 the sheriff of Derby was to arrest an apostate canon of Dale named Ralph Crowche,³ and in 1457 William Fytell of Ilkeston, husbandman, was pardoned by the king for not appearing before the justices to answer the abbot of Dale touching a trespass.⁴

These petty disputes are apt to take up a disproportionate space in monastic histories, but if, for every record of a peaceable canon bearing himself devoutly before God, there are ten rolls recounting the legal battles waged by his convent, it does at least enable us to understand why a medieval abbot needed to be "a man both provident and discreet, laudably circumspect in matters spiritual and temporal . . . and both capable and desirous of protecting the rights of his church," as in 1505 the abbots of Welbeck and Dale recorded with satisfaction of the newly-elected abbot of Hales Owen.⁵

On February 20th, 1398, the king ordered the warden of the Fleet Prison to set free a certain John Aston, vicar of Colston Basset, Notts., for whose good behaviour William de Hoton and others had gone bail.⁶ This John

¹ *Placita de Banco: Index*, 1327-8, part I.

² *Cal. Pat. Rolls* 1381-5, pp. 82, 112. On their failing to appear before the justices the two men were put in exigents, but in the following January a writ of *supersedeas* was issued in their favour, by mainprise of Nicholas de Stafford, knight, and others.

³ *Cal. Pat. Rolls*, 1446-52, p. 386.

⁴ *Cal. Pat. Rolls*, 1458-61, p. 321.

⁵ *C.A.-P.*, No. 447.

⁶ *Cal. Close Rolls*, 1396-99, pp. 247-8.

Aston had had himself provided to the vicarage of Ilkeston by the papal see, in defiance both of the Statute of Provisors and of the rights of the abbot and convent, as holders of the advowson.¹ In addition he had had the audacity to prosecute against the abbot "divers processes in the court christian." The abbot appealed to the crown against the papal providee, and the sheriff summoned him to appear before the King's Bench. He duly appeared, offering to prove his innocence, but was put in prison until he could find someone to bail him out, as we have seen he was able to do, but only to resume his former activities, for on June 27th, 1400, Bishop Burghill of Lichfield wrote to the king to state that John Aston, Henry a chaplain, and six others, had seized the church of Ilkeston for their own use: that the abbot of Dale had complained to him of this outrage, and that he had commissioned the abbot of Darley and the prior of Repton to investigate the matter. They had reported that the offenders were guilty of many contumelies and offences, whereupon sentence of greater excommunication had been imposed, but more than forty days had now elapsed, and they remained obdurate. Holy Church could go no further, and the bishop appealed to the secular arm for help.² That his appeal was not in vain would appear from a pardon issued in 1402 to John Wylchar, chaplain "of his outlawry in Derbyshire for not appearing before the justices to answer the king for being a maintainer and abettor of one John Aston, clerk, of the county of Nottingham, who caused a provision to be made to himself from the apostolic see of the church of Ilkeston, lawfully appropriated to the abbot and convent of Dale," he (Wylchar) having surrendered to the Marshalsea prison.³

¹ The Papal mandate for his collation is dated April, 1394 (*Papal Letters*, iv, p. 473). The rightful vicar was apparently Hugh de Thurgarton, canon of Dale, and vicar from 1391 to 1402 (Cox, iv, p. 259).

² *V.C.H. Derbyshire*, II, p. 13 (Lich. Ep. Reg. Burghill f. 165^b).

³ *Cal. Pat. Rolls*, 1401-5, p. 162.

But apart from this one occasion, when an abbot of Dale was forced to appeal to the secular power against a papal provision, his relations with the papacy were smooth enough. For within his own spiritual sphere the pope was the ultimate source of authority, and if it was the king who forced the English abbots to break loose from Prémontré, it was to the papacy that they successfully appealed against the obduracy of their Father-Abbot. It was, again, to the papacy that disputes with other religious communities were in the last resort referred, so long as physical violence did not procure secular intervention (as it did when the abbot of Dale marched against the brethren of Burton Lazars), and it was from the papacy that the abbot would receive occasional commissions to carry out some ecclesiastical duty.

On December 2nd, 1224, Pope Honorius III granted the abbot and convent protection, more especially as regards their possessions in Ockbrook, Stanley and Depedale,¹ and there is an undated appeal from William, abbot of Dale, to the Holy See for protection in the court of Canterbury, in case of some *grave prejudicium* which he feared would be attempted against his monastery.² The value of such papal protection was demonstrated in 1234, when the archbishop of Canterbury was instructed by papal bull to excommunicate those who had injured the abbot and convent of Dale by invading their possessions and attempting to make them pay tithes on lands acquired before the Lateran Council of 1215.³ On April 27th, 1283 Pope Martin IV issued a general confirmation of the liberties of the abbey.⁴

The granting of papal indulgences to choose their confessors

¹ Jeayes, No. 1785.

² C.A.-P., No. 351. Gasquet's conjectural date (1310) cannot stand; for at that date the abbot's name was John. "William" must be either William de Horsley (1332-54) or William de Boney (1358-1400).

³ Jeayes, No. 937.

⁴ Jeayes, No. 939.

to an abbot of Dale and his canon at the time of the Black Death has been noted elsewhere.¹ The honorary dignity of papal chaplain was in 1395 conferred on a canon of Dale named Matthew Leche,² and in 1398 on a brother canon, John de Kirkeby,³ who had been licensed to proceed to orders in 1379 after being ordained subdeacon in 1375 and deacon in 1376.⁴

Papal mandates at various times issued to the abbots of Dale were as follows. In 1222, together with the abbot of Combe and the archdeacon of Coventry, to inquire into false privileges claimed by some members of their diocese to the detriment of the archbishop of York.⁵ In 1234, to induct the prior and convent of Lenton into corporal possession of the church of St. Mary, Nottingham, granted to them by the pope on the resignation of his nephew Nicholas.⁶ In 1330, to provide Geoffrey de Bikleswade to a canonry at Lincoln although he was already rector of Raundes.⁷ And in March, 1342/3, to effect the reconciliation of an apostate Cistercian monk.⁸

The history of Dale is for the most part happily free from those interminable legal disputes with other religious houses which disgrace so many pages of monastic history. Nevertheless in 1283 Pope Martin IV issued a mandate to the abbot of St. James without Northampton, and to the priors of St. Alban's and of St. Andrew's, Northampton, to effect a settlement between Abbot Lawrence of Dale and the prior of Dunstable.

¹ See p. 38.

² *Papal Letters*, IV, pp. 291, 528.

³ *Papal Letters*, IV, p. 304: V, p. 117.

⁴ *Staffs. Colls.*, n.s. VIII (1905), pp. 79, 300, 309. In 1392 the abbot and convent paid two marks for license to alienate in mortmain a rent of 26s. 8d. yearly, to John de Kirkeby, chaplain, celebrating divine service daily in the said abbot's convent's chapel of St. Cross, Stanley. (*Cal. Pat. Rolls*, 1391-6, p. 163).

⁵ *Papal Letters*, I, p. 88.

⁶ *Papal Letters*, I, p. 140: see also *Thoroton Transactions*, xx (1916), p. 48.

⁷ *Papal Letters*, II, p. 317.

⁸ *Papal Letters*, II, p. 557.

The latter had acquired the tithes of Bradbourne in the Peak, a parish in which the abbot owned much pasture-land, and a dispute arose over their payment.¹ The arbitrators eventually achieved their object, and on May 3rd, 1286, a formal agreement was reached at Bedford.² The tithes were found to be the property of Dunstable, but were remitted to the abbot of Dale by the former's proctor.³ A similar dispute arose with Tutbury Priory concerning the payment of tithes on lands in Hilton, near Marston-on-Dove, which had been granted to the abbot by Robert deTuke.⁴ The Darley Chartulary records a "composition between us and the canons of Stanley [Dale] concerning tithes,"⁵ and in 1404 a composition was entered into between John Cheyne, canon of Lichfield and Prebendary of Sandiacre, and the abbot of Dale, concerning the tithes from land near the abbey which belonged to Sandiacre church.⁶

On January 1st, 1236/7, the abbot was at Lichfield in order to present and seal a deed whereby his convent granted the sum of 40s. a year towards the celebration of mass in the cathedral "in honour of the glorious Virgin Mary and the right blessed Chad their patron saint."⁷ This gift was confirmed by Bishop Roger de Weseham in 1255,⁸ and in about 1472 Peter Burrell, sub-chanter, and the Company of Vicars of Lichfield covenanted, in consideration of lands in Chesterfield and Shenstone, of a *pension from Dale Abbey* and other emoluments given them by Dean Heywood, to say a daily mass before the image of Jesus.⁹ It is duly recorded in the *Valor Ecclesiasticus*

¹ The land was at Brassington: see Add. MS. 6672, f. 3 and *Hundred Rolls* I, p. 59.

² Jeayes, No. 387: *Annales Monastici* (R.S.) III, p. 325.

³ Add. MS. 6697, p. 323 No. 15.

⁴ Cox, III, p. 208 (Add. MS. 6714, f. 114).

⁵ Cott. MS. Titus C. ix, ff. 78^b, 79.

⁶ Jeayes, Nos. 944-5.

⁷ *Staffs. Colls.* (1924): *The Great Register of Lichfield Cathedral*, p. 357.

⁸ *Ibid.*, p. 11.

⁹ Jeayes, No. 853.

of 1535, and Harwood states that Queen Elizabeth gave the vicars choral of Lichfield an annual pension of 53s. 4d. and another of 50s. out of the lands and possessions of Dale Abbey.¹ When the abbot and convent of Dale acquired the rectory of Ilkeston in 1386, they granted the dean and chapter of Lichfield, who had claims over the church, an annual pension of 6s. 8d. "in acknowledgment of the great benefits conferred on them by the dean and chapter in the appropriation to their house of the church of Ilkeston . . . and lest they might incur any loss by such appropriation." There follows heavy penalties in the event of the convent failing to pay this pension, which was to come out of the revenues of the rectory,² and was still being paid in 1535.³

With the bishop of Coventry and Lichfield, in whose diocese he was placed, the abbot of Dale, as a Premonstratensian exempt from episcopal jurisdiction, had comparatively little to do. He could appoint his canons to serve vicarages without episcopal permission, and it was only when they came to be ordained that the bishop had to be sought out. Exemption from episcopal visitation had spared both abbot and bishop the great source of ecclesiastical conflict, and the history of Dale contains none but amicable relations between the two prelates.

Bishop Alexander de Stavensby (1224-40) inspected, with reference to Dale Abbey, a papal bull of 1217 confirming the privileges granted to the Premonstratensian Order,⁴ and the same bishop sanctioned an agreement between the abbot of Dale, as patron of the church of Kirk Hallam, and Henry, vicar thereof, on the one hand, and Hugh de Strelley and his wife on the other, whereby the latter were permitted to establish a chapel within the boundary of their house at Mapperley. Their chaplain

¹ *History of Lichfield*, p. 263.

² *Staffs. Colls.* (1924): *The Great Register of Lichfield Cathedral*, p. 364.

³ *Valor Ecclesiasticus*, III, pp. 155-6.

⁴ Jeayes, No. 935.

was to do fealty to the vicar of Kirk Hallam, and none of his parishioners, except Hugh de Strelley's household, were to attend the chapel without his consent. No marriages were to take place there, nor was there to be any celebration on the principal feasts, when Hugh and his wife were to attend the mother church, unless hindered by sickness.¹ When, in about 1309, the abbot of Dale was commissioned by his Father-Abbot to settle a dispute at Eggleston Abbey in Yorkshire, he could not at once attend to the matter, because, as he explained to the abbot of Easby, he was "much occupied in conducting some important business concerning my house of D[ale] in the presence of that venerable man the lord W[alter de Langton], bishop of Coventry and Lichfield," though details of these transactions are not forthcoming.² In 1345 it was Bishop Norbury who, "apparently on the bare episcopal authority," appropriated the half rectory of Egginton to the abbot and convent, that they might the better exercise hospitality, and the gift was confirmed by Bishop Burghill in 1400.³ It was the latter, it will be remembered, to whom the abbot appealed against the vicar of Colston Basset. On October 25th, 1361, Bishop Roger de Stretton stopped at Dale during one of his progresses, and there issued a mandate to the archdeacon's official for the institution of William le Rotour, chaplain, to the church of Handley.⁴ The Act Books of the same bishop contain many records of the ordination of canons of Dale,⁵ together with the names of secular priests who were ordained "to the title of the house of Dale."

¹ Dale Chartulary ff, 52^b, 53: Cox, iv, p. 216. For Hugh de Strelley, see *D.A.J.* xiv (1892), p. 75.

² *C.A.-P.*, No. 391.

³ Cox, iv, pp. 184-5.

⁴ *Staffs. Colls.*, n.s. x (ii) (1907), p. 159. This is the only register of a Bishop of Lichfield so far published.

⁵ See H. M. Colvin, "Dale Abbey—A List of Canons," *D.A.J.* n.s. xiv (1940).