I · THE CONNECTION

On November 1237, as heavy winds blew and black tower-like clouds formed and the planets were said to be gathering together under the sign of Capricorn, the cardinal legate Otto sat on a high seat raised in the west end of Saint Paul's in London and presided over a council of the church in England. The prelates of England, tired and peeved by the winter roads and the legate's insistence, gathered together around and beneath the cardinal's throne.[1] It was, in the long run of the century, a remarkably, a surprisingly, successful council. The legate preached from the text "And in the midst of the throne, and round about the throne, were four beasts, full of eyes before and behind."[2] And to this text succeeding English prelates were as a sea of glass. The English bishops of the later thirteenth century were—as close as their political humanity could come to it—the ideally vigilant bishops of the reformed Roman church of Innocent III's Lateran Council of 1215, reasserted and made pointedly local by Otto's London council with its flaming text.

Otto was one of a series of thirteenth-century Roman legates who, in their persons, brought the elevating connection of Rome to England.[3] Otto's most distinguished successor, Otto-

[1] Matthew Paris, *Chronica Majora*, ed. H. R. Luard, Rolls Series (London, 1872-1883), III, 414-420.

[2] *Ibid.*, 419; Revelations 4:6; the canons (glossed) of Otto's council may be found in *Constitutiones Legatinae . . . D. Othonis et D. Othoboni Cardinalium . . .* (Oxford, 1679), 3-73, printed with William Lyndwood's *Provinciale*; they are also printed in David Wilkins, *Concilia Magnae Britanniae et Hiberniae* (London, 1737), I, 649-656. (Also see F. M. Powicke and C. R. Cheney, *Councils and Synods with Other Documents Relating to the English Church*, II. i [Oxford, 1964], 237-259.)

[3] For legates to England through Guala (1216-1218) see Helene Tillmann, *Die päpstlichen Legaten in England bis zur Beendigung der Legation Gualas (1218)* (Bonn, 1926); it is hoped that this book will do something toward substantiating the extravagant claim for the English bishops; I think that my estimate's being higher than, say, that of Miss Gibbs' and Miss Lang's book is due to my looking at English bishops in comparison with the bishops of another church;

buono Fieschi, later briefly Pope Hadrian V, scion of a brilliant but morally rather ambiguous Genoese-papal family, caught the wracked England of the 1260's and helped to raise it toward the ideal of the Christian feudal kingdom.[4] Otto's predecessor, Nicholas, cardinal bishop of Tusculum, had, in 1213, with an Italian Cistercian abbot in his train, descended upon the abbey of Evesham and rid it of Roger Norreys, its disgustingly immoral abbot, who had been plundering it and deforming it for years.[5] These men cut through petty local boundaries and fought to make the universal church work. They were, at their best, great men of high purpose, and their most serious work knew no nationality.

In the spring of 1238 the legate Otto came to Oxford and stayed in the abbey at Osney. His presence and that of his Italian, trans-Alpine, Roman household excited the clerks of Oxford to nationalist riot. The riot started, according to Matthew Paris, with the raised Roman voice of an Italian porter.[6] The riot of Oxford and the council of London, it must with difficulty be remembered, circled around the same man. The international church of the thirteenth century was also for the most part an Italian church; and the presence of the international church's representatives in England meant the presence of Italian clerks who had been brought up in its ways and taught to think in its terms—although it is possible that some

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cf. Marion Gibbs and Jane Lang, *Bishops and Reform, 1215-1272* (Oxford, 1934), 174-179.

[4] For Ottobuono see particularly F. M. Powicke, *King Henry III and the Lord Edward* (Oxford, 1947), I, 246 n. 1; II, 557-558, 562-563; for Ottobuono's unpopularity because of his connection with the tenth of 1266, *ibid.*, II, 559-561.

[5] *Chronicon Abbatiae de Evesham*, ed. W. D. Macray, Rolls Series (London, 1863), 230-256, particularly 250; for the legate Giovanni of Ferentino's activities, C. R. Cheney, "The Papal Legate and English Monasteries in 1206," *English Historical Review*, XLVI (1931), 443-452; and "Cardinal John of Ferentino, Papal Legate in England in 1206," *English Historical Review*, LXXVI (1961), 654-660.

[6] Matthew Paris, *Chronica Majora*, III, 482; and see Powicke, *Henry III*, I, 353, and Dorothy M. Williamson, "Some Aspects of the Legation of Cardinal Otto in England, 1233-41," *English Historical Review*, LXIV (1949), 145-173, particularly 171-173.

of them, perhaps Guala or Ottobuono, prepared no doubt by the pervasive thought of Paris, may have come to prefer the ways of the English church.

Just before the beginning of the century a sharp-eyed, sharp-tongued monk and proctor from Christ Church, John Bremble, wrote back to Canterbury to tell the monks at home what the curia, in which they had become involved, was like. "This I'll tell you," he wrote, "at Rome I have found all Romans, and the pope [Clement III, Paolino Scolare] is a Roman, both by birth and by type."[7]

John Bremble meant that the pope was greedy. Greed is the quality that Matthew Paris most constantly connected with Italians. Matthew created, in his *Chronica Majora*, an intensely and critically observed England-centered world for the years from 1235 to 1259, and in it he watched Otto at last set sail from Dover leaving a kingdom desolated by him as a vineyard might have been by a wild boar. Matthew's Otto had, with quadruple greed, extorted English money and dispersed English livings for himself and for the pope.[8] Greed and nationalism are both major themes in Matthew's work; and Matthew is particularly interesting on the international church as an Italian church because it upset him in both guises. He was made intensely uncomfortable by any sort of central reform that threatened or might seem to threaten the heavy properties of the rich houses of the old religious orders, and he was a xenophobe. Directly and in quotation Matthew's sulphurous billows of disturbed image find bellow-mouths and sponge-bellies at Rome and Italian spies poking into and discovering the secret treasury of England.

Matthew was, however, not more concerned than Robert Grosseteste. Grosseteste, from 1235 to 1253 the scholar bishop of Lincoln, of all bishops most thoughtfully aware of the pastoral function and like Stephen Langton the mirror of thirteenth-century episcopal excellence, found the provided Italian

[7] *Epistolae Cantuarienses* (vol. II of *Chronicles and Memorials of the Reign of Richard I*), ed. William Stubbs, Rolls Series (London, 1865), 194.

[8] Matthew Paris, *Chronica Majora*, IV, 84-85; for a considerably fuller discussion of Matthew Paris as historian see Chapter V, below.

and the Italian legate a threat to the cure of souls and to the integrity of ecclesiastical administration.[9] The careful, painful letters with which Grosseteste tried, in obedience, to resist Otto's provisions have none of Matthew's facility and bombast.[10] They preserve a quite different tone of opposition, and record its awful necessity in the mind of this spiritually sensitive administrator.

The problem of the Roman church was a serious one. Rome needed to support its necessary servants. Its sources of current income were insufficient and insufficiently elastic.[11] But rich livings, deposited by the past and not all of much contemporary value in service to the ecclesiastical community, lay scattered about the provincial church. Some of these, collected through shrewdly elaborated reversions, the papacy could, with a good deal of haggling, parcel out to the various governments that supported clerks, and particularly to royal governments and its own. In a century when the papacy was Italian this process produced anti-Italian feelings of at least two sorts. Those who haggled with the papacy for incomes for their clerks (or for their brothers) while admitting the system, hated Italian successes; and their attitude was connected with that of those who hated concentrations of property, at least of other people's property, and not less when the concentration was in Italian hands.[12] There were also those, like

[9] See particularly D. A. Callus, ed., *Robert Grosseteste* (Oxford, 1955) and within that collection particularly the essay by W. A. Pantin, "Grosseteste's Relations with the Papacy and the Crown," 178-215; see also: Powicke, *Henry III*, I, 78, 356; Brian Tierney, "Grosseteste and the Theory of Papal Sovereignty," *Journal of Ecclesiastical History*, VI (1955), 1-17; Robert Grosseteste, *Epistolae*, ed. H. R. Luard, Rolls Series (London, 1861). For a fuller discussion of Grosseteste see Chapter III, below.

[10] Robert Grosseteste, *Epistolae*, 144-145, 151-154.

[11] The whole business of provisions is sharply examined in Geoffrey Barraclough, *Papal Provisions* (Oxford, 1935); Ann Deeley, "Papal Provision and Royal Rights of Patronage in the Early Fourteenth Century," *English Historical Review*, XLIII (1928), 497-527, remains an extremely helpful essay.

[12] See Hugh MacKenzie, "The Anti-Foreign Movement in England, 1231-1232," *Anniversary Essays in Mediaeval History by Students of Charles Homer Haskins*, ed. C. H. Taylor (Boston, 1929), 183-203;

Grosseteste—or at least there was Grosseteste himself—who hated the potential abuses connected with the system of provisions. Grosseteste might have, must have, fully sympathized with the fiscal problems of the international church, but to him they were of a different and lesser order from the necessity of having a responsible pastor in every parish. And it was perfectly clear by the later years of Grosseteste's career that provisions, and most noticeably the provisions of foreigners who would be absent, or if present locally inept, were a threat not only to superfluous canonries but also to livings with the cure of souls. Thus the representative of the Italian church in England, no matter how innocent of personal vice, was to this perceptive bishop the agent of evil; and, in Matthew Paris's distortion, Grosseteste hated provided Italians as he hated the poison of snakes.[13]

Of Italians in England, although there are varieties of expression, money is always—almost always—the theme. The merchants collecting their wool shade into the bankers making their loans. In complement to the Italian holders of livings scattered through the English countryside, there was, from 1229 to the close of the thirteenth century, the central office of the papal collectors, with its staff of from four to seven men, its Italian notary, and its household, in the New Temple in London.[14] In the early century the collectors general were

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see also *Registrum Roberti Winchelsey, 1294-1313*, ed. Rose Graham, Canterbury and York Society (London, 1917-1953) [hereafter *Winchelsey*], 792 (1304) for Italian clerks in Somercote jail. The attitude toward property is nicely suggested, in connection with Robert Tweng's rising in 1231-1232, in the annals of Dunstable, *Annales Monastici*, ed. H. R. Luard, Rolls Series (London, 1864-1869), III, 129.

[13] Matthew Paris, *Chronica Majora*, V, 257; see too Pantin, "Grosseteste's Relations," in Callus, 194, 195, using Eccleston to show Grosseteste's wanting his men to be good and present, but not necessarily speaking English, because example speaks. (Thomas Eccleston, *De adventu fratrum minorum in Angliam*, ed. A. G. Little [Manchester, 1951], 92; the nephews of cardinals are bad not because they speak no English but because they are interested only in temporalities.)

[14] W. E. Lunt, *Financial Relations of the Papacy with England to 1327* (Cambridge, Mass., 1939), 581; see also Emilio Re, "La Compagnia dei Riccardi in Inghilterra," *Archivio storico italiano*, LXXII

sometimes the legates, but this practice ended with Otto's departure in 1241. The collectors were almost always Italian, and they seem, reasonably enough, to have been generally unpopular. For almost the whole last quarter of the century the office was held by Goffredo of Vezzano, who was sufficiently effective to provoke the English clergy to a joint complaint about his methods to Nicholas III.[15] Goffredo was succeeded, as the century turned, by Bartolomeo of Ferentino, an Italian providee who had been variously employed around England so long that he had the "interests of an English prelate."[16] As early as 1246 the collector had been Berardo of Ninfa near Rome, a papal chaplain and scribe, the rector of Langley in the diocese of Lincoln, who died, in England, in 1258. Through Berardo's agency, in connection with Richard of Cornwall's diversion of the crusading money collected in 1249, according to Matthew Paris, scandal arose and devotion cooled.[17]

Bartolomeo of Ferentino's activities within the church and realm of England were not solely fiscal. Italian names, like his and Giovanni of Lucca's or the Italian notary Ildebrandino Bonadoce's, occur variously in English ecclesiastical activities.[18] Archbishop Pecham of Canterbury was served by the

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(1914), 87-138, for the instruments of Peter of Valle Cimaria, Camerino diocese, at the New Temple, 126-129; and see W. E. Rhodes, "The Italian Bankers in England," *Historical Essays*, ed. T. F. Tout and James Tait (Manchester, 1907), 137-168.

[15] Lunt, 585.

[16] Lunt, 588.

[17] Lunt, 613; Matthew Paris, *Chronica Majora*, v, 74 (and 707); Peter Herde, *Beiträge zum päpstlichen Kanzlei- und Urkundenwesen im 13. Jahrhundert*, Münchener Historische Studien (Kallmünz, 1961), 27-28; and, as Herde suggests, index listings under "Berardus de Nimpha" in *Les Registres d'Innocent IV*, ed. Elie Berger, Bibliothèque des écoles françaises d'Athènes et de Rome (Paris, 1884-1911) [hereafter *Innocent IV*]. It is interesting to note in a forgery scandal, with which Berard had to deal, the involvement of Walter Scammell and Gilbert of Saint Leofard early in their careers (*Innocent IV*, III, 458).

[18] See, for example, C. M. Fraser, *A History of Antony Bek* (Oxford, 1957), 36, 38; Decima L. Douie, *Archbishop Pecham* (Oxford, 1952), 109; Robert Brentano, *York Metropolitan Jurisdiction and Papal Judges Delegate (1279-1296)* (Berkeley and Los Angeles, 1959), 126, 128, 130, 132, 138, 140, 161, 184, 186, 188-194, 197, 247.

Florentine clerks and brothers Vicio.[19] A more famous man, Enrico of Susa, who was to become the great canonist bishop of Ostia, was a special adviser to Henry III. Hostiensis may seem little more Italian than Boniface of Savoy; but Accursius, who advised Edward I, recalls quite clearly the Italian connection that meant for England borrowed legal learning as well as legalistic shrewdness.[20] Bologna was in Italy, and its alumni and its thought connected the two churches, as they did the whole of western Christendom.

On 10 September 1224 nine followers of Francis of Assisi landed at Dover. Of these, three were English and five Italians.[21] It is possible that through the thirteenth century, in which the Franciscans meant so much to England, an occasional Englishman consciously thought that Francis was Italian and a product of the Italian church. It is possible that someone reading Aquinas thought of the country around Salerno, that Englishmen occasionally remembered Norcia or Gregory's house on the Coelian. Quite certainly Englishmen dreamed of pilgrimages, and went on them, to sacred and Italian Rome. The Romans Oderico and Pietro worked with marked Italian effect, echoing in very alien distance Cosmatesque Rome, within French Westminster on Edward the Confessor's shrine and Henry III's own tomb.[22] And the saints upon whose dismembered bodies the great churches of Italy were built were not forgotten in London and York. But these beauties are distractions.

The Italian church was present in England and visible

[19] Douie, *Archbishop Pecham*, 61.

[20] See Powicke: *Henry III*, I, 272-273; II, 695, 777; *The Thirteenth Century* (Oxford, 1953), 135-136, 285-286, 469-470, 626.

[21] D. Knowles, *The Religious Orders in England*, I (Cambridge, 1956), 130-131; T. Eccleston, *De adventu fratrum minorum in Angliam*, 3-6.

[22] For Pietro and Oderico (Pietro's father?), see Peter Brieger, *English Art, 1216-1307*, Oxford History of English Art (Oxford, 1957), 120; Edward Hutton, *The Cosmati, The Roman Marble Workers of the XIIth and XIIIth Centuries* (London, 1950), 23-27, frontispiece, pls. 63 and 64; Powicke, *Henry III*, II, 589 n. 1; and, particularly, Royal Commission on Historical Monuments (England), *An Inventory of the Historical Monuments in London*, I: *Westminster Abbey* (London, 1924), 25, 26, 28, 29, pls. 38, 39, 44-49, 185, and frontispiece. Cf. J. White, *Art and Architecture in Italy, 1250-1400* (Baltimore, 1966), 57.

within the church of England. Innocent IV in 1253 in an effort to make its presence more palatable offered to limit papal provisions of Italians to English livings to an annual total value of 8,000 marks.[23] In the short run, in terms of the Italian church that was actually felt, known, and recognized as Italian by thirteenth-century Englishmen, the five friars at Dover could not compete with the busy office in the New Temple. Even the wretched bishop of Cervia, driven from his split, salt-rich see on the Adriatic, looked, of necessity, a financial obligation to Grosseteste in Lincoln.[24]

The English church was dappled with scattered members of the Italian church, leech-spotted with them; together they formed the tentacles of the fiscal offices of the church of Rome. They also formed the whips with which the church of England was sometimes flicked to reformation and enthusiasm. The image of the English clerics in Italy is quite different from, almost the reverse of, that of their Italian counterparts in England. In Italy the English rolled together with the members of other provincial churches in the tangled briar patch, the sticky tar pit, that surrounded the holy purpose of the Roman curia as it moved to Rieti, Perugia, Viterbo, and Orvieto, to summers at Tivoli, or political summers at Lyons. English clerics at Viterbo or Rieti, there to seek a privilege, a judgment, or a stay of judgment from a papal office, found themselves living, by chance, in an Italian cathedral city at the heart of an Italian diocese. A good many thirteenth-century Englishmen thus, in a way, got to know the Italian church rather well.

In the late 1270's and the 1280's a monk from Christ Church Canterbury, Robert of Selsey, was following the curia as proctor both for his house and for Archbishop Pecham. By 1280 Robert as proctor for Christ Church had borrowed 250 marks from merchants of Pistoia and left his bond with an interested papal official.[25] On 12 August 1280, Robert, at Viterbo, bor-

[23] Powicke, *Henry III*, 278-281.

[24] Grosseteste, *Epistolae*, 337.

[25] Historical Manuscripts Commission, *Report on Historical Manuscripts*, v (London, 1876) [hereafter Hist. MSS Comm.], *Fifth Report*, 451 (Doc. Ch. Ant. P 56); for Selsey, see also Douie, *Pecham*, 182.

rowed fifty marks (at the twice-quoted equivalence of thirteen shillings, four pence sterling to the mark) with letters of credit from the convent, from curial Florentine merchant-bankers, the Abbati (the family of St. Albert of Messina), who seem to have catered to English Benedictines, the money to be returned on the following Feast of Saints Philip and James (1 May) at Saint Omer or Paris or the curia.[26] In 1283 Robert was being sent to Matteo Orsini, cardinal deacon of Santa Maria in Porticu, by Pecham in the difficult attempt to make the house of Christ Church a mirror of virtue for the church of England, worthy of the martyr Thomas's honor.[27] On 23 December 1286, Robert was paying debts at the curia, as John de Capella, the Englishman, witnessed, and the notary Giovanni Amati de Guarcino redacted and notarized the creditors' receipts. Vanni di Nicola di Bruno of Viterbo, a butcher who followed the curia, got, in the house in which he was staying at Rome, the fifteen shillings nine pence Tournois gross and the twenty florins that Robert owed him for the meat he had bought from him.[28] In the house in which he was staying, Fico of Perugia, a poulterer who followed the curia, got the seventeen shillings and four pence Tournois gross that Robert owed him for chickens and capons and game and meat.[29] Both Fico and Vanni, suppliers from curial towns who followed the higher prices and expanded markets that the

[26] Canterbury Cathedral Chapter Archives, Ch. Ant. C 1286, to which one of the witnesses is Benedict or Benet of Southwell ("de Suellis"), a clerk of Archbishop Wickwane's of York who was active for Wickwane at Southwell in October 1281 and at Northampton in December 1282 (Brentano, *York Metropolitan Jurisdiction*, 206, 130); for the Abbati, whose involvement in English affairs does seem to occur more frequently than chance survival would dictate (e.g. Brentano, *York Metropolitan Jurisdiction*, 224-225), see G. A. Brucker, "An Unpublished Source on the Avignonese Papacy: the Letters of Francesco Bruni," *Traditio*, XIX (1963), 356-357 n. 24; and Edouard Jordan, *De mercatoribus camerae apostolicae saeculo XIII* (Rennes, 1909), 85, 96, 97.

[27] *Registrum Epistolarum Fratris Johannis Peckham, Archiepiscopi Cantuariensis*, ed. Charles Trice Martin, Rolls Series (London, 1882-1885) [hereafter *Peckham*], II, 545-546.

[28] Canterbury Cathedral Chapter Archives, Ch. Ant. P 58.

[29] Canterbury Cathedral Chapter Archives, Ch. Ant. P 59.

curia brought to the town in which it at the moment stood, promised not to harass Robert of Selsey any more.

The year before, on 13 July 1285, in the great church at Tivoli, Robert of Selsey had made protest before another redacting notary, Benesalute of Cermignano in the diocese of Penne, and before witnesses including another Christ Church proctor, Robert of Elham, and Master Riccardo de Spina, and Master Reginald of Saint Alban's, a professional English proctor at the curia.[80] Robert of Selsey proclaimed that if he had the money to pay the debts that he had contracted at the curia in negotiating the affairs of the church of Canterbury and to pay for the trip back to Canterbury he would go home without any further delay, but he did not have the money, so he could not leave. Selsey had to forego the pleasures of Canterbury for those of Tivoli, to stay at the curia with his expenses swelling. He was like a heavily and increasingly interested debt for his convent.

Robert of Selsey was one of a number of contemporary or approximately contemporary Canterbury proctors who moved back and forth to the curia. Anselm of Eastry, who was active at the same time as Selsey and through the nineties, had, like Selsey, been present in Pecham's chamber at Lambeth on 7 February 1282, with William de la Corner and Gilbert of Saint Leofard, important clerks in both English provinces and future bishops, and Selvagio of Florence, who called himself the chaplain of Matteo Orsini, when Robert Lacy, acting under Pecham's special mandate, had sent letters to the suffragans of Canterbury to excommunicate Thomas Canti-

[80] Canterbury Cathedral Chapter Archives, Ch. Ant. P 57; Ricardo de Spina is elsewhere (Ch. Ant. C 1286) described as a clerk of the diocese of Bath, and although I think he was a Spina, he could have been a Thorn (he was a rough contemporary of Nicholas de Spina, Abbot of Saint Augustine's, Canterbury)—a constant sort of difficulty when the church is using its international language; for the curia's causing prices to rise, see Daniel Waley, *The Papal State in the Thirteenth Century* (London, 1961) 80-81, and his information from Cesare Pinzi, *Storia della Città di Viterbo* (Viterbo, 1887-1913), II, 59n. For Selsey see, too, Jane Sayers, "Canterbury Proctors at the Court of the audientia contradictarum litterarum," *Traditio*, XXII (1966), 311-345, 323, 320.

lupe, the rebellious bishop of Hereford and future saint, and had given the letter to Thomas himself.[81] Anselm was at the curia by October 1282 trying to recover property that had been held by Robert Kilwardby, who had died there shortly after having been translated from the see of Canterbury to the cardinal bishopric of Porto.[82] In 1277 Robert Poucyn, the then new proctor for Christ Church, was going about Viterbo with a notary and witnesses paying off the debts of his predecessor, John of Battle: to Chiara, the poor widow of Giacomo, twenty shillings for wine; to Salimbene di Rainerio two marks, ten shillings for poultry and candles; to Angelo di Girardo one mark, four shillings, four pence for fodder and wine; to Biagio di Girardo money for hay and wine; to Pelegrino the blacksmith money for shoeing horses; to Giacomo of Viterbo money for grain; to Robert Nicola of Orvieto, tavern-keeper, money for wine; to Robert the Englishman for unspecified services, twenty-one shillings.[83] At the end of the century Canterbury proctors at the curia were searching for strayed property and were enmeshed in debts, and one at least said, before a notary, that he was greatly grieved that he could not go home.

Almost one hundred years before Robert of Selsey's proclamation in Tivoli the then monks of Christ Church Canterbury had received a depressing letter from Innocent III. "Because, in fact," he, or one of his chancery clerks, wrote, "it has pleased God to exact from your two monks at the Holy See their debt to nature, we advise you now to send to our presence other prudent and discreet men who know how to, and are able to, defend your rights."[84] Death at the curia, or on the road to or

[81] *Peckham*, I, 299-300; for Anselm, see *Winchelsey*, 528, 538, index, and also *Register of Bishop Godfrey Giffard*, ed. J. W. Willis Bund, Worcestershire Historical Society (Oxford, 1902) [hereafter *G. Giffard*], II, 490.

[82] *Peckham*, III, 1058.

[83] Hist. MSS Comm., *Fifth Report*, 451; I have not actually seen this Canterbury Chapter document, identified in the report as S.B. c.9 1277, and unfortunately I do not think there was time in the commission's preparation of the report for it to achieve the fullness and exactness which would permit its readers to have complete trust in it.

[84] Stubbs, *Epistolae Cantuarienses*, 443, 445.

from it, further darkened a case that seemed terrible enough without it for the monks of Christ Church, "co-athletes with St. Thomas," fighting to prevent the archbishops Baldwin and Hubert Walter from establishing a secular college at Canterbury. The new deaths reminded them of older deaths, of the predecessors of proctors' predecessors. In the early phases of the case John Bremble had written back telling his co-athletes what people said of the curia. He quoted Horace on the leech, and he said that certainly for Rome true and sound advice was found in the passage from Matthew, "And if any man will sue thee at the law and take away thy coat, let him have thy cloak also."[35] Better, it was said, to fall among thieves than to be taken in the snares of the Roman curia. Intricately woven delays would never let a case end or let loose the litigants until all their financial resources were clearly exhausted. Even then the Romans had ways of getting money from the moneyless. There was some hope when Clement III became pope at the end of 1187 that the sun of justice had risen and that all had been made new.[36] But by March of 1188, when the Canterbury messenger ("our boy, R.") had returned home, lamentations were again in order. Benedict Humphrey wrote back to Canterbury that the music was stilled, "our dance is turned into mourning."[37] Clement III was by then showing himself a Roman of Rome.

In the century between John Bremble and Robert of Selsey generation after generation of Canterbury monks, entrammeled in the curia's snares, could have repeated the reflections of a Canterbury proctor in 1188 on the disillusionment that a fresh proctor felt as he learned after his arrival at Rome the hard lessons that experience of the curia taught: "How sweetly innocent are the days of youth, the child playing at his games, unaware of future care; how delicious, how blessed they seem from the hard age of man."[38] In the longer span of time from John of Salisbury to the author of the *Life of Edward II*

[35] *Ibid.*, 214, reference to Matt. 5:40.

[36] Stubbs, *Epistolae Cantuarienses*, 190, references to Ps. 9:4 and 2 Cor. 5:17.

[37] Stubbs, *Epistolae Cantuarienses*, 191-192, reference to Lam. 5:15.

[38] Stubbs, *Epistolae Cantuarienses*, 191-192.

few Englishmen who knew the curia doubted that Lady Money ruled there, and by tyrannical and exacting whim.[39] A dominant, pervasive, penetrating cliché, in its bloated form, shaped history through men's minds—a sense of present greed that cloaked a misunderstanding of the demands of a necessarily growing bureaucracy, probably;[40] but the cliché was given its detail by the actual, constant, petty greed of the grasping followers of the curia. An image was formed in which shell and kernel had the same texture: "e dopo il pasto ha più fame che pria."

Christ Church Canterbury had more to spend and more to lose than the majority of English religious corporations. It must have been more involved with the Roman curia than was the dead average of English houses. But all that seems really unusual about Christ Church is that it was so exquisitely and sadly vocal, that it was blessed with proctors who could mingle quotations from Horace and the Scriptures so pointedly, and that its bills survive in poulterer and butcher detail.

In contrast, however, with the monks of Canterbury, led generation after generation like grumbling lambs to their Roman slaughter, Thomas of Marlborough, monk of Evesham, relished his Roman experiences. In his account, west-country garrulous perhaps, of his trials at Rome, horns no longer hang mute on walls, and the cynical foreknowledge of expensive defeat is replaced by delight in learning the ropes—

[39] John of Salisbury, *Historia Pontificalis*, ed. Marjorie Chibnall, Nelson's Medieval Texts (Edinburgh and London, 1956), 49, 80 (and see 76 for swarms of German appellants, like disturbed bees); *Vita Edwardi Secundi*, ed. N. Denholm-Young, Nelson's Medieval Texts (Edinburgh and London, 1957), 45-48, particularly 46, a strong statement about curial venality that compares unfavorably the contemporary greed of Clement V with that of preceding Italian popes, and so turns the cliché. See too George B. Parks, *The English Traveller to Italy*, I (Palo Alto, 1954), 117-136, for a nice collection of loud lament and discussion of travelers', including proctors', experiences.

[40] For a recent discussion, see John A. Yunck, "Economic Conservatism, Papal Finance and the Medieval Satires on Rome," *Mediaeval Studies*, XXIII (1961), 334-351. The material appears again in Yunck's book, *The Lineage of Lady Meed* (Notre Dame, 1963), in which see p. 86 n. 3.

and how to hang the bishop of Worcester in them.[41] Marlborough, who later became prior and then abbot of his house, and who enriched it with his history, with buildings and glass, a library and advice, was a learned and capable man.[42] He had been taught by Stephen Langton. He was considered an expert in the law by the monks of his house.

It was because of Marlborough's learning, and his rousing and acute marshaling of the opposition, when Bishop Mauger of Worcester, informed of his duty, attempted to visit the house, that Marlborough was made the convent's proctor and sent off to Rome in 1204.[43] His difficulties were formidable; one can imagine them in Bremble's mouth. The worst difficulty was his wretchedly immoral and peculiarly erratic, but tenacious, abbot, Roger Norreys, who went by a separate route to Rome. Marlborough and Norreys were old enemies. At Rome, although Norreys refused to speak, they lived together until Marlborough was warned that Norreys might kill him. But in spite of his abbot, who besides being a personal annoyance was a grave danger to the abbey's immunity, Marlborough persevered, and with zest. When Innocent III and Cardinal Ugolino suggested that it would be wise for Marlborough to prepare himself for waging his case by spending six months in the schools of Bologna, he went—from April to October 1205.[44] Whether or not he learned much law in the schools, he came back with a list in his mind of the graded reputations of Italian legists from Azo down. He was able to get his party the best advocates in Rome, and he had learned a lot about how to handle Innocent III's crustiness. This the chief of the bishop of Worcester's proctors had not learned, evidently, for he bored the pope to rebuke with a lengthy proemium and again irritated him by saying, "Holy Father, we have learned in the schools, and this is the opinion of the

[41] Macray, *Chronicon Abbatiae de Evesham*, 109-170; David Knowles, *The Monastic Order in England* (Cambridge, 1940), 331-345 ("The Case of Evesham").

[42] Macray, *Chronicon Abbatiae de Evesham*, 264-278.

[43] *Ibid.*, 109, 141.

[44] *Ibid.*, 147-150.

masters, that prescription does not hold against episcopal right." To which Innocent replied, characteristically, "Then you and your masters had been drinking too much of your English beer when you were learning." And according to Marlborough, Clipston, the Worcester proctor, perhaps not believing that he had heard correctly, repeated his statement and Innocent his reply.[45]

Marlborough, himself, in spite of his initial gifts had not been spared Innocent's temper, but on the whole Innocent's potent governing personality—strangely like King John's—stimulated him. Innocent and Marlborough looked at each other, as Jocelin of Brakelond's Henry II and Samson had, with pleased approval.[46] In the end, with an important decision for his house, Marlborough, lacking money for the proper presents, sneaked out of Rome, splendidly undefeated. He returned home to write his advice to future monks who would have to fight again in a curia that could not restrain itself from ambiguous decisions:

> I tell you this because the behavior of the court of Rome is like that of a devoted mother who consoles in her embraces her children whom their father has just whipped. Thus cases in the court, like ours, are often divided so that each side may bear the sentence, and neither go away sad. . . . I have written this for you so that when the time comes you will act like men and remember because I have told you, and pray for me.[47]

Again, against the poignant Canterbury lamentation from the end of the twelfth century, can be read the harsh fury of Prior Richard Claxton of Durham, another cathedral monastery, from the late thirteenth century. Claxton, in hot rhetoric, tried to direct from Durham the activities of three Durham

[45] *Ibid.*, 152, 189; Helene Tillmann used the Marlborough incidents in her work on Innocent: Helene Tillmann, *Papst Innocenz III* (Bonn, 1954), 50, 238.

[46] *Ibid.*, 142, 143.

[47] *Ibid.*, 229.

proctors at the curia: two local men, Henry of Teesdale, a monk, and Thomas of Normanton, a clerk; and a professional English proctor, Adam of Fileby.[48] Claxton was anxious not to be the innocent northern dupe of southern sophistication, but rather to be devious among the devious.

Robert Grosseteste, early in his episcopate, sent his proctor (S. of Arden) to the curia under the protection of a curious collection of letters. In one of these, to a papal notary (whom he did not know, he said, but knew of, through Giovanni of Ferentino, papal chaplain and subdeacon and archdeacon [Italian] of Norwich), Grosseteste coyly, or at least fussily, apologized should he have distorted or truncated his correspondent's title.[49]

Grosseteste's early uncertainty of tone seems a small concession to the threatening curia's wiles when it is compared with the indecision of Thomas Cantilupe, bishop of Hereford from 1275 to 1282, because Cantilupe's indecision was literally a matter of pounds and pence and how to spend them. In the maneuverings of these two men one can compare the maneuverings of the saintly with the maneuverings of the "saint." Cantilupe wrote in confusion, in 1281, to John of Bitterley and William Brun, his proctors in the curia. He had just one hundred pounds (a conventional sum) to send to the curia, and he wanted it divided in the most expeditious way, and so as not, if possible, to include a direct bribe to the pope. Thirty marks were to be given to the English cardinal, but the other lesser gifts should be adjusted profitably.[50] Cantilupe also involved himself curiously with his proctors. He, for example, once wrote a queer, apologetic, ambivalent letter to his proctor, the Italian professional Bardo of Poggibonsi. Cantilupe explained that John of Bitterley was coming to join Bardo, in no way to replace him or to make him less Canti-

[48] Brentano, *York Metropolitan Jurisdiction*, 208-217 (Durham Dean and Chapter Archives, M.C. 5820, "8 Instruments," 1, 3, 4, 5, 6).

[49] Grosseteste, *Epistolae*, 130-131.

[50] *Registrum Thome de Cantilupo, Episcopi Herefordensis*, ed. R. G. Griffiths and W. W. Capes, Canterbury and York Society (London, 1907) [hereafter *Cantilupo*], 274-275; Brentano, *York Metropolitan Jurisdiction*, 125.

lupe's proctor. Cantilupe hoped, rather, that John would be able to stimulate Bardo and Cantilupe's other curial friends to prosecute Cantilupe's various affairs more vigorously.[51] Although Cantilupe's register includes a great deal that it might have seemed discreet not to copy, it also includes a notation of secret instructions to Brun and Bitterley, too secret to copy even in this candid register.[52]

The nervous insecurity with which the early Grosseteste and Cantilupe and practically all visible thirteenth-century English prelates viewed the curia was bred partly of inexperience, but it was not bred of the lack of at least some personal knowledge. These prelates came back to England not only from making appeals and petitions, but sometimes from expensive and confusing confirmations of their elections. They may occasionally have been inspired to great governance at the curia, as it has been suggested that Pecham was by Nicholas III, or as Langton may in a way have been by Innocent III.[53] But they also came back with that common, frightening, thirteenth-century disillusionment, the loss of innocence upon having seen the curia: "Vidi, vidi caput mundi."[54]

The insecurity took its most violent symbolic form in the belief that poison was rampant in the curia. People whose deaths would seem to have helped no one were constantly thought in danger. Archbishop Wickwane of York, in 1281, warned Hugh of Evesham, the then new English cardinal (whose poisoning might, in fact, have come to seem a boon), to keep dangerous concoctions away from his house.[55] And when Evesham died in 1287 the Worcester chronicler wrote that he had been poisoned. (It was also suggested, Evesham so provoked to symmetry, that he, the famous physician who

[51] *Cantilupo*, 276.

[52] *Ibid.*, 273.

[53] See David Knowles, "Some Aspects of the Career of Archbishop Pecham, II" *English Historical Review*, LVII (1942), 178-201, 180.

[54] *Latin Poems Commonly Attributed to Walter Mapes*, ed. Thomas Wright, Camden Society (London, 1841), 217 (line 13).

[55] *The Register of William Wickwane, Lord Archbishop of York*, ed. William Brown, Surtees Society 114 (Durham, 1907) [hereafter *Wickwane*], 195.

had come to cure the malarial fevers of Rome, another symbol of its hot, deadly horror, had died of them.)[56]

Wickwane, whose great enemy was Claxton, kept active a little company of proctors at the curia. At one point, after two years of office, he quashed all his early proctorial appointments and started a fresh collection. Wickwane's tone wavers, in letters to different correspondents, between worry about the quicksands of Roman subtlety and hope that somehow the proper negotiation, the properly solicitous letter, properly delivered, may turn the subtlety to his advantage or at least turn it from harming his church. The registers of English prelates and the documents of English religious houses record in painful repetition the same sentiments and images, as the guardian of the church's state at home guides and coaxes those athletes sent on the actual six weeks' journey (over Alpine passes high as heaven but cold as hell) into the flaying legalistic vortex.[57]

The flask of poison, the mysterious curial swamps, were generally to be found beyond the Alps in Italy. But although the English traveled farther and higher to parcel out their money, their trip seems otherwise similar enough to the trip of local Italian proctors. In the 1230's Nicola di Manuele, canon and proctor of Saint Nicholas in Bari, and Biandemiro, the same convent's prior, were forced to involve their house with greedy and litigious Roman merchants.[58]

In the same decade, Grifo, the prior and proctor of the con-

[56] A. B. Emden, *Biographical Register of the University of Oxford* (Oxford, 1957-1959), I, 656; Luard, *Annales Monastici*, IV, 494, and see below, note 155.

[57] For Wickwane, *Wickwane*, 203-204, 206-208, for Alpine passes see Bremble in Stubbs, *Epistolae Cantuarienses*, 181. See Stubbs, *Epistolae Cantuarienses*, lxiii, for the time the trip took, e.g. January 9-February 27.

[58] *Codice diplomatico barese*, ed. Commissione provinciale di archeologia e storia patria [hereafter *C.d.b.*], VI: "Le Pergamene di S. Nicola Bari (1195-1266)," ed. Francesco Nitti di Vito (Bari, 1906), 87-88 no. 56, 91-94 nos. 58-59, 101 no. 65, 107-108 no. 71 (proctor of San Nicola kept by imperial edict within the Regno); see too Giovanni Mongelli, "Le Abbadesse Mitrate di S. Benedetto di Conversano," *Archivi*, 2nd ser., XXVI (1959), 342-401, 379, for the appointment of Conversano's proctor, Manetto de Horatiis, in 1272. I am indebted to Mr. Paul Mosher for this reference.

vent of Ognissanti in Cuti, a suburb of Bari, testified before a Roman cardinal to the heavy expenses his house had incurred in sending proctors to Rome; and Grifo's abbot could use as, one must assume, a plausible excuse for not sending original documents to Rome, the dangers of the long winter road.[59] Tomasuccio, the monk proctor of the Cistercian house of Fiastra in the March of Ancona, for whose expenses in the curia it was necessary to alienate a tenement for three generations, had creditors' receipts (including that of Galgano, presumably the familiar papal scribe) scribbled on one of the instruments he carried about.[60] The monk Matteo of Agrigento was sent off by his house, Monreale, to beg a confirmation of privileges from the discouraging, delegating complexities of Nicholas III's court.[61] In September 1263 Altegrado Angeli of Loreto, proctor of the house of San Giuliano over Spoleto, a convent swaying between the Benedictine and Cistercian orders, found it necessary to return to Spoleto to consult his employers. He appointed a subproctor to carry on his work at the curia in Orvieto, a man called Lanzelotto of Loreto (a name that sounds like a romantic pastiche but that assures a geographical if not familial connection between the members of this little proctorial company).[62]

In 1299, on Friday, July 31, the proctor of a litigious house of Dominican nuns, Sant'Agnese in Bologna, stood before the papal palace in Anagni and asked to go in.[63] The proctor, Tiberto di Giacomo, a *conversus* of the house and not the order's proctor, whom the nuns used for some routine im-

[59] *C.d.b.*, I: "Le Pergamene del Duomo di Bari (952-1264)," ed. G. B. Nitto De Rossi and Francesco Nitti di Vito (Bari, 1897), 179; *C.d.b.*, VI: "Le Pergamene di S. Nicola Bari (1195-1266)," ed. Francesco Nitti di Vito, 97-98; see also below, Chapter II.

[60] Rome, Archivio di stato, Pergamene di Fiastra, no. 1351; for Fiastra's involvements see below, Chapter IV.

[61] G. L. Lello, *Descrizione del Real Tempio e Monasterio di Santa Maria Nuova di Morreale, vite de' suoi arcivescovi, abbati, e signori, col sommario de i privilegi della detta Santa Chiesa* (Palermo, 1702), 14-15.

[62] Rome, Archivio di stato, Pergamene di Fiastra, no. 1275, and see also no. 1291.

[63] Bologna, Archivio di stato, 7/5597, F 392.

petrations, discussed entering the palace with the gate-keeper Rodolfo before the gate through which those who could went to the room in which Boniface VIII held public consistories.[64] Tiberto had the discussion notarized, and the professional proctor Pietro of Treviso acted as a witness, so that it could be officially proved that an essential, initially futile attempt had been made. Archbishops and bishops, Benedictines, Cistercians, Dominican nuns, and Camaldolese monks from Italian dioceses and religious houses created proctor after proctor and sent them off to the curia, proctors empowered to borrow money and to defend their houses and their churches as best they could.

A group of Camaldolese documents from the late 1250's and from the diocese of Arezzo is a fair sample of the urgent repetitiveness of proctorial arrangements, of the insistent, felt, necessity for adequate local representation at the curia (and adequate meant, particularly, with properly formulated instruments of appointment). These documents were produced in connection with a series of interrelated disputes between Guglielmino degli Ubertini, bishop of Arezzo, on one side, and Camaldoli and its Aretine daughter houses, on the other. The dispute stretched from 1258, when Alexander IV granted the Camaldolese a general exemption, their use of which Bishop Guglielmino felt violated his episcopal rights and made impossible the performance of his duties, to 1268, when the contesting parties made formal a compromise that was in fact a victory for the Camaldolese.[65]

On 12 February 1258 in the cloister of San Michele in Arezzo the imperial notary Paolo Gambiera notarized the in-

[64] For an example of the use of the order's proctor see Bologna, Archivio di stato, bolle, busta 1, no. 11 (Urban IV, Viterbo, 13 September 1261).

[65] *Annales Camaldulenses*, ed. J. B. Mittarelli and Anselmo Costodoni, v (Venice, 1760), 33-34, 135-142, 201; *Documenti per la storia della città di Arezzo*, ed. Ubaldo Pasqui (Florence, 1899—), II, 164-165, 350, 407-413; for an introduction to Camaldoli in its later medieval form see P. J. Jones, "A Tuscan Monastic Lordship in the Later Middle Ages: Camaldoli," *Journal of Ecclesiastical History*, v (1954), 168-183; for a discussion of Guglielmino as bishop see below, Chapter III.

strument through which Martino, prior of Camaldoli, acting for his house and the whole order, recorded his making Giovanni, prior of San Bartolomeo of Anghiari (who was present), and Guglielmo, claustral prior of Sant'Apollinare in Classe in the diocese of Ravenna (who was not present), proctors for the order at the papal curia for the order's dispute with the bishop of Arezzo.[66] (In November 1257 Alexander IV had confirmed to the prior the order's privilege of constituting a proctor general for the order at the curia.)[67] On 16 February, in the cloister of San Salvatore at Selvamonda, Guido, abbot of that monastery, made the same two priors, neither of whom was present, the proctors of his specific monastery in the dispute with the bishop in the curia; and the imperial notary, Paolo Gambiera, who had notarized Martino's instrument, notarized Guido's.[68] On 28 March, in the cloister of San Bartolomeo in Anghiari, the prior, Giovanni, himself the order's proctor in the previous month, named Guglielmo of Sant'-Apollinare, Master Compagno of Volterra, Monaco, a clerk of Pisa, and Pelle, a *conversus* of Anghiari, proctors of his monastery in disputes with the bishop of Arezzo, his vicar, and the bishop elect of Volterra, in or out of the curia, before any auditor, but particularly before Pietro Capocci, cardinal deacon of San Giorgio in Velabro (the auditor designate for the dispute).[69] On the following day Ventura, abbot of Tuoma, in the cloister of his monastery, made Guglielmo, Giovanni, Compagno, and Monaco his monastery's proctors; and on 31 March, Mauro, abbot of San Salvatore, Berardenga, at his monastery, made the same men its proctors.[70] Similar actions were taken on 1 April in Pozzo at the house

[66] Florence, Archivio di stato, Conventi soppressi, Camaldoli, 12 Febb. 1258; I am grateful to Mr. P. J. Jones for his having written to me of the richness of this fond.

[67] Florence, Archivio di stato, conventi soppressi, Camaldoli, 8 Nov. 1257.

[68] Florence, Archivio di stato, conventi soppressi, Camaldoli, 16 Febb. 1258.

[69] Florence, Archivio di stato, conventi soppressi, Camaldoli, 28 Marz. 1258.

[70] Florence, Archivio di stato, conventi soppressi, Camaldoli, 29 Marz. 1258; 31 Marz. 1258.

of a Ventura di Mabilia by Benedetto, prior of San Quirico delle Rose, for his house, and on 2 April at Pieve di Chio (before the rectors of Petreto and San Martino) by Deodato, prior of San Savino Val di Chio, and on the same day by the gate of Castiglion Aretino by Simone, prior of the nearby house of Pozzo.[71] On 3 April, Radulfo, prior of Fieri sopra Cortona, in his cloister, acted similarly.[72] On 4 April, Martino, prior of Camaldoli, again in the cloisters of San Michele in the city of Arezzo, but acting with a notary different from the one he had used in February, made Guglielmo, Giovanni, Compagno, who were absent, and the *conversus* Pelle, his house's and order's proctors, particularly in the case with the bishop of Arezzo, his vicar, and the elect of Volterra, and especially before the cardinal deacon of San Giorgio as auditor; by this time Martino also found it wise to include a clause empowering the proctors to receive absolution for members of the order from sentences of excommunication pronounced by the bishop of Arezzo.[73] In two months ten notaries had collected from this circle of Aretine Camaldolese houses increasingly elaborate statements making a slightly varying group of men proctors to act for them in the Roman curia, and, in the later instruments, particularly before a specific auditor.

A quarter of a century later, on 3 September 1281, in his chapter house, Paolo, abbot of the Camaldolese monastery of San Silvestro of Monte Subasio in the area of Spello (that narrow strip of the diocese of Spoleto which stretched between the dioceses of Assisi and Foligno and touched the diocese of Nocera Umbra), made proctors for his house. An imperial notary from Spello, Pietro di Filippo, notarized the abbot's two quite separate instruments. In one the abbot made Dom Francesco Rustichelle and Petrillo Andree of Assisi proctors in actions before Orlando, bishop of Spoleto, vicar

[71] Florence, Archivio di stato, conventi soppressi, Camaldoli, 1 Apr. 1258; 2 Apr. 1258.

[72] Florence, Archivio di stato, conventi soppressi, Camaldoli, 3 Apr. 1258.

[73] Florence, Archivio di stato, conventi soppressi, Camaldoli, 4 Apr. 1258.

in spiritualities within the duchy of Spoleto, or before Andrea or Giacomo, his vicars, or before Biagio, canon of San Lorenzo, Spello, or Ranaldo, canon of Santa Maria, Spello, the bishop's officials or *custodes*. In the other instrument Abbot Paolo made the Camaldolese monk Giacomo Visconti "sindicum, procuratorem, actorem, et nuncium specialem" of the convent in the Roman curia with the variety of powers necessary for a proctor who participated in cases.[74]

On 7 September 1244 the nuns of the convent of Cosma e Damiano in Mica Aurea (San Cosimato) in Trastevere within the city of Rome, who were of the order of Claresses, made Girardo Odonis their proctor in their disputes with a miscellany of heirs in a full but undifferentiated instrument.[75] Up and down the peninsula and in the islands, at Vercelli, Bologna, Siena, Fiastra, Cava, Avellino, Bari, Monreale, everywhere, religious corporations gathered at the sound of their bell, or at the accustomed hour, in chapter houses and cloisters and parlors and abbots' chambers to make men they knew or trusted, or were advised to trust, their proctors to represent them, to be themselves, legally, so that they might in corporate person act in various courts including the highest ones, those of the Roman curia. And in this activity monasteries and houses of friars were not different from secular chapters of priests and clerks.

Nothing seems more central to the thirteenth century and to the connections and contingencies of its units than its assumed necessity for representation by proctors. A difficult level of sophistication demanded that the absent be parties to important and potentially expensive actions and that they act as if they were present and capable individuals. Thus the absent and the corporate and the inept created proctors for themselves through elaborate and formally exact actions, recorded in sealed or notarized documents. A flaw in one of these instruments could postpone or invalidate an action, and it was important that this should not accidentally occur. Formularies

[74] Florence, Archivio di stato, conventi soppressi, Camaldoli, 3 Sett. 1281 (both); see Waley, *Papal State*, 320.

[75] Rome, Archivio di stato, Pergamene di Santi Cosma e Damiano, 252.

guided local writers; and scribes and notaries quickly gained practice in the form.

The thirteenth century, again, constantly acted through proctors.[76] Proctors received grants of land and loans; they

[76] This constant action through proctors is obviously very closely connected with extremely important contemporary institutional developments in various directions, with the various faces of the ideas of representation and corporation, see, e.g.: Gaines Post, "Plena Potestas and Consent in Medieval Assemblies: A Study in Romano-Canonical Procedure and the Rise of Representation, 1150-1325," *Traditio*, I (1943), 355-408; Martin Weinbaum, *The Incorporation of Boroughs* (Manchester, 1937), 1-27, and G. H. Martin, "The English Borough in the Thirteenth Century," *Transactions of the Royal Historical Society*, 5th ser., XIII (1963), 123-144; John T. Noonan, *The Scholastic Analysis of Usury* (Cambridge, Mass., 1957), 133-153; Brian Tierney, *Foundations of the Conciliar Theory* (Cambridge, 1955); and, too, Hastings Rashdall, *The Universities of Europe in the Middle Ages*, ed. F. M. Powicke and A. B. Emden (Oxford, 1936) (and see note 177 below), and Powicke, *Henry III*. For a recent, thorough, and sophisticated exploration of the theoretical, legal problems of corporation (and of related problems) in thirteenth-century canonical writings, see an unpublished Harvard Ph.D. thesis: Gerard E. Caspary, "The King and the Two Laws: A Study of the Influence of Roman and Canon Law on the Development of Ideas on Kingship in Fourteenth-Century England," 190-270. The formularies that discuss the making of proctors survive too numerously and too familiarly to require a list of examples, but a nice example of an unfamiliar formulary that includes letters for making proctors and that is unpretentiously filed among the other surviving documents of a Benedictine convent is Durham Dean and Chapter Archives, Locellus xx. 24; for the importance attached to the form of the instrument see *Die Summa Aurea des Willelmus de Drokeda*, ed. Ludwig Wahrmund, Quellen z. Geschichte des römisch kanonischen Processes im Mittelalter, vol. II, pt. 2 (Innsbruck, 1914), 94-171; Brentano, *York Metropolitan Jurisdiction*, 220-225; for various terms used and legal definitions from Ulpian through Hostiensis, see Donald E. Queller, "Thirteenth-Century Diplomatic Envoys: *Nuncii* and *Procuratores*," *Speculum*, XXV (1960)—the mid-thirteenth-century documents that I have used often, as Queller suggests, equate syndic, proctor, actor, and yconomus; see, too, William Diekamp, "Zum päpstlichen Urkundenwesen des XI, XII, und der ersten Hälfte des XIII Jahrhunderts," *Mitteilungen des Instituts für österreichische Geschichtsforschung*, III (1882), 565-626, 603-604; see for comparison: *G. Giffard*, 258, 275; *Cantilupo*, 106-107; *Registrum Ricardi de Swinfield, Episcopi Herefordensis*, ed. William W. Capes, Canterbury and York Society (London, 1909) [hereafter *Swinfield*],

appeared for the parties in law suits, and sought privileges from governments. They negotiated treaties; and, at Rome, they selected judges delegate. In a nice example of the reverse of the sort of proctor-making most frequently to be found, Gentile de Fighino, a notary working at the Roman curia, acting within the parish of San Salvatore in Campo "Sancti Francisci" in Rome in March 1289, made three Servites, Lothoringo the prior general, whoever should be prior of the house in Florence, and Sostegno of Florence, his proctors and special nuncios particularly for collecting rents and debts.[77]

Lists of proctors' names, their towns and countries, their commissions, their employers, their bankers, may well seem long and tedious. But this tedious intricacy is of the utmost importance. This dry machine is the heart of the administrative church. The connections between employer and proctor and banker and papal official are that heart's vital tissues. Because thirteenth-century proctors have lost their biographies and retained only their names and places and bits of their business, because they are so cell-like or corpuscular, they look dull at first sight; but, to modify the image, their valences connect the ecclesiastical world.

Through this system of proctors the world's person was formally present at the curia. Saint Cuthbert of Durham and Saint Nicholas of Bari could stand side by side on the streets of Tivoli. Their corporate persons were represented almost as personally as were the archbishop of York, the archbishop of Bari, or the king of England, and in much the same way.

Although local proctors were constantly being sent to the curia, and although they were undoubtedly the most trust-

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67; *Registrum Johannis de Pontissara, Episcopi Wyntoniensis*, ed. Cecil Deedes, Canterbury and York Society (London, 1913-1924) [hereafter *Pontissara*], 271-272; and see *Winchelsey*, 544-545. I was unable to read Miss Sayers's article on Canterbury proctors (see above, note 30) before writing this section. I have made references to some of the more obvious connections, but the entire article is pertinent to this discussion.

[77] Florence, Archivio di stato, conventi soppressi, Santissima Annunziata, 31 Marz. 1289; for Evesham's making a proctor in England, *G. Giffard*, II, 266. Curial persons had to be present at home, too.

worthy kind of proctors, they were not the only or the most expert proctors to be found in the curia. The curia had collected around it, by the second half of the thirteenth century, a large community of resident or intermittently resident professional proctors specifically expert in the vagaries of its offices and personalities.[78] Their names appear in the little nests of curial figures, like papal scribes, in witness lists, particularly witnessing recorded actions before officers like cardinal auditors or the *auditor contradictarum litterarum*.[79] There is occasional reference to the place where a proctor lived, like the house in Perugia where, in 1265, Waldinus, the proctor at the Roman curia, and his companions (?associates, perhaps even partners, *socii*) stayed.[80]

Henry the Poet, in his versified contemporary satire on the curia, had his parting sophisticate answer the questioning, foolish German, coming to Rome, who had asked if he might not find some proctor in the city who could help him. One would be more likely, said the sophisticate (parodying, in passing, Cassiodorus), to find an infant child deserted by its mother, grazing grasses by their herds, green waters by their fish, a pond by its croaking frogs, a bride by her young husband, a mother's breast by her suckling babe, than find the Sacred City deserted by its proctors.[81] Henry the Poet "might

[78] See: Rudolf von Heckel, "Das Aufkommen der ständigen Prokuratoren an der päpstlichen Kurie im 13. Jahrhundert," *Miscellanea Francesco Ehrle*, II, Studi e Testi, 38 (Vatican City, 1924), 290-321; Herde, *Beiträge*, particularly 80-100; Robert Fawtier, in *Les Registres de Boniface VIII*, ed. Georges Digard, Maurice Faucon, Antoine Thomas, and Robert Fawtier, Bibliothèque des écoles françaises d'Athènes et de Rome (Paris, 1907-1939) [hereafter *Boniface VIII*], IV, xxxiii-xxxviii; Robert Brentano, "Peter of Assisi as Witness," *Quellen und Forschungen aus italienischen Archiven und Bibliotheken*, XLI (1961), 323-325.

[79] E.g. Rome, Archivio di stato, Pergamene di Fiastra, 1476; Florence, Archivio di stato, conventi soppressi, Cestello, 23 Sett. 1295.

[80] Heckel, "Das Aufkommen," 84; Herde, *Beiträge*, 85 and n. 26; *Les Registres de Clément IV*, ed. Édouard Jordan, Bibliothèque des écoles françaises d'Athènes et de Rome (Paris, 1893-1945) [hereafter *Clément IV*], 84.

[81] Hermann von Grauert, *Magister Heinrich der Poet in Würzburg und die römische Kurie*, Abhandlungen der königlich bayerischen

weep like Xerxes:—so many serried rows sit perched there like winged creatures, alighted out of heaven," or laugh like Innocent III understanding Robert Clipston to have said that the supply of advocates in the curia had been exhausted.[82]

It was the custom of the English involved with the curia to combine the services of these wily but uncommitted professionals with those of the proctors whom they had sent from home. In September 1282 Anselm of Eastry, acting as proctor at the curia for Archbishop Pecham of Canterbury, was empowered not only to contract a loan but also to appoint a curial proctor; and in the same month the archbishop appointed as curial proctors the important resident professional Filippo of Pomonte along with Giacomo of Trevi.[83] One of the problems of Richard Claxton, prior of Durham, in dealing with his curial proctors in the years 1284 and 1285 had to do with which letters of instructions should be read only by his local proctors. One letter was to be read only by the Durham monk Henry of Teesdale, very specifically by no other person. Another letter Adam of Fileby, the professional proctor, must show to Henry. A third was directed to either Henry or Adam, and a fourth to either Henry or Thomas of Normanton, the Durham clerk proctor.[84]

The names of the curial proctors who were responsible for the impetration of bulls, for actually procuring them, were often, in the later thirteenth century, written on the tops of the bulls' dorses. These dorses seem inarticulate pieces of evidence; but in combination numbers of bulls can build a picture, always fragmentary of course, of the pattern of proctors' business operations.

Filippo da Pomonte (Philippus, Phylyppus de Pomonte), sometimes alone, sometimes with Nicola da San Vittore (N de Sancto Victore), was active for three great Franciscan

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Akademie der Wissenschaften, philosophisch-philologische und historische Klasse, XXVII (1912), vv. 127-133.

[82] Macray, *Chronicon Abbatiae de Evesham*, 189.

[83] *Peckham*, III, 1058.

[84] Brentano, *York Metropolitan Jurisdiction*, 214-217, 208-213 (Durham Dean and Chapter Archives, M.C. 5820, "8 Instruments," 5, 6, 1, 3).

communities, San Francesco in Assisi, Santa Croce in Florence, and the Frari in Venice.[85] Nicola appears alone acting for Santa Croce and San Francesco.[86] Filippo was appointed a proctor by the Franciscan Pecham, and he had represented Canterbury's Benedictine chapter, Christ Church, in 1277, before Pecham's nomination.[87] Both Nicola and Filippo appear on a 1289 Canterbury receipt.[88] Nicola was also active for Bavarian Minorites in the 1280's and for the chapter of Paris in 1294.[89] In the late 1270's and 1280's Filippo and Nicola would seem to have formed a partnership, perhaps not constant, employed, but not exclusively, by Franciscan congrega-

[85] Assisi, Archivio communale, San Francesco, no. 213 (1, 2)—with Nicola; Florence, Archivio di stato, conventi soppressi, Santa Croce, 18 Genn. 1286—with Nicola; Venice, Archivio di stato, Frari di Venezia, II, 43, 44—alone. For Filippo see Sayers, "Canterbury Proctors," 318-320, 327-328; for Nicola, 328—for Nicola as a "literate" witness see Rome, Archivio di stato, San Cosimato, 259.

[86] Assisi, Archivio communale, San Francesco, nos. 212 (1, 2), 215; Florence, Archivio di stato, conventi soppressi, Santa Croce, 18 Genn. 1286—identified by the same archival reference as the jointly proctored, similarly dated, Honorius IV bull in the note above, but with a different scribe—"O. Laud" instead of the jointly proctored bull's "F.R." (For F.R. see Fawtier, *Boniface VIII*, xxi; Florence, Archivio di stato, conventi soppressi, San Francesco di Pistoia, 18 Genn. 1283—a Franciscan proctorial privilege; Robert Brentano, "'Consolatio defuncte caritatis': a Celestine V letter at Cava," *English Historical Review*, LXXVI [1961], 298-303, 300 nn. 1, 3—there is possibly a suggestion, no more, that F.R. may have been a scribe in some way favored by Franciscans. For O. Laud see e.g. Bologna, Archivio di stato, bolle, busta 1, no. 7—Nicholas III bull, 1279.)

[87] Pecham, see above, note 83; Christ Church, Canterbury Cathedral Archives, Ch. Ant. C 285. I am very grateful to Mr. Hugh Lawrence for having told me of this Canterbury document and for then describing it to me in detail. It is a *littera* (or *littere*) *conveniencie* issued from Viterbo by Gerard of Parma, *auditor contradictarum litterarum* on 22 April 1277. In it Filippo the convent chapter's proctor has chosen as his judge in a dispute the Benedictine prior of Rochester; his opponent has chosen for a disputant, who was a rector, the archdeacon of Rochester; while the auditor granted as the common third judge the bishop of Rochester: an important representative of regular interests, of secular interests, and a third man who must in theory represent the total interest of his flock—a very patterned selection.

[88] Hist. MSS Comm., *Fifth Report*, 451 (C 224).

[89] Herde, *Beiträge*, 95; Fawtier, *Boniface VIII*, IV, XXXVI.

tions. Nicola and Filippo were not, even for these congregations, the only specifically named proctors—that is, proctors not designated in the bull as being simply for the Minorites.[90] A proctor named Bonaspes of Assisi, who may have been Nicola and Filippo's predecessor, was called proctor of the nuns of Assisi in 1277.[91] He had acted for the nuns, Franciscan Claresses, of Santi Cosma e Damiano (San Cosimato) in Trastevere in 1272, and in 1274 for the Frari, but in 1276 for the Cluniacs.[92]

Archbishop John Romeyn of York used a proctor named Guido of Novara, pretty obviously Italian; one of Romeyn's contemporaries at Canterbury, Archbishop Robert Winchelsey, used a proctor who appears as "W de Donnebroke," as obviously insular.[93] The imposing proctor "N de Vico" (?Nicola Novelli de Vico) was active for England and Italy as he was for France, for great figures like the King of England and the commune of Bologna.[94]

[90] For "Minor'," see Venice, Archivio di stato, Frari di Venezia, II, 17, 18, 19, 21, 22, 28, 30, 32, 33, 34, 37, 39 (Minorum), 40, 41—but these are all from the 1240's, 1250's, and 1260's, before Filippo and Nicola's Franciscan work, as is Herde's example from Saint Agnes, Würzburg (*Beiträge*, 100, cf. 95). The "Minor'" bulls from the Frari are interrupted by one procured in 1260 by the proctor Fr. R. who, like Nicola da San Vittore, appears on Saint Agnes, Würzburg bulls (Herde, *Beiträge*, 100: Fr. R. in 1257 [3] and 1258 [1]; Nicolà in 1284 [1]). Michael Petri is another proctor, from the 1280's, preserved at Santa Croce: Florence, Archivio di stato, conventi soppressi, Santa Croce, 18 Genn. 1282 (1, 2).

[91] Todi, Archivio communale, IV, ii, 39.

[92] Rome, Archivio di stato, Pergamene di Santi Cosma e Damiano, no. 292 ("Bonaspes pro Roma"); Venice, Archivio di stato, Frari, II, 42; London, British Museum, Additional Charter 1547 (John XXI for Cluniacs); also, see Herde, *Beiträge*, 89, 98: for the college of Altötting in 1267, and for the Benedictines of Seeon, twice in the same year.

[93] London, Public Record Office, S.C. 7, 51(3), Honorius IV to King Edward for John (for Guido, see also Herde, *Beiträge*, 99); London, Public Record Office, S.C. 7, 9(7), Celestine V to King Edward for Winchelsey (scribe: O. Laud)—see "Dunbridge" in *Winchelsey*, 564-565, 568-569, 578, 639, 658, 670, 680, 1052-1054, 1060-1061.

[94] London, Public Record Office, S.C. 7:6(1), 6(12); Bologna, Archivio di stato, bolle, busta 1, no. 16; see Fawtier, *Boniface VIII*, xxxvi, and also xi.

There were at least three Poggibonsi proctors active at the curia in the late thirteenth century: "Francus," "Jacobus," and "Bardus." Giacomo was active for the Servites of Florence in 1291, for the Spedale of Siena in 1281, and for the Benedictine house of San Salvatore, Castiglione in 1288.[95] Bardo was employed by Bishop Thomas Cantilupe of Hereford in 1275 and at least through 1279.[96] Franco had a more apparently varied career, but one that suggests a connection, perhaps of blood, perhaps of partnership, with Giacomo. Franco like Giacomo worked for the Spedale of Siena; one Spedale dorse, from 1281, corrects his name to Giacomo's.[97] But Franco was also active for the Benedictine prior and convent of Durham, and for the Minoresses of the English house of Waterbeach, in 1302 and 1295.[98] The fragments of people that these men must remain contrast with the at least larger fragment of Pietro of Assisi.

A man named Pietro of Assisi (perhaps a succession of men acting under the same name) was a prominent curial proctor throughout the second half of the thirteenth century.[99] Toward the end of the century his name is frequently coupled with that of Filippo (generally "Phy" and not infrequently following the Assisi abbreviation). Again as in the case of Pomonte and San Vittore and of the Poggibonsi proctors, there is every suggestion of a partnership or an agency (after all, proctors could look at contemporary bankers). The suggestion is strengthened by the later existence of Angelo of Assisi

[95] Florence, Archivio di stato, conventi soppressi, Santissima Annunziata, 28 Agosto 1291 (1, 2, 3), 23 Luglio 1291; Siena, Archivio di stato, Spedale, 28 Agosto 1281; Naples, Archivio di stato, Archivio Caracciolo di Santo Bono, Castiglione, Abbazia di San Salvatore, no. 3.

[96] *Cantilupo*, 12-13, 15, 18, 19, 213-214, 250 (Bardo was dead before 15 August 1280); cf. *Peckham*, III, 1003, payment of a pension to Bardo.

[97] Siena, Archivio di stato, Spedale: 31 Agosto 1281; 31 Ottobre 1285 (1, 2, 3, 4); 25 Agosto 1281.

[98] Durham Dean and Chapter Archives, 3, 2, Pap. 4, 5, 6: to abbot of Whitby, for prior and convent of Durham; London, British Museum, Cart. Cott., xi, 19—cf. Fawtier, *Boniface VIII*, xxxiv.

[99] Heckel, "Das Aufkommen," 319-320; Herde, *Beiträge*, 85-86; Brentano, "Peter of Assisi."

and I of Assisi, and the earlier existence of Bonaspes.[100] At the very least Assisi was peculiarly productive of proctors in the thirteenth century, as it was of saints, and it is not unlikely that the proctors were helped to prominence by the growing order at home—that is, that the saints and the proctors were connected. (The places from which proctors took their names suggest general patterns of advancement, although not very rigid ones: Orvieto, Aquila, Montepulciano, Assisi, Pontecorvo, Pisa—curial places, places connected with great prelates and orders, reminiscent of those baronial, episcopal and prebendal manors and towns, from Ninfa to Nassington, from which administrative clerks were advanced to importance in the thirteenth century.)[101] It seems possible, too, that even the single names on the bulls' dorses sometimes refer to an office or agency rather than to a simple person (but admittedly when these generally rather shadowy figures do appear in any substance, it is, except for Waldinus in his house in Perugia, the substance of an individual man).

[100] For Angelo and I, see Herde, *Beiträge*, 92, 95. For a discussion of the table of organization of medieval merchant companies, see Armando Sapori, "Il Personale delle Compagnie mercantili del medioevo," *Studi di storia economica medievale* (Florence, 1940), 435-503.

[101] E.g.: P. de Orvieto (Durham Dean and Chapter Archives, 4, 1, Pap. 2, 28); B. de Pontecorvo (Cava, Badia, Arc. Nuov., 0.1, 2, and Brentano, "*Consolatio defuncte caritatis*," 299); P. de Montepulciano (Florence, Archivio di stato, Montepulciano, 7 Luglio 1280); Helyas de Spoleto (Palermo, Archivio di stato, Tabulario del Monastero di Santa Maria Maddalena di Valle Giosafat, Pergamena no. 153); Angelus Josaphat (Palermo, Archivio di stato, Santa Maria Maddalena, 127); Michael de Aquila (Palermo, Archivio di stato, 121); Johannes Pisanus (Florence, Archivio di stato, conventi soppressi: Badia, 28 Mag. 1281 and 17 Giug. 1281; Camaldoli, 25 Febb. 1286; and see Heckel, "Das Aufkommen," 320 n.1, Fawtier, *Boniface VIII*, IV, XXV, and Herde, *Beiträge*, 95, 98); P. (?Pandulfo) da Milano (de Mediolan') reminds the reader of the various patrons available for the initial promotion of clerks in some areas (Palermo, Archivio di stato, Cefalù, Mensa vescovile, no. 73, where, as the dorse states, P. acts for the bishop of Cefalù, in 1306), as also does V. (?) da Orvieto, acting for the bishop and in favor of the chapter of Orvieto (Orvieto, Archivio capitolare, bolle, 5 Nov. 1297 [1, 2]); Angelo of Giosafat, and B. (Benedetto) of Pontecorvo, also point up the difficulty of telling a local from a curial proctor; see further below.

Man, men, or agency, Pietro of Assisi was employed by religious corporations in at least Germany, France, England, and Italy.[102] He was perhaps particularly adept at the difficult negotiations involved in disputes and the selection of judges before the *auditor contradictarum litterarum*.[103] He was certainly for a time the proctor general of the Cistercians.[104] He was connected with Cistercian houses in France and Germany (Foigny, Ebrach, Langheim, Waldsassen).[105] In his work for the German daughters and granddaughters of Morimond he was in 1289 and 1291 associated with Filippo; and once, in 1290, for Ebrach, a house with particularly frequent, preserved, connections with Assisi proctors, he was replaced by Filippo.[106] Pietro worked in 1281 and 1282, again with Filippo, for the Cistercian monastery of San Salvatore Settimo, near Florence.[107] But Pietro was not monopolized by the Cistercians. He worked for the bishop and chapter of Bamberg.[108] He worked for the two great English Benedictine convents of Westminster and Durham.[109] More significantly perhaps he worked for the Franciscans of Assisi; he in fact got them their copy of *Clericis laicos*.[110] In 1254 a Pietro of Assisi had been provided to a canonry of the cathedral church of San Rufino

[102] And in areas it is even less easy to fit into simple national categories: for his work for Magdenau, see Anton Largiadèr, "Die Papsturkunden des Zisterzienserinnenklosters Magdenau," *Mitteilungen des Instituts für österreichische Geschichtsforschung*, LXVIII (1960), 140-155, 142 and n. 9, 152-153 (1251).

[103] See Brentano, *York Metropolitan Jurisdiction*, 218-219 (Durham Dean and Chapter Archives, Loc. XIV.4.j; Westminster Abbey Muniments, 32644—seal strip).

[104] Brentano, "Peter of Assisi," 324, 325.

[105] Fawtier, *Boniface VIII*, IV, xxxvii; Herde, *Beiträge*, 91-92, 93-94, 99, and particularly 86.

[106] Herde, *Beiträge*, 91-92.

[107] Florence, Archivio di stato, conventi soppressi, Cestello, 15 Ott. 1281, and 18 Genn. 1282; for San Salvatore Settimo, see P. J. Jones, "Le Finanze della badia Cistercense di Settimo nel XIV secolo," *Rivista di storia della chiesa in Italia*, X (1956), 90-122.

[108] Herde, *Beiträge*, 90.

[109] See above, note 103, and Durham Dean and Chapter Archives: 2, 2, Pap. 1; 4, 1, Pap. 1 and 13; 4, 2, Pap. 8.

[110] Assisi, Archivio communale, San Francesco, nos. 239, 240, 242 (*clericis laicos*).

in Assisi; and in 1263 a Pietro, canon of the cathedral of church of San Rufino in Assisi and notary, was active as the proctor for San Rufino before a canon of Todi acting as papal executor.[111] In 1260, Filippo, clerk and proctor of the chapter, acted for the church before cardinal auditors in a case between the chapter and an archpriest pretending to a canonry.[112] These could, little more can be said, be the right canon Pietro and Filippo.[113] Pietro was active for a very long time, and it is this length that argues his divisibility most strongly. He worked for the Cistercian house of Hardehausen in 1241, for Langheim in 1297.[114]

What, beyond his endurance and activity, and in spite of the doubt about his number, makes Pietro a more imposing fragment than most of his fellows is that he breaks silence, and silence is broken about him. He is not completely caught in the repeated mime of the bull's dorse or the seal strip of the auditor's letter, or even in contract or receipt. In the sickening congestion of Henry the Poet's proctors crowding around the papal curia, "Petrus ab Assisio" is given a specific if difficult and unattractive form. He exists, although not in an abundance of descriptive detail, in the passing attack of the poem. Henry mocks him, the "Cistercian abbot."[115]

[111] *Innocent IV*, III, 386 no. 7368; Assisi, Archivio capitolare di San Rufino (within the Duomo), fasc. 3, no. 114. (It would, of course, be a serious error to assume cordial relations between San Francesco and San Rufino.)

[112] Assisi, Archivio capitolare di San Rufino, fasc. 3, no. 101.

[113] The Pietro of Durham Dean and Chapter Archives, Loc. XIV.4.j, is called canon of Assisi.

[114] Heckel, "Das Aufkommen," 319-320; Herde, *Beiträge*, 94. Herde (86 and n. 37) discusses this length. It is remarkable, but not impossible, that a proctor should be so long active. (Napoleone Orsini was a cardinal from 1288 to 1342.) I do not believe, as some historians who have involved themselves with this problem have, that proctors necessarily wrote their own names on the dorses of bulls (see Brentano, "*Consolatio defuncte caritatis*"); if they did, there were certainly several Pietros. If they did not, there still may have been, as I think, several clerks working under his name.

[115] Grauert, *Magister Heinrich*, vv. 171-178; Herde (*Beiträge*, 86) is persuaded by this and the evidence from a 1259 Alexander IV bull ("P de Ass Cister abbas") that one Pietro was in fact a Cistercian

Pietro is also preserved, of course in fragment, through an odd and fortunate survival, but an undated one, in the act of talking about his office on the witness stand.[116] On 30 August in about the year 1265, presumably in the court of a cardinal auditor, in a dispute between the Cistercian house of Chiaravalle di Fiastra in the March of Ancona and the semifiliated house of San Giuliano over Spoleto, Pietro was asked what he knew of letters impetrated the last Easter by the proctor of San Giuliano, and what of the selection of judges delegate by the proctors of both sides. He said San Giuliano's proctor had come and appealed; he knew because he had seen the letter and held it in his hands and because he had met with the San Giuliano proctor for selecting judges. Asked who the judges were, Pietro could not remember, except that he thought that the third judge, the supposedly impartial member of the bench, who was given by the auditor and who was often the center of much intrigue, had in this case been the prior of San Venanzio (who was in fact a papal scribe financially connected with Fiastra).[117] Peter could not remember

abbot. I find it unlikely. I think that on the tongue of the satirist the constant Cistercian proctor was a mock abbot; and I think that it is possible to explain the dorse notation by the fact that patrons are sometimes recorded there. But it would be foolish to dismiss any Herde judgment lightly. His work is based not only upon his own industrious and perceptive searching, but also on information and suggestions from Heckel's notes, presumably from Prof. Acht of Munich, and from the "Schedario Baumgarten," Baumgarten's records of the notations on papal bulls, which are preserved within the Vatican archives, and which are just now in process of publication: *Schedario Baumgarten, Descrizione diplomatica di Bolle e Brevi originali da Innocenzo III a Pio IX*, ed. Giulio Battelli, I-II: *Innocenzo III-Innocenzo IV, 1198-1254; Alessandro IV-Benedetto XI, 1254-1304* (Città del Vaticano, 1965-1966). Herde's is an epoch-making book for the study of the chancery; still on this point I think he has weighed his pieces of specific evidence incorrectly, and too heavily against the general evidence existing about Pietro; see my review of his book in *Speculum*, XXXIX (1964), 153-155.

[116] Brentano, "Peter of Assisi" (Rome, Archivio di stato, Pergamene di Fiastra, no. 2225); see a full discussion of this case in Chapter IV, below.

[117] Rome, Archivio di stato, Pergamene di Fiastra, no. 1388, and Brentano, "Peter of Assisi," 323 n. 1; for the process of selecting

if he had seen the letter bulled. He did not know if it had been bulled or if, in connection with it, the parties had been cited; but he did know that the letter of confirmation sought by Fiastra had touched upon the same business. He protested finally that his "convencionem judicum" should not be prejudicial to the house of Fiastra because he was not the special proctor of that house but rather the proctor for the whole Cistercian order. The testimony is difficult because it assumes too much knowledge in its reader, but it throws a silhouette of a proctor's memory and of his job. And the fullness of his job seems to have crushed Pietro's memory, if he was being at all candid—but of course candor is not a quality to be expected on a witness stand, nor, as Henry the Poet heavily pointed out, was it to be expected among curial proctors.

Pietro of Assisi was the Cistercian proctor general. The Camaldolese under Alexander IV found it worth the expense to have their privilege of maintaining a proctor general in the curia confirmed. In 1259 the Templars maintained Fra Lamberto as their proctor in the Roman curia.[118] The corporate representation of both Franciscans and Dominicans in the middle and later thirteenth century is clear from the "Minor" and "Predicatorum" of many of their documents.[119] The Franciscans retain talk of their proctor general and the Dominicans lists of theirs from 1256.[120] In 1278 Rainaldo of Aquila was proctor general for the Hospitallers.[121] A sensible

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judges see Brentano, *York Metropolitan Jurisdiction*, 153-158, and also see Geoffrey Barraclough, "Audientia litterarum contradictarum," in *Dictionnaire de droit canonique*, ed. R. Naz, I (Paris, 1935), 1387-1399.

[118] Florence, Archivio di stato, conventi soppressi, Camaldoli, 8 Nov. 1257; Gelasio Caetani, *Regesta Chartarum* (Caetani), I (Perugia, 1925), 36.

[119] "Predicatorum"—e.g. Florence, Archivio di stato, conventi soppressi, Sant'Agnese Montepulciano, 13 Febb. 1296; see G. R. Galbraith, *The Constitution of the Dominican Order* (Manchester, 1925), 136.

[120] See J. J. Berthier, *Le Couvent de Sainte Sabine à Rome* (Rome, 1912), 290-291; the Assisi *Bullarium*, for first year of Martin IV: the *Bullarium* was published by Francesco Pennacchi in the *Archivum Franciscanum Historicum*, vols. VIII, X, XI, XII—for this reference see vol. X (1917), pp. 191-192.

[121] Westminster Abbey Muniments, 9181.

desire for security suggested to later thirteenth-century regulars that they use at the curia a professional proctor connected somewhat permanently with their orders, which were, with or without a permanent connection, less frail than individual houses.

Something of a related desire for security coupled with the hope that one might thus deal with a man not too strange, unpredictable, and invulnerable probably led both English and Italians to their noticeable practice of choosing relatively local men among professional proctors. It is sometimes difficult to be certain, because of this practice, whether the proctor named on a bull's dorse is a local *ad hoc* proctor (these seem still sometimes to have impetrated) or a professional from the neighborhood. Thus Benedetto of Pontecorvo, who acted for the Benedictines of Santissima Trinità at Cava between Naples and Salerno, seems in fact to have been a local Cava proctor.[122] Giovanni Pisano might seem almost equally local if only his work for the quasi-Camaldolese Benedictines of San Savino in the diocese of Pisa and the Augustinian hermits of Sant' Anna in Prato had survived.[123] But he also worked for the Hermits of Paris and for the south German houses of Schönthal and Niederviehbach; and for both the Hermits and Schönthal, in 1299 and 1300, he worked with the same "partner," Bianco da Forno.[124] The problem—local or professional—is pushed similarly toward the same resolution in the cases of Giacomo of Naples who worked for Cava (and who might possibly be the same as the "Neapolis" used by San Nicolà at Bari) and of Giacomo of Reggio who worked for the Hermits of Sant'Agostino in Naples.[125] Giacomo of Naples also worked for the hospital in Eichstätt; Giacomo of Reggio worked with Giovanni Pisano for Niederviehbach.[126]

[122] This is argued in Brentano, "*Consolatio defuncte caritatis*," 299, from Cava, Archivio di Badia, bolle 0.1 and 0.2, and arca LVIII, no. 6.

[123] Florence, Archivio di stato, conventi soppressi: Camaldoli, 25 Febb. 1286; Badia, 28 Magg., 17 Giug. 1281. For Sant'Anna, see "De conventu Pratensi S. Annae," *Analecta Augustiniana*, XIX (1943), 20-60.

[124] Fawtier, *Boniface VIII*, IV, XXXV; Herde, *Beiträge*, 98, 95.

[125] Cava, Badia, Arca Nuova N. 43; Bari, San Nicola, 8/20, 9; Naples, Archivio di stato, Sant'Agostino Napoli, no. 5 (catalogued no. 9).

[126] Herde, *Beiträge*, 92, 95.

When proctors for English houses have names like Leonardo of Venafro or Bartolomeo of Bologna for the prior and convent of Durham, they were presumably professionals.[127] But when English proctors have names like the Cistercian Ruffard's Thomas of Brampton or Bishop Ralph Irton of Carlisle's Nicholas of Hexham their status is less certain, although their nationality seems secure.[128] The Durham proctor Peter of Saint Andrew's would seem safely British if he had not also worked for Fürstenfeld, Medlingen, Steingaden, and the Katharinenspital in Regensburg.[129] It is not possible to be sure into which language "Sancto Andrea" should be translated. The uncertainty about the status of proctors is due in part to the fact that Englishmen liked to use English professional proctors and that continentals, and particularly Italians, seem sensibly enough almost never to have used them.[130]

"J de Burton" and Reginald of Saint Alban's are clear examples of the English professional proctor. The Augustinian canons of Holy Trinity Aldgate, London, employed Burton repeatedly; and at least once he procured a bull for the prior and convent of Durham.[131] Reginald, acting for William Wickwane, archbishop of York, matched wits in the selection of judges with Pietro of Assisi, acting for the prior and con-

[127] Leonardo: Durham Dean and Chapter Archives 4, 2, Pap. 7 (Leonardo seems to have been linked particularly with Adam of Fileby as proctor in the affair of Fileby and the executors of Bishop Robert of Holy Island in 1284—Durham Dean and Chapter Archives, 4, 2, Pap. 4, and as witness to Adam's borrowing forty marks sterling from the Abbati in a notary's house in Orvieto in 1283—Durham Dean and Chapter Archives M.C. 7028); Bartolomeo: Durham Dean and Chapter Archives, 3, 2, Pap. 9.

[128] Thomas: London, British Museum, Cart. Harl, III A. 26; Nicholas: London, Public Record Office, S.C. 7, 29 (10).

[129] Durham Dean and Chapter Archives; 1, 2, Pap. 1, 5, 6, 7, 8, 9, 10; 4, 1, Pap. 12, 19 (from 1257 to 1262); Herde, *Beiträge*, 93, 94, 97, 99 (from 1259 to 1261).

[130] Although it would seem unlikely that Italians ever used non-Italian proctors, it would be foolish to be too positive about it; see, for example, the proctor, J. de Hyrberia, who probably worked for the Augustinian Hermits in several parts of Europe: Siena, Archivio di stato, Sant'Agostino, 7 Lugl. 1288, confirming privileges of Augustinians against the pretensions of the Bishop of Paris.

[131] London, Public Record Office, S.C. 7:19(8), 28(20), 29(1); Durham Dean and Chapter Archives, 4, 1, Pap. 29.

vent of Durham—and did a good job of it.[132] Reginald, nine years later in 1290, again before the *auditor contradictarum litterarum*, acted for the abbot and convent of Westminster against the abbot and convent of Pershore.[133] Reginald had been present in 1285 in Tivoli at Robert of Selsey's declaration about wanting to go home to Canterbury, as had Riccardo de Spina, exactly two months before he, Riccardo, made formal his settlement with Westminster over his disputed back salary as their ex-proctor and over the letters he had got for them but not given to them.[134] Reginald may possibly have had an extended relationship with Westminster, but he was certainly capable of changing his professional allegiance from York to Durham, for whose bishop he eventually worked. One must presume that Reginald was purely professional in the sense that he furthered the interests of his employer of the moment. He was like some contemporary sailing Italian merchant who could "receive a dozen or several dozen commissions" for the same trip at the same time.[135]

Flocks of English proctors swarm in the peculiarly articulate registers of the west country bishops Thomas Cantilupe (1275-1282) and Richard Swinfield (1283-1317) of Hereford and Geoffrey Giffard (1268-1301) of Worcester. Letters of encouragement, reproof, account, detailed instruction, and fairly detailed description went back and forth from the curial towns of central Italy to the episcopal manors in the marches. Proctors change shape. Edmund Warefeld, a Westminster

[132] Durham Dean and Chapter Archives, Loc. XIV.4.j; Brentano, *York Metropolitan Jurisdiction*, 218-219, and 158-159 for the eventual results of the selection.

[133] Westminster Abbey Muniments, 22498. For Reginald see, too, Barbara F. Harvey, ed., *Documents Illustrating the Rule of Walter de Wenlok, Abbot of Westminster, 1283-1307*, Camden Society (London, 1965), 246.

[134] Canterbury Cathedral Chapter Archives, Ch. Ant. P 57; Westminster Abbey Muniments, 22942.

[135] *Registrum Palatinum Dunelmense*, ed. Thomas Duffus Hardy, Rolls Series (London, 1873-1878), I, 28-31, for merchants and the quoted phrase: Gino Luzzatto, *An Economic History of Italy*, tr. Philip Jones (London, 1961) [hereafter Luzzatto-Jones], 119.

proctor, emerges in Giffard's register as a proctor of Worcester, Westminster's enemy, as well as of Hereford.[186] Evidently he was a generally employed English proctor. The economic rise of a more local proctor, Robert Wych, is apparent at Worcester.

John of Bitterley, a proctor for both Worcester and Hereford, sent to Bishop Giffard from Rome a letter that reached Worcester on 30 November 1286.[187] Bitterley had arrived after the feast of the Nativity of the Virgin (8 September) and had taken the bishop's letters to the English cardinal and to Berard of Naples in Tivoli, where Honorius IV's court then was. Bitterley had in October received the bishop's further letters, a letter on merchants for 105 pounds, and questions about expenses. By January he was able to compose a letter in which he managed to suggest something of imminent but precarious general success. He had been trying to enrich the Worcester *mensa* with the living of Bishop's Cleeve (Clyve). He had managed to get himself an audience with the pope and to tell him about the death of Worcester flocks, the sterility of Worcester fields, the rebuilding of Worcester manors, and the destructiveness of armies. Finally Bitterley had succeeded in getting the pope to say that he would think about Worcester's difficult economic situation and about the living of Cleeve.

After the audience Bitterley had talked to Berard of Naples, and the two of them had decided that the pope's thought needed a monetary stimulant. Berard and Bitterley then went to the other Berard, the pope's secretary, an always necessary agent for anything difficult, according to Bitterley. They

[186] *G. Giffard*, II, 275; Westminster Abbey Muniments, 9181; *Cantilupo*, 12-15, 18, 210, 243, 248-250, 273-283. In an important dispute with the chapter of Canterbury, a group of bishops from the province of Canterbury, in 1271, named as one of their proctors at the curia, Alan Creppyng, a doctor of civil law (*G. Giffard*, I, 146; for Creppyng, the civil law, and Creppyng's books, see Brentano, *York Metropolitan Jurisdiction*, 131, 151, and n. 16).

[187] Worcester, Archives within Saint Helen's (Branch of the Worcestershire Record Office), Register of Bishop Giffard, fo. 263, calendared in *G. Giffard*, 301-302.

promised Berard the secretary 200 pounds for the papal camera before the decision about Cleeve should be made, and they promised forty marks for Berard himself.

Bitterley continued his letter to Giffard by listing exactly what he was managing to get for Worcester and by praising Berard of Naples. He admitted that he had done nothing about a petition against nonresidents that Giffard had sent him, but promised to present it at an opportune time. Then he got down to specific required sums. He insisted that he must pay lesser curial officials at least 160 pounds, that he needed 200 pounds by letters on Italian merchants quickly, that everyone at the curia believed he had the money already, that if they knew it were not true Giffard's affairs and Bitterley's person would be in danger, that if the whole deal did not work out Bitterley would return everything he had not spent for gifts and precious stones.

By all this Giffard was not taken in. With a calm shrewdness seldom evident in English episcopal letters to Rome, he explained precisely the ways in which Bitterley had proved unsuccessful, and he stated clearly his intention not to forward 200 pounds.[138] It was a bad year for Bitterley. Although Cantilupe seems to have supported him with relative confidence in the past, Swinfield was writing to demand an account of his Hereford expenses.[139] The Hereford account reveals that Bitterley had an annual expense-salary of ten marks from Hereford (part of which was brought him by the prior of Holy Trinity Aldgate); he was in 1286 receiving a pension of forty shillings from Worcester.[140]

[138] Worcester, Saint Helen's, Register of Bishop Giffard, fo. 263v; *G. Giffard*, 302-303; but Giffard wrote that he had gotten Bitterley the promised living at Badminton.

[139] *Swinfield*, 246-247; or see *A Roll of the Household Expenses of Richard de Swinfield*, ed. John Webb, Camden Society (London, 1854), 202-209.

[140] *G. Giffard*, II, 286; it is constantly interesting to note the moving back and forth from England to the curia of assistants, clerks, "boys": Bitterley's cited letter to Giffard (Worcester, Saint Helen's, Register of Bishop Giffard, fo. 263) concludes with the statement that after the letter had been written (*post confectionem presencium*), Giffard's boy John of Gledesey had come to Bitterley, and that Bitterley was

"Ista credo posse expedire si pecunia non defuerit in hac parte," John of Bitterley wrote to Bishop Giffard.[141] And his words are a text upon which all thirteenth-century curial proctors preached to their patrons. With money everything was possible, without it nothing. Money for Selsey to pay the vintner and the poulterer, money for Marlborough to buy Innocent III's silver cup, money for Fileby to give the English cardinal, money spent and money needed, fill the letters and accounts that the proctors sent back home, money that really must arrive a few weeks after Christmas, money lacking that endangered life and prospects.

Letters begging and excusing, and sometimes expanding into accounts of money spent, are still capable of provoking the suspicion that provincial patrons must have felt, that, for example, Bishop Swinfield must have felt when he read the account of Richard Puddleston, a particularly untrustworthy proctor. (Puddleston had procured a Hereford benefice for himself in Rome, but, back in England in 1291, he was allowed to resign it; and before returning to Rome, in the Kensington house of the abbot of Abingdon, he swore a special oath of loyalty to the bishop.)[142] Puddleston blamed losses on the mistaken actions of his Italian colleague Cursio of San Gemignano.

Swinfield may have doubted Puddleston's account; Giffard reacted sharply to a proposed account of Bitterley. An occasional expense was questioned, but the principle was unquestioned. To placate the curia it was of course necessary, it was assumed, to act as, for example, Prior Ringmere of Canterbury acted in 1275, to send off Romeward one's money and an ornament of gold.[143] The greedy supplicant assumed that the vice that often drove him to Rome must exist in peculiar purity there, and the curia was in fact greedy, "a cliché com-

keeping John with him until he should see how things turned out. See, too, P. M. Baumgarten, *Aus Kanzlei und Kammer. Erörterung zur kurialen Hof und Verwaltungsgeschichte im XIII., XIV. und XV. Jahrhundert* (Freiburg im Breisgau, 1907).

[141] Worcester, Saint Helen's, Register of Bishop Giffard, fo. 263.

[142] *Swinfield*, 256, 278-279.

[143] Hist. MSS Comm., *Fifth Report*, 451 (B.205.1275).

ing true." But there was something else, and it was, perhaps, less rational—the distrust that societies, with, in contrast, quite different economic and social ways of life, sometimes feel for each other. Through the very special lens of the curia, the agricultural, rustic provincial (or so he could there think himself), deprived of the diversifying qualifications of actual existence at home or in the Italian countryside, faced with fearful fascination the urban, mercantile Italian. In the distorting curial medium the difference between them looked clear and national, to the non-Italian; and he responded to it with the sort of hysterical language that men, thinking of themselves as of the country, frequently use of the city. Act conformed with speech: money, the banker-merchant's grain, was the rustic's only protection against the urban evil eye.

Since this sort of sentiment prevailed, a great many distantly provincial litigants and petitioners were anxious to get money to the curia, and, of course, a great many proctors and prelates in the curia were anxious to have it come. The trip from most of the English sources of this money to most of the curial towns toward which it moved took six arduous, even dangerous, weeks. This would seem to have posed a very serious problem in the transport of silver. But so many types of avarice were not to be frustrated by lack of a system; another form of avarice responded to their need. Englishmen who sent proctors to the curia sent them with letters through which they could negotiate loans in curial towns from associates of Italian merchant bankers in northern Europe or England.[144] Thus

[144] For an example of a slashed bond for a debt of 40 marks borrowed by Adam of Fileby for the prior and convent of Durham from Florentine curial merchants, the Abbati, in Orvieto, 15 July 1283, see Durham Dean and Chapter Archives, M.C. 7028, edited Brentano, *York Metropolitan Jurisdiction*, 224-225; see *Wickwane*, 203-207 (payments); *Winchelsey*, 538 (Florentine merchants); *G. Giffard*, I, 48 (letters for proctors to any merchant), 303 (fo. 263v), 273 (bond to Luccan merchants in London for payment of John Lacy and William de la Corner at the Roman curia); *Swinfield*, 98-99; *Cantilupo*, 276 (for the—for these purposes—important Spina of Pistoia). For the suggestive connection of an Italian notary, Ildebrandino Bonadoce, with English ecclesiastical affairs, and the Florentine wool trade: Durham Dean and Chapter Archives, Loc. XIV.4.1 and Loc. VII.74; *G. Giffard*, I, 148-149; Florence, Archivio di stato, conventi soppressi,

proctors were spared the necessity of carrying the bulk of their silver and thus of being robbed before they reached the curia. This relief meant, of course, that more money needed to be provided.

In 1286 Adam of Fileby wrote Giffard of Worcester an account of his curial expenses—an account which, like Tomasuccio of Fiastra's receipts, included a payment to Galgano, here identified as the papal scribe.[145] Fileby's account specified a fee of fifteen marks to his merchant, probably Bentino de Ananzato of Florence, for actually negotiating the loan of 100 pounds (that is, a fee of 10 percent), and well over another mark for the instrument that recorded it, a sum that is more realizably sizable when it is compared with the twelve marks that bought the black palfrey which Adam gave Berard the pope's secretary, or even with the greater sum of thirty marks for the English cardinal, who here as elsewhere was placated with the plurality of an English account's marks.

Letters to merchants were the necessary beginnings of hard debts of the sort that Thomas of Marlborough exalted in paying off and that distorted with their heaviness the accounts of Robert of Holy Island, bishop of Durham.[146] The borrowing

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Badia, 4 Magg. 1284; Brentano, *York Metropolitan Jurisdiction*, 192-193. For an introduction to letters of credit and methods of payment in the later Middle Ages, see Robert Lopez and Irving W. Raymond, *Medieval Trade in the Mediterranean World* (New York, 1958).

[145] *G. Giffard*, II, 292 (Register, fo. 256v), and 258 (letter, 100 pounds), 292 (letter from Bentino).

[146] Thomas: Macray, *Chronicon Abbatiae de Evesham*, 256 (and see 225 for the business of Roman creditors' securities confiscated by John during the interdict and thus of Evesham instruments moving into the royal treasury); Robert of Holy Island: *Historiae Dunelmensis Scriptores Tres*, ed. James Raine, Surtees Society (London, 1839), app., lxxxix-xc, in which the expenses are divided between the prior and the bishop—there is a group of heavy debts in the form of letters obligatory then remaining in the hands of Adam of Fileby. Fileby's expensive connection with Robert of Holy Island is commemorated in a Durham letter of justice still bearing its leaden seal, in which letter Martin IV's chancery responded, from Orvieto on 8 January 1284, to Adam's appeal by ordering the subprior of Durham to investigate Adam's claims against Robert's executors, Durham Dean and Chapter Archives, 4, 2, Pap. 4 (*Durham Seals* no. 3680a).

thus respectably, and expensively, begun could then be encouraged into habit by the obvious availability of the moneylenders and the felt need of the borrowers. The clerks and monks of Bari fell as helplessly as the monks of Canterbury into the hands of curial merchant bankers. The increased borrowing, however, seems to have been accompanied by a sensation of nervous agitation on both sides. The lender was anxious to lend as much, but only as much, as could be, with its natural growth, recovered. The borrower was anxious to survive, but not to make future survival impossible. Bitterley felt that he must pretend to have more money than he had, and Bremble less—or so they pretended. The documents of Bobo di Giovanni di Bobo, a Roman merchant involved with San Nicola Bari, show a curious vacillation dictated, no doubt, by his difficulty in deciding whether to satisfy the desire for recovery or the desire for further profitable delay.[147] Bobo's difficulty was in defining his palate, unless, of course, his vacillation was meant to frighten San Nicola to higher pledges.

The involvement of Bitterley with the great curial figure Berard of Naples and a disingenuous tone in Bitterley's letters to his employers provoke the suspicion that his demands for money for curial figures may not have been completely disinterested; but there is nothing to hint that Berard was not the dominant figure in the intrigue with Bitterley, if there was intrigue. This is not true of the most notorious of late thirteenth-century English curial proctors, Adam of Fileby.

A considerable amount of information about Adam's negotiations survives from various English sees, Durham, Worcester, and Hereford. Fileby was deeply involved in Cantilupe's affairs and he knew Cantilupe's vocabulary. (It is unfortunate that his opinions about Cantilupe's sanctity are irrecoverable; they might prove hagiographically scintillating.)[148] There is nothing to suggest that Fileby himself was

[147] *C.d.b.*, VI: "Le Pergamene di S. Nicola Bari (1195-1266)," ed. Francesco Nitti di Vito, 87-108, nos. 56-71; for Bobo, see Jordan, *De mercatoribus*, 9-10 (Bobo is Jordan's first—1232—papal banker).

[148] *Cantilupo*, 244: one would know a great deal if one could be at all sure what Fileby thought as he wrote this letter, what frame of mind it reflected, what tone it was meant to strike. For a murder-

anything but a tough, wary, and very sophisticated professional, a really Italianate, or curialized, Englishman, more at home in the Roman stew than in his English archdeaconries. He seems completely to have outgrown the disadvantages of his rustic birth (although through Cantilupe's narrowly aristocratic eyes Adam may always have been seen as somehow still a local and simple clerk engaged with his brother in taking western business to the curia).[149]

A letter to Fileby, oddly preserved in Giffard's register, is worth constant reconsideration. It was written by Adam's clerk, John of Postwick (Postwick was a Fileby living), probably in 1286. It suggests Fileby's position in the curia in an unusually pictorial way.[150] Postwick had met Berard of Naples as Berard came from papal audience. Berard had succeeded in gaining Honorius IV's favor for some of Fileby's Worcester business but not for some of his Ely business. Berard was pleased with himself. He insisted, immediately, right at the papal palace, that Postwick rush off to Fileby's house and tell him the good news, because, of course, he thought Fileby was still at the curia. This happened on Friday. Postwick was forced to tell Berard that on Monday evening Fileby's messenger had arrived from England with let-

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ous attack by Fileby's servants, in Essex in 1285 and, in general for Fileby, see Emden, *Biographical Register of the University of Oxford*, II, 683-684; see also, for example: *Cantilupo*, lxix, 13-14, 112-113, 136-138, 140, 168, 187, 209-210, 234-235, 253-254, 273-276; *G. Giffard*, II, 258, 274, 275, 292; *Swinfield*, 99, 113-115, 152-153; *The Registers of Walter Bronescombe and Peter Quivil*, ed. F. C. Hingeston-Randolph (London, 1889), 366; Harvey, ed., *Documents*, 9n., 50. For the continuing problem of Fileby's will see: Douie, *Pecham*, 223; *Winchelsey*, 1148-1153 (a perplexity of disputed property, composed, in fact, of debt and credit as well as current holdings).

[149] Durham Dean and Chapter Archives, Loc. XIV.4.b, dorse of document, from 1282: "Magistro Ade de Fyluby per fratrem suum, R. de eadem" (see Brentano, *York Metropolitan Jurisdiction*, 239-248); for Robert of Fileby: *Swinfield*, 263-266; *Rotuli Ricardi Gravesend, diocesis Lincolniensis*, ed. F. N. Davis, C. W. Foster, and A. Hamilton Thompson, Canterbury and York Society and Lincoln Record Society (Oxford, 1925) [hereafter *Gravesend*], 120.

[150] Worcester, Saint Helen's, Register of Bishop Giffard, fo. 256; *G. Giffard*, II, 291-292.

ters and with things to say, and that Fileby, having heard the state of his affairs in England, left Rome for England at dawn on Tuesday. When he heard this Berard was very sad. He told Postwick to find out what he could about the church of Cleeve. Postwick asked and found out from Master R. de Langeford that Cleeve looked for collation to the bishop of Worcester, was vacant through Walter Scammel's elevation to the see of Salisbury, and had cure of souls. But Berard would not admit Postwick to his presence to hear the things he had found out, nor would he receive them in writing. Postwick asked a Florentine merchant at the curia, and one much involved with English affairs, if Adam had ever said anything to him about this business, and the merchant replied not a word and that he did not want to have anything to do with Berard about it.

Berard, Adam, Postwick, Langeford, the Florentine are a little tangle of people playing a curial game too hidden and too intricate to disentangle. One can only guess at their specific relations with each other. But for once Berard does not seem the most sophisticated and sought-after figure in the late thirteenth-century church, not clearly so at any rate. And at least one Englishman, Fileby, does not in this and other letters seem in a position to have seen himself in the characteristic pose that the English relished, as if at the curia they were visiting angels without a Lot to protect them.

Pietro of Assisi, as the Cistercian proctor at Rome, found his complement in the Cistercian cardinal, John of Toledo. John of Toledo was also the "English cardinal," the successor of Stephen Langton, Robert Curzon, and Robert Somercote, the predecessor of Hugh of Evesham and Robert Kilwardby.[151] Although John was more apparently Cistercian

[151] Langton, cardinal priest of San Crisogono (1206-1207) (see below, Chapter III); Curzon, cardinal priest of Santo Stefano in Monte Celio (1216-1219); Somercote, cardinal deacon of Sant'Eustachio (1239-1241) see also Sayers, "Canterbury Proctors," 324-326; Toledo, cardinal priest of San Lorenzo in Lucina (1244-1262) and cardinal bishop of Porto (1262-1275); Kilwardby, cardinal bishop of Porto (April 1278-September 1279); for a convenient guide to the cardinalate see Conrad Eubel, *Hierarchia catholica medii aevi*, I (Münster, 1913), 3-13. Gregorovius, particularly on the basis of a letter in Rymer, emphasizes John of Toledo's expensive part in getting Richard of Cornwall elected

than English, he seems at least occasionally to have taken a specific interest in English affairs, as he did in the canonization of Edmund of Canterbury.[152] In the later thirteenth century cardinals continued to represent interests other than national ones and particularly to represent the interests of religious orders; but they were thought of, both in England and Italy, as being national and representatives of national interests.[153]

Roman senator and in forming the English connection with the Roman Guelfs: Ferdinand Gregorovius, *History of the City of Rome in the Middle Ages*, tr. Annie Hamilton, v.ii (London, 1906), 344, 346 n. 2; see too Friedrich Bock, "Le Trattative per la senatoria di Roma e Carlo d'Angiò," *Archivio della società romana di storia patria*, LXXVIII (1955), 69-105, 78, for the Anglophile party.

[152] Matthew Paris, *Chronica Majora*: IV, 354, 578-579; V, 306. C. H. Lawrence, *St. Edmund of Abingdon* (Oxford, 1960), 15, 17-18, 46, 322, 324; Hermann von Grauert, "Meister Johann von Toled," *Sitzungsberichte der philosophisch-philologischen und der historischen Klasse der k. b. Akademie der Wissenschaften zu München* (1901) I, 111-325, 116 (length of time at curia), 117 and n. 1 (Cistercian activities); and see below, Chapter IV.

[153] A clear example of this occurs in a Camaldoli register now in Florence (Florence, Archivio di stato, conventi soppressi, Camaldoli, Regist. general., vol. 20 for 1283 to 1288, fo. 21v). In part of the register written, as he says (fo. 28), by the monk Alberto Vangaio as scriptor for the prior Gerardo, there is a list of the cardinals then, 1285, existing in the Roman church. The list, in which later deaths were noted into 1287, is divided into the three ranks of cardinal bishops, priests, and deacons, with occasional notes like "nunc legatus in Lombardia" and "nunc legatus in Apulia" for the cardinal bishops of Porto and Sabina. The nationality of each cardinal is noted. Eleven are called Italian; four, French; one, Provençal; one, Spanish; and one, Hugh, English. Awareness of nationality was probably sharpened by change in the nation that held the college majority (as well as the sort of nation it was) after the move to Avignon, when, for extreme example, Philip VI found sixteen out of nineteen an insufficient number of French cardinals (Norman P. Zacour, *Talleyrand: The Cardinal of Perigord (1301-1364)*, Transactions of the American Philosophical Society, 50:7 [Philadelphia, 1960], 10); and see above, note 39, for the *Vita Edwardi Secundi*'s comparison of Italian with non-Italian. The approaching Hundred Years' War found papacy and college in the hands of a partisan nation organized to use its patronage to national advantage; but in the later thirteenth century, the nationality of cardinals was already clearly noticeable and it was considered poten-

Hugh of Evesham, cardinal priest of San Lorenzo in Lucina from 1281 to 1287, is the one thirteenth-century English cardinal for whom this national connection is overwhelmingly apparent. This is true perhaps because of the length of his cardinalate (as opposed to Kilwardby's), perhaps because of the survival of a number of contemporary English episcopal registers, perhaps partly because people thought increasingly in national terms (and because in Hugh attention is not distracted by flamboyant intellectual or spiritual qualities). As John of Toledo complemented Peter of Assisi for the Cistercians, Hugh complemented Adam of Fileby and his colleagues in the representation of England at Rome. In doing so he was not, as John had been and Robert Kilwardby was to be, bishop of an Italian diocese, but he was prelate of an Italian place officially connected not only with the central government of the universal church but also with its most distinguished see.

Just before his elevation, Hugh himself, had, with the clerk Stephen of Patrington, been a proctor at the curia for Archbishop Wickwane of York. Wickwane sent Hugh to Rome accompanied by a shower of letters, asking for him the protection of cardinals and calling him "our canon of York" and "precordialem et predilectum clericum nostrum."[154] Wickwane's description, in isolation, is misleading. Hugh had been a king's clerk in 1272, and in 1275 he had been noted as long in the service of the king and his mother.[155]

Hugh's household, once he had become cardinal, was a center of political activity. His position seems sometimes almost an excuse for the existence of an office through which the king of England could hold diplomatic commerce with Medi-

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tially valuable to the cardinals' co-nationals, a point that is made abundantly clear in the repeated references to Hugh, "the English cardinal," in English episcopal records (for particular examples see *Cantilupo*, 273-275; *G. Giffard*, II, 292—Register of Giffard, fo. 256v).

[154] *Wickwane*, 183-184.

[155] There are helpful short biographies of Hugh: Josiah Cox Russell, *Dictionary of Writers of Thirteenth-century England* (being Special Supplement no. 3 of the *Bulletin of the Institute of Historical Research*) (London, 1936), 49-51; Emden, *Biographical Register of the University of Oxford*, I, 656; there is also a biography by Charles Trice Martin in the *Dictionary of National Biography*.

terranean kings without inventing an anachronistic diplomatic service, an office in which a man like Stefano da San Giorgio could work without provoking to tiring new definition the contemporary bureaucratic mind.[156] Certainly Hugh's circle was one of those places in which at least two of those distinct but interwoven webs that joined the western world met in a single node—the chivalric-establishment web of Edward I's and Charles of Salerno's world, the clerical web of Durham and Bari.

Hugh of Evesham, although variously competent and variously employed, was famous for his skill as a physician. Hugh's name has been particularly connected with cures of the fever, and it has been believed that he was brought to, or kept in, Rome to rid it of malaria. It is likely that he was made cardinal so that Martin IV might keep him close to the curia to attend his health.[157] Hugh was not the only thirteenth-century cleric to rise to high ecclesiastical office because of his medical skill.[158] It seems now a peculiar approach to the sacred college, but it was at least innocuous, and not all approaches to the college need be innocuous:

> Tales regunt Petri navem
> Tales habent Petri clavem.[159]

Robert Grosseteste had, as he dies in Matthew Paris, called to his deathbed the Dominican physician John of Saint Giles,

[156] See Ernst H. Kantorowicz, "The Prologue to *Fleta* and the School of Petrus de Vinea," *Speculum*, XXXII (1957), 231-249, particularly 237-239 and notes, and see also Paris, Bibliothèque Nationale, cod. lat. 8567, with which Professor Kantorowicz has worked intricately and of which he had promised a partial edition; see particularly Kantorowicz's n. 25 on p. 238, where earlier descriptions of the MS are cited.

[157] Russell (*Dictionary*, 49) lists the known, or reputed, titles of Hugh's medical works.

[158] Nicholas Farnham, bishop of Durham, for example. For a recent and more general view of Farnham's attainments, see J. R. L. Highfield, *The Early Rolls of Merton College Oxford*, Oxford Historical Society (Oxford, 1964), 15-18, and Matthew Paris, *Chronica Majora*, IV, 86.

[159] Wright, *Latin Poems*, "The Ruins of Rome," 217-222, 220, vv. 103-104; *Moralisch-Satirische Gedichte Walters von Chatillon*, ed. Karl Strecker (Heidelberg, 1929), 26: poem 2, lines 109-110.

who was also a learned theologian and a preacher he much admired, that he might be consoled by him at once both in body and mind.[160] But no evidence appears that Englishmen applied this happy cliché to Hugh of Evesham's ministrations. Hugh, as cardinal, occasionally sent back to English prelates advice which might suggest that he thought himself qualified to cool the fevers of the spirit. He suggested that Archbishop Pecham treat with the party of Canterbury monks opposed to his support of Prior Ringmere.[161] But the effect of the persuasions of this—one really must admit in the end—surprisingly chosen cardinal, plucked from a church that had a good many more obviously, ecclesiastically, endowed candidates, can hardly have been cooling.

In fact Hugh seems to have maintained his office of connecting the English church with the church of Rome in remarkable inertia. He was, however, taken very seriously by English prelates and their Roman proctors. This is clearly shown by the letters written to him from England and by the money given to him in Rome.[162] He was occasionally active, as in his speaking to the pope in favor of the affairs of the bishop of Worcester. But as one watches Hugh he seems an immobile idol—the wax figure of Herodian's Septimius, the funeral effigy of a late medieval king—sitting in his palazzo and receiving his thirty-mark gifts, given out of an almost superstitious fear in the givers that if gifts were withheld actions would fail.

From this ecclesiastical stillness there comes a surprising movement. Among the material that survives from Hugh's college of chaplains, in a manuscript which includes in a little collection of identified aphorisms Ecclesiastes's "There is nothing new under the sun," Stefano da San Giorgio, Hugh's chamberlain, preaches a sermon on Christ's nativity to his co-chaplains.[163] Stefano preached the mystery of the incarnation

[160] Matthew Paris, *Chronica Majora*, v, 400; for John, see William A. Hinnebusch, *The Early English Friar Preachers*, Istituto Storico Domenicano (Rome, 1951), 358-360, 263, 317.

[161] Douie, *Pecham*, 182.

[162] *Wickwane*, 199-203.

[163] Paris, Bibl. Nat., cod. lat., fos. 17v-18v (for Ecclesiastes, fo. 32v); and see above, note 156.

as a mystery of love. He evoked the living Christ, the loving virgin mother, and made the cluster of clerks by the Via Lata see the choir of angels over Bethlehem. It is hard to think of Hugh's clerks concerning themselves with the nativity except as a convenience in dating. Their sitting, in natural positions, listening to its wonder, unsettles a fixed vision of the Palazzo Fiano. Hugh of Evesham's own insecure corpus includes a sermon;[164] and one feels that in his century, in the evidence or in fact, any figure or office may turn completely—it is after all the century of Francis of Assisi, the century in which Celestine V was carted into the papacy like a Merovingian king blessing.

Hugh of Evesham is last seen preparing for the unloosening of the frail bonds of his mortal complexity, planning the dispersal of the accumulations of his lifetime in the provisions of his will.[165] Money is to go back to those English places from which it has been drained. The pastor who did not feed sheep spiritually plans to send them bread. Hugh, the medical doctor, is an ironically physical fisher of fish. He is also a man who in the shadow autobiography of his bequests points, in a medium shaped by convention, to the places and things to which he was attached, by love or guilt or memory, through accident of life, the taste of his times, or his hope of heaven.

Hugh left money for his sister Muriel and for his nephew Henry, money for the fabric of Saint Peter's York and Saint Peter's Rome and for Saint John Lateran, for ornaments for his titular church, San Lorenzo in Lucina, where he was in fact to be buried, and quite a lot of money (twenty pounds sterling) for buying a cope to be worn in the choir of Saint Peter's York. He left money for the fabric of eight bridges, particularly in the York and Worcester-Evesham areas, in a century when death by accidental drowning filled English

[164] Russell, *Dictionary*, 49: Oxford, Bodl. Lib., MS Bodl. 50, fo. 299v: "Sic currite ut comprehendates [sic]"; it is identified in the manuscript as "per magistrum Hugonem de Evesham."

[165] Worcester, Saint Helen's, Register of Bishop Giffard, fos. 345v-347. Hugh's relations with the legatees are not always clearly expressed in the will. John de Ullinton to whom he left twenty marks is elsewhere identified as a kinsman: *G. Giffard*, II, 406. For an interesting comparison, see Merton's will in Highfield, 31, 49-50.

court rolls. He left money to servants including whatever boy should be serving him when he died, money and the marriage of the young heir to the lady of the manor of Clopton, money to the recluses of Rome, the anchoress of Preston in Amounderness, and, half as much, to an anchoress in the parish of Howden, money to every house of lepers in Yorkshire, money for masses and funeral celebrations and the distribution of bread and future obits for himself at Saint Peter's York.[166] He left money for a passage to the Holy Land for the soul of Simon of Evesham, once archdeacon of Richmond and before that precentor of York and then archdeacon of the East Riding (and a debt to Simon's executor further points up Hugh's closeness to him).[167] Hugh provided dowers for poor girls in his English parishes of Hemingbrough, Goxhill, Spofforth, and Bugthorpe, and money for the parish paupers, and money for distributions to the poor of Hemingbrough (a parish that had paid Hugh particularly well and that in each case got more than the other parishes),[168] Goxhill, Benefield, Welton, Claverdon, and Acton.

A group of Hugh's bequests centered around the two universities of Oxford and Paris: money (forty pounds sterling) for poor scholars in arts and theology at Oxford; money for Franciscans and Dominicans at Oxford, less (ten marks as opposed to ten pounds) for the Franciscans against whom he had sided in their 1269 poverty debate with the Oxford Dominicans;[169] considerably less (forty shillings each) for the

[166] Choir cope: *ad emendum capam chori*—so just possibly fabric repair in choir; recluses: *reclusis*—but in context I do not think that this means Claresses.

[167] For Simon, see *York Minster Fasti*, ed. Charles Travis Clay, Yorkshire Archaeological Society Record Series, CXXIII, CXXIV (1958, 1959): I, 14, 42, 48; II, 82.

[168] For Hemingbrough, see Record Commission, *Taxatio ecclesiastica auctoritate P. Nicholai IV c. 1291* (London, 1802), 302, 336; for Bugthorpe, *York Minster Fasti*, II, 15.

[169] A. G. Little, *The Grey Friars in Oxford*, Oxford Historical Society (Oxford, 1892), 331, 333-334; the problems of the Franciscans and their money in the later thirteenth century always seem both tragic and ironic, and there is certainly something ironic in Hugh's leaving less money to the other side in the poverty dispute. For a lucid and complete account of the problems of Franciscan poverty in the thir-

Oxford Augustinian friars, the Carmelites, and the Hospital of Saint John by the Pettypont (Magdalen Bridge);[170] the same amount (forty shillings) for the nuns of Godstow, their pittances, and the nuns of Littlemore, and six marks for the nuns of Studley; more (100 shillings) for the Augustinian canons of Saint Frideswide;[171] money (forty marks to be divided evenly) for the Franciscans and Dominicans studying at Paris, and (forty pounds) for English students at Paris in arts, philosophy, and theology. Hugh made a number of other bequests to various congregations of friars: to the Franciscans, Dominicans, and Augustinians of Rome; to the Franciscans, Dominicans, and Carmelites of York; the Franciscans and Dominicans of Beverley; the Franciscans of Grimsby and Worcester (a particularly heavy gift); and to the Franciscans, Dominicans, and Augustinians of the place in which he should die. The Franciscan and Dominican bequests are always larger than the others, except in the case of Rome where the Augustinian friars were left the largest bequest to an order, but one not so large as that to Hugh's own church, San Lorenzo.

Hugh mentioned four of his books in this will: his postills over the whole Bible to go to the scholars of Oxford;[172] his great Bible to the prior and convent of Durham; his "pentalogue" in two volumes to the prior and convent of Bridlington; and his little, use of Beverley, missal to the nuns of Nunburnholme, along with their twenty shillings. Hugh also left ten marks for carrying the books to London. Hugh named

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teenth century, see M. D. Lambert, *Franciscan Poverty* (London, 1961).

[170] See H. E. Salter, *Medieval Oxford*, Oxford Historical Society (Oxford, 1936), 29, and for places connected with other bequests, *passim*.

[171] The will gives a nice sense of the contrast between the newer, freer orders of men and the old, relatively enclosed houses.

[172] For postills see Beryl Smalley, *The Study of the Bible in the Middle Ages* (Oxford, 1952), 270-271; see Richard Mather, "The Codicil of Cardinal Comes of Casate and the Libraries of Thirteenth-century Cardinals," *Traditio*, xx (1964), 319-350; in general, see Michael M. Sheehan, *The Will in Medieval England*, Pontifical Institute of Mediaeval Studies, Studies and Texts, 6 (Toronto, 1963), particularly 258-265.

three sets of executors: York dignitaries for the archbishopric; west country clerics for the diocese of Worcester; cardinals and Stefano da San Giorgio for the curia and Italy.

On 15 November 1286 Hugh's will was witnessed and sealed by several members of the British, or insular, colony in Rome: Richard (Corre), bishop of Lismore in the province of Cashel; Ralph, archdeacon of Wiltshire; Ralph de Bosco, papal chaplain and canon of Dunkeld; William Brun, earlier a proctor at Rome and here described as Hugh's chaplain. On 18 August 1287, after Hugh's death, and during a papal vacancy, his will was proved in Rome by four of his cardinal colleagues.[173] The will stretches between the two churches, of Italy and of England, dividing its commonplaces and enthusiasms as well as its money between them. It plots the dissolution of a lifetime's accumulation of wealth, and particularly wealth from livings, churches, successfully sought. It plans the return to earth of a man and scholar who had realized very high ambitions but also surely (a man with the map of Oxford in his mind) spiritual disappointment. The will divides the achieved ambition, into body and soul, and into money, bread, and books, for Rome, York, Worcester and the vale of Evesham, for Oxford and Paris, for the places of Hugh's life and livings, for bridges and lepers, and brides' dowers, for anchoresses and nunneries and very noticeably for friars, for great churches, for prayers.

The official English church in Italy was that of Hugh of Evesham, Adam of Fileby, John of Bitterley, and their colleagues. But there were of course other clerics there. Prelates went to their confirmations and to get their palliums; they came to Rome for Innocent III's great council at the Lateran.[174] Pilgrims still sought the holy places. William of Derby, a monk of Saint Mary's York, who had been to southern Europe before, to Lyons in 1274, who had been prior of Saint Bee's and his own house (not because of his goodness

[173] Worcester, Saint Helen's, Register of Bishop Giffard, fos. 345v and 347.

[174] For this council, which is extremely important to the whole matter of this book, see C. J. Hefele and H. Leclercq, *Histoire des conciles* (Paris, 1907-1921) [hereafter Hefele-Leclercq], v:2, 1316-1398.

but because of his 100 marks), and who, though he had been a builder, had been recently deposed, came to Rome with great numbers of pious tourists in 1300.[175] He traveled in a little company of important Benedictine pilgrims, a brother of his own house and two other priors. William of Derby went to see the Veronica.[176] He pressed forward in a great crowd of people to see the relic. His leg was crushed. He died and was buried at the curia.

Students came to Italy too. Bologna and Padua were equipped to receive foreigners. Bologna's law was the law of the church. By 1265 "England" was one of the fourteen Ultramontane nations.[177] John of Pontoise, of the English nation, and at law a successful Bolognese, was asked by Modena to come and teach law there.[178] A thirteenth-century Durham formulary includes among its types a letter from a student at Bologna to the prior of Durham asking the prior to take care of the student's proctor and goods for the three years of the student's absence, that he might study in greater tranquility at the schools of Bologna.[179] Ambitious young lawyers from the provinces went, if they could, to Bologna. The legal commonplace with its ancient Italic background attracted and moved out into the whole church, much as did the Gothic pattern of commonplace and learned belief, that informed all the provincial patterns, from Paris and the lesser theological schools. Bologna was probably less potent than Paris, but its pattern was not, on the whole, less international. Although the law it taught came particularly from Italian sources, it was not taught in terms of peculiarly Italian church and society.

[175] *The Chronicle of St. Mary's Abbey, York*, ed. H.H.E. Craster and M. E. Thornton, Surtees Society (Durham, 1934), 31, 132, 24 (Saint Bee's), 28-29 (buying and building), 30 (deposition).

[176] *Ibid.*, 31; and for the Veronica, see Brieger, *English Art, 1216-1307*, 137 n. 1.

[177] Rashdall, *The Universities*, ed. Powicke and Emden, 1, 182 and n. 4 (and in general, for Bologna, 1, 87-268, for Padua, 11, 9-21).

[178] *The Register of Walter Giffard, Lord Archbishop of York*, ed. William Brown, Surtees Society (Durham, 1904) [hereafter *W. Giffard*], 246.

[179] *Durham Annals and Documents of the Thirteenth Century*, ed. Frank Barlow, Surtees Society (Durham, 1945), 150.

English relics, the church's vitals, rested in Italy. At the splendid consecration of Santa Maria del Fiume at Ceccano in 1196, among the relics planted in the new church were, with a stone of Saint Stephen's stoning, part of the clothing of Thomas Becket; by 1197 in Bari a church beyond the walls by the spring well had been dedicated to Thomas of Canterbury.[180] Thomas was a saint to dedicate to in Italy. His cult was prominent in and near Anagni (see Fig. 3 in illustration section). The bishop of Catania, in 1179, gave permission for a mosque to be made into a church and dedicated to him. Thomas was put into mosaic in Monreale. His feast was (and is) painted into the calendar on the wall of the oratory of San Silvestro at the Quattro Coronati in Rome, and it was added to the ancient calendar of Città di Castello.[181] Among various connections, that between Santo Spirito in Sassia and England was still pressed.[182] Henry III and the legate Guala enriched Sant'Andrea in Vercelli with English money and perhaps English ideas and an English dedication.[183] In Vercelli Roger Norreys,

[180] "Annales Ceccanenses," ed. G. H. Pertz, *Monumenta Germaniae Historica, Scriptores* [hereafter *M.G.H., SS.*] XIX (Hanover, 1866), 275-302, 292-294 (293); *C.d.b.*, VI, 14-15 no. 6.

[181] R. Ambrosi de Magistris, *Storia di Anagni* (Anagni, 1889), II, Bk. III, 144-147, and docs. nos. 91-92 (146-148); Lynn T. White, *Latin Monasticism in Norman Sicily* (Cambridge, Mass., 1938), 115; Evelyn Jamison, "Alliance of England and Sicily in the Second Half of the Twelfth Century," *Journal of the Warburg and Courtauld Institutes*, VI (1943), 20-32; Giovanni Muzi, *Memorie ecclesiastiche e civili di Città di Castello* (Città di Castello, 1842-1844), III, 179. See R. Davidsohn, *Storia di Firenze*, I (Florence, 1956), 1055-1056, by 1188 an altar in San Donato outside the city and perhaps even earlier at Santa Reparata; and see too W. and E. Paatz, *Die Kirchen von Florenz* (Frankfurt am Main, 1941-1955), V, 241, and the church dedicated to Saint Thomas at Porto San Giorgio, which Professor Jean Wilson pointed out to me.

[182] See *W. Giffard*, 151-152; for Santo Spirito see Ottorino Montenovesi, "L'Archiospedale di S. Spirito in Roma," *Archivio della società romana di storia patria*, NS V (1939), 177-229.

[183] Vittorio Mandelli, *Il Commune di Vercelli nel medio evo* (Vercelli, 1857-1861), III, 127-130; Guido Marangoni, "Il Sant'Andrea di Vercelli, intorno alle asserite sue origini Inglesi," *Rassegna d'Arte*, IX (1909), 122-126.

going home further to ravish Evesham, found the literate, teaching Evesham monk, Adam Sortes.[184]

Italy was a path to the crusade as well as the curia. Great Englishmen clerical and lay paraded through the peninsula. Richard of Cornwall watched Frederick II's eastern dancers and, in Cremona, an elephant. Richard's son Henry stopped for his death in a church in Viterbo. The Lord Edward, on his way home Edward I, passed in and out of Trapani.[185] The splendid cope of English work (recently bandited and returned) that Nicholas IV gave to Ascoli Piceno physically recalls the manifold Anglo-Italian connection of the thirteenth century—the crusade, the wool trade, the cousinage of kings. But for the official church the important connection was the curia, where, in Priscian's pattern, the ablative ruled over the dative.[186]

When in Matthew Paris, William, cardinal bishop of Sabina, in 1251 dreamed his death dream, he dreamed that he went into a terribly crowded place, like a general council, and there was no place for him to sit, until his recently dead friend, the Cardinal Otto, came and led him to a seat that he had saved for him.[187] The world of thirteenth-century prelates and proctors was, like William's dream and Henry's poem, a small, crowded place in which everyone was jostled and looked for his seat, rather than, or at least as well as, empty green fields over which tinkling church bells called to each other. And, although there was constant fear in England that the Italians were marauding the green fields, it was in the

[184] Macray, *Chronicon Abbatiae de Evesham*, 147.

[185] Matthew Paris, *Chronica Majora*, IV, 147, 164; Powicke, *Henry III*, II, 609-610, 599-600; Ernst H. Kantorowicz, *Frederick the Second* (London, 1931), 323; M. Setton, R. L. Wolff, H. W. Hazard, *History of the Crusades*, II (Philadelphia, 1962), 517.

[186] A joke English proctors repeated to decorate a discussion of greed points up the obliquity of the Italo-English connection: Stubbs, *Epistolae Cantuarienses*, 230. See too Walter of Chatillon, Strecker, III: poem 10, stanza 4.

[187] Matthew Paris, *Chronica Majora*, V, 230. For the crushing crowd of an actual Council see Stephan Kuttner and Antonio García y García, "A New Eyewitness Account of the Fourth Lateran Council," *Traditio*, XX (1964), 115-178, 130-131.

crowded little place, the stage of the curia, that, essentially, the two churches met.

It was a stage in which, by the second half of the century, proctor actors sat with exchangeable masks marked "Durham," "Westminster," "Fiastra," "King of England," ready to meet other actors labeled "York," "Worcester," or "Spoleto," or merely to beg a privilege. (And the actors were tied to directing provincials by those traveling, letter-bearing boys, nuncios, brothers.) At the center of the stage sat the pope, brilliantly unmasked and personal like Innocent III facing Marlborough, early in the century, or screened and hidden by cardinals and officials like the two Berards, as, in the late century, Honorius IV was from Adam of Fileby's clerk. And the change from Innocent to Honorius was not just accidental or personal; the swelling bureaucracy of the thirteenth century muffled the pope's will and person.

The sense of this scene's stage is best recaptured in the piazza of duomo and palazzo of one of the smaller curial towns, like Orvieto. If one can imagine away the pretty elegance of the duomo's façade and imagine back the almost interminable building process, it is possible to see there the physically displaced bishop, the agitated merchants swooning with profit and fatigue, the crowded, cosmopolitan, courtier-making court, its swarming followers thronging like the peripheral moth-figures in a Guardi audience.

The combined existence of this stage-court and of the outstretched tentacles of Rome meant that the English church and the Italian church, in connection with the curia, could not be, and cannot be, considered two untouching things lying disparate and unconnected on their distant shores. They were intricately involved with each other and aware of each other. But their involvement, so unrelentingly monetary and dominated by cliché, did not generally suggest the almost unconscious exchange and interpenetration of institutions that it might have, had their tithe-fields marched, had they met in some border Savoy. Only occasionally can specifically English and Italian ecclesiastical institutions have met at all seriously even in a thirteenth-century mind—perhaps when Hostiensis glossed the problem of whether or not the archdeacon had a

territorium,[188] or when Hadrian V looked ahead to what he thought would be the problems of his papacy.

[188] Henricus de Segusio, *Commentaria* (Venice, 1581), e.g. vol. I, fo. 126v (to c. 7, X,i,23, a.v. *terminari*). Perhaps I underestimate the awareness in readers of the "national" origins of foreign writers; cf. the list (485-489) in Auguste Pelzer, "Prosper de Reggio Emilia des Ermites de Saint-Augustin" (468-507), in his *Études d'histoire littéraire sur la scolastique médiévale*, Philosophes Médiévaux, VIII (Louvain, Paris, 1964).