

## Cambuskenneth Abbey and Its Estate: Lands, Resources and Rights

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Of the monasteries of the various continental religious orders founded by King David I (1124-53), Cambuskenneth Abbey is one of the least well known and least well understood. Some reasons for this relative obscurity are obvious: beyond the magnificent thirteenth-century bell-tower which survives to its full height, the abbey lacks the impressive architectural remains such as draw visitors to Jedburgh or Melrose and which stimulate interest amongst scholars of architectural history. There is only so much enthusiasm that can be generated by a series of low walls and foundations. One consequence of this absence of popular interest, however, has been an associated lack of modern scholarly interest in the abbey and its history. A further deterrent to research may lie in the rather dismissive treatment given to the abbey's documentary record. Although the form in which the bulk of those records survives – a 1535 copy of the original texts gathered into a single register, each authenticated by the Clerk Register and the whole volume confirmed by the great seal of King James V<sup>1</sup> – is widely recognised as a unique document and of great interest for the light which it sheds on early renaissance legal practice in Scotland, its contents have been labelled as 'a little disappointing'.<sup>2</sup> Admittedly, when compared with the contents of some cartularies – such as those of Arbroath, Dunfermline, Kelso, Melrose or Paisley – there is at first sight little material that illustrates Cambuskenneth's place in national or regional history, or on its place in the society and economy of central Scotland. Superficial appearances, however, are deceptive and, as this overview essay will seek to show, there is much information embedded in the surviving records that illuminates the economic development of Stirling and the Carse of Forth district from the twelfth to sixteenth centuries. Rather than offering a general history of the abbey, this present study will explore the development of its estate from Cambuskenneth's foundation in the 1140s through to its conversion into a secular lordship for the Earl of Mar in 1604.

Modern perceptions of the composition of medieval monastic estates are influenced heavily by the approaches to property management developed by the monks of the Cistercian order. Initially prohibited by the rules of the order from receiving income from sources that had not involved the labour of their own monks and lay-brothers, such as rent from tenanted properties, payments from parish churches that had been granted to monasteries, or derived from tolls or charges for services like milling of grain, the Cistercians had in theory sought self-sufficiency based on the produce of their own estates worked directly and, more importantly, supposedly brought into cultivation by their own labour. The aim was to ensure that the monks were able to maintain a cloistered existence that required minimal contact with the secular world, such large estates effectively ring-fencing the communities from direct dealings with the polluted world outside. This image of Cistercian agriculture has been shown to be largely mythical and stemmed from the order's propaganda produced during a long intellectual conflict with other orders – principally the Cluniacs – and designed to show their deeper spirituality and separation from corrupting, worldly entanglements.<sup>3</sup> Nevertheless, it has maintained a powerful hold in the popular imagination and

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<sup>1</sup> National Library of Scotland, Advocates' Manuscripts, Adv. Ms. 34.1.2.

<sup>2</sup> A A M Duncan, *Scotland: the Making of the Kingdom* (Edinburgh, 1975), 642.

<sup>3</sup> R.Fossier, 'L'économie cistercienne dans les plaines du nord-ouest de l'Europe', *Flaran* 3 (1983), 53-74; C.H.Berman, 'Medieval Agriculture, the Southern French Countryside, and the Early Cistercians. A Study of Forty-three Monasteries', *Transactions of the American Philosophical Society*, 76, pt.5 (1986). For the

'normal' monastic estates have tended to be seen as comprising of great blocks of land given over largely to intensive arable cultivation or, in northern England and Scotland, forming vast upland sheep-runs and cattle-ranches. For the Augustinians, priests who lived a communal existence rather than monks, there was less constraint on worldly contacts and no restriction on the sources of income which they could accept for their support. Orders of monks like the Cistercians considered that this laxity reflected the spiritual inferiority of canons generally but it also made Augustinians popular with patrons as there was a greater range of income sources that could be granted to canons without necessarily eating into the patrons' landed resources. Thus, for example, from the date of foundation of Augustinian monasteries we find them receiving grants of income from mills, of rents from urban and rural properties, and of control of parish churches, as well as awards of large tracts of real property.<sup>4</sup> Cambuskenneth conforms to this kind of mix, the result being a widespread suite of property interests throughout east-central Scotland, mainly to either side of the Forth estuary below Stirling, but with outlying possessions spread from Perthshire to the eastern Borders.

Cambuskenneth's origins lie in a grant of half of the hides and a quarter of the tallow from all 'beasts' slaughtered for the king at Stirling which King David I gave in c.1140 to the canons of the abbey of St Nicholas at Arrouaise (dép. Somme).<sup>5</sup> Although David is well known as a patron of the Tironensian and Cistercian orders of monks, he was 'a connoisseur of the religious orders'<sup>6</sup> and directed his patronage towards orders and institutions that he believed stood at the forefront of the great spiritual reform movement of the early twelfth century. St Nicholas at Arrouaise had acquired a high reputation as a spiritual centre based on its especially strict interpretation of the Rule of St Augustine, the form of observance that had been devised for priests who wished to live in a communal, quasi-monastic fashion. The Arrouaisian 'brand' of Augustinian observance was spreading rapidly in the second quarter of the twelfth century – it was adopted by the canons of Carlisle in the early 1140s and St Malachy of Armagh introduced it to the north of Ireland as part of his reform of Irish monastic life<sup>7</sup> - but although the abbey of St Nicholas sent out colonies of canons to new foundations who continued to look back to their 'mother house' for guidance and support this was not a true order in the Cistercian or Premonstratensian sense: Arrouaise did not organise a chapter-general and enforce disciplinary regularity and conformity with the monastic rule upon its daughters. David's grant to Arrouaise was the act of a deeply devout man who wished to have the spiritual support of a community that was believed to stand in an especially close relationship with God and who wished to demonstrate his practical support for that community; it was not intended to be the basis upon which a new daughter-house would be founded.

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controversy with the Cluniacs, see: <sup>3</sup> D. Knowles, *The Monastic Order in England, 940-1216*, 2<sup>nd</sup> edition (Cambridge, 1963), 224-6; C.V.Graves, 'The economic activities of the Cistercians in Medieval England (1128-1307)', *Analecta sacri ordinis cisterciensis* 13 (1957). For general discussion of the Cistercian-Cluniac controversies, see D. Knowles, *Cistercians and Cluniacs* (Oxford, 1955).

<sup>4</sup> See, for example, the 'foundation' charter of Holyrood Abbey in *Liber Cartarum Sancte Crucis* (Bannatyne Club, 1840), no 1.

<sup>5</sup> *The Charters of David I*, ed G W S Barrow (Woodbridge, 1999), no. 139.

<sup>6</sup> The description is C N L Brooke's: C N L Brooke, 'King David I of Scotland as a Connoisseur of the Religious Orders', first published in *Medievalia Christiana, XIe-XIIIe siècles: homage à Raymonde Foreville*, ed C Viola (Paris, 1989), 320-334, republished in C N L Brooke, *Churches and Churchmen in Medieval Europe* (London, 1999), chapter 9.

<sup>7</sup> G W S Barrow, *The Kingdom of the Scots*, 2<sup>nd</sup> edition (Edinburgh, 2003), 163-4.

How that initial gift to the canons of St Nicholas developed into a full monastic foundation is unknown, but it is likely that David's initial contact with Arrouaise was intended from the outset to open channels of communication through which negotiations for the sending of a colony to Scotland could begin. As patron, David would have needed to demonstrate to Arrouaise that he could make available a suitable site for the new colony to occupy, erect adequate buildings to house them upon their arrival, and provide adequate resources to sustain them as a self-sufficient community. As the surviving evidence for such a process that survives in respect of the Cistercian abbey of Balmerino in north Fife shows, this could be a protracted process that extended over several years.<sup>8</sup> The fruits of those negotiations was abbey of 'St Mary of Stirling', which was fully functioning by 1147. What is regarded as the foundation charter setting out the property endowment which David bestowed upon his new abbey survives amongst the records that were transcribed in the 1535 cartulary, the original being one of the losses to dampness and mildew cited as the reason for the new register's production.<sup>9</sup> Datable to between May and August 1147, it details the basis of the monastic estate in the same terms as a papal bull of Pope Eugenius III (1145-53) dated 30 August 1147.<sup>10</sup>

David's charter provides a clear illustration of the basic suite of resources considered necessary to sustain the monastic community. The first element was the site itself, the lands of Cambuskenneth, which provided the location for the enclosed precinct of the abbey and an expanse of landed property extending north towards the rocky hill that became known as the Abbey Craig that would have constituted a 'home farm' territory. It was on this land that Cambuskenneth developed two demesne farms or 'granges' – properties that supplied their household with basic bulk agricultural produce – represented by the later farms of East and West Grange. In addition to this terrestrial component David granted the canons a fishery in the Forth adjacent to the lands of Cambuskenneth and extending as far down-river as Polmaise, with the right to a single net or trap in the river. This right developed into control of an important salmon fishery on the Forth that provided the canons with a substantial source of income but which also brought them in later years into bitter legal disputes with the burgesses of Stirling (see below). South of the river, he assigned them the lands of Cowie together with the woods on that property, a gift which gave the canons access to a source of fuel-wood and building timber. Further to the east he gave them a substantial block of land at Tullibody (*Dunbodeuin*) extending from the River Devon towards Logie, part of an established agricultural zone on the edges of a large area of carse that was in the process of being broken into cultivation, providing the canons with an opportunity to expand their interest through further reclamation work.<sup>11</sup> A final large block of real property in this initial portfolio was 'the island between Polmaise and Tullibody' – possibly referring to Tullibody Inch – which may have been intended to provide the canons with a source of reeds for thatch and basket-making, or possibly of hay from its water-meadow margins. To round off these components of directly-controlled resources David also granted the canons one saltpan with the land from which to support it. For an estate where there was a substantial component of meat and dairy processing – as is likely to have been the case with the types of property awarded to Cambuskenneth in this initial endowment – as well

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<sup>8</sup> M H Hammond, 'Queen Ermengarde and the Abbey of St Edward, Balmerino', *Cîteaux, Commentarii cistercienses* (2008), t.59 fasc. 1–2, 11–36 at 15-16.

<sup>9</sup> *Registrum Monasterii de Cambuskenneth* (Grampian Club, 1872), 1.

<sup>10</sup> *Ibid*, nos 23, 51; *Charters of David I*, no 159.

<sup>11</sup> R D Oram, 'Estuarine Environments and Resource Exploitation in Eastern Scotland c.1125-c.1400: A Comparative Study of the Forth and Tay Estuaries', in E Thoen and L Vervaert (eds), *Landscapes or Seascapes?* (in press, Turnhout 2012).

as a significant fishery to service, possession of a means of producing the only bulk preservative available in northern Europe was a major economic advantage. Together, these elements formed the core of a respectable landed estate whose resources – cultivated and natural – provided a diverse economic base for the monastic household. Some income from this estate would have been obtained as rents from tenants, in kind probably rather than in cash at this date. Cash, however, was a necessity for the community to obtain on the market commodities that the estate could not deliver, most notably the wine that was a requirement for the mass and for general consumption. To aid them in this regard David assigned the canons 40 shillings from the rents paid to him at Stirling, twenty *cuthroms* of cheese from the same source,<sup>12</sup> and the *cáin* (tribute due to the king) of one ship which came to the port of Stirling to trade. These two awards provide some indication of the commercial health of the burgh across the river and its already established importance as a regional market centre. The final components of his founding endowment comprised a teind of the income derived from the feuing out of the king's demesne properties at Stirling and the right to keep all offerings made by the faithful in the church of St Mary of Cambuskenneth. All told, it was a diverse portfolio which gave the canons possession of the means of providing the basic supplies of bulk staple produce necessary to sustain their community, plus forms of income that enabled them to obtain other necessities that could not be delivered from Scottish sources.

Despite the wide-ranging resource base that the founding endowment offered, the canons probably quickly identified commodities that were deficient or lacking in what they had been given. David, moreover, continued to direct additional gifts towards Cambuskenneth. Possibly the first supplementary gift to be granted by him was Kettlestoun (now in the SE suburbs of Linlithgow), whose name indicates that it was an established farming community.<sup>13</sup> The properties here were developed significantly over time and came to include the mill – from which the canons received income in the form of *multures* (the charge levied on milled grain) – as well as the arable land itself. In the last year of his life, to secure the prayers of the canons for the future welfare of his soul, he added two further substantial gifts. The first was Mobbiscroft across the Forth from the abbey itself, described as lying between the river and the road that descended from Stirling to the ships and extending SE as far as the burn that fell from the king's mill to the river (nowadays the block bounded by Shore Road at the north, the railway line on the west, river to the east, and the bend on Forthside Way which marks the location of the former burn outfall into the river).<sup>14</sup> The same charter also granted them the fishings of Kersie and Tullibody, which meant a controlling interest in the salmon fishery most of the way down the Forth from Cambuskenneth to Alloa, plus easements in the king's wood known as *Keltor* (Tor Wood). This last component significantly expanded the canons' interests into the woods south of Cowie, perhaps offering enhanced access to deadwood for fuel and growing timber for building materials but probably also intended to give access to important wood-pasture opportunities and *pannage* rights for pigs (grazing on acorns in the late autumn for fattening before slaughter). A second charter from this same period brought a diverse mix of gifts, ranging from the church of Clackmannan with forty acres of arable and the associated priest's toft, a teind of the income brought in through fines levied in the king's courts in Stirling, Stirlingshire and *Kalenter* (the district of Callendar around Falkirk), to tofts in the burghs of Stirling

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<sup>12</sup> For *cuthroms* and other measures, see A D C Simpson, 'Scots "Trone" Weight: Preliminary Observations on the Origins of Scotland's Early Market Weights', *Northern Studies*, 29 (1992), 62-81 at 70-72.

<sup>13</sup> *Charters of David I*, no 182; *Cambuskenneth Registrum*, no 170.

<sup>14</sup> *Charters of David I*, no 213; *Cambuskenneth Registrum*, no 190.

and Linlithgow.<sup>15</sup> A third important grant apparently made by David but reference to which survives no earlier than the charter confirming all of the abbey's rights which was issued by his grandson King William between 1166 and 1171, was the quittance of the abbey and its men from payment of tolls anywhere in the kingdom.<sup>16</sup> For a community that had already acquired properties at a distance from its main centre and perhaps already involved in the long-distance shipment of bulk produce, this was a valuable concession that perhaps encouraged greater integration of the abbey into the international trade nexus that was based on the burgh and port of Stirling.

A picture begins to emerge from the various gifts made to Cambuskenneth by the 1160s of a local landscape in the middle of a period of rapid and quite dynamic change. The region's resources were being exploited with a new intensity and rigour and the area of most intensive exploitation was expanding as population levels rose and added to demand for agricultural land. The sense is of these developments occurring in an open landscape but with significant blocks of woodland within it – such as Torwood – which were already managed commodities rather than areas of notionally 'wild' land. The wider landscape supported a mixed agricultural economy with a major pastoral component, possibly mainly for dairying, alongside an expanding arable sector. Hints of this can be seen in reference in the charters to the monastery's rights to a share in local common pasture resources for their livestock; to land in terms of acres (one of the measures used where land was under the plough); and to the existence of mills and mill-streams as boundaries of land, as in the case of the king's mill at Stirling. The grant to Cambuskenneth by King Malcolm IV of his mill at Clackmannan, however, does not mean that the abbey was pursuing development of its arable interests or possessed any significant block of arable land there beyond the forty acres that it had received from his grandfather:<sup>17</sup> this was the gift of the mill as a source of revenue from the multures extracted from the local population who were obliged to go there to have their grain ground for meal or flour, not as a place where the canons would mill their own crop.

From the 1160s the character of the estate began to change, as properties were granted to the canons located further and further from Cambuskenneth. In addition to the tofts which the canons already possessed in Stirling and Linlithgow, they received one in Inverkeithing from Malcolm IV and another in Crail from his mother, Countess Ada, who held that burgh as part of her dower lands.<sup>18</sup> With the Crail property, Countess Ada also bestowed half a ploughgate (approximately 52 acres) of arable land at nearby Pitcorthie, with associated rights of common pasture. This was one of a number of large blocks of arable land that the canons acquired before the end of the twelfth century, all located at a distance from Stirling. These gains included another half carucate or four oxgangs in Fife, received from Walter de Lundin at Balcormo near Lundin Links.<sup>19</sup> More important than the arable here, however, was probably the share in Balcormo's common grazings – located on the ridge of high ground that extends south-westwards from Largo Law – for up to 500 sheep, 20 cows and one yoke of oxen (i.e. an ox team for pulling ploughs or carts). From Saher de Quincy, one of the greatest Anglo-Scottish landholders of the day, they received the whole of his lands of Deuglie (later known as Abbot's Deuglie), of unspecified extent, in the upland district at the eastern end of

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<sup>15</sup> *Charters of David I*, no 214; *Cambuskenneth Registrum*, no 57.

<sup>16</sup> *Cambuskenneth Registrum*, no 52; *Regesta Regum Scottorum*, ii, *The Acts of William*, ed G W S Barrow (Edinburgh, 1971), no 60 [hereafter *RRS*, ii].

<sup>17</sup> *RRS*, ii, no 60.

<sup>18</sup> *RRS*, ii, nos 60, 99.

<sup>19</sup> *Cambuskenneth Registrum*, no 36.

the Ochils between lower Strathearn and the Eden valley.<sup>20</sup> Their interest in this district was also represented by the award of four acres of arable at nearby Forteviot, which King William granted to them along with control of the parish church there, and at the end of the thirteenth century they also received interests at Arngask adjacent to Deuglie which included possession of the mill and the multures due from seven townships in Hugh de Freslay's lordship of Arngask.<sup>21</sup> South of the Forth, the canons were given an interest in Kirkintilloch (which until the mid-fourteenth century lay in Stirlingshire), when Bishop Jocelin of Glasgow's award of control of the parish church was supplemented by a grant of a half-ploughgate there from William son of Thorald.<sup>22</sup> A half carucate came around the same time from Gilbert de Umfraville, lord of Dunipace, which was built up through a series of subsequent grants by other local landholders into over a carucate plus associated grazing rights.<sup>23</sup> The largest single measured acquisition was of one carucate of land (between 104 and 120 acres) at Binny near Uphall in West Lothian, granted to it by William de Lindsay before 1195.<sup>24</sup> Various other small parcels of land of between four and thirteen acres were acquired by c.1200, often in association with parish churches that were being annexed to the abbey, giving the canons a landed estate scattered from the glens of eastern Perthshire in the north east to the lowlands of the Strathkelvin in the south west.

The dispersed nature of these acquisitions beyond the core estate and the smallness of some of the parcels involved may have rendered much of it of limited value to the canons. Some larger blocks were perhaps exploited as remote portions of demesne (land cultivated directly, the produce of which went to support the monastic household), but most was probably leased to tenants from the outset with the canons benefitting from rental income. Some income from remoter properties probably came in kind, chiefly grain but perhaps also dairy produce, skins, hides and processed marine fish. The canons certainly wanted to receive income of mixed types – cash and kind – as illustrated by the renders received from before 1286 from Bothkennar, where King Alexander III had granted them an annual money rent of £8 6d of silver and six chalders of grain (768 gallons or 3491.4 litres dry volume) in part exchange for the teind of the royal demesne at Stirling that they had held since the late 1140s.<sup>25</sup> They continued to receive this grain in kind into the later Middle Ages, in 1363 William More of Abercorn, the then holder of the lands of Bothkennar, instructing his tenants to deliver the produce, which had been increased to seven chalders of 'good winnowed grain', to the abbey's servants at the 'mouth of Carroun'.<sup>26</sup> The abbey possessed no real property there; this was produce being brought to a delivery point for shipment up-river to Cambuskenneth or to a market centre where it could be disposed of for cash. The significance of the arrangements at Bothkennar, however, is what it reveals concerning the movement of produce due to the canons from their portfolio of interests; where there was a means of long-distance carriage for bulky but potentially valuable commodities the abbey chose shipment rather than disposal at source. Outlying

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<sup>20</sup> *RRS*, ii, no 407; *Cambuskenneth Registrum*, no 72.

<sup>21</sup> *RRS*, ii, no 208; *Cambuskenneth Registrum*, nos 5-8, 101.

<sup>22</sup> *Cambuskenneth Registrum*, p 44.

<sup>23</sup> *Cambuskenneth Registrum*, nos 79-82.

<sup>24</sup> *Cambuskenneth Registrum*, no 25. Lindsay's charter does not survive; the grant is recorded only in a bull of confirmation and protection from Pope Celestine III date 13 May 1195.

<sup>25</sup> *Cambuskenneth Registrum*, no 42; *Regesta Regum Scottorum*, v, *The Acts of Robert I*, ed A A M Duncan (Edinburgh, 1988), no 71; *Regesta Regum Scottorum*, vi, *The Acts of David II*, ed B Webster (Edinburgh, 1982), no 84.

<sup>26</sup> *Cambuskenneth Registrum*, no 43.

properties like Pitcorthie in the East Neuk of Fife, therefore, might have been exploited much more rigorously than has been assumed in the past.

Different exploitative approaches were taken to the burgh property amongst Cambuskenneth's possessions, which was dispersed around at least nine Scottish burghs. The grants of tofts in Stirling and Linlithgow by David I were followed before 1200 by tofts in Perth and Ayr, and other land at Inverkeithing from King William, Crail and Haddington from his mother, Countess Ada, and Renfrew from Alan son of Walter (the Steward).<sup>27</sup> Another early grant of burgh property appears to have been made in Berwick, which until the end of the thirteenth century was Scotland's most important burgh and trading port and where most of the major monasteries had a presence either in the form of properties from which rental income was drawn or residences/administrative sites from where their representatives could manage their business interest, chiefly in the wool, hides and grain trade.<sup>28</sup> The early charters recording the Berwick grants have been lost, possibly since there was felt to be no point in retaining them once the burgh had been effectively lost to English control after 1333, but records survive from 1324 of disputes over unpaid rent from the land in Berwick.<sup>29</sup> As such documents reveal, most burgh properties were not intended to be occupied directly by the canons (although there may have been an obligation on the part of the tenants to make provision for the abbot or his officials if they required it) but provided a source of rental income, gave them bases in important market towns and administrative centres where they royal court might gather, and placed specialist tenants whose skills may have been of use in the development of the canons estate under their direct lordship. Significant though the burghs in which it had acquired properties before 1300 were, changes in trade patterns and in the political centres of gravity in the kingdom saw some decline in relevance to the abbey while others gained added importance. By the fifteenth century Cambuskenneth's most valuable individual burgh properties were almost certainly the tenements which it owned in the Canongate of Edinburgh, just outside the Netherbow, and in the Cowgate within the burgh.<sup>30</sup> Collectively, however, it was the portfolio of property interests that it had built up in the burgh of Stirling that yielded the most revenue.

Possession of significant property interests within Stirling and in its immediate hinterland from the time of the abbey's foundation established a close but not always friendly interrelationship between the canons and the burgesses. Rivalry for control of or access to important properties, for example Mobbiscroft, potentially created friction and there is a suggestion in 1230 that the canons were encountering difficulties in extracting payments due to them from the burgh ferme from the provost who collected that rent on behalf of the king.<sup>31</sup> Problems over rents due continued throughout the Middle Ages and two particular cases where the abbey appears to have faced difficulty in securing possession of property where the tenant had died without obvious heirs were brought before the burgh court in June 1481. The first involved a tenement which had been in the hands of John Wilson, described as deceased, located on the west side of St Mary's Vennel. The abbey's legal

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<sup>27</sup> *Cambuskenneth Registrum*, p 44; *RRS*, ii, nos 99, 278, 433.

<sup>28</sup> For detailed discussion of the monastic presence in Scottish burghs and the special importance of Berwick, see W B Stevenson, 'The Monastic Presence: Berwick in the Twelfth and Thirteenth Centuries', in M Lynch, M Spearman and G Stell (eds), *The Scottish Medieval Town* (Edinburgh, 1988), 99-115.

<sup>29</sup> *Cambuskenneth Registrum*, no 39.

<sup>30</sup> *Cambuskenneth Registrum*, nos 94-97

<sup>31</sup> *Cambuskenneth Registrum*, no 208. This document is wrongly attributed to King Alexander III: the witnesses indicate that it was issued by his father, Alexander II.

representatives had visited the tenement to go through the fictional procedure of distraining the tenant for the 5/- annual rent that had been unpaid for several years, but found nothing on the site 'except earth and stones'. The unpaid rent was written off as a bad debt but the property itself was restored to the canons.<sup>32</sup> The second case likewise involved non-payment of the rent due from the tenement of the old school in St Mary's Vennel following the death of the tenant and required the canons to undertake a formal procedure for recovery of the property.<sup>33</sup> Both of these cases involved properties from which the canons drew rental income directly, but it was not always a question of outright ownership: in 1445, for example, it is recorded that annual rents drawn from sixteen burgh properties were assigned to support perpetual chaplains at six altars in the abbey church.<sup>34</sup> In such cases, the rent paid could represent only a share of the total received by the landlord, with several other interested parties also seeking a portion of the income. Arrangements of this kind could and did lead to conflict when rents received from tenants might have been inadequate to cover the various payments assigned from the one property. During the economic recession that Scotland experienced in the late medieval period, where rents fell, such disputes became more frequent.

A further income source developed by the canons from the time of their foundation also led to disputes later in the Middle Ages. Rights concerning parish churches provided monasteries with significant sources of revenue and were gifts that lay lords could make without seriously eroding their landed estates. The trend originated in the Church's efforts in the eleventh and twelfth centuries to free itself from what was regarded as secular interference, one aspect of which was the rights which some lords had of appointing the priest to serve in the parish church(es) within their lordship, referred to as rights of patronage or *advowson*. Lords were encouraged to renounce that right, usually by granting it away to some other religious institution. Control of patronage was well and good but it brought few tangible benefits to the controlling institution. The solution, therefore, was to seek the right to appoint one of their own number to serve in theory as the *parson* or *rector* (parish priest) with a *vicar* (deputy priest) installed to actually serve the cure of souls locally. The revenues which were attached specifically to the office parson were then annexed to the controlling monastery, a process known as appropriation. In many cases in Scotland, the vicarage revenues were also annexed, with the needs of the parishioners being served by what was referred to as a vicar pensioner (who would receive only an assigned stipend from the vicarage income) or an even lowlier curate. This process of appropriation brought a significant source of revenue into the hands of the controlling institutions in the form of the teinds (the annual payment of a tenth of the yield from the lands within a parish) plus all of the pious offerings and charges for spiritual services (like, baptisms, marriages and burials). In Cambuskenneth's case, this right delivered large quantities of income in kind – mainly grain – from the parish churches which it had acquired in the district around Stirling, its eagerness to acquire and preserve its possession reflecting the intensification of agricultural exploitation of the abbey's hinterland, the growing population attendant on that, and the general expansion of the regional economy.

Cambuskenneth possessed one of the largest portfolios of parish churches of the major Scottish monasteries; twenty-three churches in total but not all were held at the same time or held in sole

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<sup>32</sup> *Cambuskenneth Registrum*, no 212.

<sup>33</sup> *Cambuskenneth Registrum*, no 211.

<sup>34</sup> *Cambuskenneth Registrum*, no 214.

possession.<sup>35</sup> It is unlikely that there had been a parish church at Cambuskenneth before the foundation of the abbey, but one of the first benefits which the canons received was the award to them of the parochial rights of their church of St Mary of Cambuskenneth. What this did was put them in possession of the teind income and other ecclesiastical dues from the whole of the district in the immediate vicinity of their monastery. The crown was the most important source of gifts of parish churches, kings David I, William and Robert I assigning to them a series of churches from properties that lay in royal hands. The first 'new' parish church granted to them was Clackmannan, gifted by King David, which probably originated as a chapel serving the royal estate there.<sup>36</sup> This was followed in the reign of King William with separate grants from him of the churches of Kinclaven, Tillycultry, Kincardine and Glenisla.<sup>37</sup> Enjoyment of Kinclaven's revenues was not easy, for although it had been a royal possession associated with the royal castle and estate of Kinclaven and was confirmed to the canons by a succession of royal charters, the abbey becoming embroiled in a long dispute with the bishop of Dunkeld who had assigned the fruits of the parish instead for the support of the chanter in his cathedral. The dispute was eventually settled by compromise in 1260, with the bishop, Richard of Inverkeithing, assigning them instead the church of Lecropt which, despite its proximity to Stirling, fell under his jurisdiction.<sup>38</sup> Later bishops of Dunkeld may have regretted their generosity and in 1394 the canons were again involved in expensive litigation when Bishop Robert of Dunkeld had undertaken a visitation of the churches of Lecropt and Alva, supposedly contrary to one of the abbey's privileges, and had placed them in the hands of administrators apparently due to what he considered to be the canons' failures to discharge suitably their duties as appropriators.<sup>39</sup> There is no record of how the dispute proceeded but the fact that at some stage between the 1390s and the Reformation a vicarage pensionary had been established to serve the church of Lecropt implies that the bishop had succeeded in making a case for the canons' inadequate discharge of the responsibility to serve the cure properly.<sup>40</sup> Despite the difficulties over Kinclaven, the crown continued to gift parish churches to Cambuskenneth, the last award being by King Robert I in 1324/5 when he gave the canons Kilmarnock in the Lennox.<sup>41</sup>

Where the crown led others followed, a succession of parishes being granted to the canons by a series of lay and ecclesiastical lords. One of the abbey's more important parish church acquisitions from such sources was the gift c.1170 of the church of Tullibody by the otherwise unknown Simon son of Macbeth, a gain which consolidated the abbey's already significant property-holding in the parish.<sup>42</sup> Before 1200, Robert, bishop of St Andrews, had added the church of *Egglis* (Kirkton or St Ninian's) with its dependent chapels of Dunipace and Larbert, the former of which achieved parochial status by the fifteenth century.<sup>43</sup> In Dunkeld diocese Bishop Richard de Prebenda granted the church of Alva, while in Glasgow diocese William son of Thorald and Bishop Jocelin gave the church of Kirkintilloch.<sup>44</sup> There is a sense that most of these gifts were spontaneous acts by patrons

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<sup>35</sup> I B Cowan, *The Parishes of Medieval Scotland* (Scottish Record Society, 1967), 215 for the full list.

<sup>36</sup> Barrow (ed), *Charters of David I*, no 214; *Cambuskenneth Registrum*, no 57.

<sup>37</sup> *RRS*, ii, nos 323, 324, 372, 527.

<sup>38</sup> *Cambuskenneth Registrum*, no 184; Cowan, *Parishes*, 129.

<sup>39</sup> *Cambuskenneth Registrum*, no 17.

<sup>40</sup> Cowan, *Parishes*, 129.

<sup>41</sup> *RRS*, v, nos 290, 504; *Cambuskenneth Registrum*, nos 145-6, 148-9, 150; Cowan, *Parishes*, 104.

<sup>42</sup> *Cambuskenneth Registrum*, no 216.

<sup>43</sup> *Cambuskenneth Registrum*, no 109; Cowan, *Parishes*, 52, 124, 127.

<sup>44</sup> *Cambuskenneth Registrum*, nos 15, 25, 132; Cowan, *Parishes*, 6, 121.

who wished to express their personal faith and to signal their support for and belief in the spiritual worth of Cambuskenneth specifically, but there are occasional hints that the canons may actively have sought control of certain churches as a means of consolidating their position in a locality. Such a case may have been Arngask, where the canons' landed interests received a significant boost in the early 1280s when Bishop William Fraser of St Andrews appropriated the parish church to the abbey.<sup>45</sup> Churches continued to be acquired successfully from non-royal patrons into the fourteenth century, the last apparently being Crathie on Deeside, which was annexed to the abbey in 1347 by Bishop William de Deyn but which had probably been granted to them after c.1275 by an earl of Mar.<sup>46</sup> Other awards were less successful in the long terms. The canons briefly had interests in Blairgowrie, confirmed in their possession in 1207 in a papal bull of Pope Innocent III but subsequently appearing only as a pension of 100 shillings annually from the fruits of the parish;<sup>47</sup> Crail (although this may have been the result of 'clerical error');<sup>48</sup> Forteviot, where King William's grant was for some reason ineffective;<sup>49</sup> and Kinnoull, where the award of the church in 1361 by Robert Erskine, lord of Kinnoull, and confirmations by both King David II and Bishop William Landallis of St Andrews failed to secure permanent possession for the canons.<sup>50</sup>

There is a lingering post-Reformation tendency to view appropriation as one of the 'ills' of the Church that was swept away by the Reformation and that monasteries were shameless exploiters that extracted every ounce of income from parishes but gave next to nothing back. Ample cases exist in the records which support such a view, and Cambuskenneth's own example at Lecropt suggests that the canons were not perfect appropriators. There are, however, signs that the abbey did take its duties as appropriator seriously, at least during the abbacy of the reform-minded Alexander Mylne (1519-48). In the case of Tullibody kirk especially, it can be seen that Mylne ensured the maintenance of the building and its refitting as a suitable liturgical space, apparently overseeing the complete rebuilding of the church in 1539s.<sup>51</sup> Such concern, however, was rare and Cambuskenneth at the time of the Reformation seems to have been more interested in milking the parishes for revenue than in ensuring that spiritual services were appropriately discharged. Indeed, like most Scottish monasteries by the 1560s the abbey had stepped away from direct involvement in its appropriated parishes to the extent that it had leased the collection of parochial teind income to laymen who paid a fixed money rent and who then disposed of the grain and other produce on the open market for whatever profit they could make.<sup>52</sup>

Ease of management and securing of a steady income-flow also saw most fisheries being leased to before the mid fourteenth century, mainly to relatively low-status fisher-tenants who saw the potential for gain in supply of a commodity that was in increasing demand. By the later Middle Ages fish, especially salmon, meant money and the lure of profit encouraged the growth of litigation and sometimes violent conflict over control of the fisheries, despite the long period of legal possession

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<sup>45</sup> *Cambuskenneth Registrum*, nos 1-4; Cowan, *Parishes*, 9.

<sup>46</sup> *Cambuskenneth Registrum*, no 67; Cowan, *Parishes*, 38.

<sup>47</sup> *Cambuskenneth Registrum*, nos 27, 46-8; Cowan, *Parishes*, 18-19.

<sup>48</sup> Cowan, *Parishes*, 37.

<sup>49</sup> *RRS*, ii, no 161; Cowan, *Parishes*, 69.

<sup>50</sup> *Cambuskenneth Registrum*, nos 160-9; *Registrum Magni Sigilli Regum Scotorum*, ed J M Thomson, vol 1 (Edinburgh, 1882), appendix 1, no 151.

<sup>51</sup> <http://arts.st-andrews.ac.uk/corpusofscottishchurches/site.php?id=128534> [accessed 11 September 2012].

<sup>52</sup> For the feuing of teinds in this way, see K Kirk (ed), *The Books of Assumption of the Thirds of Benefices* (London, 1995), 546-8.

enjoyed by the canons and the parchment evidence which they could produce to prove their rights. It is likely that friction had been mounting steadily before the action that led the abbey to present a complaint before parliament that secured a royal mandate of 27 July 1366 that asserted Cambuskenneth's rights. It gives notification of a judgement in parliament at Scone which found that certain burgesses of Stirling had violently attacked and broken the fixed traps or cruives and damaged the fishing arrangements of Cambuskenneth in the Forth.<sup>53</sup> It named twenty-three burgesses and eight fishermen, who were given forty days to replace the damaged cruives and make recompense for all expenses and losses to the abbey. Although the surviving records of the abbey do not contain further reference to disputes with the burgh over the salmon fishery for over a century, the next extant document, dated 19 February 1495, reveals that serious conflict had continued. The document is a royal confirmation of a decree of the Lords of Council instructing Stirling to cease occupying Cambuskenneth's fishings on the Forth and pay compensation to the abbey for twenty-five years of illegal occupation.<sup>54</sup> Six years later, it was clear that the conflict had still not ended: on 20 July 1501, William Elphinstone, bishop of Aberdeen, one of the Lords' Auditors, issued a decret by in the continuing case between Cambuskenneth and the burgh of Stirling over the fishings of the Forth at Stirling, requiring the canons to give proof of their rights; three years later it was the burgh pursuing the abbey for implementation of the decret.<sup>55</sup>

There is another hiatus after this twist in the conflict until the 1520s, when the abbey records preserve a series of documents relating to the abbey's rights to the teinds of the salmon fisheries of the Forth below Cambuskenneth.<sup>56</sup> There had been difficulties in this regard going back to at least the mid-fifteenth century with, unsurprisingly, the salmon teind from the parish of Stirling being one of the major difficulties.<sup>57</sup> The protracted disputes over these rights seem in part to have been a consequence of the abbey's lack of political leverage – no prominent lay patron to plead their case in the appropriate courts – and the eventually successful assertion of their rights appears to stem from Abbot Mylne's high standing with the king and prominence as a legal figure; in 1532 James V was to appoint him first Lord President of the College of Justice. Mylne's hand no doubt lay behind the king's confirmation on 8 March 1531 of an act of the Lords of Council against the bailies of Stirling for 'wrongous, violent and masterful spoliation' by themselves and accomplices against the abbey and its fishing-tenants which had seen removal of tenants' cobles and nets under cover of night.<sup>58</sup> It again was Mylne who pursued action in 1533 against Robert Wemyss, vicar of Stirling, for non-payment of salmon teinds,<sup>59</sup> an issue that had recurred repeatedly over the previous century. This case was one that Mylne was not prepared to yield on, pursuing litigation as far as the papal court in Rome.<sup>60</sup> Despite the abbot's persistence, however, it was only with the progressive feuing away of the abbey's resources under his successors David Paniter and Adam Erskine – the latter of whom diverted most of those resources into the hands of his kinsman John Erskine earl of Mar – that the long conflict began to diminish in significance.

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<sup>53</sup> *The Records of the Parliaments of Scotland to 1707*, K M Brown et al eds (St Andrews 2007-2012), 1366/7/21. Date accessed: 11 September 2012; *RRS*, vi, no 356.

<sup>54</sup> *Cambuskenneth Registrum*, no 202.

<sup>55</sup> Stirling Council Archive Services, B66/25/259, B66/25/261.

<sup>56</sup> *Cambuskenneth Registrum*, nos 205-7.

<sup>57</sup> *Cambuskenneth registrum*, no 204.

<sup>58</sup> *Cambuskenneth Registrum*, no 203.

<sup>59</sup> Stirling Council Archive Services, B66/25/636.

<sup>60</sup> National Records of Scotland: GD149/264/f 43.

Taken together, the records of the abbey that have been explored here reveal a more complex picture of the assembly of its estate portfolio and the management strategies employed in its development than traditional accounts of either Cambuskenneth specifically or the Augustinian order in general have suggested. The surviving material in the cartulary, which has only been examined superficially in this present study, records the painstaking construction of a diverse assemblage of resources that were designed to deliver the canons a broad range of commodities or sources of cash income necessary to sustain a monastic community and to furnish it with buildings and materials. They provide us with glimpses of a landscape in transition in the twelfth century, where previously unexploited or lightly-exploited land was being broken into intensive cultivation; where specific types of resource – fish, fuel, building timber - were available in relative abundance; and where the efforts of colonising peasant cultivators as well as the canons' direct efforts were expanding the range and scale of economic opportunities from which the abbey benefited. There are gaps which the existing sources cannot fill; for example, we do not know what happened to the saltpan which the canons possessed in the mid twelfth century and how they obtained this precious commodity in bulk in the later Middle Ages, nor do we have a clear understanding of how the abbey was supplied with fuel once local wood and peat resources became depleted in the fourteenth and fifteenth centuries, although it is likely that there was early development of the potential from accessible coal sources on the abbey's estate. Shifts in emphasis over time are clear, from direct exploitation of assets to a process of feuing intended to deliver cash income from which the monastery could purchase its needs on the open market, although it is clear that important portions of the abbey's landed estate close to Cambuskenneth itself always remained under direct management. In all of this, we see the workings of property managers who were responsive to market shifts and, most likely, to changing environmental conditions, who often found themselves in direct competition for control of lucrative resources and who were prepared to make no compromises in their defence of their rights. Cambuskenneth's cartulary may in some senses be 'a little disappointing' but its content provides a unique record of the experience of an institution that lay at the heart of the socio-economic as well as spiritual life of the region for four centuries.