

# FR MAŽVYDAS, ŽEMAITIJA AND THE GNIEZNO CONSISTORY COURT OF APPEAL, 1525–1539

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## ABSTRACT

By the late fifteenth century, more notably after 1477, appeal cases from Catholics in the Grand Duchy of Lithuania began to appear before the Consistory Court in Gniezno in increasing numbers. These cases involved quite a wide social group, and dealt with a broad range of issues (not just matrimonial disputes or the hiring out of parish churches between priests). Appellants came before the judges from across the Grand Duchy. This article covers cases from 1524 to 1539. Even when court material gives few details of cases, it can help solve issues of parish church and chantry foundations and patronage. The most striking feature of the records between 1524 and 1538 is the predominance of cases from Žemaitija, a diocese which previously featured only in disputes involving the bishop. This confirms the deepening of Catholic practice across the diocese of Medininkai (Žemaitija) as reflected in particular in the increasingly predominant use of Christian forenames from the last quarter of the fifteenth century. Most interesting perhaps for those studying the rise of Protestantism in Lithuania will be the occurrence of one Fr Andriejus Mažvydas, parish priest of Alsėdžiai, among the appellant litigants of 1536. This information about a very probable kinsman (uncle, cousin, brother?) of Martynas Mažvydas offers new insights into the Lutheran's family background and geography.

KEY WORDS: Catholic Church, consistory court, appeal, Gniezno, Lithuania, Žemaitija, Andriejus Mažvydas.

163

## ANOTACIJA

XV a. antrojoje pusėje, ypač po 1477 m., Lietuvos Didžiosios Kunigaikštystės (LDK) katalikų bylų Gniezno apeliaciniame teisme daugėjo. Tokias bylas dėl skirtingų priežasčių (ne vien dėl vedybinių ginčų, parapijų nuomos, kunigų paskyrimų ir pan.) keldavo įvairių luomų žmonės, o bylos lietė Vilniaus ir kitų LDK vietovių gyventojus. Straipsnyje tiriamos 1525–1539 m. Gniezne nagrinėtos bylos. Netgi trumpai jose aprašyti skundai yra svarbūs, kadangi papildo mūsų žinias apie bažnyčių, brolių ir altorių steigimą. Labiausiai stebinantis dalykas, kalbant apie 1525–1539 metus, yra spartus Žemaičių (Medininkų) vyskupijoje kilusių bylų, nagrinėjamų Gniezno arkivyskupo teisme, skaičiaus augimas. Tai tarsi patvirtina kitus duomenis, pvz., krikščioniškos kilmės vardų plėtrą tarp Žemaitijos bajorų, kas bylojo apie katalikų tikėjimo praktikos įsišaknijimą Žemaičiuose XV a. pabaigoje – XVI a. pirmojoje pusėje. Besidominčius protestantų Reformacijos Lietuvoje istorija intriguos 1536 m. Alsėdžių klebono Andriejaus Mažvydo byla, kurios nors ir menki duomenys apie galimą Martyno Mažvydo giminaitį (dėdę, pusbrolių, brolių?) papildo mūsų žinias apie žymaus protestanto veikėjo kilmę.

PAGRINDINIAI ŽODŽIAI: Katalikų bažnyčia, Konsistorijos teismas, apeliacija, Gnieznas, Lietuva, Žemaitija, Andriejus Mažvydas.

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By the late fifteenth century, more notably after 1477, appeal cases from Catholics in the Grand Duchy of Lithuania began to appear before the Consistory Court in Gniezno in increasing numbers. These cases involved quite a wide social group, and dealt with a broad range of issues (not just matrimonial disputes or the hiring out of parish churches between priests). Appellants came before the judges from across the Grand Duchy, albeit mostly from Vilnius, but also from Deltuva, Giedraičiai, Grodno, Kaunas, Lentupis, Medininkai (the bishop, Martin III, and a canon, Solomon<sup>1</sup>), Merkinė, Salakas, Semeliškės,<sup>2</sup> Švenčionys, Trakai, Varnionys, Verkiai and Volkovysk.<sup>3</sup> Litigants from across the social spectrum sought to question the sentences imposed by their local ecclesiastical court; matrimonial disputes, for example, involve the higher and middling gentry, as well as burghers from Kaunas and Vilnius, whilst ar-

- <sup>1</sup> Bishop Martin III – ROWELL, S.C. Martin III, Bishop of Medininkai, Archdeacon and Canon of Vilnius: the Lawyer Bishop. In *Kriščiūniskosios tradicijos raiška viduramžių – naujų laikų kasdienybės kultūroje: europietiški ir lietuviški puslapiai* (Acta Historica Universitatis Klaipedensis t. XXVII). Sud. Vacys VAIVADA. Klaipėda, 2013, pp. 36–60; Solomon canon of Medininkai vs Gregorius of Kaunas [18 April 1520] – *Archivum Archiepiscopale w Gnieźnie*, Acta Consistorii, Acticantia (The Archdiocesan Archive of Gniezno, hereafter, AAG), A82, fos 31, 33r–v, 37, 38, 38v, 40.
- <sup>2</sup> 1522 dispute between Jurgis Vaška Lazarovičius of Antakalnis and Fr Jukubas, parish priest of Semeliškės – *Acta primae Visitationis diocesis Vilnensis anno Domini 1522 peractae: Vilniaus kapitulos Liber Ilib atkūrimas* (Historiae Lithuaniae Fontes Minores, VIII). Sud. S. C. ROWELL. Vilnius, 2015, p. 187, n. 264; still under way two years later – AAG, A84, fos 25 [18 May 1524], 26, 27v, 28v, 29v, 30v, 35v, 103, 120v, 126v, 133v–134, 134v, 135 [6 Oct.]; ROWELL, S.C. Church Court Records as Evidence for the Christianisation of Lithuanian Society in the Late-15th and Early-16th Century. In *Mobility in the Eastern Baltics (15th–17th Centuries)* (Acta Historica Universitatis Klaipedensis, vol. XXIX). Ed. by Dainius ELERTAS. Klaipėda, 2014, pp. 33–52, here p. 39, n. 21; the defamation case involving the pipe-welder Paulius of Vilnius and the apothecary Bernardas brought to appeal in 1521–1523 (final sentence) continued for at least another two years – AAG, A84, fo 2v [15 Jan. 1524], 116 [26 May 1525: the damage done by Bernardas to Paulius evaluated at 30 *sexagenae* – ‘*damna in labore passa ad triginta sexagenas*’]; the boyar Petras Kondratavičius (ROWELL, S.C. Church Court Records..., p. 41, n. 30) against Jurgis Taliatas of Eisiškės, parish priest of Salakas in a dispute over violence committed by and upon colonists 1523–1527 – AAG, A84, fo 8v [23 Feb. 1524], 12v, 13, 17, 17v, 19, 45v, 47, 48, 86v–87 [10 Feb. 1525: Leonardas Rodianaitis, parish priest of Vilnius, appointed as *remissarius* in this case but replaced *propter suspicionem* (because of contacts with Taliatas, or because he was in conflict with the Vilnius Chapter over his parish school) by Canon Albertas Rožanietis (ALIŠAUSKAS, Vytautas; JASZCZOŁT, Tomasz; JOVAIŠA, Liudas; PAKNYS, Mindaugas. *Lietuvos katalikų dvasininkai XIV–XVI a.* (Bažnyčios istorijos studijos, t. 2). Vilnius, 2009 (hereafter, *LKD*), nr. 77, p. 30–31) and the unnamed prior of the Vilnius Dominicans – ‘*religiosus prepositus Sancti Spiritus ordinis predicatorum*’, 126v–127, A85a, fo 8v [30 Jan. 1527]. Paulius, the apothecary of Grodno and servant of the local lord lieutenant, Jurgis Mikalojaitis Radvila, against Helena (also called Elžbieta and Jadvyga in the court record!) of Merkinė (ROWELL, S.C. Church Court Records..., p. 40 and n. 27), which obtained a sentence in Dec. 1523, was still festering in 1524–1525: AAG, A84, fo 47r [7 Sept. 1524: ‘*Appellacio Pauli apotecarii de Grodna. In causa appellacionis discreti Pauli apotecarii de Grodna contra honestam Helenam Onyszymowa de Meracz*’], 48v, 50v–51r, 134v [2 Oct. 1525: ‘*In causa appellacionis Pauli apotecarii contra honestam Elizabeth Onisschimowa*’], 136 [9 Oct.: ‘*In causa Pauli apotecarii generosi domini capitanei Grodnensis contra honestam Elizabeth Onyszymowa opidanam de Maiori Meracz*’], 140, 143, 145, 146v, 147 [10 Nov. 1525].
- <sup>3</sup> Stanislovas parish priest in Varnionys vs Helena widow of Pyethkowicz, duke of Svyriai, and Pranciškus, parish priest of Giedraičiai [Nov. 1490] – AAG, A58, fos 333v, 334r–v, 335v–336; cf. TĘGOWSKI, Jan. *Rodowód kniaziów Świrskich do końca XVI wieku*. Wrocław, 2011, s. 188, *Lietuvos Metrika*. Knyga 6: 1494–1506. *Užrašymų knyga 6*. Parengė Olegas CHORUŽENKO. Vilnius, 2007, nr. 503, p. 295f. Anna Pythraschewna de Wolkowyska vs Stanislaus Wawa, citizen of Vilnius [4 Sept. 1506] – AAG, A73, fos 94v, 97v, 105, 116r–v [interlocutory sentence in favour of Stanislovas], 118.

tisans sued for defamation. During the period up to 1525, most Lithuanian cases in Gniezno came from the diocese of Vilnius. Cases involving Žemaitija (the diocese of Medininkai) tended to refer to persons of high rank (the bishop, a canon, the lord lieutenant Stanislovas Kęsgaila), who were also active in the see of Vilnius.<sup>4</sup> The occasional dispute from the northwest part of the diocese of Lutsk (Podlasie) also might find its way to Gniezno, especially when it involved litigants with a Mazovian or Vilnius connection, but ordinarily the see of Lutsk was subject to the metropolitan of Lwów.<sup>5</sup>

Details of Lithuanian appeal cases between 1477 and 1524 involving almost exclusively the diocese of Vilnius have been presented recently in the scholarly press.<sup>6</sup> However, when we examine the record for the period between 1525 and 1539 (chosen simply because it is coincidental with other research interests, primarily the activities of John of the Lithuanian Dukes), an important new trend can be detected, viz. the much increased appearance in the record of cases from the Duchy of Žemaitija, the see of Medininkai.

165

## The renting out of parish livings and other parochial disputes

In June 1524, Felix of Brześć (Kujawski), vicar choral of the metropolitan church of Gniezno (whose task was to deputise for a non-resident canon) and parish priest of Salčininkėliai, engrossed in the Gniezno Consistory records the rental of his poorly endowed Lithuanian parish to a priest of the Płock diocese, Bernardus de Stakowo (Starkowo?) for five years for an annual fee of seven Polish *sexagenae* beginning on the feast of St John the Baptist next, and payable annually on St Bartholomew's Day (24 August) in Gniezno. The parish church, possibly founded by Baltramiejus Mantautaitis, was dedicated to St Bartholomew.<sup>7</sup> Bernard was to enjoy the income of the

<sup>4</sup> ROWELL, S.C. *Church Court Records...*, pp. 37–38.

<sup>5</sup> For example, the Holy Ghost Almshouse in Brest – AAG, A86, fo 16v [7 Feb. 1532; '*In causa appellacionis honorabilis Erasmi propter Hospitale Sancti Spiritus in Brzesczye diocesis Luceoriensis et contra honorabilem Jacobum ad predictam preposituram*'], 18 [9 Feb.: '*Erasmus Mlodosth de Cracovia contra Jacobum presbiterum de Brzesczye*']. Tithe dispute between the priests of Drohiczyn and Ostrożany – AAG, A87, fo 10v–11 [16 Feb. 1534: '*Domini Jacobi [LKD, nr. 579, p. 111] Sedis Apostolice prothonotarii et in Drohyczin juris patronatus serenissimi principis et domini, domini Sigismundi Dei gratia refis Polonie etc contra honorabilem dominum Albertum de Ostrozany [LKD, nr. 90, p. 32] diocesis Luceoriensis respectue plebanorum occasione decimarum manipularium post araturam in Skywy alias Czosneowo nobilis domini Joannis Moczudulski*']. Letter of Bp John of the Lithuanian Dukes presented as evidence].

<sup>6</sup> WOJCIECHOWSKA, Beata. *Ekskomunika w Polsce średniowiecznej: normy i funkcjonowanie*. Kielce, 2010, especially s. 261; ROWELL, S.C. *Church Court Records...*, passim; BARONAS, Darius; ROWELL, S.C. *The Conversion of Lithuania. From pagan barbarians to late medieval Christians*. Vilnius, 2015, pp. 437–457; *Acta primae Visitationis...*, passim.

<sup>7</sup> AAG, A84 (1524–25), fo 32v–33: '*Feria secunda ante Joannem Baptistam [20 June 1524] Arenda ecclesie in Soleczniki. Anno quo supra die martis vigesima prima mensis Junii veniens ad acta presentia honorabilis*

parish, and carry out any necessary repair work on the parish buildings. The renting out of livings was not a rarity in sixteenth-century Lithuania, as the 1504 Goniądz case, which also involved Płock clergy, shows. In that case, the parish rector, a priest of the Cracow diocese, Motiejus of Nowy Sącz, rented out his living for one year from St Margaret's Day 1504 to Stanislaus Pauli of Wąsosz for 40 Hungarian florins (20 Polish *sexagenae*), payable in two equal instalments at Christmas and Easter. Goniądz was a relatively well-endowed parish.<sup>8</sup> In the see of Lutsk, we come across a deal struck by Stanisław Traszka and a Ciechanowiec mansionary (this time Fr Mikołaj of Sokołowo) in 1553-1554 concerning the renting out of the Narew living. Stanisław was of local gentry birth, and served his family's foundation at Winna. In 1548, he took over administration of the nearby parish of Kuczyno.<sup>9</sup> In spring 1553, he decided to rent out for one year the duties and income of the parish of Narew, where Fr Mikołaj was incumbent, for 20 Lithuanian (or 25 Polish) *sexagenae*, to be paid in two instalments, one of 12 *sexagenae* on St Stanislaus' Day (8 May) 1553, the remainder on Assumption Day (15 Aug.) that same year. The contract, signed on 11 April 1553, was witnessed by Fr Marcin, the curate, the schoolmaster Kacper, and five townsfolk on 30 April. On 5 May, the rental contract was engrossed in the Consistory Court record. On 28 June 1552, the parish priest of Knychów (diocese of Lutsk), Wawrzyniec of Węgrów rented out his benefice with its income for one year to the Ciechanowiec mansionary Maciej Pieńko for 12 *sexagenae* (720 groats); in return, the latter handed over his house in Mansionary St Ciechanowiec, along with his vegetable garden (and pastoral duties).<sup>10</sup>

The rental of livings was a way to solve the problem of an incumbent's residency in the parish from which he derived income but where he was unwilling or unable to reside

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*dominus Felix de Brzeszczye, vicarius ecclesie metropolitane Gneznensis et plebanus in Minori Solecznyki, diocesis Vilnensis, sponte et libere per expressum recognovit se arendasse prout arendavit omnes et singulos fructus et proventus ecclesie sue parochialis in Minori Solecznyki honorabili domino Bernardo de Stakowo actu presbitero Plocensis diocesis ad quinque annos, annum primum istum incipiendo et reliquo confirmando a festo Sancti Joannis Baptiste proxime futuro, quolibet anno pro septem sexagenis pecunie monete et numeri polonicalis. Quiquidem dominus Bernardus arendarius sponte et per expressum summisit [!] se eidem domino Felici plebano prefato racione huiusmodi arende singulis annis pro festo sancti Batholomei apostoli septem sexagenas pecuniarum sub censuris ecclesiasticis omni excusacione remota dare et solvere necnon in Gneznam propriis sumptibus mittere domosque plebanales ibidem, ubi necesse fuerit, reparare presentibus obligavit necnon contributionem, si qua infra sequentes quinque annos occurrerit contribuere, presentibus | | ibidem honorabilibus dominis Joanne Rawa viccario perpetuo ecclesie Gneznensis et Jacobo plebano in Kandzyeczyno notario publico testibus circa premissa vocatis'. For a brief summary of the early history of the parish, see *Acta primae Visitationis...*, p. 261, n. 612. The village of Starkowo, 63 km south west of Poznań, is known in the record from 1266. There is a discrepancy between the date of the rental document engrossment (Monday 20 June) and the rental date recorded subsequently (Tuesday 21 June). This is probably the result of confusion on the part of the Consistory scribe.*

<sup>8</sup> *Acta primae Visitationis...*, d. III, nr. 5, p. 117-118 and p. 222, n. 93.

<sup>9</sup> *Archiwum diecezjalne w Siedlcach* (The Diocesan Archive of Siedlce), D6, l. 16v; LKD, nr. 2283, p. 377-378.

<sup>10</sup> ROWELL, S.C. Imitating a Cathedral, or Safeguarding Parochial Foundations? Why Establish a Mansionary Chapel in the Dioceses of the Grand Duchy of Lithuania in the Sixteenth Century? In *Verbum movet, exemplum trahit. The Emerging Christian Community in the Eastern Baltic* (Acta Historica Universitatis Klaipedensis, vol. XXXIII). Ed. by Marius ŠČAVINSKAS. Klaipėda, 2017, pp. 147-186, here p. 153.

permanently. He could either rent out his living to another priest, while retaining legal possession of the parish, or hire a proxy. From the proxy's point of view, this was a means of obtaining a living in a very competitive market, where there were more ordained clergy than available parishes. In Lithuania, a living would be exchanged, hired out or sold usually to a priest rather than to a layman, as was the case in late mediaeval England.<sup>11</sup> Quite how Stanislovas Komorovskis, incumbent of Utena, royal secretary, notary public and clerk in minor orders, arranged for the provision of spiritual services to his parishioners remains unknown; we do know that when he failed to obtain a canonry for the second time, he abandoned clerical life in minor orders (as was his right) to marry and pursue a secular career.<sup>12</sup> In the 1530s and 1540s, the Vilnius canon Erasmus Eustachii, a royal secretary, held the livings of three parishes which lay in the ruler's gift, at Kernavė, Kaunas and Pasvalys (in addition to the secular post of master of the Kaunas Customs Office). It seems that Erasmus maintained vicars to carry out his parochial duties; he also rented half of the cathedral prestimony of Koran' (which he shared with Canon Alexander de Pessentis) from his co-tenant, and managed the land through his factor.<sup>13</sup> Parish livings were a valuable source of income for the priests who held them, and, like any other commodity, could be traded legally, so long as the incumbent's duties were carried out by him or his proxy. It goes without saying that the system could be open to abuse.<sup>14</sup>

The parish of Giedraičiai featured in legal disputes in both Vilnius and Gniezno between the parish priest Stanislovas Mlečkus (fl. 1523–1538) and the local patron (Laurynas Giedraitis) throughout the middle and later years of the 1520s, concerning the patron's unlawful demolition of three inns owned by the parish priest, and justified by the parish's foundation endowment. The case was also heard by the grand duke's court, which supported the verdict of the consistory.<sup>15</sup> Fr Stanislovas also prosecuted Stanisław Wolff, the brother of his predecessor Fr Laurynas Benjamin Wolff, known in one 1522 document as Stanislovas of Gniezno, a notary public and clerk in minor

<sup>11</sup> Hayna – *Acta primae Visitationis...*, p. 207, n. 710; Lutsk – ROWELL, S.C. *Imitating a Cathedral...*, pp. 143, 153–154, 169, 171–173; English tradition – PALMER, Robert C. *Selling the Church. The English parish in law, commerce, and religion, 1350–1550*. Chapel Hill and London, 2002, pp. 75–142.

<sup>12</sup> See below, n. 24 and *LKD*, nr. 2235, p. 369; *Acta primae Visitationis...*, p. xxxiii, n. 47.

<sup>13</sup> ROWELL, S.C. *Vilniaus kanauninko ir Kauno muitininko Erazmo Eustachijaus veikla 1512–1546 m.* (forthcoming). See also KIAUPA, Zigmantas. *Kanonik mytnikiem. Kartka z dziejów Litwy w pierwszej połowie XVI wieku*. In *Origines, fontes et narrationes – pośród kręgów poznania historycznego. Prace ofiarowane profesorowi Marcelemu Antoniewiczowi w 65. rocznicę urodzin*. Red. Marek CETWIŃSKI, Maciej JANIK. Częstochowa, 2018, s. 383–395; KARALIUS, Laimontas. *Erazmas Eustachijus meliorator terrae pasvaliensis (1524–1544)* (forthcoming).

<sup>14</sup> BRUŽAITĖ, Reda. *Vilniaus ir Žemaičių vyskupijų parapiinė dvasininkija XV–XVI a. trečiąjame ketvirtyje*. Daktaro disertacija. Vilnius, 2012.

<sup>15</sup> *Acta primae Visitationis...*, d. III, nr. 27, p. 153; p. 215, n. 46; p. 237, n. 323, 326; *Lietuvos Metrika*. [Knyga 224:] *1522–1530. 4-oji Teismų bylų knyga*. Parengė Stanislovas LAZUTKA, Irena VALIKONYTĖ ir kt. Vilnius, 1997, nr. 257, p. 221–222; *Lietuvos Metrika*. Knyga 12: *1522–1529. Užrašymų knyga 12*. Parengė Darius ANTANAVIČIUS, Algirdas BALIULIS. Vilnius, 2001, nr. 669, p. 512–513.

orders. This case was connected closely with the inn dispute, for it concerned the use by Fr Laurynas of his Giedraičiai endowment charter as collateral in a loan agreement with his brother, whom he owed three *sexagenae* for representing him in litigation against Laurynas Giedraitis.<sup>16</sup> Given the varied uses to which parish documents could be put, and the danger posed by church conflagrations and other disasters, it is not surprising that by the 1520s priests were encouraged by the bishop of Vilnius to enrol their papers in diocesan metrica volumes (*libri privilegiorum*).<sup>17</sup>

Early in April 1532, the apostolic protonotary and canon of Lwów and Lutsk, Francis of Lwów, presented an appeal against Erasmus Eustachii, parish priest of Pasvalys and Kaunas, over an unspecified Vilnius canonry and prebend. Undoubtedly, this was the canonry which had fallen vacant upon the death of Albertas Vieležinskis, and into which Erasmus (erroneously referred to in the Gniezno record as Eustachius, or even Eustachius Erasmii) was installed on 15 June 1531, as the Vilnius Chapter records show. On 30 January 1532, Erasmus presented his letters of preferment to the Chapter, presumably as part of his dispute with Francis, and on 3 February the Chapter records note without further detail that Erasmus' status '*pendent per appellationem*'.<sup>18</sup> It may be that as compensation for missing out on what would have

168

<sup>16</sup> Stanislaw of Gniezno [LKD, nr. 2240, p. 370], 16 Nov. 1522 witnessed Jonas Zaberezinskis' foundation of Kamien parish church [*Acta primae Visitationis...*, d. I, nr. 63 [57], p. 88–90], penned by his brother Laurynas Beniaminas. Dispute over endowment charter – AAG, A84, fo 34v, 27 June 1524: '*In causa honorabilis Stanislai Mlekusz [LKD, nr. 2255, p. 373] ecclesie parochialis in Gyedroczie rectoris contra discretum Stanislaum Vollff de Gnezna clericum in minoribus ordinibus constitutum [...]*' in the presence of the cursor of the Gniezno Consistory Wolff claimed that '*ipse Stanislaw litteras erectionis seu fundatum ecclesie sue parochialis pefate post mortem olim Laurency Vollff sui germani recepit et apportavit, petens eundem per dominum ad restitutionem cogi, propter quas coactus nuncium suum proprium [...]* Exadverso Stanislaus recognovit se litteras recepisse et huc transtulisse, quia idem plebanus olim Laurencius fratri suo germano tres sexagenas tenebatur et tenet ratione procurationis et defensionis cause sue, quas quidem tres sexagenas ipse Laurencius sibi testimonialiter legavit ipsasque litteras remisisse [...]' Fr Stanislaw is mentioned as already dead in the Chapter Records of 16 Oct. 1538, where Erasmus Eustachii redeems in cash ten silver spoons bequeathed by Mlečkus to the cathedral to make a chalice: *Lietuvos mokslų akademijos Vrublevskijų biblioteka*, Rankraščių skyrius (*The Wroblewski Library of the Lithuanian Academy of Sciences*, hereafter, LMAVB), F 43, b. 210/2 [*Acta Capituli Vilnensis*, vol. II], fo 101r: '*argentea coclearia decem, quae olim venerabilis dominus Stanislaus Mleczkus ecclesiae parochialis Giedrocensis rector pro calice legavit eiusque dispositionem Venerabili Capitulo Vilnensi commisit, praesenti pecunia redemit ac valorem earum exoluit*'. Disputes over illegal inns built by laymen in Giedraičiai continued into the 1550s – cf. BRUŽAITĖ, Reda. LDK parapiinės dvasininkijos ir pasauliečių teisminiai ginčai XVI a. (*Lietuvos Metrikos teismų bylų knygų duomenimis*). In *Istorijos šaltinių tyrimai*. T. 3. Sud. Darius ANTANAVIČIUS. Vilnius, 2010, p. 59–84, here p. 72, n. 76. It may or may not be relevant to Stanislovas' office that Baltramiejus Giedraitis (d. 1524) was married to a Felicija Mlečkūtė.

<sup>17</sup> Natural and manmade threats to parish documentation and engrossment in diocesan records: Niedvedicai, 1545 (*Acta primae Visitationis...*, p. 264, n. 638) – fire damage; Ragatna 1551 (*Ibid.*, p. 266, n. 651) – tatar; for general comments, see *Ibid.*, p. xxxiii; Odelsk (*Ibid.*, d. I, nr. 29 [26], p. 40), this charter was copied into Adam of Katra's register.

<sup>18</sup> Vilnius data – *Vilniaus katedros bažnyčios kapitulos posėdžių protokolai XVI–XVIII a.* = *Acta capituli ecclesiae cathedralis Vilnensis saec. XVI–XVIII*. T. 1: 1502–1533. Parengė Darius ANTANAVIČIUS, Dalia Emilija STAŠKEVIČIENĖ. Vilnius, 2018 (hereafter, *Acta capituli...*), § 523, p. 275, § 532, p. 278, § 533, p. 278–279. Gniezno appeal records – AAG, A86, fo 52v [8 April 1532: '*Appellationis occasione prebende Vylnensis. In causa appellationis Reverendi domini Francisci utriusque juris doctoris, protonotarii apostolici, canonici*

been his third canonry, Francis was raised to the bishop of Kiev's vacant throne, a sinecure whose incumbent more often than not resided in Vilnius, in October 1533.<sup>19</sup> It appears that in March 1533, Erasmus was expected by the duke of Prussia, Albert Hohenzollern, to succeed to the vacant see of Medininkai. Both clerics served in the royal secretariat over a long period, and this clash may reflect differences between Bishop John and his father Žygimantas the Old over presentations to cathedral benefices, as in the case of Stanislovas Tarla (Tarło) and Jokūbas Staškovskis. Erasmus seems to have been a close personal associate of Bishop John, perhaps from childhood, while both Staškovskis and Tarla were connected with John through the Cracow Chapter to which all three belonged during the 1510s.<sup>20</sup>

The effects of the apparently uncoordinated patronage policies of Bishop John and his father were becoming felt in disputes between other canons Jokūbas Staškovskis, the new scholastic and the newly appointed Cracow canon Stanislovas Tarla over an altar/chantry chapel. On 10 August 1524, Canon Tarła was granted a canonry and prebend in Vilnius Cathedral, vacant after the resignation of Mikalojus Žukovskis, along with St Stanisław's Altar, which was funded by the Toločiskis estate, belonging to the Bishops' Chapel. On 3 September, Tarla's proxy presented the new canon's credentials to the Vilnius Chapter, and on 7 September Stanislovas was installed again by proxy into his new office.<sup>21</sup> In May 1525, Tarla began his appeal in a dispute with Staškovskis; he is referred to as a canon of Cracow (but not of Vilnius) and a Vilnius chantry priest, while his opponent is called the occupant of the chantry. On 11 October, Tarla presents among other documents letters commissary from the confirmed bishop-elect of Vilnius, John of the Lithuanian Dukes, along with a copy of the accord John had promised to arrange between the two clerics, both of whom served in the royal secretariat, and both were closely connected with Bishop John, Jokūbas the more so. On 16 October, Staškovskis presented his documents, namely the foundation charter of the scholasty, established in 1522 by Bishop John and confirmed by Žygimantas the Old, where the connection with the disputed altar is mentioned.<sup>22</sup>

*Leopoliensis et Luceoriensis contra venerabilem Eustachium de Cracovia, Poszwolye et Cowno*], 57r–v [10 Apr.: 'contra Eustachium Erasmi de Cracovia occasione canonicatus et prebende Vilnensium'; royal letters procured], 58v [15 Apr. – case referred to tribunale sacre regie maiestatis, Francis counters that Provincial Statutes do not allow Erasmus to produce royal letters], 60 [19 Apr.].

<sup>19</sup> LKD, nr. 2041, p. 344.

<sup>20</sup> ROWELL, S.C. Vilniaus kanauninko...

<sup>21</sup> *Acta capituli...*, §§ 247.3, 248, p. 135–137; *Lietuvos Metrika*. Knyga 12..., nr. 742, p. 584 – Žygimantas the Old presents his secretary Tarla to the canonry vacated by his longtime secretary Žukovskis [LKD, nr. 1431, p. 251–252]. Žukovskis had held a Vilnius canonry from before 1 Jan. 1499 (*Acta primae Visitationis...*, p. 255, n. 539, see also *Ibid.*, p. 180, n. 106); he was parish priest of Liw (diocese of Poznań) from 1523 to sometime shortly before 10 March 1537, when he was succeeded by Maciej of Jeżów, provost of Brzeziny, notary of the Treasury of the Kingdom of Poland – *Archiwum archidiecezjalne w Krakowie (The Archdiocesan Archive of Kraków)*, *Acta Administratoria* II, p. 273–274.

<sup>22</sup> Stanislovas Tarla [LKD, nr. 2200, p. 364–365], Jokūbas Staškovskis [LKD, nr. 591, p. 112] – AAG, A84, fo 102v [5 May 1525: 'In causa appellacionis venerabilis domini Stanislai Tarlo canonici Cracoviensis contra

On 26 August 1527, a no longer extant list (*cedula*) of expenses and the income of the Toločkis altar was presented. Later he held St Lazarus' chantry in Vilnius Cathedral, which Bishop Paul Holszanski would eventually join to the scholastic's office.<sup>23</sup>

Competition to obtain a Vilnius canonry with a prebend was intense: Francis of Lwów and Erasmus Eustachii were not the only contenders whose results were subject to appeal. In 1537, Stanislovas Komorovskis sought a canonry by proxy (through the efforts of Mikolojus Petruševskis) after the death of Canon Jonas the Sicilian. He was beaten to the post by Vaclovas Virbickis, bishop of Žemaitija, who was installed in the person of his proxy, Mikalojus Orvydaitis. It is not clear whether the appeal lodged against Stanislovas in November and December 1537 by the provost of Vilnius and archpriest of Vilnius parish church Jonas Domanovskis was connected with this or another matter. In January 1538, an appeal by Domanovskis is recorded as concerning a canonry and prebend. However, since Komorovskis did not obtain such benefices, it is illogical to deduce that the unspecified dispute where Komorovskis is mentioned referred to a canonry or a prebend.<sup>24</sup>

A dispute between Vilnius canons over damages to a parish church (Kėdainiai) spread beyond the confines of the chapter house in 1524. In November 1523, Canon Albertas Vieležinskis sued the magnate Bishop Mikalojus Radvila of Žemaitija before the chapter for damage done to his Kėdainiai parish. In October 1524, he demanded successfully that the chapter report the bishop to the primate. In August 1525, the bishop lodged an appeal in Gniezno. A month later, his appeal against the supreme marshal of the Grand Duchy, Jonas Zaberezinskis, also came before the Consistory. The Vieležinskis case was still unresolved in March 1528.<sup>25</sup>

Other disputes between parish priests and their patrons: Stanislovas and Albertas Sologubaičiai were involved in a conflict with Fr Mikalojus of Sivica before the Gniezno court in September 1524 (which must have arisen in Vilnius at least several months earlier). When the appeal was resolved is unknown. However, this case provides some important new information, for it indicates that the parish in Sivica was

*venerabilem dominum Jacobum Staskowski canonicum Vylnensem*], 105 [10 May 1525: 'Appellacio Stanislai Tarlo [...] contra Jacobum Sthaskowski scolasticum Vylnensem'], 109v [26 May: 'Stanislai Tarlo [...] canonici Cracoviensis et altariste Vylnensis contra venerabilem Jacobum Staskowski occupatorem dicti altaris'], 111, 113, 114, 115, 128v, 135r–v, 136r–v [11 Oct.], 138, 139v [23 Oct. 1525]; A85a, fo 61r–v [26 Aug. 1527], 64, 66 [9 Sept. 1527].

<sup>23</sup> *Acta primae Visitationis...*, p. 240, n. 387.

<sup>24</sup> AAG, A89, fo 96v: [7 Nov. 1537: 'In causa appellacionis venerabilis domini Joannis de Domanyow prepositi Vylnensis et archipresbiteri ecclesie parrochialis Sancti Joannis inibidem contra venerabilem dominum Stanislaum Comorowski notarium magnifici domini pallatini Vylnensis' (i.e. Albert Gostautas)], 107v, 108r–v [12 Dec. 1537], 121v–122 [28 Jan. 1538: 'Appellacio Domanyow occasione prebende Vylnensis [...] occasione canonicatus et prebende ibidem in ecclesia Vylnensi']. See also LMAVB, F 43, b. 210/2, fos. 79r–80r.

<sup>25</sup> *Acta capituli...*, § 207, p. 112–113 (10 Nov. 1523), § 284.2, p. 148 (7 Oct. 1524); Bishop Radvila's Appeal records – AAG, A84, fo 124v [25 Aug. 1524], 126v–127, 129 [10 Sept.: Zaberezinskis case, sole mention]; A85a fo 120 [19 Feb. 1528], 128r–v, 133 [9 March 1528].



founded sometime in or before 1523 by the Sologubaičiai, patrons of the nearby parish of Ivenčius, and served by Fr Mikalojus, who witnessed the Kamien foundation in 1524.<sup>26</sup> Fr Jonas of Širvintos appealed in 1524 against his excommunication by Bp John of Vilnius, incurred as a result of a dispute involving the Ruthenian nobles Mikalojus Aleksandrovičius and his son Syenko.<sup>27</sup> Conflict continued over many years between the parish priests of Žiupronys and Ushakovo (Vaistam), and between the incumbents of Lentupis (Stanislovas) and Varnionys (Mikalojus); the latter was almost a notorious litigant.<sup>28</sup> The noble Jonas Paškovičius, who along with his wife Zofija had witnessed the foundation of St Peter's Chantry in Ukmergė in 1512, litigated against a chantry priest, Steponas of Ukmergė,<sup>29</sup> and then against Fr Leonardas, also

<sup>26</sup> AAG, A84, fo 45r [2 Sept.: '*In causa appellacionis nobilium Stanislai et Alberti Zolohuboviczy contra Nicolaum plebanum in Zyvicza, Vilnensis diocesis*'], 48, 64v, 70v2v, 73r–74r, 110v [29 May 1525]. When the appeal was resolved is unknown. This case indicates that the parish in Sivica was founded sometime before 1523 by the Sologubaičiai, patrons of the nearby parish of Ivenčius (*Acta primae Visitationis...*, p. 259, n. 594, 595), and served by Fr Mikalojus, who witnessed the Kamien foundation in 1524. Albertas and Stanislovas were sons of Jurgis Sologubas and Princess Liudmila Svyjškaitė – TĘGOWSKI, J. Op. cit., s. 102.

<sup>27</sup> AAG, A84, fo 45v [2 Sept. 1524: '*Relacio cursoris. In causa appellacionis Joannis in Czyrwinta plebani diocesis Vilnensis contra nobilem*' (name omitted)], 46v [*contra nobilem M*'], 47r–v, 48v, 49v, 59 [10 Oct.: '*Joannis in Syrwynta plebani contra nobilem Nicolaum Alexandrovicz*'], 60v, 61v–62r [26 Oct.: '*Appellacio Schyrvyntha. In causa appellacionis honorabilis domini Joannis in Schyrvyntha plebani contra nobilem Syenkonem Ruthenicum* [...]'] request to lift excommunication placed on Jonas by the bishop of Vilnius at the request of Syenko], 103v [5 May 1525: '*contra nobilem Syenkonem heredem in Syrvintha*'], 104v–105r [10 May 1525: '*contra nobilem Syenkonem Mykolayewicz*'], 106, 107 [15 May 1525, last mention]. He may be the same Nicolaus Alexandrovich as listed amongst the gentry of Kernavė parish – *Acta primae Visitationis...*, d. III, nr. 24, p. 151. One Zophia Mycolayowna donated a serf named Jurgis to the Holy Trinity Chantry at Maišiagala in 1506; the relevant documentation was issued '*in curia nostra Szyrwynty*' – *Kodeks dyplomatyczny katedry i diecezji wileńskiej = Codex diplomaticus ecclesiae cathedralis necnon dioceseos vilnensis*. Wyd. Jan FIJAŁEK, Władysław SEMKOWICZ (hereafter, *KDKDW*). T. 1. Z. 3: 1501–1507. Kraków, 1948, nr. 598, s. 713. Perhaps Zofija was Aleksandrovičius' daughter?

<sup>28</sup> Žiupronys and Ushakovo (Vaistam): AAG, A85a, fo 156 [10 June 1528: '*In causa appellacionis honorabilis N. in Zuprani plebani contra plebanum in Uschakovo*'], 164v [26 June: documents (*acta*) of the bishop of Vilnius produced], 176 [26 Aug.]. In 1526 the priest in Žiupronys was Peter (*LKD*, nr. 1993, p. 336); Fr Motiejus was the incumbent in 1536 (*LKD*, nr. 1753, p. 304); cf. *Acta primae Visitationis...*, p. 257, n. 576 where the ms. ref. to Petras contains a printing error which should read *LMAVB*, F 256, b. 1974 (not 1993). On Ushakovo, see *Acta primae Visitationis...*, p. 182–183, n. 143–152; the parish priest in 1504–1532 was Vaclovas. Lentupis and Varnionys – AAG, A84, fo 61v [26 Oct. 1524: '*In causa appellacionis honorabilis Stanislai in Lyntupye plebani contra honorabilem Nicolaum in Vorniany plebanum*']. Reprise of case where sentence was issued on 11 March 1523, when the guilt of Fr Mikalojus was upheld; closer details of the case which was heard by the canons of Vilnius at an earlier date are unknown – *Acta primae Visitationis...*, d. III, nr. 25, p. 254.

<sup>29</sup> AAG, A84, fo 44r–v [31 Aug. 1524], 86v–87 [10 Feb. 1525: '*Jeremias de Czarnkowo* [...]'] against Mathias Popik de Gnezno, mansionary [...] *anno preterito die et mense certis litteras eidem per ipsum Jeremiam creditas, datas, clausas et sigillatas ad hospitemque suum Volgangum civem Vilnensem directas videlicet absolutiome pro parte honorabilis domini Joannis in Cyrvyntha plebani expeditas et in concistorio Gneznensi oblatas aliasque literas compulsoriales in selo et causa nobilis Joannis Paskovicz contra quendam Leonardum altaristam in Vylkomiria ad manus Jeronimi Volski dicti Paskovicz consistorii Vilnensis procuratoris sibi missas et per eundem Matiam receptas violavit*'], 97v–98, 105v [10 May], 106, 107v, 111, 120v, 134, 137, 137v, 138r–v, 139v, 141r–v, 144v [3 Nov. 1525]; Steponas – *LKD*, nr. 2410, p. 396, active in 1517; Jonas Paškovičius and his wife Zofija witnessed the foundation of St Peter's altar in Ukmergė – *Acta primae Visitationis...*, p. 213, n. 27. 1525 Paškovičius vs. Chantry priest Leonardas (mistake for Steponas?) – case mentioned alongside Peter Kondratovičius vs. Leonardas, parish priest of Vilnius. Kondratovičius was

chantry priest of Ukmergė. Jonas was represented by Jeronimas Volskis, procurator of the Vilnius Consistory.<sup>30</sup>

It is unclear whether disputes involving Orthodox laymen (*schismatici*) and Catholic priests which occur on two occasions in the record for this period arose from confessional antagonism or 'normal' conflicts over presentation to parish livings. The case of Olechno, factor of the Jagintaitis manor and parish of Trakeliai, and the mansionary priest of Vilnius Cathedral, Leonardas, is recorded solely in procedural terms rather than detail.<sup>31</sup> A clash between two contenders for the living at Choroszcz in Podlasie (Vilnius diocese) also involved the schismatic factor, one Dmitry, of the parish's patron, Aleksandras Chodkievičius. The case is all the more intriguing for the fact that the town had been donated by Chodkievičius in 1501 to his Orthodox monastery of the Annunciation in Supraśl. However, on 30 December 1533, Chodkievičius resumed personal control of both the town and the manor. Sometime earlier in 1533, or perhaps the year before, Fr Morkus of Łomża had been presented to the Choroszcz living, which was sought also by another Polish cleric, Fr Stanislovas of Kobylin (diocese of Poznań). On Monday 22 September 1533, Fr Morkus presented his *appellatio commissaria ordinaria* before the Consistory in Gniezno. Two days later, his rival Stanislovas declared that Morkus could not be judged in his own case, and that sentence had been passed (presumably in Stanislovas' favour) by the bishop of Vilnius, whose letters were produced during the sitting on 26 September. An appeal was made against Dzymyth (Dmitry), schismatic Ruthenian factor of the Lord Coczkovycz. By the time Žygimantas the Old heard the case, it was recorded on 26 August that Morkus was 'one-time' parish priest, and that Stanisław now held the parish. That same day, a layman ('*providus*') Paulius Szyroka sued Fr Morkus in some undetailed and most probably unrelated case.<sup>32</sup>

also a patron of Ukmergė altar (*Acta primae Visitationis...*, p. 213, n. 27). Paškovičius (*Lietuvos Metrika*. Knyga 12, nr. 28, p. 49) an Ukmergė powiat boyar obliged to provide one horse.

<sup>30</sup> *LKD*, nr. 532, p. 106.

<sup>31</sup> *AAG*, A84, fo 2v [15 Jan. 1524], 3, 3v, 4v, 5 [1 Feb.]; *AAG*, C3 fo 316, 1 Feb. 1524: '*Sententia providi Olechno factoris in Trokyelye appellantis et honorabilis Leonardi mansionarii ecclesie cathedralis vilnensis appellati*'. Olechno to pay costs. Trokele or Novy Dvor, Lida district, 10 km n.e. of Zhirmuny, belonged to the Jagintaičiai-Rimvydaičiai family, cf. *KDKDW*, z. 1: 1387–1468. Kraków, 1932, nr. 212, s. 241. Two cathedral mansionaries named Leonard are known from 1537 and 1539 – *LKD*, nr. 1188, 1189, p. 216. It is not clear whether one of these men is meant here, or indeed a third Leonard.

<sup>32</sup> On Aleksandras Chodkievičius and Choroszcz – KIRKIENĖ, Genutė. *LDK politikos elito galingieji: Chodkevičiai XV–XVI amžiuje*. Vilnius, 2008, p. 93, 103, 131–136; the early history of the parish – MAROSZEK, Józef. Fundacja kościoła i powstanie rzymskokatolickiej parafii w Choroszczy w latach 1437–1459. In *Parafia rzymskokatolicka w Choroszczy – 550 lat: księga jubileuszowa*. Red. Tadeusz KASABUŁA, Adam SZOT. Białystok, 2009, s. 49–61, and KASABUŁA, Tadeusz. Rys historyczny parafii rzymskokatolickiej w Choroszczy. In *Ibid.*, s. 17–48. *AAG*, A86, fo 242v–243 [22 Sept. 1533: '*In causa appellacionis commissarie ordinarie honorabilis Marci de Lomza ad ecclesiam parrochialem in Choroszcza diocesis Vilnensis presentati et contra honorabilem Stanislaum de Cobilyn*'], 243v [24 Sept.: Stanislovas counters that Morkus cannot judge his own case and that the bishop of Vilnius has given his verdict; '*appellacionis eiusdem. In causa appellacionis commissarie ordinarie honorabilis Marci de Lomza presentati ad ecclesiam in Choroszcza Vilnensis diocesis contra Dzymyth rutenum scismaticum factorem Domini Coczkovycz*'], 244v [26 Sept.:

The Gniezno appeal court also heard cases involving lay folk such as Barbara Czarnahannussowa of Vilnius and the merchant (furrer) Mikołaj Cypssar (Cypser) of Cracow. This unexplained dispute, which must have been heard first in Vilnius in 1523 or early 1524 (the appeal appears in August of the latter year), involves the wife of a Vilnius clay merchant Hanusz Czarny, who purchased clay from the warden of Vilnius cathedral, Canon Jonas Filipavičius (d. 1524). Barbara was not satisfied with the decision of her local consistory. The case is interesting mostly for its detail of transport difficulties, and Cypser's use of letters from Duke Conrad of Mazovia and personal oath on Crucifix to confirm his account of highway skulduggery by Barbara's friends. The perils inherent in travelling to court (or elsewhere) are mentioned in several cases. The Cypser family of merchants and Cracow councillors had business interests in Poland, Lithuania (in Bielsk Litewski and Vilnius), Ruthenia, Hungary, Flanders, the German lands and England.<sup>33</sup> We encounter the appeal of a noblewoman, Zofija Michnienė of Merkinė, against Jonas Nemiraitis in 1528-1529, which may be a continuation of the 1524 quarrel over the manor of Merkinė between Jurgis Jurgaitis Nemiraitis (brother of Jonas [Jan Uhry]) and Juchna Michnovičius known to us from the Lithuanian *Metrica*.<sup>34</sup>

letters presented '*sub titulo et sigillo Reverendissimi patris et domini Joannis ex Ducibus Dei gratia episcopi Vilnensis*', 246; A87, fo 15v–16 [9 March 1534: '*contra quascunque personas signanter contra honorabilem Stanislaum de Kobylin et Dzymith ruthenum scismaticum factorem domini Alexandri Koczkwowycz*'], 16v [11 March: '*Marci de Lomza in Choroscza diocesis Vilnensis plebani contra Dzymith ruthenum scismaticum factorem Domini Alexandri Choczkwicz*'], 18, 19, 20v, 21r–v, 60v–61 [26 Aug.: Morkus is now '*quondam plebanus*' and Stanislovas, actual parish priest following a judgment of King Žygimantas the Old and the court sits '*in causa providi Pauli Szyroka contra honorabilem Marcum de Lomza quondam in Choroscza plebanum*'. A Marcus Martini de Lomza matriculated in Cracow on 15 September 1518 – *Metryka czyli Album Uniwersytetu Krakowskiego z lat 1509-1551: Biblioteka Jagiellońska rkp.* 259. Wyd. Antoni GAŚSIOROWSKI, Tomasz JUREK, Izabela SKIERSKA przy współpracy Ryszarda GRZESIKA. Warszawa, 2010, s. 94: 1518e/147.

<sup>33</sup> AAG, A84, fo 43v–44r [31 Aug. 1524: '*In causa appellacionis Czarnahanussowa de Vilna contra Nicolaum Cypssar de Cracovia*'], 45r, 46r [5 Sept.: '*Barbare Czarnahannussewa appellacio*'. Nicolaus Cypssar claims that he was unable to come to court '*quod amici Barbare appellantis viam, qua ire Gneznam debuit, eidem obsesserant et eidem in mortem machinati sunt, qui propterea alia via fuit et est coactus, quam insecuritatem et machinationem litteris illustris Conradi ducis Mazovie et iuramento proprio corporali, quod ad imaginem Crucifixi prestitit, probavit et confirmavit*'], 46v, 47v, 49v, 52r, 52v [19 Sept.]. NIWIŃSKI, Mieczysław. Z dziejów rodziny Cypserów. *Rocznik Krakowski*, 1938, t. XXX, s. 227–233. See also biography of Stanisław Cypser (died 1540) by Mieczysław Niwiński in *Polski Słownik Biograficzny*. T. IV. Kraków, 1938, s. 129. The Vilnius chapter records note how in 1528 the future burgermaster of Vilnius Augustinas Morstynas sought to retrieve the clay purchased by his predecessor from Filipavičius – *Acta capituli...*, § 428, p. 232. In 1531 he would be a member of the city council and burgermeister in 1537 and 1541; it is not clear whether he was a councillor in 1528 and it was in this post that Czarny was his predecessor – see the seventeenth-century list of Vilnius city leaders: *Lietuvos valstybės istorijos archyvas (Lithuanian State Historical Archives, hereafter, LVIA)*, Senieji Aktai, 5324 fo 3, 4 (information from Dr Elmantas Meilus). The clay came from Paneriai, the chapter estate held by Filipavičius, which would later become the site of a brick kiln because of the abundance of clay on the estate and timber for the brick ovens from the nearby forest – *Acta capituli...*, § 474, p. 252. Dangers of travelling to court presented as excuses for absence – ROWELL, S.C. *Church Court Records...*, p. 40, n. 28, p. 43 and the Mažvydas case, below.

<sup>34</sup> AAG, A84, fo 127v [28 Feb. 1528: '*In casua appellacionis generosi domini Joannis Nyemyrowicz Vylnensis diocesis contra nobilem dominam Zophiam Mychnowa*'], 130r–v, 131v [6 March 1528], A85b fo 18 [5 March

However, the most striking feature of the records between 1524 and 1538 is the predominance of cases from Žemaitija, a diocese which previously featured only in disputes involving the bishop, a nationwide figure, and litigants from the diocese of Vilnius (as in the case of Bishop Martin<sup>35</sup>). This confirms the deepening of Catholic practice across the diocese of Medininkai (Žemaitija), as is reflected in particular in the increasingly predominant use of Christian forenames from the last quarter of the fifteenth century.<sup>36</sup>

### Samogitia catholica litigat

174

The loss of early local consistory records from the Grand Duchy of Lithuania (with the notable exception of those from the diocese of Lutsk) means that we know little of the development of the ecclesiastical court in Žemaitija. According to Grzegorz Błaszczyk, the earliest known reference in written records to the activity of an official (a consistory court officer deputising for the bishop in legal cases) in the diocese of Medininkai appears in 1503, almost 90 years after the foundation of the see, when we read of Canon Paulius Jonaitis (Paulus Johannis) of Przasnysz, who later became the diocesan vicar in spirituals.<sup>37</sup> The officialate was established in the see of Vilnius in 1439, 52 years after the establishment of the diocese. It would be tempting to connect this apparent development in the diocesan legal structure in Žemaitija with the activities of the lawyer bishop Martin III. Whatever the case may be, miscreant clergy (to say nothing of the laity) existed in Žemaitija well before 1503, and legal

1529: 'Zophia Mychnowa de Merez contra dominum Joannem Nyemyrowicz', 20, 21, 22v, 29, 29v, 30 [21 Apr. 1529]. Jurgis Jurgaitis Nemiraitis in dispute with Juchna Michnovičius over a manor in Merkinė in 1524 – JASZCZOŁT, Tomasz. Ród Niemiry z Wsielubia – Niemirowiczowie i Szczytowie herbu Jastrzębiec do połowy XVI wieku. In *Unia w Horodle na tle stosunków polsko-litewskich od Krewa do Zaręczenia wzajemnego Obojga Narodów*. Red. Sławomir GÓRZYŃSKI. Warszawa, 2015, s. 175–250; *Lietuvos Metrika*. Knyga 14: 1524–1529. *Užrašymų knyga 14*. Parengė Laimontas KARALIUS, Darius ANTANAVIČIUS. Vilnius, 2008, nr. 348, p. 158.

<sup>35</sup> ROWELL, S.C. Martin III...; ROWELL, S.C. Church Court Records...

<sup>36</sup> VAIVADA, Vacys. Christianizacijos plėtra Žemaitijoje XV a. pabaigoje – XVI a. pirmojoje pusėje remiantis asmenvardžių duomenimis: Karšuvos valsčiaus pavyzdys. In *Kultūra – ekonomika – visuomenė: sąveika ir pokyčiai viduramžiais ir ankstyvaisiais naujaisiais laikais Baltijos rytinėje pakrantėje*. Sud. Marius ŠČAVINSKAS. Klaipėda, 2015, p. 205–219; VAIVADA, Vacys. Christianizacijos plėtra Žemaitijoje XV a. pabaigoje – XVI a. pirmojoje pusėje remiantis asmenvardžių duomenimis: Kražių valsčiaus pavyzdys. In *Kultūra – ekonomika – visuomenė...*, p. 220–244; VAIVADA, Vacys. Christianizacijos plėtra Žemaitijoje XV a. pabaigoje – XVI a. pirmojoje pusėje remiantis asmenvardžių duomenimis: Telšių valsčiaus pavyzdys. In *Kultūra – ekonomika – visuomenė...*, p. 245–262; VAIVADA, Vacys. Krikščionybės įsitvirtinimo Žemaitijoje XV a. pab. – XVI a. vid. klausimas: parapijų tinklo raidos ir asmenvardžių kaitos aspektas. In BARASA, Darius; ELERTAS, Dainius; MILTAKIS, Egidijus et al. *Vertybių transformacijos: Baltijos regiono rytinė pakrantė XIII–XVIII amžiais*. Sud. S.C. ROWELL. Klaipėda, 2015, p. 138–149.

<sup>37</sup> BŁASZCZYK, Grzegorz. *Diecezja żmudzka od XV wieku do początku XVII wieku: ustrój*. Poznań, 1993, s. 93–95; LKD, nr. 1871, p. 320.

measures were taken locally to correct them, as we see from the evidence of the Sacred Penitentiary.

Most interesting perhaps for those studying the rise of Protestantism in Lithuania will be the occurrence of one Fr Andriejus Mažvydas, parish priest of Alsėdžiai, among the appellant litigants of 1536. The case is a traditional one: a priest involved in violence.<sup>38</sup> On Friday 12 May 1536, a roll of evidence from the official of the diocese of Medininkai, Canon Stanislovas Skulskis, was presented before the Consistory court in Gniezno regarding a dispute between one Andreas Moswidus de Olsadi, the parish priest of that town, and a local boyar Grigalius Bružas. Bružas and his son Jonas were not from Alsėdžiai (the event narrated in the case happened as they left the town). Judging from Žemaitijan land records, the Bružas family owned land in the area around Kražiai, Medingėnai and Pavandenė.<sup>39</sup> It is the magic name Mažvydas more than the no less noble Bružas that draws the eye.

According to Bružas, he encountered Andriejus Mažvydas and his companions who were very drunk as he and his son were leaving the town in the middle of the night. The priest and his companions blocked the road for Bružas and his son, rushed at the decrepit old man, and beat and thrashed him, and brought him seriously low. Bružas could not defend himself, but shouted for neighbours to help him. A crowd gathered, and demanded to know who was blocking the road. A general brawl then ensued where it was unclear who hit whom.<sup>40</sup> Cases of violence involving drunken boyars and clergy are no rarity. For the clergyman, the consequences, even if physically slight, could be serious professionally: involvement in the spilling of blood

<sup>38</sup> ROWELL, S.C. Ginčai ir jų sprendimai XV a. Lietuvoje: apgautų pirklių bei nusikaltusių kunigų pavyzdžiai. *Lietuvos istorijos studijos*, 2007, t. 20, p. 9–20, here p. 14–17; BARONAS, D.; ROWELL, S.C. Op. cit., pp. 454, 501; BRUŽAITĖ, R. LDK parapiinės dvasininkijos..., p. 76–78.

<sup>39</sup> For a summary of the Bružas landholdings, see BŁASZCZYK, Grzegorz. *Herbarz szlachty żmudzkiej*. T. I. Warszawa, 2015, s. 273–275.

<sup>40</sup> AAG, A87, fo 251 [‘*Appellacionis honorabilis Andree Mosvidi de Olsadi, diocesis mednicensis. In causa honorabilis Andree Mosvidi de Olsadi. Magister Martinus Tucholya procurator dicti Andree produxit rotulum verificacionum gravamina appellacionis sue sub sigillo venerabilis domini Stanislai de Skuli, officialis mednicensis, in presencia magistri Petri Czieszewski, ex adverso procuratoris, quod sigillum habuit pro recognito*’], 254v–255 [17 May: ‘*In causa appellacionis honorabilis Andree de Olsadi diocesis mednicensis Magister Martinus Tucholya honorabilis Andree Mosvidi plebani in Olsadi procurator legitimus accusavit contumaciam magistri Petri Czieszewski procuratoris Gregory Brusz*’], 261, 265 [2 June: ‘*Tucholya [...] produxit libellum articulatum in scriptis*’], 267v [7 June 1536: Mažvydas against Gregory Brusz, whose lawyer replies to the libellum: ‘*Quod ipsemet solus plebanus de Olsady unacum suis complicitibus existens ad modum ebrius in eodem opido Olsadi media nocte dum iturus erat de opido, idem Gregorius Brusz cum filio suo obsedit sibi viam publicam in eumque cum suis complicitibus violenter irruit eumque verberavit, vapulavit prout voluit hominem serio confectum et iam multo decrepidum. Ipse se vero nullo modo defendere potuit tamque senex et decrepidus, sed clamavit ut vicini eum adjuvarent et referrent quis talis esset occupator et obsessor viarum vicini congregati rescire voluerunt, quis esset ille. Ipse vero irruit in eos cum clamore et cepit verberare eos. Illi vero vim vi repellendo et defendendo sese in congressu. Nescitur quis ex illis eundem tegerit et procusserit. Petens per dominum allegationi sue per partem exadversam respondere mandari et ad ulteriora procedere mandari*’], 269v [9 June: each side accuses the other of *contumacia*. Tuchola denies the allegations made against his client].

suspended a priest automatically from divine service until he obtained a dispensation, often from the Pope. From the social point of view, the conviviality of priests and gentry should not surprise us, for it is from this milieu that the vast majority of priests in Lithuania were descended, and whose style of dress many emulated, judging by diocesan sumptuary regulations. It is important not to be distracted by the late nineteenth-century social balance, where a good portion of clergy often comprised peasants on the make, as today, elevated to the company of the gentry (*mutatis mutandis*) by their professional status.

It is uncertain whether Mažvydas' incumbency in Alsėdžiai was determined by his family connections with the local gentry (as it was not rare in Lithuania for a local candidate, or even a kinsman of parish founders, to be appointed to a living), or by his good standing with the local bishop who held the advowson to the parish, even though bishops did not begin to reside there until the second half of the sixteenth century. It is certainly clear that Martynas Mažvydas was not an ecclesiastical outsider, even if he was a discontent.

While the Mažvydas case would have appeared only before an ecclesiastical judge in Medininkai-Varniai, other disputes were heard before the secular courts too. This means that on certain occasions a connection occurs between the Gniezno archive and legal records from the Grand Duchy. One such set of cases involves the appeal of the executors of the will of Marina, wife of Mikalojus Petkaitis Šukavičius, one time *tijūnas* of Pajūris, Kelmė, Kražiai and perhaps even Karšuva (d. ca 1534), which came before the Gniezno court of appeal on 6 March 1536. The dispute presumably came before other instances, secular or ecclesiastical sometime in 1535 at the latest. The executors of the will were the chaplain of Kražiai, Fr Motiejus, the local chantry priest Petras of Radzymin,<sup>41</sup> and the gentleman Martynas Laurynaitis (Martin Lavrinovicz) of Kražiai,<sup>42</sup> and they were in dispute with Ona Mickaitė Macaitė, widow of Laurynas Petkaitis Šukavičius, the *laikytojas* of Telšiai and *tijūnas* of Gandinga (d. ca 1534). One presumes that Marina bequeathed the Kražiai clergy property, which had belonged to her husband Mikalojus, and which should have fallen to his brother Laurynas, now deceased and hence to the latter's widow, Ona, even though claims to family property were made by Laurynas' sister Zofija Petkaitė Šukavičiūtė and her family by marriage, the Šemaškaičiai.<sup>43</sup> Among witnesses recorded in evidence were Can-

<sup>41</sup> A Petrus Stanisłai de Radzimino diocesis Plocensis: *Metryka czyli Album...*, s. 184: 1533h/029. Cf. the incomplete data of *LKD*, nr. 2000, p. 336. He was chantry priest at Kražiai from before March 1536 to after March 1541. He also served the chantry at Kaltinėnai in 1536 – see below.

<sup>42</sup> On Martynas, *tijūnas* of Karšuva, see SAVIŠČEVAS, Eugenijus. *Žemaitijos savivalda ir valdžios elitai 1409-1566 metais* Vilnius, 2010, p. 327. Martynas was also an executor of Darata Rukavičienės's will – see below.

<sup>43</sup> AAG, A87, fo 220, 222, 224, 281 [*Appellacionis diocesis mednicensis Anne (! Scribal error for Marine) Zukievicz*], 299v [25 Aug. 1536: a *rotulus* presented under the seal of the Medininkai official, Stanislas Skulsky], 321v [13 Oct.: *Martini Lavrinovicz de Croze contra generosam dominam Annam Lavrynova*], 326

on Martynas Krenžolietis (Martinus de Crązoly) of Medininkai, Fr Stanislovas, parish priest of Šiaulėnai (Szawlyky), Fr Steponas, parish priest of Luokė, and Kasparas, canon of Medininkai. The material preserved in Gniezno is procedural rather than descriptive. Similar may be said of the case as it continued and was recorded in the Lithuanian *Metrica* four and five years later in 1540–1541.<sup>44</sup> In February 1536, Ona, widow of Laurynas, was in dispute with her second husband, Mikalojus Šimkaitis Pašuvietis of Tendžiogala, over property he had taken over from her and not returned when their annulment was under way. The annulment on the grounds of consanguinity was sought by Šimkaitis (in his appeal, the court records Ona as his *legitimate* wife) before Bishop Vaclovas Virbickis of Žemaitija, the bishop of Vilnius (presumably Paul Holszanski) and eventually in Gniezno in July 1536. In February of that year, the secular court sent the case off to the Vilnius consistory.<sup>45</sup>

Sometime late in 1537, Stanislovas Orvydaitis, patron (and co-founder with his brother Jonas, but not his other brother, the cleric Mikalojus) of the parish church in Šilalė, where not long before the Protestant preacher Jonas Tartilavičius Batakietis had been active, his (unnamed) factor and the townsfolk (*totum oppidum, la toute Šilalė*, as it were) were involved in a dispute with their parish priest Johannes Karowski.<sup>46</sup> The case came before the Gniezno Consistory in May 1539, and was still

[23 Oct.: '*In causa appellacionis Petri de Radzymyno. Petri altariste et Martini Lavrynovicz a Croze contra generosam dominam Annam Lavrynova*']; A88 fo 10r–v [10 Nov. 1536: '*Appellacionis Radzimino diocesis Vilmensis. In causa appellacionis Petri de Radzymyno ac exequutorum testamenti olim Marine Nicolai Zukovicz consortis Martinus Thuchola, procurator exequutoris, accusavit contumaciam Petri de Czizova procuratorem Anne olim Laurency Czukovicz consortis non respondentis libello articulado*']; A89, fo 21v [26 Jan. 1537: '*executorum Marine Zukowycz honorabilium et nobilium Mathie capellani, Petri altariste et Martini Lawrinovicz a Croze – executors of the will of nobilis Marine relicte olim Nicolai Zukovicz contra nobilem dominam Annam Lavrynowa alias Szucyewicz*'; witnesses recorded in evidence were Martinus de Crązoly *canonicus medicensis*, Stanislaus *plebanus in Szawlyky*, Stephanus *plebanus in Lukniki*, Casparus *canonicus medicensis*], 85v, 130r–v, 104, 105v, 106v, 107 [7 Dec. 1537: sentence], 108 [10 Dec.: '*interpositio*'], 108v, 136 [22 Feb. 1538], 166, 211r; A90 fo 23 [24 March 1539]. For a summary of information about the Šukavičius brothers, see SAVIŠČEVAS, E. Op. cit., p. 350–351.

<sup>44</sup> *Lietuvos Metrika*. [Knyga 229:] 1540–1541. 10-oji Teismų bylų knyga. Parengė Stanislovas LAZUTKA, Irena VALIKONYTĖ, Saulė VISKANTAITĖ-SAVIŠČEVIENĖ. Vilnius, 2003, nr. 112, p. 74 [23 December 1540 dispute over skarby and moveable property where due to illness Ona did not appear in court when summoned in the case of Fr Motiejus of Kražiai and the chantry priest Petras]; nr. 128, p. 78–79 [dispute over property with Zofija Šimkavičiūtė-Šemaškaitienė]; nr. 256, p. 162 [18 March 1541 – Kražiai clergy and Marina's will, case postponed until Easter].

<sup>45</sup> *Lietuvos Metrika*. Knyga 19: 1535–1537. Užrašymų knyga 19. Parengė Darius VILIMAS. Vilnius, 2009, nr. 46, p. 99–100 [22 Feb. 1536], nr. 48, p. 100, nr. 53, p. 103 [26 Feb. 1536, a chest with 60 *sexagenae* belonging to Ona was stored by the priest at Plateliai until the bishop of Žemaitija commanded it be returned to Ona], nr. 57–58, p. 105–107 [28 Feb. 1536, list of Ona's property], nr. 164, p. 167–168 [13 June 1536]; AAG, A87, fo 288v–289 [10 July: '*In causa appellacionis nobilis Nicolai Simekovicz de Tandagoli diocesis medicensis contra nobilem Annam Oliachowna (Miachowna?) uxorem ipsius legitimum*'], 291r–v [17 July: '*Nicolai Simkovicz de Tandagoli diecesis medicensis contra Annam Oliachowna (Miachowna?) relictam olim Laurency Sukovicz*']; SAVIŠČEVAS, E. Op. cit., p. 335–336, 350.

<sup>46</sup> *Codex Medicensis seu Samogitiae diocesis*. Pars I: 1416.II.13 – 1609.IV.2 (Fontes historiae Lithuaniae, vol. III). Collegit Paulus JATULIS. Roma, 1984 (hereafter, *CM*), nr. 166, p. 256–258 [9 Sept. 1533]; SAVIŠČEVAS, E. Op. cit., p. 332–334.

unresolved in October of that year. Orvydaitis asserted that the case had been invented by Vitalijus of Szemborowo, the chantry priest of Viduklė, although it is difficult to imagine what reason he might have had for such an intervention.<sup>47</sup> It is not clear what the dispute involved; needless to say, the townsfolk, referred to variously as *subditi* and *complices*, had been obliged by the foundation charter to pay handsome dues to their spiritual father; perhaps they were unwilling to comply with this requirement. It is worth noting that the whole community was disaffected from their priest, and that presumably the priest lost his case before the Medininkai consistory. There is no hint in the record of any Lutheran sympathies on the part of the people of Šilalė (nor those of Bataakai). Stanislovas Orvydaitis' son Motiejus was married to Kotryna, daughter of Stanislovas Martinaitis Gruzdyš. It is unclear whether or how this would connect him with Grigalius Gruzdyš of Alsėdžiai, the litigant involved with Fr Jonas of Garwolin, parish priest of Varniai, over the will of Darata Rukavičienė.

Hitherto little was known of Vitalijus of Szemborowo, a village in the Słupca District of Greater Poland, except that he was a chantry priest at Viduklė, a bishop's foundation, whose curate and parish priest were often canons, who witnessed the foundation charter of Seda in 1538. From a reference to him as *venerabilis* in the Šilalė appeal case of 1539, he may have been a canon of Medininkai. Perhaps he was the same Vitalijus (referred to as a priest of the Vilnius diocese) who was in dispute with Mykolas Glinskis and the Raseiniai chantry priest Baltramiejus in 1524.<sup>48</sup> This Mykolas Glinskis was not related to the famous Tatar princes of that name. He was the son of Semionas Jonaitis Glinskis, and owed one horse from the Raseiniai *valsčius* in 1528; Mykolas owned an estate, Glinskiškiai, outside Raseiniai on the River Šlyna on the road to Viduklė (later known as Podrosieini), where Vitalijus held his benefice.<sup>49</sup>

In December 1538, Fr Vitalijus pressed an appeal case against two noblemen, Jonas Dobkaitis and Petras Petkus Vaitkaitis of Milžavėnai, whom for some reason now unknown he had excommunicated some time previously, but secretly they had obtained absolution from Bishop Vaclovas Virbickis, thereby aggravating their predica-

<sup>47</sup> AAG, A90, fos 60 [30 May 1539: '*In causa appellationis honorabilis Joannis Carrowski diocesis Medicensis in Szylowco plebani contra generosum dominum Stanislaum Orvydovycz et factorem ipsius ac totum opidum in eadem Szylowo*'], 62r–v, 63r–v, 65, 67, 108v [10 Oct. 1539], 109.

<sup>48</sup> Vitalijus 'Ostemborovietis' (*ratius Šemborovietis*) – LKD, nr. 2533, p. 420. AAG, A84, fo 41 [26 Aug. 1524: '*In causa appellationis commissaria ordinria Vitalis actu presbiteri de diocesi Vilnensi contra Michaelē Glynski et suos litis consortes appellatos*'], 64v [4 Nov. 1524: Vitalijus' case against Mykolas Glinskis '*et honorabilem Bartholomeum altaristam in Rossyn*'], 105, 106, 107, 110 [26 May 1525: altarista in Rozeini], 111r, 111v, 112r, 113, 114v [17 June 1525]. Baltramiejus is known only from this case; in 1538 Mikalojus Kopanskis was (also?) chantry priest there – see below.

<sup>49</sup> SAVIŠČEVAS, E. Op. cit., p. 315; BŁASZCZYK, G. *Herbarz szlachty...* T. II. Warszawa, 2015, s. 138, where the author mistakenly refers to Nicholas Glinski. It is not clear which of the three Raseiniai altars was served by Baltramiejus (the fourth was founded in 1538 – BŁASZCZYK, G. *Diecezja żmudzka...*, s. 201–202; *Lietuvos Metrika*. Knyga 523: 1528. *Viešųjų reikalų knyga 1*. Parengė Algirdas BALIULIS, Artūras DUBONIS. Vilnius, 2006, p. 151.



ment. It is highly likely that these men owed some kind of due to the Viduklė chantry, which had obtained land in 1513 from Milžavėnai. Virbickis absolved excommunicated nobles secretly on another occasion, and an appeal in that case too was heard in December.<sup>50</sup> He was also a witness in the Rukavičienė testament dispute, along with other canons and diocesan clergy (see below).

Another priest implicated in several appeal cases is the Medininkai Canon Martynas of Krąžoly (Krężolietis), chantry priest of Betygala, who appealed against Jonas Kozica Račkaitis, brother of the Šiauliai *laikytojas* (*dzierżawca*) Mikalojus Michnaitis Račkaitis, and through marriage a landowner from Ariogala.<sup>51</sup> Martynas excommunicated Jonas, who then clandestinely obtained a relaxation of his sentence from Bishop Vaclovas Virbickis. The dispute, probably over ownership of Padubysė manor, began in 1523. The manor was granted to the chantry by Stanislovas Kybartas, the father of Jonas' brother Mikalojus' wife. In 1523, the king confirmed the chantry's ownership of the manor.<sup>52</sup>

In 1527–1528, Fr Martynas found himself in conflict with the son of the palatine of Vilnius, Stanislovas Goštautas.<sup>53</sup> The details of the appeal remain unclear. Six years later, in 1534, in his role as parish priest of Kaltinėnai, a post he had held from at least April 1529, Martynas, along with his minister Motiejus of Chądyń, appealed against Jonas Grabovskis *vicesgerens*, Jonas Šeščikas (Szeszyko) the *vogt*, and all the townfolk of Kaltinėnai, in a dispute the clergy had lost in the local court.<sup>54</sup> The sparse court record provides no detail of the case, except for the way it progressed, but it does give us the names of local dignitaries, and grounds for believing that a school existed in the parish by 1534 (*minister* often being the term used for a schoolmaster,

<sup>50</sup> AAG, A89, fos 276v [11 Dec. 1538: '*In causa appellacionis honorabilis Vitalis de Ossyamborovo altariste in Vyducle diocesis Mednicensis contra nobiles Joannem Dobkaytysz et Petrum Petekusz Voythkaytysz de Mylzovyany*'], 277r–v [16 Dec. 1538]; *Lietuvos Metrika*. Knyga 523..., p. 151; BŁASZCZYK, G. *Herbarz szlachty...* T. I, s. 453. At this time there were 10 Dobkowicz in Žemaitija (Vilkija, Kražiai, Veliuona, Pajuris, Raseiniai, Viduklė, Karšuva): BŁASZCZYK, G. *Herbarz szlachty...* T. VI. Warszawa, 2016, s. 314, referring to Pietka of the Viduklė powiat. In 1513 Elżbieta widow of Vladka Sakaitis, Martynas Petkaitis, Mickus Jurgaitis endow altar of Our Lady, SS Anne and George in Viduklė parish church with land from various manors, including Milžavėnai – *CM*, nr. 115, p. 182. Land dispute with Viduklė parish priest – *LMAVB*, F 256, b 4282; SAVIŠČEVAS, E. *Op. cit.*, p. 338. For the excommunication by Martynas of Krężoly of Račkaitis, see below and n. 50.

<sup>51</sup> SAVIŠČEVAS, E. *Op. cit.*, p. 325, n. 88; *Lietuvos Metrika*. Knyga 523..., p. 148; AAG, A89 fo 277v [16 Dec. 1538: '*In causa appellacionis venerabilis domini Martini de Crązoly canonici mednicensis et altariste in Bethigola appellantis contra nobilem Joannem Cozycza Raczkovycz appellatum*'].

<sup>52</sup> *Lietuvos Metrika*. Knyga 224..., nr. 67, p. 87–88; *Lietuvos Metrika*. Knyga 14..., nr. 301, p. 150–151; SAVIŠČEVAS, E. *Op. cit.*, p. 325 and n. 88; BŁASZCZYK, G. *Diecezja żmudzka...*, s. 119–120; *LKD*, nr. 1282, p. 229.

<sup>53</sup> AAG, A85a, fo 129 [2 March 1528].

<sup>54</sup> AAG, A87, fo 6 [30 Jan. 1534: '*Appellacio Chądyno, Kolthynyany. In causa appellacionis Mathie de Chądzino ministri ecclesie in Kolthynyany diocesis Mednicensis contra Joannem Szeszyko advocatum de Kolthynyany*'], 7v, 8v, 9, 10; 41 [22 May: '*In causa appellacionis venerabilis domini Martini de Crązoly, canonici mednicensis et plebani in Colthynyany, contra nobiles Joannem Grabowski vicesgerenti, Joannes (!) Szeszyko advocatum ac omnes oppidanos de Colthynyany*'].

according to Jerzy Ochmański), bringing forward the date proposed by Błaszczyk and Vaivada.<sup>55</sup> It also reveals a conflict, probably over property or payment of dues, between the local clergy and town dignitaries and the population at large (as in the case of Šilalė). This conflict was unresolved by the local consistory, or resolved in favour of the laymen. We know also that in 1536, Jadvyga Dargaitienė was in dispute with Fr Petras of Radzymin, incumbent of the chantry founded by her husband Jokūbas Dargaitis. Peter was also concurrently the chantry priest of Kražiai (see above).<sup>56</sup>

The Raseiniai chantry priest Mikalojus Kopanyškis appealed against the official Stanislovas Skulskis. That same year, 1538, Mikalojus was involved in an appeal against Simonas Mitkaitis Pašušvietis, *tijūnas* of Ariogala and Rietavas.<sup>57</sup> The *tijūnas* was the father of Mikalojus Šimkaitis, litigious husband of Ona Laurynienė.

180

In 1537, we encounter an appeal in a case (details unknown) involving the Lioliai parish priest Tomas against the nobleman Andriejus, husband of Jadvyga of Lioliai. The church and chantry at Lioliai were foundations of the Viekavičius family, especially the brothers Stanislovas and Martynas, who held the advowson during the first half of the sixteenth century. One of their donations was witnessed by a *vogt* named Andruschko, but the name is too common to link it directly with the lady Jadvyga's husband. It is tempting to suspect that Jadvyga was a member of the Viekavičius family too. Jonas of Grodzyecz, probably a layman (*famatus*), appealed in a case he had lost against Ludmila Viekavičienė.<sup>58</sup>

A far-reaching web of activities involving a parish priest known hitherto solely by his Christian name and office as involved in a dispute in Cracow is illustrated by

<sup>55</sup> BŁASZCZYK, G. *Diecezja żmudzka...*, s. 206–208; VAIVADA, Vacys. *Katalikų Bažnyčia ir Reformacija Žemaitijoje XVI a: esminiai raidos bruožai*. Klaipėda, 2004, p. 105, 109 (before 1579).

<sup>56</sup> Dargaitis gave the commercial manor of Užyžnis to his chantry. The dispute with the chantry priest is mentioned in *LVIA*, f. 696, ap. 2, b. 2, l. 117–118, cited in MISIUS, Kazys. *Kaltinėnų bažnyčios ir parapijos praeities bruožai*. In *Kaltinėnai* (Šilalės kraštas, t. IX). Sud. Kazys MISIUS, Virginijus JOCYS, Albina AUKSIORIŪTĖ. Vilnius, 2010, p. 279–298, here p. 279. For Petras, see also n. 39.

<sup>57</sup> AAG, A89, fo 210v [26 Aug. 1538: '*in causa appellacionis honorabilis Nicolai Copanysky altariste in Rossyany diocesis mednicensis contra venerabilem dominum Stanislaum Skulsky canonicum et officialem mednicensem generalem*'], 221, 223, 227v [13 Sept]. Pašušvietis – AAG, A89, fo 113 [14 Jan. 1538: '*In causa appellacionis honorabilis Nicolai Copansky altariste in Rozyniany diocesis mednicensis contra generosum Simonem Mithcowicz tewonem*'], 114, 117v–118, 123v, 134v, 149v; SAVIŠČEVAS, E. Op. cit., p. 337.

<sup>58</sup> Lioliai – AAG, A89, fo 63v [14 May 1537: '*Honorabilis Thomas plebanus in Lale mednicensis diocesis*' presents a substitute procurator, meaning that the case must have begun earlier than this date], 64v [20 May: '*in causa appellacionis honorabilis Thome plebani in Lale diocesis mednicensis contra nobilem Andream maritum Jadvyge de prefata Lale*']. Lioliai avowees – *CM*, nr. 127, p. 197–199 [23 July 1517: '*Andruscho advocato*'], nr. 230, p. 335 [1556]. Other noble families with estates in Lioliai during the first half of the century and connected with the Viekavičiai include the Bartošaičiai, Burbos, Koreivos [Micko Jurewicz], Sakaičiai: SAVIŠČEVAS, E. Op. cit., p. 300, 301, 321, 355, 358. An undeniable Viekavičius case appears in the record alongside the Lioliai matter – Viekavičienė – AAG, A89, fo 63v [20 May 1537: '*In causa appellacionis famati Joannis de Grodziecz contra nobilem Ludmillam Wyekowiczowa diocesis mednicensis*'], 85, 116v–117, 120, 121v, 141, 167 [12 May 1538]. Ludmila Jonaitė, probably from the Pasile area, according to SAVIŠČEVAS, E. Op. cit., p. 357, wife of Martynas Viekavičius, *tijūnas* of Rietavas.

the career of Jonas of Garwolin, parish priest of Varniai, and later Rietavas. This is a pertinent warning not to draw hypercritically negative conclusions about the state of the Church in Lithuania from the very patchy information available to historians today. Jonas first appears (without reference to his Mazovian home town of Garwolin) in the record as parish priest of Varniai in March 1531, when King Žygimantas replies to the *tijūnas* of Rietavas, Martynas Viekavičius, consenting to appoint the incumbent of Varniai to St Sigismund's Church in Rietavas, granting him three inns and four service men in empty plots in the new town, along with a fee from meat sold in the market and one groat due at Christmas from every service man in the *valsčius* (district). He may be the son of Peter of Garwolin, who occurs in the register of Cracow University during the summer term of 1517. Perhaps during his student years he developed connections with local burghers; certainly he reappears in 1532 in a dispute with a Kraków woman, Katarzyna Usczina, before the official's court.<sup>59</sup> He is recorded on 2 April 1533, this time before the Gniezno Consistory, with regard to a dispute over the Rietavas living involving a rival candidate, Jonas 'Kalniskis' (Joannis Kalnyski) of Trąbinek (diocese of Poznań). Garwolin's procurator, Martin Tuchola, presented documents on his client's behalf penned by the case notary (*causarum notarius*) of the diocese of Medininkai, Jonas Bolskas Lovičietis (Joannis de Lovicz dicti Bolsk), and sealed with what was understood to be the seal of the Duchy of Ruthenia (sic!). After three more sittings, Kalniskis presented his appointment to the parish by the king under the seal of Stanislaus Nicolai de Skuli (a papal notary from the diocese of Poznań, who later that year would become the official of Medininkai), verified by a clerk in minor orders, Albertas of Varniai. From this case, it is clear that the parish was founded before 1532–1533 by the monarch, in whose gift the advowson lay. The foundation date proposed by Błaszczyk of 1563 (1565)–1588 is clearly a hypercritical and mistaken hypothesis; it may be after all that the church was established sometime around 1520 by Žygimantas the Old, as tradition used to hold, or at least 1529, when the town obtained its charter and hide reform.<sup>60</sup> It seems that there was uncertainty over who held the right of presentation to the living. On September 3, the court found definitively in favour of Garwolin, only for Kalniskis to appeal immediately against the sentence. On Friday 28 November, the appeal was adjourned for

<sup>59</sup> Johannes Petri de Garvolyn d. Poznanensis: *Metryka czyli Album...*, s. 81: 1517e/202; *LKD*, nr. 852, p. 148.

<sup>60</sup> *Lietuvos Metrika*. Knyga 17: 1530–1536. *Užrašymų knyga 17*. Parengė Laimontas KARALIUS. Vilnius, 2016, nr. 80, p. 125 [7 March 1531]; AAG, A86, fo 201 r–v [2 Apr. 1533: '*Appellacio Rethowo Mednycensis diocesis. In causa appellacionis honorabilis Joannis de Garwolin plebani in Vorny contra honorabilem Joannem Kalnyski occasione parrochialis ecclesie in Rethowo diocesis Mednycensis*']; 202v [4 Apr.], 208v, 208v–209 [7 Apr.: '*honorabilis Joannis Calnysk de Thrombino ad prefatam ecclesiam in Rethowo per sacram maiestatem regiam (presentati)*' – documents sealed by '*Stanislaus Nicolai de Skuli clerici Posnanensis diocesis sacra apostolica autoritate notarius publicus, verified by discretus Albertus de Vorny clericus in minoribus constitutus*'], 224 [9 July: '*occasione parrochialis in Rethowo et eius spolio*'], 234, 235v [3 Sept.: '*sententia diffinitiva pro parte Joannis de Garwolin*']; Kalnyski appeals – 236v–237], 266v [28 Sept. – case adjourned for two months for more evidence to be produced]; A87 fo 9r–v [11 Feb. 1534 – appeal of Kalnyski, *altariste Mednycensis*]. For deliberation of a later foundation date, see BŁASZCZYK, G. *Diecezja żmudzka...*, s. 174–175.

two months for further evidence to be presented. This adjournment seems to have been respected, for on 11 February 1534, the appeal of Kalniskis, now referred to as a chantry priest of Medininkai, was heard. However, from 9 July 1535 onwards, in cases involving Garwolin, he is referred to as parish priest of Varniai and Rietavas.<sup>61</sup>

As parish priest of Varniai, Garwolin was in dispute with several burghers concerning matters which are unknown to us. He was involved in a conflict with Dargušis of Varniai, who also appears in the Darata Rukavičienė testamentary, in a list of five nobles and burghers opposing Fr Jonas Garwolin and Vitalijus of Szemborowo.<sup>62</sup>

Fr Jonas of Garwolin was implicated in several cases against his own parishioners, burghers of Varniai, such as Grigalius Gricius, townsman of Varniai, in August 1533, and later the latter's widow Kotryna (also involved in the Rukavičienė case). It is unclear whether this Gricius is connected with the Gricius from the Viduklė district who owed a service of one horse, according to the 1528 muster list.<sup>63</sup> On 28 Nov 1533, *Martynas* of Garwolin is recorded in an appeal against Motiejus Vilnoviečius, an otherwise unknown burgher of Varniai. This seems to be a scribal error for Jonas of Garwolin.<sup>64</sup> On 25 August 1533, he launched an appeal in Gniezno against Marcin Sokolnicki, instigator and diocesan administrator (*sede vacante*).<sup>65</sup>

<sup>61</sup> AAG, A87, fo 141v [9 July 1535: '*Joannis de Garwolin in Vorny et Rethowo plebani*' – cases against Grigalius and Kotryna Gricius], and Dargusius of Varniai (see below).

<sup>62</sup> AAG, A87, fo 141v [9 July 1535: '*In causa appellacionis executorum nobilis olim domine Dorothee Andruskova Rucevicz contra instigatorem officij reverendissimi domini episcopi mednicensis*'], 149 [30 Aug.], 213v [11 Feb. 1536], 290, 309v, 315; A89 fo 72r–v [6 July 1537], 113v–114 [16 Jan. 1538], 118 [18 Jan.]. Dargusius of Varniai may be a kinsman of the Jonas Dargus, who was *vogt* of Varniai before 1514 (he was dead before the foundation of the church in Šaulėnai – CM, nr. 117, p. 187: '*in domo providi olim Ioannis Dorguzis advocati Vornensis*'). It should be noted that this family were burghers of Varniai, and perhaps not connected with the provincial gentry (cf. BŁASZCZYK, G. *Herbarz szlachty...* T. I, s. 413–419).

<sup>63</sup> AAG, A86, fo 231r–v [25 Aug. 1533: '*In causa appellacionis honorabilis Joannis plebani in Vorny contra Gregorium Griczuszch oppidanum de Vorny*']; A87 fo 6 [30 Jan. 1534: '*honorabilis de Garwolin in Vorny diocesis Mednicensis plebani contra Gregorium Gryczusz oppidanum Vornensem*'], 7v, 8v, 9, 10, 141v [9 July 1535: '*Joannis de Garwolin in Rethowo et Vorny plebani contra Catherinam relictam olim Gregorii Gryczusz*'], 213v [11 Feb. 1536], 289v–290 [12 July]. Gryc Jakubowicz – BŁASZCZYK, G. *Herbarz szlachty...* T. II, s. 309, *Lietuvos Metrika*. Knyga 523..., p. 151.

<sup>64</sup> AAG, A86, fo 266 [28 Nov. 1533: '*In causa appellacionis honorabilis Martini de Garwolin contra providum Mathiam Vylnowycz oppidanum Vornensem*']. This seems to be an error for Jonas, who was also in dispute with Gregorius Gryczusz oppidanus Vornensis. However, a Martin of Garwolin is known from a slightly later period (*LKD*, nr. 1310, p. 232) as commendator of Bransk (1545) and mansionary priest of Bishop John's Chapel in Vilnius Cathedral (1548). One Martinus Bernardi matriculated in Cracow on 8 July 1512 (*Metryka czyli Album...*, s. 37), while Martinus Petri de Garuolin matriculated in 1536 (*Metryka czyli Album...*, s. 195).

<sup>65</sup> AAG, A86, fo 231 [25 Aug. 1533: '*In causa appellacionis honorabilis domini Joannis de Garwolin in Vorny diocesis mednicensis plebani et contra instigatorem officij venerabilis domini Martini Szocolniczski* [*LKD*, nr. 1273, p. 228] *canonici et administratoris sede vacanteneckesie mednicensis*']. The *instigator officij* was an official prosecutor, as opposed to a private plaintiff, see WÓJCIK, Walenty. *Instygator w oficjalatu okręgowym w Sandomierzu. Prawo Kanoniczne: kwartalnik prawnohistoryczny*, 1959, r. 2, nr. 1–2, s. 331–383, here s. 336–346.

One of Garwolin's many appeals involved the legacy of a gentry couple from Kražiai who both died without issue in 1534. Shortly before his death, Andriejus Rukavičius founded a chantry altar in Kražiai on 12 May 1534. He was a well-to-do boyar from the Viduklė area, obliged according to the 1528 muster list to provide 11 horses from Viduklė and one from Beržėnai.<sup>66</sup> Between 1524 and his death in 1534, he was *tijūnas* of Beržėnai. In 1541, the executors of his widow Darata's will, the parish priest of Žagarė Aleksandras, Petras parish priest of Šaukėnai, and the boyar Martynas Laurynaitis, were in dispute in the Lithuanian court with the boyar Butkaitis. Martynas was also an executor of Marina Šukavičienė's will.<sup>67</sup> The parish at Šaukėnai had received land in 1534 from the Rukavičiai's servant Stasys Mikalojaitis Peška, who in turn had inherited the land from his masters.<sup>68</sup> The executors' case against the Medininkai instigator and official Canon Stanislovas of Skuly (LKD 2259) appears in Gniezno first on 9 August 1535, led by Jonas of Garwolin, parish priest of Varniai, Vitalijus of Szemborowo, chantry priest of Viduklė, and the executors; on 30 August, it became clear that the dispute involved other burghers and members of the Žemaitijan gentry from Varniai, Alsėdžiai, Viduklė, with some of whom Fr Jonas was conducting separate cases. They are listed as Grigalius Gruzdy (Krusz) of Alsėdžiai, who may well be an ancestor of the Žemaitijan Land Court clerk Stanislovas Gruzdy; Dargušis of Varniai; Jurgis Kvinta, probably connected to the Viduklė *tijūnas* Andriejus Kvinta; Mačkus of Varniai, and Kotryna Gričuvienė of Varniai.<sup>69</sup>

More information about the state of the parish of Kražiai is provided by data from 1534. Michael (Mykolas) of Daugai, a clerk of the Vilnius diocese, was the principal procurator of

<sup>66</sup> BŁASZCZYK, G. *Diecezja żmudzka...*, s. 202, 204; BŁASZCZYK, G. *Herbarz szlachty...* T. V. Warszawa, 2016, s. 113; SĄVIŠČEVAS, E. Op. cit., p. 341.

<sup>67</sup> SĄVIŠČEVAS, E. Op. cit., p. 341, n. 111 citing Lithuanian Metrica Book 24, fo 175–176v, which is the same as *Lietuvos Metrika. Knyga 231: 1540–1543. 12-oji Teismų bylų knyga*. Parengė Irena VALIKONYTĖ, Neringa ŠLIMIENĖ, Saulė VISKANTAITĖ-SĄVIŠČEVIENĖ, Lirija STEPONAVIČIENĖ. Vilnius, 2007, nr. 138, p. 129–130 [1 Sept. 1541: Butkaitis informed the official and the bishop of Žemaitija that he did not agree with the testament and the case was sent before the king because the executors had not paid off an outstanding debt of 1,000 sexagenae. The king upholds the verdict of the bishop and sends the case back for the bishop to resolve]. Fr Aleksandras – LKD, nr. 146, p. 42; Fr Petras – LKD, nr. 2003, p. 337, active until at least 7 May 1550. Martynas Laurynaitis, one time *tijūnas* of Karšuva, managed Darata's Varputėnai estate – SĄVIŠČEVAS, E. Op. cit., p. 327.

<sup>68</sup> SĄVIŠČEVAS, E. Op. cit., p. 341.

<sup>69</sup> AAG, A87, fo 149 [30 Aug. 1535: '*In causa appellacionis honorabilis Joannis de Garwolin in Vorny plebani, Vitalis de Ossyamborowo ac executoris testimonii nobilis olim Dorothee Andruszkowa contra instigatorem officii Reverendissimi domini episcopi et sui officialis medicensis necnon Gregorium Krusz de Olsiady, Dargusium de Vorny, Georgium Quinta, Maczko de ibidem et C[atharinam] Gruczowa de prefata Vorny [...] producto mandato ad causam de manu et signo legali Nicolai Orvid clerici diocesis medicensis sacra apostolica auctoritate notary publici*']. Gruzdy – GUDMANTAS, Kęstutis. Žemaičių bajoro įrašai Martyno Bielsko *Viso pasaulio kronikoje*. In *Lietuvos Didžiosios Kunigaikštystės kalbos, kultūros ir raštijos tradicijos* (Biblioteka archyvi lithuanici, t. 7). Sud. Sergėjus TEMČINAS, Galina MIŠKINIENĖ, Marina ČISTIAKOVA, Nadiežda MOROZOVA. Vilnius, 2009, p. 28–44, here p. 30, referring to Martynas, Jono Grigoraičio sūnus. Kvinta – cf. SĄVIŠČEVAS, E. Op. cit., p. 327. The case documents were drafted by Fr Mikalojus Orvydaitis, brother of the avowees of Šilalė and faithful servant of Bp Vaclovas Virbickis (see above and also LKD, nr. 1527, p. 265, *Lietuvos Metrika. Knyga 229...*, nr. 83, p. 57–58, 29 Nov. 1540; in 1543 he obtained a papal dispensation to enable him to hold two benefices while still not priested).

the chantry priest of the Kražiai fraternity, Bogdan Martissewycz, in August 1534. Nothing more is known of the case, but the mention is important as the first record of a fraternity in Kražiai, dated hitherto by Błaszczyk according to a reference in the 1579 diocesan visitation record as having existed 18 years earlier, that is, ca 1561. It is worth noting too that the fraternity had enough wealth by 1533-1534 to support a chantry.<sup>70</sup>

The earliest known reference to the parish of Butkiškė comes from 25 October 1525, when an appeal case involving Fr Martynas Stočekas (Stoczki), parish priest of Betygala, and his counterpart in Butkiškė, Fr Stanislovas, came before the Consistory in Gniezno. Błaszczyk (and subsequently others) dates the foundation from at least 1553.<sup>71</sup> In 1538, the court heard the appeal of the parish priest of Batakiai, Laurynas, against the nobleman Mikalojus Vaišvilaitis, known from the 1528 muster list.<sup>72</sup> It is highly unlikely that the affair involved heresy, despite the subsequent fame of another son of Batakiai.

## Conclusion

In conclusion, we may note that while the period 1525-1539 shows a continuation in litigation from the see of Vilnius, it marks a definite increase in the number of disputes between clergy, and between clergy and lay persons in the diocese of Medininkai, compared with legal practice during the previous 50 years. These cases are also reflected on more than one occasion by concurrent litigation before the secular court, especially in disputes over possession of patrimonial lands and property governed by conjugal agreements. It appears that both courts experienced difficulty in bringing such disputes to a rapid and acceptable conclusion. Cases highlight the complex nature of marriage contracts between gentry families, especially with regard to bequests of patrimonial land to kin and to family church foundations (as

<sup>70</sup> AAG, A87, fo 62 [28 Aug. 1534: '*Marthuszewycz. Discretus Michael de Daugy, clericus diocesis Vylnensis principalis procurator honorabilis domini Bogdan Martissewycz altariste fraternitatis Croszensis*']. BŁASZCZYK, G. *Diecezja żmudzka...*, s. 217-218, according to data referring to periods of 10 and 8 years in *Žemaičių vyskupijos vizitacija (1579) = Visitatio dioecesis Samogitiæ (A.D. 1579)* (Fontes ecclesiastici historiae Lithuaniae, vol. 1). Parengė Liudas JOVAIŠA, Juozas TUMELIS. Vilnius, 1998, p. 236-238.

<sup>71</sup> AAG, A84, fo 141r-v [25 Oct. 1525: '*In causa appellacionis honorabilis Martini in Betigola plebani diocesis Medniczensis contra honorabilem Stanislaum in Butkysky prefati diocesis*']. Martin Stoczki active as parish priest from at least 15 May 1516, when after the intercession of the *starosta* of Žemaitija on Martin's behalf Žygimantas granted the parish the right to hold a Sunday market - LKD, nr. 1277, p. 228. For the foundation of Butkiškė sometime before November 1553 when mention is made of the parish priest Ambraziejus Žaltys (LKD, nr. 169, p. 44), see BŁASZCZYK, G. *Diecezja żmudzka...*, s. 166-167, where Bishop Valančius' unsupported dating of 1506 is explained as a printer's error for 1560.

<sup>72</sup> AAG, A89, fo 136v [22 Feb. 1538], 166v, 277v [16 Dec. 1538]. *Lietuvos Metrika*. Knyga 523..., p. 162; BŁASZCZYK, G. *Herbarz szlachty...* T. VI, s. 300, a boyar from Kelmė (later Kražiai) owing one horse service; not clear whether he is the same Mikalojus Vaišvilaitis as the Penian boyar owing one horse (*Lietuvos Metrika*. Knyga 523..., p. 53) - this is unlikely. It is also unlikely that he was the father of Georgius *Mikolaiewicz* de Bathoky who witnessed the Seda endowment charter on 1 March 1538 - CM, nr. 182, p. 281.

in the case of the Šukavičiai, Šimkaičiai and Rukavičiai). A relatively small number of families from the central parts of the diocese appear to have been involved particularly in disputes concurrently before both local ecclesiastical and secular courts and the Gniezno court of appeal. Some Gniezno procurators (Marcin Tuchola, Piotr Czyszewski) appear to have 'specialised' in Žemaitijan cases, but there is no evidence that good service in Gniezno was rewarded with appointments in the diocese of Medininkai. The material presented in this article is by its nature fragmentary, but even fragments help fill out the general picture of the Catholicisation of Žemaitijan society. The deviance of the parish priest of Alsėdžiai broadens our picture of the Mažvydas family and its relations with the Catholic Church.

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## KUNIGAS ANDRIEJUS MAŽVYDAS, ŽEMAITIJA IR GNIEZNO ARKIVYSKUPO APELIACINIS TEISMAS (1525–1539)

S. C. Rowell

Santrauka

XV a. antrojoje pusėje Lietuvos Didžiosios Kunigaikštystės (LDK) katalikai – tiek pasauliečiai, tiek dvasininkai – bylas Gniezno apeliaciniame teisme kėlė dėl skirtingų priežasčių. Šios bylos palietė Vilniaus ir kitų LDK vietovių – Deltuvos, Giedraičių, Gardino, Kauno, Lentupio, Medininkų-Varnių (vyskupas Martynas II/III, kanauninkas Saliamonas), Merkinės, Salako, Semeliškių, Švenčionių, Trakų, Varnionių, Verkių, Valkavisko – gyventojus. Straipsnyje tiriama 1525–1539 m. laikotarpiu Gniezne išnagrinėtos bylos daugmaž sutampa su Jono iš Lietuvos kunigaikščių Vilniaus vyskupavimo laikotarpiu (1519–1536). Vilniaus vyskupijoje reikšti skundai apėmė klebono pareigų ir turto nuomą, dvasininkų konkurenciją dėl kanauninko vietos bei prebendos, dvasininkų ir pasauliečių ginčus, tarpusavio pasauliečių (bajorų, miestiečių) nesantaiką. Net trumpai aprašyti skundai gali papildyti

mūsų žinias apie bažnyčių, brolijų ir altorių steigimą. Vienas toks pavyzdys – tai atvejis, kai 1523 m. arba truputį anksčiau broliai Sologubaičiai įsteigė netoli savo 1522 m. Ivenčiųje įkurtos parapijos esančią Sivicos bažnyčią.

1525–1539 m. labiausiai stebinantis dalykas – tai bylų tarp dvasininkų bei tarp dvasininkų ir bažnyčios bendruomenės narių, kilusių Žemaičių (Medininkų) vyskupijoje ir atsidūrusių Gniezno arkivyskupo teisme, spartus skaičiaus išaugimas, lyginant su teismų praktika per ankstesnius 50 metų. Ši tendencija tuo pat metu ryški ir pasaulietinio teismo bylose, ypač ginčiuose dėl paveldiminių žemių ir turtinių teisių, kurias reglamentuoja santuokiniai susitarimai. Atrodo, kad abu teismai patyrė sunkumų surandant tokiuose ginčiuose greitą ir priimtina sprendimą. Šios bylos atskleidžia sudėtingą vedybinių sutarčių tarp diduomenės / bajorų šeimų pobūdį, ypač kalbant apie paveldėtos žemės palikimą giminėms ir šeimos bažnyčios fondacijoms (kaip Šukavičių, Šimkaičių ir Rukavičių atvejais). Palyginti mažesnis skaičius šeimų iš centrinių vyskupijos arealų vienu metu dalyvavo tiek vietiniuose bažnytiniuose, tiek pasaulietiniuose teismuose bei Gniezno apeliaciniame teisme. Kai kurie Gniezno prokurorai (Marcin Tuchola, Piotr Ciszewski) „specializavosi“ Žemaitijos bylose, tačiau nėra įrodymų, kad gera tarnystė Gniezne buvo apdovanota paskyrimais Medininkų vyskupijoje. Šiose bylose nagrinėti Alsėdžių, Batakių, Butkiškės, Kaltinėnų, Kražių, Liolių, Raseinių, Rietavo, Šaukėnų, Šiaulėnų, Šilalės, Varnių, Viduklės parapijų dvasininkų ir pasauliečių skundai. Kai kurie ginčai žinomi ir iš Lietuvos metrikos knygosė įrašytų valdovo teismo bylų medžiagos.

Besidominčiuosius protestantizmo Lietuvoje istorija turėtų sudominti 1536 m. Alsėdžių klebono Andriejaus Mažvydo apeliacijos byla. Jos pagrindas įprastas – klebono smurtas padauginus alkoholio. Vietinis bajoras Grigalius Bružas kaltino Andriejų Mažvydą tuo, kad šis kartu su savo bendrais, būdami labai girti, užtvėrė kelią jam ir jo sūnui Jonui vidury nakties išvykti iš miestelio ir juos sumušė. Smurto atvejai, kuriuose dalyvaudavo girti bajorai ir dvasininkai, nebuvo retenybė. Tačiau dvasininkui, net jei fiziškai jis nukentėdavo nesmarkiai, tai galėjo turėti rimtų profesinių pasekmių – dalyvavimas kraujo praliejime automatiškai užkirsdavo kelią kunigui toliau atlikti dieviškąją tarnybą tol, kol jis gaudavo leidimą, dažnai iš popiežiaus. Socialiniu požiūriu kunigų ir bajorų linksmybės irgi neturėtų stebinti, nes būtent iš bajorijos terpės buvo kilę dauguma Lietuvos kunigų. Andriejus Mažvydas buvo labai galimas Martyno Mažvydo giminaitis (dėdė, pusbrolis, brolis?). Tačiau nėra aišku, ar Andriejaus beneficija Alsėžiuose buvo nulemta jo šeimos ryšių su vietine bajorija (kadangi Lietuvoje nebuvo reta, kad beneficiją gaudavo vietinis kandidatas ar netgi parapijos fundatoriaus giminaitis), ar jo gerų santykių su vietiniu vyskupu, kuris turėjo teisę skirti kunigus į parapijas. Aišku tik tai, kad Martynas Mažvydas, matyt, nebuvo bažnytinis pašalietis. Tokie, nors ir menki, duomenys papildo mūsų žinias apie žymaus protestanto veikėjo kilmę.