

CHURCH COURT RECORDS AS EVIDENCE FOR THE CHRISTIANISATION OF LITHUANIAN SOCIETY IN THE LATE-15TH AND EARLY-16TH CENTURY

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ABSTRACT

This article surveys evidence of Lithuanian social and religious life during the long fifteenth century as revealed by consistory court records from the sees of Płock, Gniezno, Lutsk and Cracow. The dynamics of church court evidence coincide with those of other aspects of Catholic life in the Grand Duchy. Building churches, chantry chapels, funding mansionary priests, selecting particular Masses to be celebrated by your chantry priest (*Salve sancta Parens*, the Five Wounds of Christ, the Seven Joys of Our Lady), going on pilgrimage, taking part in a procession, venerating the Blessed Sacrament, sending supplications to Rome to obtain permission to own a portable altar or choose a confessor all become much more common in the later decades of the fifteenth century. Cases before the consistory courts in Płock, Gniezno, Vilnius and Lutsk involve a wide social group and deal with a broad range of issues (not just matrimonial disputes or the hiring out of benefices between priests). What we do not find is any obsession with paganism, no use of pagan as an insult, no account of 'pagan' practices (or even folk customs, which later become tarred with an ideological brush). Lithuanian dioceses are clearly integrated into the Polish metropolitan sees (Gniezno and also to a lesser degree, Lwów).

KEY WORDS: Catholic Church, consistory court, Gniezno, Lithuania, Lutsk, Poland.

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ANOTACIJA

Straipsnyje apžvelgiami Lietuvos socialinio ir religinio gyvenimo reiškiniai ilgajame penkioliktajame amžiuje, paliudyti Konsistorijos teismo įrašų Plocko, Gniezno, Lucko ir Krokuvos vyskupijose. Bažnytinio teismo įrašų dinamika dera su kitais katalikiškojo gyvenimo Lietuvos Didžiojoje Kunigaikštystėje aspektais. Bažnyčių ir altorių statyba, kolektyvinis kunigų išlaikymas, altaristų pasirinkimas aukoti konkrečias mišias (*Salve sancta Parens*, Penkios Kristaus žaizdos, Septyni Dievo Motinos džiaugsmi), piligriminės kelionės, dalyvavimas procesijose, Švenčiausiojo Sakramento garbinimas, prašymų (suplikų) siuntimas į Romą dėl leidimo turėti nešiojamą altorėlį ar pasirinkti nuodėmklausį paskutiniaisiais XV a. dešimtmečiais tampa nusistovėjusia praktika. Plocko, Gniezno, Vilniaus ir Lucko vyskupijų Konsistorijos teismų nagrinėjamos bylos apima plačius socialinius sluoksnius ir sprendžia daugelį klausimų (ne vien santuokų problemas ar kunigų ginčus dėl beneficijų nuomos). Tačiau nerandame jokių duomenų, liudijančių pagonybės puoselėjimą, užgaulų pagonybės termino vartojimą ar pranešimus apie „pagoniškuosius“ ritualus (arba net liaudies papročius, vėliau „suteptus“ ideologinio teptuko). Lietuviškosios vyskupijos aiškiai integruotos į Lenkijos metropolijas (Gniezno ir kiek mažesniu mastu Lvovo). PAGRINDINIAI ŽODŽIAI: Katalikų bažnyčia, Konsistorijos teismas, Gnieznas, Lietuva, Luckas, Lenkija.

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It is hard to determine popular enthusiasm for new ideas and practices¹. Impositions from above as often as not are met with resistance from below. A country does not change religion overnight. A good indicator of the level of acceptance of a different social constitution is provided by factors which are in essence voluntary: the building of churches, attendance at services, supplications for special privileges (to choose one's own confessor, indulgences), participation in extra-curricular activities (going on pilgrimage, taking part in processions, joining a confraternity), application for public recognition (of marriages the new rule-makers state to be invalid), and measures to avoid infamy (most commonly clerical remission for misdemeanours perceived or real)². While the law may tell us something is wrong, it is resort to legal procedures that indicates what plaintiffs regard as criminal and the court in which they choose to prosecute those who trespass against them indicates their acceptance of that institution's social relevance. For this reason the evidence of church courts provides us with examples of how Christian manners and ecclesiastical institutions are embedded in a given society. A century or so after conversion from above Lithuanian society of various ranks, not only the monarch and his noble servants but also burghers and peasants had recourse to church courts even in cases where the matter in hand would have been served more commonly and properly in the secular courts³.

That may be all well and good. Unfortunately we must concede that Consistory court records from the sees of Vilnius and Medininkai are no longer extant. The records were destroyed centuries ago and only very rare extracts survive in other, usually later manuscript records. However, there is no need to lose heart completely. We have a very full record from the Diocese of Lutsk, politically Lithuanian until 1569, from 1469 onwards, and cases involving priests and laymen from the Grand Duchy were heard in the church court of the Mazovian see of Płock for specific reasons. The Consistory judges of Gniezno heard appeals from cases which had already passed before the bishop and his official in Vilnius. This material and evidence of Lithuanian lawyers working in the Diocese of Cracow illustrate how by the end of the fifteenth

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² ROWELL, S.C. Was Fifteenth-Century Lithuanian Catholicism as lukewarm as reformers and commentators would have us believe? *Central Europe*, 2010, Vol. 8, Issue 2, pp. 86-106.

³ Church courts in mediaeval Poland - VETULANI, A. *Początki oficjalu biskupiego w Polsce* (Nova Polonia sacra, t. 3). Kraków, 1934. The newest research in this area comes from GAŚSIOROWSKI, A.; SKIERSKA, I. Średniowieczni oficjale gnieźnieńscy. *Roczniki Historyczne*, 1995, r. 61, s. 37-85; GAŚSIOROWSKI, A.; SKIERSKA, I. Oficjale okręgowe w późnośredniowiecznej archidiecezji gnieźnieńskiej. *Zasopisma prawnohistoryczne*, 1995, t. 47, z. 1/2, s. 92-124; SKIERSKA, I. Źródła do badania praktyk religijnych w średniowiecznej Polsce: Akta sądów kościelnych i kapituł. *Archiwa, Biblioteki i muzea kościelne*, 2007, t. 87, s. 175-195. See also HEMPEREK, P. *Oficjalat okręgowy w Lublinie XV-XVIII wieku. Studium z dziejów organizacji i kompetencji sądownictwa kościelnego*. Lublin, 1974. On the Vilnius consistory see OCHMAŃSKI, J. *Biskupstwo wileńskie w średniowieczu. Ustrój i uposażenie*. Poznań, 1972, s. 18-21.

century Lithuanians were well integrated into ecclesiastical judicial institutions in the Kingdom of Poland as well as the Grand Duchy itself⁴.

The aim of the present study is to offer an overview of cases from three main archives, viz. the Bishopric of Płock which provided many priests for Lithuanian parish churches during the fifteenth and sixteenth centuries; the Archdiocese of Gniezno, which heard appeals from litigants dissatisfied with the judgments of the Vilnius Consistory court; and thirdly the Diocese of Lutsk with its Consistory court in Janów Podlaski, now housed in the Archive of the Bishopric of Siedlce (in Siedlce). These three holdings are not quite the same in their structure. The Płock records separate the Official's court records, which appear to deal with more local cases, from the *acta* of the bishop, which preserve extra-diocesan pleas. The most sophisticated records from the point of view of classification come from the Consistory archive in Gniezno, which are divided into three main sections, namely the *Acta Acticantia*, which for the most part describe the procedural progress of cases, including those sent on appeal from other dioceses. Books 1-85 and 148 cover the period 1466-1528 (Acta Cons. A). Witness records are held in the series Acta Cons. B, *Depositiones testium*. However, the eight books dating from 1460 to 1531 contain only one Lithuanian case⁵. Sentences (interloquutory and definitive) are recorded in a third series Acta Cons. C: *Prolatarium sententiarum*, of which Book 3 (1491-1525) contains material relevant to our study⁶. No Lithuanian case appears in books in all three series. Several cases recorded in Series A do not appear in Series C and *vice versa*. Scribes refer to relevant material recorded elsewhere but cross-referencing these three series as they now stand does not support the truth of these claims, or at least prove them to be long out of date. However, the records of procedure and sentencing often complement one another. Thus we learn that an appellant was a priest only from the final sentence; in the case of the disappearance of 200 *sexagenae* (12,000 groats) from the money chest of a Vilnius cathedral chapel, this hardly 'irrelevant' detail is revealed solely in C3, whilst the procedures recorded doggedly in several books of Series A never mention the real essence of the matter, because it was understood to have been detailed elsewhere: the formula runs *in actis cause huiusmodi expressis*. In this respect the more primitive organisation of the Lutsk records rewards the curious modern reader more generously. The Lutsk books cover several centuries and provide the earliest surviving consistorial records from the Grand Duchy of Lithuania⁷. The first

⁴ KNAPEK, E. Przybysze z Litwy i Rusi w konsystorzu krakowskim w XV i XVI w. *Nasza Przeszłość*, 2009, t. 111, s. 269-278.

⁵ *Gniezno, Archiwum Archidiecezjalne w Gnieźnie* [AAG], Acta Cons. B1 (1460), B2 (1466-69), B3 (1488-92) fos 249-251 Ilinicz matrimonial appeal; B4 (1490-95), B5 (1496-1503), B6 (1513-1524), B7 (1522, 1525, 1526, 1546) now known as A148; B8 (1526-31).

⁶ AAG, Acta Cons. C1 (1438-58) and C2 (1459-84).

⁷ LITAK, S.; LAZAR, S. Materiały Archiwum Kurii Siedleckiej. *Roczniki Humanistyczne*, 1958, r. 7, z. 2, s. 327-332.

book (Siedlce Archive D1) covers the period 1469-1516. The same book records the legal procedure, witness statements and often the final sentence.

Płock records: Two holdings were examined during a five-days' visit to the diocesan archive, namely *Acta Officialatus Pultuscensis*, which proved less relevant to Lithuanian cases, and *Acta Episcopalia*, which contain slightly more material. The only case from the Pultusk official's court involves one Matthias Albas de Krasne, who obtained subdiaconal, diaconal and priestly orders at the hands of Bishop George of Medininkai in the cathedral of that town during the Ember Days of 1462 before returning to Pultusk to obtain the living at Slawomierz. His ordination was witnessed by the holder of the local advowson⁸. It is worth noting from this evidence that it was not only Lithuanian clergy who went to Mazovia for ordination but also Mazovian clerics could and did obtain ordination in Žemaitija. This, of course, should go without saying, but the Lithuanian Church is usually portrayed as a recipient of Polish bounty, providing only job opportunities in return. Disputes involving Mazovian priests serving in the Vilnius Diocese are recorded in the *Acta episcopalia* during the late 1480s. In 1489 Father Holberic parish priest of Hayna (on the far eastern border of Grand Duchy) sued a noble family from Oldaki (109 km n.e. of Warsaw) for a debt from a mortgage financed by Holberic's brother John to Jakub of Oldnaki (now deceased) on an (ecclesiastical?) endowment (*dotalicio*) worth ten gold Hungarian florins in 1489⁹. That same year the parish priest of Horodzilowo (Ardvila), Andrew de Czarniewo concluded his dispute before the Pultusk official¹⁰. These appear to be clergy who worked or at least held benefices in Lithuania but retained close ties with their home see, or at least their family in Płock. In 1504 Matthias of Nowy Sącz, a priest of the Cracow diocese sought to rent out his living at Goniądz (diocese of Vilnius) to a Mazovian priest, Stanisław Pauli Gromaczki de Wansoch (diocese of Płock) for 40 Hungarian florins to be paid in two instalments of 20 florins. The parish was in the gift of the grand duke, although it would soon be donated to Mikhail Glinsky and

⁸ *Archiwum Diecezjalne w Plocku [Płock]*, *Acta Officialatus Pultusk* 9/2/110 (1461-1467, 1489), fos 57v-58v. There are three charters issued by Bishop George: 'Georgius Dei gratia episcopus Mednicensis, Significamus tenore presencium, quibus expedit generaliter univervis, quomodo de anno ... sabbato Quatuor Temporum, quo in ecclesia Domini canitur laus... intret sacrosanctorum ordines solempniter ... in ipsa ecclesia Mednicensi tali discretum Mathiam de Crasne electum dyocesis Plocensis vita examinatum ydoneum repertum ad gradum subdyaconatus promotum...' (fo 58). See also BRADSHAW, P. F. *Rites of ordination. Their history and theology*. London, 2014, p. 108.

⁹ 21 Oct. – 10 Nov. 1489 – Płock, *Acta Episcopalia* 2 [10], 1472-1491, p. 696-699; p. 699: *Hayna, Recognitio satisfactoris*. Die martis decima Novembris alias in vigilia Sancti Martini in Pulthowsk honorabilis Olbricus plebanus in Haina Vylnensis diocesis recognovit ac sponte et sine quavis coactione fassus, et decem florenos hungaricales ... a nobilibus Katharina relicta olim Jacobi de Oldaki et Nicolao, Johanne, Paulo, Stephano, Clemente et Petro, filiis ipsius, de ibidem racione eiusdem veri et certi debiti in vim satisfactionis recepit efficaciter et cum effectu pro quadam litera dotalicionis, quam frater dicti plebani videlicet Johannes invadiaverat de quibus ac quidem pecuniis decem florenorum ipse plebanus eosdem quittavit et tenore presencium quittat, presentibus ibidem nobilibus dominis Johanne de Radzym, Andree de Gawlowic, curiensibus domini episcopi Plocensis, Andrea sartore de Poltgowsk testibus ad premissa et magistro Nicolao Martini de Strozewo.

¹⁰ *Płock, Acta Episcopalia* 2 [10], p. 698, 30 Oct. 1489.

later the Radvilos¹¹. The deal was witnessed by among others Bartholomew of Stary Sącz, rector of the nearby parish of Trcianne (Diocese of Vilnius)¹².

The only dispute between laymen heard at the court of Bishop Erazm Ciołek, one time secretary to Grand Duke Alexander and canon of Vilnius, was a case involving the Marshall of the Grand Duchy Jan Janowic Zabrzezinsky and Hanula (Itamila) Krup-ska of the Nasuta family, widow of Feliks Krupski, a member of the Davaina clan in 1510. The pair had concluded a secret marriage in 1508, despite being related within the forbidden third and fourth degrees of kinship via Sudimantas¹³. It seems that Ciołek was chosen as a judge because of his acquaintance with the Lithuanian elite.

That same year the court heard a dispute between the Vilnius goldsmith Vincentius (Stagel) and the Chapter of Vilnius over the craftsman's right to retain any precious metal not used up in the production of a statue¹⁴. A similar quarrel between canon Martin Lithuanus (bishop of Medininkai) and Vincentius' brother, the goldsmith Wolf-

¹¹ KLOZA, J.; MAROSZEK, J. *Dzieje Goniądza w 450 rocznicę praw miejskich* (Prace Białostockiego Towarzystwa Naukowego, Nr. 37). Białystok-Goniądz, 1997.

¹² *Płock*, Acta Episcopalia 4 [7]/16 (1499-1509), fo. 210v, *Arendacio ecclesie in Goniandz Vilnensis diocesis*: Anno quo supra [fo 202 gives the year, 1504] die sabatti sexta mensis Iulii in arce Polthoviensi et in mei Fabiani Valentini de Cracovia canonici eiusdem diocesis imperiali \auctoritate notariū et coram reverendissimo in Christo patre domino Erasmo Dei gratia episcopo Plocensi scriba constituti personaliter ad acta presentia honorabiles domini Mathias de Nowa Sandecz Cracoviensis diocesis Rector ecclesie parochialis in Gonyandz Vilnensis diocesis et Stanislaus Pauli de Wansosche alias Gromaczki presbyter diocesis Plocensis confessi sunt prefatus dominus Mathias plebanus in Gonyandz, quia arrendavit dictam ecclesiam in Gonyandz prefato Stanislae de Wansosche cum omnibus et singulis decimis, fructibus et oblationibus, proventibus et aliis pertinentibus quibuscunque ad ipsam ecclesiam [quolibet spectantibus – text struck out] et rectorem suum quolibet spectantibus infra hinc a festo Sancte Margarethe proxime venturo ad aliud festum Sancte Margarethe extunc instans pro quadraginta florenis ungaricalibus in anno. Quos quidem quadraginta florenos hungaricales prefatus dominus Stanislaus arendatarius confessus est teneri et obligavit se solvere dicto domino Mathie arendatario sub censura seculari prefati Reverendissimi domini Erasmi episcopi Plocensis sincere sue paternitatis successorum et officialium eorundem pro tempore existentium renunciando omnibus exceptionibus fori jure ..., simpliciter summittendo se jurisdictioni prefati domini Erasmi episcopi Plocensis et suorum officialium pro tempore existentium. Quorum quidem quadraginta florenorum viginti pro festo Nativitatis Domini proxime venturo et reliquos viginti \florenos/ pro festo Pasche ex post sequenti immediate summisit se solvere modo predicto. Presentibus ibidem honorabilibus dominis Arnolphi de Kuchary notaro publico plocensis diocesis et curie episcopalis scriba, Bartholomeo de Antiqua Sandecz plebano in Trczyana Vilnensis diocesis, Mathia de Borgina capellano curie episcopalis et me Fabiano de Cracovia predicto facti huiusmodi scriba testibus ad premissa vocatis.

¹³ TĘGOWSKI, J. Ślub tajemny Jana Janowica Zabrzezińskiego. Garść uwag o powiązaniach rodzinnych elity możnowładczej na Litwie w XV i początkach XVI wieku. *Średniowiecze polskie i powszechne*, 2002, t. 2, s. 246-257.

¹⁴ *Płock*, Acta Episcopalia 6/9 p.100-101, 114, 116: In causa famati Vincentii aurifabri civis vilnensis et contra venerabile Capitulum ecclesie vilnensis. Vincent was a member of the Fraternity of St John in Vilnius (*Vitsant zolotar' – Lietuvos mokslų akademijos Vrublevskių biblioteka [MAB]*, F4-33, 20 Apr. 1506) and a famed craftsman – LAUCEVIČIUS, E.; VITKAUSKIENĖ, B. R. *Lietuvos auksakalystė: XV–XIX amžius*. Vilnius, 2001, p. 281. Wolfgang Stagel (fl. 1510-36), citizen of Vilnius, goldsmith, brother of Vincent Stagel (fl. 1500-19), also goldsmith, over whose legacy he fought in the Lithuanian courts – *Lietuvos Metrika*. Knyga 7: 1506-1539. *Užrašymų knyga* 7. Sud. I. ILARIENĖ, L. KARALIUS, D. ANTANAVIČIUS. Vilnius, 2011, Nr. 88.5, p. 200, 680; Nr. 304, p. 528, 732–733. For a brief summary of their careers, see BŁASZCZYK, G. Pochodzenie złotników wileńskich do końca XVI wieku. *Lituanio-Slavica Posnaniensia. Studia historica*, 2005, t. 11, s. 134.

gang, would come before the Gniezno court in 1511 and the craftsman would be vindicated¹⁵.

All the cases we have from **Gniezno** are appeal cases. This means that considerable time, effort and money had already been invested in these disputes at local level. They come 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, Solomon¹⁶), Merkinė, Salakas, Semeliškės, Švenčionys, Trakai, Varnionys, Verkiai, and Volkovysk¹⁷. Litigants come from across the social spectrum – matrimonial disputes involve the gentry as well as burghers from Kaunas and Vilnius¹⁸. What little we know of musical life in Vilnius cathedral is expanded by consistory material from Cracow and Gniezno. Thus in 1510 the organ-maker Stanisław Harnazelyg of Cracow was prosecuted by Jonas Filipavičius, canon warden of Vilnius, for taking 12 florins to build an organ and failing to do so. An appeal in this case came before a judge in Gniezno in 1513¹⁹. A married couple in Vilnius sues another mar-

¹⁵ ROWELL, S.C. Martin III, bishop of Medininkai, archdeacon and canon of Vilnius: the lawyer bishop. In *Kriščiūniskosios tradicijos raiška viduramžių – naujausiųjų laikų kasdienybės kultūroje: europietiški ir lietuviški puslapiai* (Acta Historica Universitatis Klaipedensis, t. 27). Sud. V. VAIVADA. Klaipėda, 2013, p. 47, 54–56.

¹⁶ Solomon canon of Medininkai vs Gregorius of Kaunas (18 IV 1520) – AAG, Acta Cons. A82 fos 31, 33r-v, 37, 38, 38v, 40.

¹⁷ Stanislaus parish priest in Varnionys vs Helena widow of Pyethkowicz, duke of Svyriai, and Francis parish priest of Giedraičiai – (Nov.1490) AAG, Acta Cons. A58 fos 333v, 334r-v, 335v-336; cf. TĘGOWSKI, J. *Rodowód kniaziów Świrskich do końca XVI wieku* (Biblioteka Genealogiczna, t. 9). Wrocław, 2011, s. 188, *Lietuvos Metrika*. Knyga 6: 1494-1506. *Užrašymų knyga 6*. Pareng. A. BALIULIS. Vilnius, 2007, Nr. 503, p. 295f. Anna Pyothraschewna de Wolkowyska vs Stanislaus Wawa, citizen of Vilnius (4 IX 1506-) – AAG, Acta Cons. A73 fos 94v, 97v, 105, 116r-v (interloquutory sentence in favour of Stanislaus), 118.

¹⁸ The appeal of Kotryna Kybartaitė-Sirtautaitienė against Pacas Sirtautaitis – AAG, Acta Cons. i A 60 fos 74v-75, 76v, 78r-v, 79, 81, 82, 109v, 112v, 137v-138, 141v, 143; AAG, Acta Cons. A61 [1493] fos 16v, 51v, 54, 55, 64v-65; Acta Cons. A 62 [1494] fos 17r-v, 43, 46, 49v, 78v. The Ilinicz marriage controversy involving Astikas (Oscik) and Anna Naczowa, Elizabeth Manvydaite over consanguinity within four degrees of kinship – AAG, Acta Cons. B.3 fos 248-250 (from the time of Bp Andrew, 1481-91).

¹⁹ On Stanisław, his 12 florins and the missing *positivum* – *Archiwum Archidiecezjalne w Krakowie*, Acta Officialia Generalia 26, p. 504 calendared in URBAN, W.; LŪŽYS, S. *Cracovia lithuanorum saeculis XIV-XVI = Lietuvių Krokava XIV-XVI amžiais*. Vilnius, 1999, II Nr 49, p. 100-101; Philipowicz (ALIŠAUSKAS, V.; JASZCZOŁT, T.; JOVAIŠA, L.; PAKNYS, M. *Lietuvos katalikų dvasininkai XIV-XVI a.* (Bažnyčios istorijos studijos, t. II). Vilnius, 2009 [LKD], 754) appeal in Gniezno (14 X 1513) – AAG, Acta Cons. A79 fo 62v. This canon had witnessed Bishop Tabor's gift of a house opposite the Consistory in Vilnius to the cathedral master John in 1504: *Vilnius University Library, Parchment Collection, Perg F80-52, 35.5×22 cm, two red laquer seals, 1504 10 01*: In nomine Domini amen. Ad perpetuam rei memoriam Nos Albertus Dei gratia episcopus Vylnensis significamus tenore presencium quibus expedit universis presentibus et futuris presencium noticiam habituris, quomodo attendentes, quale fidelitatis studiose obsequia et multorum meritorum constanciam, quibus nobis et ecclesie nostre cathedralis Vylnensis providus magister Johannes organista, civis noster Vylnensis fidelis dilectus complacuit et in futurum aucto fidelitatis studio prestancius poterit complacere, horum intuitu, cupientes ipsum specialis gratie nostre prosequi favoribus, et ad nostram ecclesieque nostre obsequia continuo reddere... sibi aream nostram vacuum pro domo seu taberna edificanda contiguam domibus Mathie sartoris ex una et condam Johannis de Brzchczye notarii partibus ex altera ex opposito Curie nostre episcopalis Consistorii pro ipos et ipsius heredibus legitimis et successoribus construere et de novo edificare de voluntate, scientia et ratihabitione Venerabilis Capituli nostri Vylnensis admisimus, indulsimus et per presentes admittimus et indulgemus. Quam quidem domum seu tabernam per prefatum magistrum Johannem constructam et edificatam ipse magister Johannes et ipsius heredes et successores legitimi cum omnibus et singulis ipsius

ried couple²⁰; the pipe-welder Paul sued the Vilnius apothecary Bernard for slander, which was so serious that the craftsman had been unable to attract customers in the town²¹; we read of misdemeanours involving a tailor, goldsmith, apothecary, furriers, clergy of various ranks from those in minor orders to canons of Vilnius and the bishop of Medininkai. Cases involve matrimonial disputes (broken troth), a patron's destruction of taverns belonging to his parish priest (the infamous Giedraičiai dispute), a very considerable amount of money missing from the Holy Trinity Chapel of Vilnius cathedral²², disputes over advowson (Deltuva²³), between noblemen and cler-

domus seu taberne fructibus, proventibus et usibus tenebunt, habebunt et perpetuo possidebunt pacifice et quiete necnon edificia eiusdem domus duntaxat vendent, commutabunt, alienabunt, obligabunt et ad suos usus beneplacitos convertent pro ut eis melius et utilius videbitur expedit, accedentes tamen ad hoc nostro et nostrorum successorum consensu et non alias prefatus vero magister Johannes organista ac ipsius legitimi heredes et successores unam sexagenam grossorum in moneta currenti nobis et nostris successoribus pro festo Nativitatis Domini ratione census solvent et solvere tenebuntur et erunt astricti et preterea predictus magister Johannes organista organum per ipsum in ecclesia nostra cathedrali Vylnensi laboratum, si et in quantum destructum fuerit, nostris et successorum nostrorum impensis reformare tenebuntur tocies quociens opus fuerit et necesse. In cuius rei testimonium nostrum et prefati Venerabilis Capituli nostri Vylnensis sigilla presentibus sunt subappensa. Actum et datum Vylne, feria tertia proxima post festum sancti Jeronimi, anno Domini millesimo \quingentesimo\ quarto, presentibus venerabilibus dominis Martino de Radom, Johanne Philipowycz decretorum doctore, Caspar de Varschevia canonicis ecclesie nostre cathedralis Vylnensis, Johanne preposito Trocensi, Georgio plebano in Ramygalā, nobili Alberto marschalco, Jacobo Ralnusky magistro coquina et Nicolao succamerario nostro..... Nicolaus de Welberg cancellarius episcopalis.

²⁰ Stanislaus Boris furrier of Vilnius and wife (Elizabeth) against Gregorius Hryn de Antocolia (Antakalnis) and wife Agnes; documents of Stanislaus Komorowski produced in evidence (19 I 1523) – AAG, Acta Cons. A83 fos 81v, 82, 83v, 84, 85v, 88v, 91, 124, 145, 146v.

²¹ Paulus cantrifusor de Vylna vs Bernardus apothecary of Vilnius on a charge of infamy which has prevented him from obtaining work (14 X 1521). AAG, Acta Cons. A82 fos 196v, 199v, 201, 203, 205 (27 XI – sententia locutoria), 206v (Paul's counsel Andreas de Rimanow produces records from first trial), 208, 215. AAG, Acta Cons. A83 fos 3 (15 I 1522), 5v, 6v (29 I) Andreas ... allegavit transactionem et concordiam factam, que impediret litis contestacionis et si fuit facta concordia super principali negotio, videlicet super iniuriis verbalibus, ergo super accessione super qua produxit articulum additionalem; fo 7 r-v, 41 (3 VII) courier (Poznań dioc. clerk Paulus de Czarnkow) sent off to bring evidence roll from Vilnius; fo 68 (14 XI), 68v, 94 (9 III 1523). The Gniezno court found the sentence imposed by the Vilnius official wrong and accuses Bernard of molesting Paul, obtaining his excommunication unjustly and causing him considerable expense – AAG, Acta Cons C 3 fo 311v-312.. In the final sentence issued on 24 XII 1523 the judge was severe, accusing Bernard of using infamy to ipsum Paulum in laboribus sui artificii et laboris usuque et commoditatibus et lucris exinde interesse proventibusque privasse et in summa non modicum peccuniarum dampnificasse and prevented him from earning a living for weeks – ibid., fo 335.

²² Stephanus Kiovita mansionarius de Vilna vs Grodno lord lieutenant Stanislaus Kiška of Ciechanowicz (25 VII 1511-1513 with sentence in 1514): AAG, Acta Cons. A78 fos 52v, 56, 65, 81v, 83v, 84v, 86v, 87, 108 (sententia interlocutoria), 110v, 112, 114, 115v, 123v, 125v, 128, 131v, 132, 139v, 141v, 171v (the lieutenant's counsel Jeremias de Czarnkow produxit instrumentum confessionis de manu et signo legalis Pauli de Cziechonowicz pro cuius manus et legalitatis recognitione induxit in testem discretum Joannem de Cziechonowicz), 172r-v (10 IX 1512 Stephanus' counsel Albertus de Gorzkowice compelled to acknowledge a concord document sealed by the Official of the Vilnius Chapter), 175 (17 IX 1512 literae remissionis from canons Adam (of Katra [LKD, 12]) and Casper (of Warsaw [LKD, 1089]) of Vilnius), 186v (scribe mistakes capitaneus Szamogitiensis for Grodnensis, both of whom named Stanislaus), 187v, 188. AAG, Acta Cons. A79 fo 5v (21 I 1513), 25, 32 (18 V) – refers to the Grodno lieutenant as Žemaitijan and to mansionary as Stanislaus. Fo 33v, 35, 47v-48. It is only from the final sentence recorded in Acta Cons C 3 fo 220 that we learn that after the death of the mansionary priest Jacobus Lesdzyńka was the key to the money chest of the Holy Trinity Chapel in Vilnius cathedral handed over voluntarily by Stephanus Kiovitha to reveal a loss of 200 sexagenae.

²³ The case of the Grodno lord lieutenant Stanislaus Kiška vs Žemaitija starosta Stanislaus Jonaitis Kešgaila concerning the advowson of Deltuva (24 XI 1511-) – AAG, Acta Cons. A78 fos 79v, 80, 81, 82, 82v, 85, 86v-87,

gy²⁴, or between clergy of different sees²⁵, miscarriages of justice (where the Vilnius official acted as judge in his own case), debts, the execution of wills²⁶, slander (*diffamia*), conflicts with tradesmen (such as Paul the apothecary of Grodno and Jadwiga Okyssykowa of Merkinė²⁷) and so on. In 1513 an appeal began over the will of the Vilnius *wójt* Nicholas and the guardianship of his heir, also named Nicholas between two Vilnius burghers. The outline of the case appears only in the final sentence which refers the case back to Vilnius. Unsurprisingly it involves valuable property, including a gold ring²⁸. In some cases appellants asked for unlawful sentences of excommunication imposed by a lower court to be repealed.

99v (28 I 1512), 103, 105, 108, 110v (evidence of Joannis de Ciechanowiec), 116, 139, 140v, 142, 146r-v, 147 (11 VI 1512) Nobilis Stephanus Bethigola de Lithwania portitor rotuli remissionis flexis genibus et tacta imagine Crucifixi iuravit fideliter portare rotulum domino commissario in persona cuius est decreta remissio, 153v-154- duas investituras, unam sub titulo et sigillo olim Alberti [Tabor] episcopi Vlnensis de persona Gregorii Miedza plebani et secundam sub sigillo moderni domini Alberti [Radvila] episcopi de persona Stanislai moderni instituti, necnon literas credente debite exequutas et duas presentationes utramque sub sigillo olim generosi Nicolai Kiesgal, 155, 158, 165, 169, 169v, 171, 172, 173, 174. A79 fo 3 (14 I 1513) Fredericus de Betigola swears oath of fidei portitura rotuli remissionis actorum prime instantie and the roll is presented to the court. Frederick presents documents regarding tithes paid to Deltuva Church: quasdam literas donacionis et dotationis decimarum et certorum proventuum per olim magnificos Michaellem pallatinum Vlnensem et Joannem capitaneum Schamagiensem germanos dictos Kiesgalovic, heredes et patronos predictae ville in Dziewioltowo. These were opposed by counsel acting for Kiška, other patron of the living. It is claimed that the documents are invalid: illa omnia non valent neque illis fidem adhiberi quia idem Fredericus mentita fide vel *peccata* existens Rutenus et propter hoc excommunicatus. Kesgaila's counsel retorts that generaliter nec obstat, quod allegat procurator ex adverso, quam Rutenus vel alter paganus sit portitor literarum, cum ipse rotulus sit sigillatus et clausus, quos habuit pro recognita. Fo 4v, 5v, 8, 12, 38 (8 VI).

²⁴ Such as the 1512 appeal involving Jokubas Davainaitis (Jakub Dowoynowicz) and the parish priest of Kruopa, Stanislaus – AAG, Acta Cons. A78 fos 165 (25 VIII 1512), 167. A79 fo 5v-6, (21 I 1513), 6v – Stanislaus' counsel asserts that Jokubas cannot sue since he is excommunicate: ipse nobilis non habet locum standi in iudicio ex eo quod ipse dudum a canona fuit excommunicatus; 7v (31 I) court imposes sententiam interloquutoriam, 8v, 9 (11 II) Stanislaus' counsel produces request for costs and was awarded ad quatuor sexagenas. Our Lady's Church in Kruopa, 9 km north-west of Lida (Belarus) was founded before 1454 by Iwaschko, Andrew and Olechno Dowoynowicz; a muniment exists from 1460 – *Kodeks dyplomatyczny katedry i diecezji wileńskiej = Codex diplomaticus ecclesiae cathedralis necnon dioeceseos Vlnensis*. Wyd. J. FIJAŁEK, W. SEMKOWICZ [KDKDW]. T. 1, Z. 1: 1387–1468. Kraków, 1932, No 233, p. 260–263.

²⁵ Mansionarius Vlnensis Paulus de Schudek (Zadek) (Sieradz woj.) contra Petrum Strzeszewski in Lubcza plebanum 9 IV 1492 – AAG, Acta Cons. A60 fo 49r, 113 (12 IX), 123v, 125v.

²⁶ The will of the bishop of Medininkai Martin III was enrolled in Gniezno after his death but it was still undermined by his avaritious Radvila successor – ROWELL, S.C. Martin III..., p. 48. Leonardus, parish priest of Vilnius vs Nicolaus Banczka de Varsavia, 28 I 1513- , concerning the last will and testament of Petrus Banczka, case later rubricated as the appeal of the executors of Petrus Banczka (as of 7 IX 1513) – AAG, Acta Cons. A79 fo 25, 40 (13 V) Leonardus' counsel Jeremias de Czarnkow seeks to call Joannes de Prasznycz, cleric of the Płock diocese as witness, perhaps the same Joannes as was Kiška's candidate for Deltuva [LKD, 798]? 53v, 54, 55, 55v, 56v, 57, 75r-v, 88v, 90v.

²⁷ Paul apothecary in Grodno vs *Hedwigis* Ovyssymowa of Merkinė (Merecz) (18 III 1523-) – AAG, Acta Cons. A83 fos 97v, 113v-114 (*Elizabeth* Ovyssywowna), 115, 148v (14 XII) – sentence in case contra *Helenam* Ovyssymowna).

²⁸ Christopherus Syenyak vs Grelich Hirbel de Wylna (6 III 1514) – AAG, Acta Cons. A79 fos 87v, 88r-v – case impeded by difficulties propter bella et multitudinem latronum vias obsedentium; 90v, 91v – application for fourth adjournment; 116 (14 VI – sententia interloquutoria); 119, 119v. The case, originally judged by Jonas Albinus and Bp Albert Radvila was sent back to Vilnius to be heard again (4 VII 1516): honestus Cristoferus Syeniak et Gregorium Grebel exequutor testamenti olim Nicolai advocati Vlnensis et tutoris Nicolai filii eiusdem advocati ... pro, de et super ciclo auri rebusque aliis – AAG, Acta Cons. C3 fo 246. The wojt Mikolai Ostotskii appears in a payment note issued by the Fraternity of St John's parish

Some litigants appear in more than one case simultaneously: John Kozielkowicz of Vilnius was sued (successfully) by his jilted lover Anastasia of Kaunas and subsequently by Nicholas Wolborz, procurator of the case against him when John accused the episcopal representative and future canon of Vilnius of falsifying court records²⁹. He also attempted to prosecute his wife's barrister Grzegorz of Kamieniec for revealing private information relevant to the case in open court. Kozielkowicz was so stubborn in his litigation, causing the case to be *agravasse, reaggravasse et super-reaggravasse* to the amazement of the court which saw him imprisoned and fined 1,000 gold florins. A Vilnius burgher Jonas Gralochas appealed against a case involving his fellow townsman Jonas Jurginek, while at the same time joining forces with his wife Ona against the burgher Jurgis Mek. Jurgis Taliatas, parish priest of Eišiškės, canon of Medininkai was sued by Petrus Condratavičius of Vilnius for violence against the plaintiff and his colonists in the 1520s, reflecting the involvement of clergy in the formation of landed estates in fifteenth- and sixteenth-century Lithuania³⁰. He also appears in a 1518 case brought by Stanislaw of Verkiai, a cleric in minor orders, against him and Gregorius of Lwovek for unjust and violent imprisonment³¹. The hearing was postponed because Jurgis was away in the Roman Curia. A case for verbal and actual

church in Vilnius dated 20 V 1506 – MAB, F4-33, JASAS, R. *Pergamentų katalogas*. Vilnius, 1980, Nr. 162, p. 71. The same document also mentions *Shinki* (a version of ‚Szenyak?‘).

²⁹ Johannes Kozyelkowycz vs Anastasia – AAG, Acta Cons. C3 fos 107; Acta Cons. A70 (1501-) fo 52, 54, 57v, 66v, 77r-v, 84v-85, 86, 88, 92v, 111v, 113r-v, 116117v, 118r-v, 123, 131, 190; A71 (20 II 1503) fos 18, 125v (19 I 1504), 126, 130, 131, 131v, 132. The case was sent back to Vilnius for resolution on 20 X 1501, Acta Cons. C3 fo 107. Johannes Kozyelkowicz vs Nicolaus Wolborz canonicus opataviensis super certis iniuriis verbalibus ac aliis iniuriis – AAG, Acta Cons. C3 fo 116, 119r-v; Acta Cons. A70 (1501-) fo 184r-v, 185, 188, 191v, 193v, 195v, 198v-199 (13 V 1502), 205, 205v, 207, 213v, 214, 216v, 220v, 221v, 231, 234v, 236, 238r-v, 239v, 241r-v, 242v, 243, 243v (Stanislaus de Wilna nuncupatus Iwan tanquam portitor rotuli), 250v; AAG, Acta Cons. A71 (1530-) fos 93 (18 IX 1503), 94v, 99, 194 (8 VIII 1504). The appeal judge released Kozielkowicz from excommunication *ad cautelam* and ordered compensation be paid to him by Wolborz in October 1503 but upheld the 1000 florens' fine in July 1504 for insulting the bishop during a public court session – declaramus prefatum Joannem Cozielkovicz civem Vlnensem prenominato reverendo patre domino Alberto episcopo pro tribunali sedenti et in audientia publica palam notorie infamasse et proditorem ac falsorem actorum eiusdem domini episcopi appellasse et per hoc sibi atrociter immoriarie illicite, indebite et iniuste ipsumque reverendissimum dominum episcopum Albertum super huiusmodi infamiis et iniuriis verbalibus sancte et iuste sentenciassse. This case of excommunication is singled out for discussion in WOJCIECHOWSKA, B. *Ekskomunika w Polsce średniowiecznej. Normy i funkcjonowanie*. Kielce, 2010, s. 261.

³⁰ Nobilis Petrus Condrathowicz vs Georgius de Eyxchyski, canonicus mednycensis et in Solok plebanum (4 XII 1523-) AAG, Acta Cons. A83 fo 145v; sentence on 9 III 1524 – Acta Cons. C3 fo 33v: super quibusdam iniuriis actualibus et dampnis per prefatum Georgium et ipsius complices, ut assertur, ipsi domino Petro et suis colonis seu subditis. This does not seem to have ended the matter, as we see from a session in 1526 – A148 fo 289v (15 II 1526). The two men probably disputed territory in the Maišiagola area. Peter was one of the patrons of the Holy Trinity altar in Maišiagola and owner of land at Paberžė – ROWELL, S.C. Peter de Carwynsky and the Foundations of St Peter's (Paberžė) and Holy Trinity Chantry (Maišiagala): Ruminations of an Archive Rodent on Parish Formation in Lithuania ca 1495-1533. In *Ministri historiae: pagalbiniai istorijos mokslai Lietuvos Didžiosios Kunigaikštystės tyrimuose: mokslinių straipsnių rinkinys, skirtas Edmundo Antano Rimšos 65-mečio sukakčiai*. Sud. Z. KIAUPA, J. SARCEVIČIENĖ. Vilnius, 2013, p. 141-152.

³¹ Stanislaus de Verki cleric in minor orders vs nobiles Gregorium de Lwovek et Georgium plebanum de Solok occasione iniuste excommunicationis et violente captivationis. Defence counsel Andrzej of Rimanow allegavit Georgium plebanum de Solok non fuisse cittatum et executionem fuisse falsam because Jurgis Taliatas [LKD 1045] has been in the Roman Curia for a long time (11 X 1518) – A81 fo 83, 84, 99v (29 XI) – instrumentum de manu et signo legalis Pauli de Troki, clerici Vlnensis diocesis; fo 101v, 133v (23 III 1519).

injuries was brought some years later by Francis, mansionary priest of Vilnius cathedral against Jurgis but without success³². It appears that the noble canon had an inclination towards aggressive behaviour. As for Gregorius of Lwówek, he too was no stranger to the appeal court. In 1505 he summoned two canons of Vilnius, Warden Jakub Kuczynski and Kaspar of Warsaw, to bear witness in his appeal against the Vilnius burgher Matthias Olechnowicz³³. Leonardas Alemanus, notary of the king of Poland, interloper into the parish church of Vilnius (by 1504) was challenged by Nicholas parish priest of Varnionys, one-time rector of Vilnius, and a Lutsk priest, Laurence Zeleznicki was summoned as witness. The court found in Nicholas' favour³⁴. However Leonard did not repress his ambitions to gain the Vilnius living. In 1508 a papal court supported the usurped claims of another priest, Peter Baryska, to St John's. In 1513 Leonard himself was appealing to Gniezno in a dispute with the executors of the will of a Vilnius burgher, Nicholas Banczko and five years later his appeal against the bishop of Vilnius was forwarded to Rome for judgment. In 1514 we find appeals by the Vilnius priest Stanisław Słanczanka against his fellow cleric, the notary Stanisław Drozdowski, who would eventually become a chantry priest in Svyriai³⁵. Drozdowski was being sued separately by the Vilnius barber Hans, while Słanczanka was also embroiled in a dispute with the burghers Gregory and Sebastian³⁶.

Some lawyers in Gniezno appear to have specialised in Lithuanian cases and maintained their connection with litigants who appear in several appeals. The same names appear in appeals cases over several years, such as Albert of Bydgoszcz (1491-94), Andrew of Rimanowo (1505-23), Andreas de Pakost, Jacobus de Podskarbice, Martin Swianiczski, Nicholas of Chandzin, Stanislaw de Gambicze, Jeremias de Czarnow, Gregory de Kamie-

³² AAG, Acta Cons. C 3 fo 266: Solok. Franciscus de Hynszko mansionarius Vilnensis ... pro, de et super quibusdam iniuriis verbalibus et actualibus ac rebus mobilibus; Francis lost his appeal and was ordered to pay costs to George.

³³ Gregorius de Lwówek vs Mathias Olechnowicz (civis) de Wilna (27 X 1505-) – AAG, Acta Cons. A72 fos 155, 158, 159, 165, 168, 174, 177.

³⁴ A Nicholas of Varnionys appears in cases against Luke, parish priest of Svencionys (on borders and other matters) and Stanislaw, parish priest of Lentupis (de iniuriis actualibus) in March 1523; he sold a house to Warden Paul of Vilnius in 1535. The Vilnius case - In causa appellacionis ecclesie Sancti Johannis in Wilna, honorabilis Nicolaus quondam plebanus in Wilna contra Leonardum cantorem et notarium Regis Polonie et plebanum in Wilna (26 VIII 1504-2 IV 1505) – AAG, Acta Cons. A71, fos 202, 210, 223v, 233v-234, 237, 271 (22 XI 1504): In causa appellacionis attemptatorum honorabilis domini Nicolai plebani ecclesie parrochialis sancti Johannis in Wilno contra Leonardum Almanum ad eandem ecclesiam intrusum Andreas de Rymanow procurator plebani citato magistro Gregorio ex adverso procuratore et in presentia eiusdem induxit in testem honorabilem Laurencium de Zalesnyki [Lutsk priest, *LKD*, 1147?] similiter per cursorem citatum, qui iuravit ad sancta Dei evangelia dicere veritatem, 293r-v; AAG, Acta Cons. A72 fos 56 (2 IV 1505), 66v. Sentence – AAG, Acta Cons. C3 fo 127v-128, in favour of Nicholas.

³⁵ Stanislaum Drozdowski [*LKD*, 2218] – Slanczanka case (16 I 1514-), AAG, Acta Cons. A79 fos 78v-79, 79v, sentence Acta Cons. C3 fo 243v-244r, 23 I 1514 finds in favour of Slanczanka de Vilna actu presbyter.

³⁶ Hans the barber – contra eundem Stanislaum Drozdowski (16 I 1514) – AAG, Acta Cons. A79 fos 79, 79v; sentence, 23 I 1514, Acta Cons. C3 fo 226v-227, the case had been heard in Vilnius by Adam de Kotra and the appeal was declared frivolum et desertum, the case was sent back to Vilnius with the original punishment upheld in Drozdowski's favour. Slanczanka contra honestos Gregorium et Sebastianum cives vilnenses (16 I 1514-) – AAG, Acta Cons. A79 fos 79, 79v; the sentence of 23 I 1514 in the priest's favour – Acta Cons C3 fo 226v refers to Georgium Zadorzycz et Sebastianum.

niec, Simon. One, Nicholas of Wolborz, later became adviser to Bishop Albert Tabor and subsequently canon of Vilnius and bishop's chancellor³⁷. It should be noted that Tabor himself had acted as counsel in the appeal court before he became bishop³⁸.

Cases might drag on for years, often deliberate prevarication with litigants claiming that the roads between Vilnius and Gniezno, an alleged distance of some '140 miles', were dangerous, subject to inclement weather and depredations by bandits and soldiers. There might be absence due to military service with the grand duke (against Muscovy), although the court noted that the case could have been finished before the war, had the defendant not procrastinated so³⁹. Several cases were declared abandoned (*deserta*) because litigants took too long to bring evidence forward on time. In 1494 the official complained that the betrothal dispute between Ona Kybartaitė and Pacas Sirtautaitis had lain dormant for over a year⁴⁰. Interlocutory (intermediary) and definitive sentences might be passed and still cases revived or were sent forward to Rome or backwards to Vilnius.

The range of Lithuanians involved in court business was extended by the use of laymen as *portitores*, or court postmen, who were sworn to carry legal documents between the appeal court and earlier instances. They hailed from various parts of Lithuania: Stanko Voyczehowicz, burgher of Vilnius⁴¹, honestus Stanislaus de Wilna

³⁷ *LKD*, 1440 and here pp. 40 and nn. 29, 41.

³⁸ In October 1491 Albertus Taborowicz was referred to as procurator in the case of the Vilnius burghers Jancelowicz and Tolstikowicz (see n. 41) – *AAG*, Acta Cons. A59 session of 5 X 1491. The appeal case against the Vilnius trial opened in Gniezno in March 1491

³⁹ Stanislaus Dobkowicz de Vilna contra nobilem Anastasiam Talwoyschewna 16 XI 1492 A60 fo 143, A61 fo 52v-53 (20 V 1493) – delays in presenting evidence blamed on geographical conditions, cum ad civitatem Vilynensem a civitate Gneznensi fuit centum et quadraginta milliaria et iter periculosissimum et magis propter perhorreseranciam appellantis et non habere accessum ad iudicium a quo ad extrahenda acta instancie prime; fo 54v-55 delay on Stanislaus' part – ipsum Stanislaum in expeditione bellica cum duce Lithwanie esse, propter quod literas compulsoriales remittere non potuit... to which the reply – in casum et eventum in quo constaret Stanislaum cum domino duce Lithwanie in bello esse, dicens causam huiusmodi potuisse frui ante bellum noviter institutum; fo 57v, 58v-59 – case declared void (3 VI), 76 (10 VII) – costs of 3.5 marks awarded to Anastasia.

⁴⁰ the appeal of Kotryna Kybartaitė-Sirtautaitienė against Pac Sirtautaitis – *AAG*, Acta Cons. A 60 fos 74v-75, 76v, 78r-v, 79, 81, 82, 109v, 112v, 137v-138, 141v, 143; Acta Cons. A61 [1493] fos 16v, 51v, 54, 55, 64v-65; Acta Cons. A 62 [1494] fos 17r-v, 43, 46, 49v, 78v.

⁴¹ Martinus Jancezewicz, Nicholaus Talstikowicz opidani de Vylna contra dominum Johannem episcopum Luceorensem (27 III 1491–15 II 1493) *AAG*, Acta Cons. A59 Feria quarta ante Dominicam, Domine ne longe (27 III) in causa appellacionis famatorum dominorum Nicolai Tolsthi et Martini Jangelewicz civium de Vilna contra venerabilem dominum Johannem archidecanum et officialem Vilynensem Nicolaus Wolborz procurator civium; feria quarta ante festum Tiburtii et Valeriani (13 IV) – the archdeacon had no right to judge a case involving himself; feria sexta post festum Tiburtii et Valeriani (15 IV) – ipse officialis in propria causa sub nomine proprio ipsos cives vocavit ad presenciam domini episcopi Vilynensem, quod de iure facere non debuit; feria quarta ante Adalberti (20 IV); feria sexta ante Philippi et Jacobi (29 IV); feria secunda post Trinitatis (30 V); feria sexta post Exaltacionis (16 IX); feria secunda post Jeronimi (3 X); delay because ipse dominus archidiaconus Vilynensis et ellectus Luceorensis propter ratas causas versus Curiam iter accepit signanter propter receptionem consecrationis ad ecclesiam Luceorensem, usque ad felicem suum reditum de Urbe... suspendit; feria quarta ante Gereonis (5 X). The next court session fell on 19 III 1492. A60 fo 36v 19 III 1492, *portitor* – Stanislaus Voyczehowicz civis Vilynensis, 44r, 87, A61 fo 16v (15 II 1493). Martin is known to us from his witnessing of a 1499 burgher donation to the Vilnius Franciscans (*KDKDW*, T. 1, Z. 2: 1468–1501. Kraków, 1939, Nr 463, p. 543); he was holder of the customs house in Minsk for three years from Oct. 1504 – *Lietuvos*

nuncupatus Iwan, nobilis Joannes Wolski, who swore on a crucifix to carry the document faithfully, as did Stephanus and Fredericus of Betigola (one went from Gniezno to Vilnius, the second made the return journey only to be denounced as a Ruthenian and 'therefore excommunicate' in a failed attempt to throw doubt on the validity of the sealed document he had carried from Vilnius); one Johannes Lituanus a tailor of Gniezno was called to give evidence involving a Gniezno mansionary priest⁴².

In some years there are many Lithuanian cases – some sessions might have three different appeals from the Grand Duchy (out of four or five in total), while at other times there are none at all (in so far as we can tell from the surviving record). Thus no cases survive for the years 1474-1476 (A52-54), 1497-1500 (A66-69), 1507-1510 (A74-77). The record is not without its minor confusions. For some reason the clerk of the court referred to the parish church in Vilnius being dedicated to St Michael. The christian names Georgius and Gregorius are sometimes confused (perhaps he misheard as the record was dictated to him) while less understandably Stanisław is misrecorded as Stephanus. Curiously the lady known as Ovyssymow is mentioned three times, each time with a different Christian name. However, such infelicities cannot detract from the unquestionable value of the Gniezno court record.

While the Gniezno appeals reflect a wide range of cases which were heard originally before the Vilnius Consistory court the richest and more vibrant survive from the diocese of **Lutsk** and reveal the Latinisation of a land which in the fourteenth century was largely Russian Orthodox with 'pagan relics' and in the fifteenth century would become largely Roman Catholic as a result of missionary work and colonisation from more eastern parts of the Grand Duchy of Lithuania and Mazovia.

Court cases reveal that a part of the population knew the *necessaria*, the basic prayers (Pater noster. Ave Maria), the Creed and the Ten Commandments in Lithuanian⁴³. Lithuanian peasants appear as witnesses in court cases. Thus in 1474 when Piotr of Tczewo was sued by the parish priest of Mordy, the sixth witness to be called in the case (and the second in support of Father John) was a certain Jaczko litwanus de Mordy⁴⁴.

Metrika. Knyga 5: 1427–1506. Užrašymų knyga 5. Pareng. E. BANIONIS. Vilnius, 1993, Nr. 176, p. 291. His co-appellant Tolstikowicz and his wife Martha are recorded as selling land in Antakalnis to Jacobus Sobolowicz, 15 V 1495 – *Lietuvos valstybės istorijos archyvas*, F5a Nr 5333, fo 8v (fo 3 mentions a Petrus Tolszcikowicz who sold land *inter montes* to Nicholaus Desczko in August 1496). The archdeacon himself was the son of Vilnius burghers and his brothers lived in the city. This source is the earliest record of him as archdeacon and official and indicates more exactly when he became bishop of Lutsk.

⁴² Laurence mansionary of Gniezno calls Johannes Lithwanus de Gnezna as witness – AAG, Acta Cons. A69 (1500), fo 6v.

⁴³ ROWELL, S.C. Was fifteenth-century..., p. 102, 105; ROWELL, S.C. *Anekdotas eklesiasitika*: 1. LDK krikščioniška kasdienybė pagal seniausią išlikusią XV amžiaus LDK katalikų Bažnyčios teismo knygą. *Lietuvos istorijos metraštis, 2010/1*. Vilnius, 2011, p. 93–115.

⁴⁴ *Siedlce, Archiwum Diecezjalne w Siedlcach [ADS]*, D1, fo.32r-v, 33v. Peter was fined and ordered to pay 10 groats in damages to the Mordy curate Nicholas, 1.5 groats to John Petraszewicz of Hadniowo, 8 gr to

A case heard on 17 May 1479 involving the rector of Topiczewo James (Jakub) and a local gentleman Peter of Turośń tells the story of how three Lithuanian peasant colonists, Macz, Rymek and Peter, were tricked by the landlord who sponsored them. After St Michael's Day 1477 Jan of Kocmiery visited the rector and saw Peter of Turośń and his men buying 40 sacks of grain for 100 groats, namely 30 bags from Stanislaw Broda, the rector's brother at Falki and a further ten from another Falki landowner. Peter promised to pay for the peasants' grain by the next 29 September. Another witness, the Dyatkowiczi inn-keeper Stanisław confirms that in 1478 he saw the three Lithuanians agree to clear a patch of woodland and form fields for the priest in return for grain and this they did in two days. Rymek said that the three Lithuanians borrowed grain from the priest worth 100 groats and that Peter of Turośń gave 100 groats in support of this loan and they agreed to fell the woodland for 30 groats to be taken from the 100 groats they owed. Later they paid Peter 45 groats.⁴⁵ This case reflects

Sigismund of Palitowo; for his crimes and frequent disruption of diocesan life Peter was commanded to leave the diocese immediately, with threat of imprisonment if he remained within the borders of the see.

⁴⁵ ADS, D1, fo 50 r-v [Mon. 17 May 1479] **Testes inducti** ex parte honorabilis Jacobi plebani de Thopiczew ex una et nobilis Petri de Thurośną partibus ex altera. **Primus testis** nobilis Johannis de Coczimiri cttatus, iuratus etc deposuit. Fuit duo anni fere circa festum sancti Michaelis \ sed die ignoro/, veni ad plebanum Thopiczewski pro quibusdam meis negocys, venit iterum Petrus de Thurośną cum suis hominibus emere siliginem et eisdem suis hominibus et forifaverunt xxxx cassulas pro centum grossz et xxx cassulas apud Broda in Ffalki et apud Philippum in alia villa Ffalki decem cassulas. Ibidem item Petrus de Turośną fideiussit dictam pecuniam, centum grossorum, pro suis hominibus solvere pro festo sancti Michaelis et mancipatum iudicari solus etc. Ignoro utrum solvit sibi vel non. Aliud ignorat. Confessus, communicat etc. **Secundus testis** nobilis Martinus de Thopczew cttatus, iuratus etc deposuit recte ut primus. **Testes inducti** ex arte nobilis Petri de Thurośną ex una ad instanciam honorabilis Jacobi, plebani de Thopczewo partibus ex altera. **Primus testis** nobilis Stanislaus, alias Broda, de prefati cttatus, iuramento sibi promisso ex utque parte deposuit. Preterito tempore yemali misit ad me \fratrem suum Stanislaum quasi ante carnisprivium/ plebanus de Thopczewo, rogans me ut in integro frumenti siliginem darem hominibus Petri de Thurośną per eos forisata et empta quadraginta cassulas, et ego extradi dictis hominibus xxx cassulas. Post hoc misit ad me plebanus ut eis plus de siligine non extraderem, sed nescio quare non fecit ex eis plus dare. Aliud ignorat. Confessus, communicat. **Secundus testis** llaboriosus Stanislaus thabernator de Dyathkovicze citatus, iuramento sibi promisso deposuit. Veni ad plebanum Thopiczewski cum plebano Martino Dolobawski, non recordar quo tempore yemali et iam est elapsus annus, venerunt tres llittwani, Maczo, Rinko sed tercius mortuus est de Thurośną ad plebanum Thopycziensem et ceperunt forisare cum plebano ad erradicandum sibi pratum ibique forisaverunt pro media sexagena pro qua capere debebunt siliginem una cum expavis. Demumque petyt idem Jacobus plebanus ut secum equitarem cum dictis llittwanis eis ostendere silvam ad erradicandam alias *zavodzycz* pratum. Cum quo equitarem et ibi eis demonstrat et alias *zawyothk* silvam pro exlaborando prato. Ibi tunc apud dictum plebanum Thopyczewski mansimus pro duos dies et dicti llittwani laboraverunt in prato, sed nescio utrum finirent dictum laborem an non, nec eciam scio utrum solutum est eis vel non. Et dum interrogatus est, utrum pro siligine prius per eos forisata et empta deberent laborare, respondit: ignoro ego de prima forisacione eorum, sed quod audivi, hoc testifcor. Aliud ignorat. Confessus, communicat etc. **Tercius testis** llaboriosus Rimko de Thurośną cttatus, iuratus etc deposuit dum forisavit Petrus de Thurośną siliginis xxxx cassulas super me et Maczko et Petrum, tercium qui mortuus est, pro centum grossorum et pro nobis dictam pecuniam fideiussit. Demum nos tres venimus ex eius plebani Thopiczensis postulacione et forisavimus cum eo pratum erradicare et facere pro triginta grossis super debitum videlicet siliginis quam apud dictum plebanum eundem et forisavimus super dictum debitum pro triginta grossis et erradicavimus et fecimus pro certo dictum pratum et demum pro dicta siligine dedimus nostro fideiussori /Petro de Thurośną\ quadraginta et quinque grossos. Aliud ignorat.

not only links between local clergy and gentry (where often the patrons of a parish would appoint a kinsman to the living) but also the relationship of landlords and peasants (where the former could guarantee loans taken out by the latter from a third party) and the colonisation of Ruthenian land. The Lithuanian peasants had made their confession and taken Holy Communion during the year of the trial.

Stanisław the parish priest at Rokitnicza (now Kulesze Kościelne) became involved in a dispute with the patrons of his parish, Mikołaj, Maciej and Jan Kuleszowie, after they closed the church in their absence and thus denied burial to a woman from Moszczysz and baptism for a child⁴⁶. In early summer 1481 the court made peace in a dispute over how Anna, the wife of Thomas slandered Anna wife of Matthias by claiming the latter had committed adultery with the parish priest of Węgrów, Laurence. In the presence of Andrius Songaila, Jonas Katras of Lithuania and other witnesses all parties were bound over to keep the peace with any who violated it being liable to pay a fine of 10 florens to the bishop, 10 to the arbitrators and a further 10 to the party who kept the agreement⁴⁷. John of Mordy hands over 271 groats from the Skolimov tithe to the parish purser (*vitricus*) to cover building and repair works (in 1485)⁴⁸.

The influence of the parish patron is made clearer still from a case of 1480. This case which reads like an incident of grievous bodily harm stemming from a tavern brawl and involving a school master, a parish priest, the latter's cousin and aunt, recounted with the liveliness of a modern Polish television serial may stand as an exemplar of parish life run wild. The court session is typical. It takes place on a Monday (2 Oct. 1480). We are told that the witnesses have been summoned and sworn in. It is noted that they have been to confession and received Holy Communion this year and that they are impartial (they favour the party with justice on its side) and have not conferred among themselves. Of a priest it might be said that he celebrates Mass with proper devotion (one must presume *a priori* that he has communicated!)⁴⁹. At the time of the incident Andreas was school master in Skibniew and when the case came to court he was working in Sterdyn. In Skibniew he had a deputy (*surrector*), Martin of Ostrołęka. He was asked to record money collections made

Confessus. || **Quartus testis** llaboriosus Maczko de Thurosną cittatus, iuratus etc deposuit recte ut tercius videlicet Rimko, quare cum eo pro dicto prato laboravit et cum eo dictam siliginem emit et voluit etc. Confessus etc. **Plebanus Petrus Thopyczew sententia** contra Petrum Thurosczanky Die mercurii xxi mensis Iunii, ex decreto Reverendissimi in Christo patris domini et domini Martini episcopi Lucensis, honorabilis plebanus Jacobus de Thopiczew debet homines inducere super pratum si esset paratum vel si esset factum, ut decet, solvere eis pro labore et nobilis Petrus de Thurosną eciam solvet domino Jacobo plebano quod fideiussit pro hominibus siliginem. *ADS*, 1fo. 50. 21 June, fos 51v. The dispute between the priest and landlord continued - fo. 71r.

⁴⁶ Stanisław was active between 1476 and 1485 - *LKD*, 2153. This case refers to an incident of 1482 on the saturday before reminiscere (second Sunday in Lent) - *ADS*, D1 fo 73v. A 1493 muniment for this parish survives in The Warsaw Archive of Ancient Acts, cited in MAROSZEK, J. *Dzieje województwa podlaskiego do 1795 roku*. Białystok, 2013, s. 442.

⁴⁷ *ADS*, D1 fo 65; for Fr Laurence, see *LKD*, 1136.

⁴⁸ *ADS*, D1 fo 87.

⁴⁹ As in a case from September 1480 where Fr Stanisław was a sworn witness for his curate Peter *ADS*, D1 fo 55v.

by the parish fraternity in the manor belonging to a parish patron, Kostka, sub-judge of Drohiczyn. He was paid a fee of 2 groats for this service (and his failure to pass the money on to the parish priest, Stanisław, caused the latter to chase him around the church with a drawn sword). Stanisław was a local man – or had brought his aunt and cousin with him to his living. The patron was expected to be able to control the priest and resolve problems arising among his employees (the priest and the master).

In May 1486 Adam of Kotra and Seraphin *presbiter de Lythphania* were present when Bishop Stanisław Stawski of Lutsk expelled the thieving priest John of Ciechanowicz from his diocese. A few years before in 1480 a Lithuanian bachelor of arts, John of Geranainiai was at Litewnyky when a tithe dispute involving Sokoli was settled.⁵⁰

Despite the fact that officially the bishop could not try criminals beyond the borders of his see⁵¹, Stanislaw of Lutsk made use of personal service connections to achieve his judicial aims. Thus when the engagement between Martin of Bransk and Barbara, daughter of Anna Mikolajowna of Brańsk was broken after the pair had enjoyed intercourse, the bishop fined Martin three marks despite the fact that he had flown beyond the borders of the see. In this Stanisław was abetted by the parish priest of Goniądz in the Vilnius diocese, who had been the bishop's official in Janów Podlaski⁵².

The problems which might arise when a Lithuanian grandee (in this case Martynas Goštautas) with his personal chaplain returned to one of his estates after having served as a high official elsewhere in the Grand Duchy (as palatine of Kiev) could be serious for a parish priest. On 3 October 1480 Mikołaj Zadzyan, a boyar from Drogvyn invited Goštautas' chaplain Stanislaw and the parish priest of Tikocin, Andrew to stay at his house. During the hours of darkness, according to Stanisław, Andrew grabbed him by the throat and

⁵⁰ John of Cziechanowicz: 87v *Recognicio pro furticinio*: Die martis xviii may constitutus personaliter Johannes de Czyochonowycz pro tunc moram trahens in Janow coram Reverendo in Christo patre et domino, domino Stanislao episcopo Iluceoriensi pro tunc sedente pro tribunali sede in orto in medio curie in Janow, confessus est, quod subtraxit duo manuteria in ecclesia parrochiali Sancti Johannis Baptiste unum manutergium consutum serico et aliud eciam consutum filis flaxis laboris Sinoden et propter hoc furticinium manutergiorum fuit detentus et captivatus prout pertinet ad quemlibet furem. Sed dominus Stanislaus episcopus Iluceoriensis motus nna men dimisit illum libere propter Deum et expulit de sua diocese tamquam infamem et furem. Et hoc ibidem presentibus testibus me Johanne presbitero pro tunc causarum scribe et domino Ade arcium literarum baccalareo nacione ex Lythphania et domino Luca Almano et domino Stanislao pro tunc vicario in Janow et domino Seraphin presbitero de Lythphania, Mathia prothoconsule Llozucensi et Andrea Pakaryka consule advocato de Janovo et Llaurencio famulo domini episcopi ceterisque fidedignis. Litewnyki case – Sokoli tithe decided, fo 55, Johanne baccalareo de Goranoyny. It is known that a John of Geranainiai became a bachelor of arts in Cracow in 1479 – URBAN, W.; LŪŽYS, S. Op. cit., I.115, 121, 122, p. 56, 58.

⁵¹ Plock court records state that the bishop has no right to judge Vilnius or Lutsk cases, if those sees possess a suitable judge of their own – *Acta capitulorum nec non iudiciorum ecclesiasticorum*. Vol. 3, pars 1. Ed. B. ULANOWSKI. Kraków, 1908, s. 59-60.

⁵² ADS, D1 I.78v: Sed quia extra diocesim suam in diocesi aliena vilnensi per plebanum Goniadzkijsky penavit ipsum cum iure de se /Barbare/ in tribus marcis pro festo sancti Petri proxime affuturo sub pena excommunicationis exolvendis, presentibus honorabilibus Boguslao de Paprothna, Johanne de Myelnyk plebanis, Ade presbytero curie, Johanne vicaro pro tempore Myedzirzec et me Nicolao auctoritatibus apostolica et imperiali notario publico circa premissa verba aliisque multis.

attempted to suffocate him but he saved himself by biting his assailant's fingers until the host separated the two priests. Andrew claimed that it was Stanislaw who sought to kill him.⁵³ In short both men had the same patron, who was replaced in Kiev as palatine by Jonas Chodkevičius in summer 1480⁵⁴. We know that in 1479 Goštautas had founded a new Bernardine friary in Tikocin and it was his tradition to keep a friar as his chaplain⁵⁵. We do not know how the case ended. On 29 May 1481 Andrew presented the court with his indult from Pius II (1458-1464) which granted him the right to absolve his parishioners from from all sins, including those reserved to the pope for absolution (except murder)⁵⁶.

Laymen were willing to have recourse to church courts rather than the grand duke's judges even in cases which officially should have been heard before a secular court – the judge in Gniezno noted that the case involving the Vilnius burghers Groloch and Jurginek was a matter for secular jurisdiction⁵⁷. In the case of the confraternity in Drohiczyn we read how 'nobilis Andreas de Naszylowo citatus iuratus deposuit: Nos cum ereximus fraternitatem, talem pactum habuimus, quod nullus debuit quemquam citare ad ius terrestre, sed hic

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⁵³ ADS, D1, l. 60 v-61: Anno domini millesimo quadringesimo octuagesimo primo acta. Stanislaus cum plebano de Thykoczyno propositio. Die veneris nona marcy constitutus personaliter discretus Stanislaus capellanus magnifici domini Martini Gostholth causa nomine proprio contra et adversus honorabilem Andream plebanum in Thykoczyno vero in presencia ipsius Andree plebani proposuit coram reverendo domino domino Martino Dei gracia episcopo Luceoriense sit, dicens quod de anno domini 1480 in domo nobilis domini Nicolay Zadzyan et in villa Drogwyn in collacione ad quam 'ego/ unacum prefato domino Andrea plebano de Thykoczyno fuimus petiti per dominum Nicolaum Zadzyan de Drogvyn, dicens: idem Andreas plebanus in \Thkoczyn/ veniens ad me Stanislaum in nocte, me per gutur meum arripuit, iugulavit, strangulavit et me interimere voluit | | In qua iugulacione et suffocacione digittum suum in eo rumpsit omnis quem ego dantibus meis constrinxi et tam diu pugnavimus quousque hospes activus nos ab invicem separavit. Hec facta sunt feria tertia proxima post festum Sancti Michaelis; quam insaniam, percussionem, iugulacionem mihi per ipsum Andream factam remoto et existimo ad mille florenos ungaricalis auri boni et iusti ponderis. Et hec si negare voluit efficio me probatorem. Ex adverso dominus Andreas plebanus reus de Thykoczyno excipiens et excipiendo dixit, quod ego hanc quam ipse proposuit proponere dubio propositioem contra et adversus Presentibus ibidem conspectis Mathia de Vaszosze canonico et plebano in Luzsko, Stiborio de Janovo et alys quampluribus in eodem iudicio presentibus.

⁵⁴ Biblioteka XX. Czartoryskich, Ms 2954 no. 82 – KIRKIENĖ, G. *LDK politikos elito galingieji: Chodkevičiai XV-XVI amžiuje*. Vilnius, 2008, p. 82.

⁵⁵ *Monumenta Poloniae Historica*. T. 5. Lwów, 1888, s. 224-225; MACISZEWSKA, M. *Klasztor bernardynski w społeczeństwie polskim 1453-1530*. Warszawa, 2001, s. 41.

⁵⁶ ADS, D1 l. 69: Die martis xxix may honorabilis Andreas plebanus in Thykoczyczno manumentum prestitit ... quod habet auctoritatem apstolicam a sanctissimo domino Pyo pape pro persona et parrochia in omnibus casibus preter homicidium usque ad extremum vite, super quod eiam quoddam instrumentum produxit de manu Alexandri Boguslai de Ponyathi Plocensis diocesis et per manus Bernardi de mandato absolutus. Alexander Boguslai is known from a supplication of young clerics to the Apostolic Penitentiary, 6 XI 1459 – *Bullarium Poloniae: litteras apostolicas aliaque monumenta Poloniae Vaticana continens*. [T.] 6: 1447-1464. Ed. et cur. I. SUŁKOWSKA-KURAS, S. KURAS. Romae, 1998, no. 1462, p. 305-306. For an account of supplications granted to clergy and lay persons in the Grand Duchy of Lithuania during the long fifteenth century, see ROWELL, S.C. Lithuanian supplications to the Sacred Penitentiary during the long fifteenth century (forthcoming).

⁵⁷ Johannes Groloch civis Vilnensis and wife Anna contra Johannem Jurgunek Mek civem Vilnensem (7 IX 1492) AAG, Acta Cons. A60 fos 105v – produxit mandatum de manu et signo legalis Talmanni Schaffini clerici Hildeschemensis civitatis ... frustrarie appellasse cum dominus electus Vilnensis iuste sic personas seculares ipsos appellantem et appellatum ad iudicium seculare remiserit. Item quod ipse electus ipsum appellantem in statum pristinum restituit post gravamen, ut pretendit, illatum; fo 110v-111r, 112v, 114r-v.

in confraternitate debuerit iudicare de omnibus rebus'. Similarly the statutes of the Holy Trinity Fraternity in Polonka stated that three lay brothers and one cleric should judge in cases of defamation among members of the brotherhood.⁵⁸

Almost all aspects of community life appear in the record. The parish priest of Mordy underwrote a loan of 10 sexagenae and 10 groats taken out by the rector of Hadniowo from the "perfidious Jew, Moses of Brest"⁵⁹. There are manifold accusations of broken troth, false claims of betrothal, adultery, cohabitation. Stanisław parish priest of Robytnycze sues the noble parish collatores because in 1482 they refused burial in their cemetery to a woman from Moszczyc and closed the church against her. The parish priest of Staw and a local cleric beat one another with sticks and amphorae. A Drohiczyn notary public accuses the rector of a parish school of attempting to take over his legal business while he was away and causing 40 florins' worth of missed revenue⁶⁰. The beneficiaries of a nobleman's will refuse to hand over what was bequeathed to parish church⁶¹. In 1469-1470 during a period of plague a donation was made to the hospice in Drohiczyn, in another parish a man made his confession and dictated his will to the priest⁶². We learn of a priest who was seen riding out to administer the sacraments⁶³. Most disputes over tithes involve priests of different parishes claiming the right to a tithe which a layman has paid according to his own choice, having fallen out with his first parish's priest or fellow collator. Among many cases of defamation one involves the wojt of Ruda, Stanisław, who accused Fr Laurence of Drohiczyn before Christmas 1473 of being "a shameless thief and not a priest, unworthy of the tonsure because he was a player of dice"⁶⁴. A layman understands that a priest who refuses his wife Holy Communion at Easter for no good reason, while giving it to another parish wife is a thief and is ready to sue the cleric. A schismatic might demand burial in his Catholic family's church; an Orthodox believer might go to confession to a Catholic priest⁶⁵. An Orthodox factor might work for a Catholic landlord but that of course would not save him from prosecution in a Catholic consistory court⁶⁶.

⁵⁸ ADS, D1, fo 50v (1479); *KDKDW*, T. 1, Z. 3: 1501-1507, *Uzupeln. 1394-1500*. Kraków, 1948, Nr 521, p. 624-625. Cf. ROWELL, S.C. Parapijos dangaus ir žemės globėjų vaidmuo bendruomenės identiteto formavimesi – Polonkos pavyzdys (forthcoming).

⁵⁹ ADS, D1 fo 25, 27 Oct. 1472.

⁶⁰ ADS, D1 fo78v-79.

⁶¹ In his will Jacobus Skubyela de Oszwola bequested funds to Fr Jacobus of Dziadkowice [*LKD*, 561], but Mathias, Wargyel and Petrus Ostrosky refused to hand the money over; bishop elect Stanisław Stawski [*LKD*, 2144] ordered that they do so – ADS, D1 fo 78.

⁶² ADS, D1 fos 8, 8v.

⁶³ equitabat pro ministrandis sacramentis – ADS, D1 fo 94.

⁶⁴ ADS, D1 fo 31: nequam latro es, non plebanus nec es dignus corona sacerdotali, quare es thesserei stator alias *kostyra*.

⁶⁵ ROWELL, S.C. *Anekdoty eklesijastika...*, p. 104-106.

⁶⁶ AAG, Acta Cons. C3 fo 316: Sententia providi Olechno factoris in Trokyelye appellantis et honorabilis Leonardi mansionarii ecclesie cathedralis vilnensis appellati, 1 II 1524. Olechno to pay costs. Trokele or Novy Dvor, Lida district, 10 km n.e. of Zhirmuny, belonged to the Jagintaičiai-Rimvydaičiai family, cf. *KDKDW*, T. 1, Z. 1, Nr 212,

In conclusion we may say that the dynamics of church court evidence coincide with those of other aspects of Catholic life in the Grand Duchy. Building churches, chantry chapels, funding mansionary priests, selecting particular Masses to be celebrated by your chantry priest (*Salve sancta Parens*, the Five Wounds of Christ, the Seven Joys of Our Lady), going on pilgrimage, taking part in a procession, venerating the Blessed Sacrament, sending supplications to Rome to obtain permission to own a portable altar or choose a confessor all become much more common in the later decades of the fifteenth century. Cases before the consistory courts in Płock, Gniezno, Vilnius and Lutsk involve a wider social group and deal with a broader range of issues (not just matrimonial disputes or the hiring out of parish churches between priests). What we do not find is any obsession with paganism, no use of pagan as an insult, no account of 'pagan' practices (or even folk customs, which later become tarred with an ideological brush). Lithuanian dioceses are clearly integrated into the Polish metropolitan sees (Gniezno and also to a lesser degree, Lwów). Even the Cracow records reflect this trend. In Cracow, John, the Lithuanian furrier who sued Canon Andrius Sviriškis of Vilnius in 1488 before bringing the case of *geludium* to Gniezno two years later⁶⁷; Lithuanian court officials served in Cracow, as we see from the example of Vaclovas Czirka in 1510s-20s, and more from mid-century onwards; the Raseiniai cleric and pilgrim to Rome, Alexius was registered as a notary public in Cracow⁶⁸.

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p. 240-241. Two cathedral mansionaries named Leonard are known from 1537 and 1539 – LKD, 1188, 1189. It is not clear whether one of these men is meant here, or indeed a third Leonard.

⁶⁷ Archiwum Archidiecezjalne w Krakowie, Acta Officialia Generalia 11 fo 234v (URBAN, W.; LŪŽYS, S. Op. cit., II, No 143. p. 64) and Johannes Lythwanus pellifex de Cracovia vs Magister Andreas canonicus vilnensis (19 IV – 26 XI 1490) - A58 fo 247, 253v, 266r-v

⁶⁸ KNAPEK, E. Op. cit.; BARONAS, Darius. Keletas lituanistikos perliukų iš Biblioteka Lancisiana arba šiek tiek apie Lietuvos piligrimus Romoje XV a. pabaigoje – XVI a. pradžioje (forthcoming).

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BAŽNYTINIŲ TEISMŲ ĮRAŠAI KAIP XV A. PABAIGOS – XVI A. PRADŽIOS LIETUVOS VISUOMENĖS KRIKŠČIONĖJIMO PROCESO PALIUDIJIMAI

S. C. Rowell

SANTRAUKA

Įstatymas gali nurodyti, kas yra suvokiama kaip teisės pažeidimai. Tačiau įstatyminių procedūrų naudojimas praktikoje parodo, ką ieškovai suvokia esant nusikaltimu. Savo ruožtu teismai, kuriuos ieškovai pasirenko persekioti jiems nusikaltusius, rodo šios institucijos socialinio aktualumo pripažinimą. Dėl šios priežasties bažnytinių teismų liudijimai mums gali parodyti, kaip krikščioniškieji papročiai ir bažnytinės institucijos yra įsitvirtinusios tam tikroje visuomenėje.

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Praėjus maždaug šimtmečiui po Lietuvos visuomenės pavertimo krikščionimis „iš viršaus“, įvairūs jos sluoksniai, ne tik monarchas ar jo kilmingieji tarnai, bet ir miestiečiai bei valstiečiai, kreipdavosi į bažnytinius teismus netgi tais atvejais, kai svarstomas klausimas, atrodytų, buvo labiau tinkamas nagrinėti pasaulietiniuose teismuose. Deja, Vilniaus ir Medininkų vyskupijų bažnytinių teismų dokumentai nėra išlikę iki šių dienų: jau prieš šimtmečius juos sunaikino maskvėnų kariai bei pražūtingi gaisrai. Vis dėlto nuo 1469 m. yra visiškai prieinami tokio pobūdžio dokumentai iš Lucko vyskupijos, kuri Lietuvos Didžiąjai Kunigaikštystei priklausė iki 1569 m. Taip pat bylos, į kurias buvo įsitraukę kunigai ir pasauliečiai iš LDK, dėl specifinių priežasčių buvo nagrinėjamos Mazovijos vyskupijos bažnytiniame teisme Plocke. Gniezno konsistorijos teisėjai klausė apeliacijų iš bylų, kurios jau buvo perėjusios per Vilniaus vyskupo ir jo pareigūnų rankas. Visa ši medžiaga kartu su liudijimais apie Lietuvos pasauliečius, dirbusius Krokuvos vyskupijoje, parodo, kaip gerai XV a. pabaigoje lietuviai buvo integravęsi į Lenkijos karalystės ir pačios LDK bažnytinės teismo institucijas.

Straipsnyje naudojama lietuvių istoriografijai nežinoma šaltinių bazė – Katalikų bažnyčios teismų knygos, pateikiant jų apžvalgą iš trijų pagrindinių archyvų, būtent Plocko vyskupijos, iš kurios dirbti Lietuvos parapijose XV–XVI a. atvykdavo daug kunigų; Gniezno arkivyskupijos, kuri klausydavo besibylinėjančiųjų, nepatenkintų Viniaus konsistorijos sprendimais, apeliacijų; ir Lucko vyskupijos su jos konsistorijos teismu Palenkės Januve, šiuo metu saugomu Šedlcų vyskupijos archyve.

Šių teismų medžiaga mums atveria vėlyvesnių viduramžių Lietuvos, dažniausiai Vilniaus ir Lucko vyskupijų, katalikų papročius, lūkesčius, ydas ir uolumą. Medžiaga patvirtina stiprią Bažnyčios padėtį XV–XVI a. sandūros LDK visuomenėje. Joje nėra net kalbos apie atsilikusius pagonis, o minimi į katalikų gyvenimą visiškai įsitraukę įvairių luomų vietiniai gyventojai – magnatai, bajorai, miestiečiai ir valstiečiai. Bažnyčių bei altorių statyba, kolektyvinis kunigų išlaikymas, altaristų pasirinkimas aukoti konkrečias mišias (*Salve sancta Parens*, Penkios Kristaus žaizdos, Septyni Dievo Motinos džiaugsmi), piligriminės kelionės, dalyvavimas procesijose, Švenčiausiojo Sakramento garbinimas, prašymų (suplikų) siuntimas į Romą dėl leidimo turėti nešiojamą altorėlį ar pasirinkti nuodėmklausį paskutinais XV a. dešimtmečiais tampa nusistovėjusia praktika.