

III.

ON THE CONNEXION BETWEEN SCOTLAND AND THE COUNCIL OF
CONSTANCE IN THE FIFTEENTH CENTURY. BY JOHN SMALL,
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In a communication which I had the honour to submit to the Society of Antiquaries in April last, relating to the Protest of the Bohemian nobles against the burning of John Huss, I stated that in the famous Council of Constance held in 1414-18, there were representatives from almost every country and city in Western Christendom. I was curious to ascertain whether Scotland had taken part in this great meeting; and as I find that the proceedings of the Council gave rise to a considerable agitation amongst the clergy in Scotland at the period,—a matter of which almost no notice is taken in the ordinary histories of Scotland, and entirely overlooked in that of Tytler,—I am induced to lay the following notes before the Society.

The objects for which the Council of Constance met seem to have

been warmly approved of in England, at that time under the rule of Henry V.; and there appears, from the catalogue of the members of it as given by Von der Hardt, to have been at least fifty of the representatives belonging to England.

Collier, in his "Ecclesiastical History of England," states that "the Archbishop of Canterbury summoned a convocation to choose deputies for this Council. The delegates were the Bishops of Salisbury, Bath, and Hereford, the Abbot of Westminster, and the Prior of Worcester. The Earl of Warwick was likewise sent as the King's ambassador to this Council. Afterwards, when the English prelates understood that Hall, Bishop of Salisbury, and Mascall, Bishop of Hereford, were dead, and that the Churches of other countries were represented by a more numerous delegation, they met in Convocation, and elected Richard Clifford, Bishop of London, the Chancellors of both Universities, and twelve Doctors, to make part of the Council of Constance."

These representatives from England seem to have taken an active part in the proceedings, for the Bishop of Bath was elected one of the four ordinary presidents of the Council.

The following names occur in Von der Hardt's great work, and were probably those of the persons elected at this convocation of the English prelates :—

BRIANUS FARBACH,	}	<i>Licentiati Juris Anglici.</i>
PETRUS REBBI,		
PRIOR URFESTII,	}	<i>Doctores in Theologia Anglici.</i>
GULIELMUS CLERICI,		
WILHELMUS CORFF, <i>ex Anglia, Doct. in Theologia.</i>		
WILHELMUS SULBER,	"	"
JOHANNES WELLIS,	}	<i>Anglici, et pro rege Angliæ.</i>
JOHANNES SCHIERFORT,		
THOMAS POLTON, <i>Protonotarius Regis Angliæ.</i>		
RUPERTUS APPLETON, <i>Lice. in Leg.</i>		
JOHANNES STOKES,	"	"
WILHELMUS LOCHAN, <i>de Anglia, Mgr. in Art. et Baccal. in Theol.</i>		
MATTHIAS JACOBI, <i>de Anglia, Magr. Artium.</i>		
ELIAS ANGELI, <i>ex Anglia, Magist. Art.</i>		

WILHELMUS DE SPELUNCA, *ex parte Annæ Domine Angliæ.*

WILHELMUS VISIUS, *Camerarius Regis Angliæ.*

JOHANNES OTTLINGER, *Servus Regis Angliæ.*

Scotland was at that period (1417) under the regency of the Duke of Albany, who governed the country after the death of Robert III., and had always recognised the sway of Pope Benedict XIII. in ecclesiastical matters. Benedict had, however, been deposed by the Council of Pisa, along with Pope Gregory XII.; yet so long as he was supported by Spain, Portugal, and Scotland, he maintained his right to rule the Church from Peniscola in Spain. The Council of Constance, meanwhile, confirmed the deposition of Benedict and Gregory, and deposing also John XXIII., by whose authority it had been convened, elected Martin V. as the only Pope to whom the allegiance of the Christian world should be paid. It became advisable, therefore, for the Council to obtain the consent of the Scottish clergy to their proceedings, and to get them to transfer their allegiance to Martin V. They accordingly sent a deputy to Scotland, while the Emperor, Sigismund of Hungary, who, along with Pope John XXIII., had summoned the Council, wrote to the Regent Albany to send representatives to Constance. There was a General Council of the Church held at Perth to receive this deputy, and to consider the letter of Sigismund. The proceedings of this Council or Parliament (as Lord Hailes thinks) are noticed at some length in Fordun's "Scotichronicon," and have been carefully extracted from Fordun by Wilkins, in his great work on the Councils of the Church in Britain. Fordun states as follows :¹—

"In the year 1417 the venerable father the Lord Abbot of Pontignac was sent by the Council of Constance to Scotland, in order to induce the Scottish Church to adhere to the Council, and to withdraw from the obedience of Benedict XIII., then residing at Peniscola. No province at that time steadfastly adhered to the latter except Scotland. This Abbot was considered a master in theology of the highest repute. In a General Council held at Perth, he set forth the object of his mission in an eloquent oration before the Lord Regent and

¹ Forduni Scotichronicon, curâ Goodall, tom. ii. p. 459.

the three Estates. About the same time, Sigismund, Emperor of the Romans and King of Hungary, Dalmatia, and Croatia, wrote to the Regent and three Estates of the realm from Paris, suggesting that they should send commissioners to represent the kingdom of Scotland, as other kingdoms were represented in the Council of Constance. Meanwhile Pope Benedict, as he was then called by those who obeyed him, wrote to the Regent and three Estates, enjoining them to persevere in obedience to him. The Regent was very favourable to him; and he appointed a certain English friar, Robert Harding, master in the Sacred Page, as advocate of the cause of the Church in the interest of Benedict. This person brought forward many propositions in disputations and sermons, calculated to induce men to take part with Benedict. He was opposed by the whole University of St Andrews. Nevertheless, finding support from the Regent, he directed controversial writings and discussions against them, to which they returned their rejoinders. Wherefore, on the second or third of October, in the year aforesaid, at a General Council held at Perth to determine the obedience of the realm,—that is to say, whether it should adhere to Benedict, or withdraw from him, and yield allegiance to Martin V., who shortly before had been unanimously elected at the Council of Constance,—the said Harding, a minorite friar, with the view of preventing the realm from conforming to the unity, as it was called, of the Church, with the other nations of Christendom, solemnly sustained a proposition, at the suggestion of the Regent, addressed to the clergy and laity, both in Scots and Latin, the subject of which was in the terms, ‘Ante actum consilium stabili’ (Confirm your previous counsel). Whereas the passage which he quoted should have been differently expressed—‘Ante omnem actum præcedat te consilium stabile,’ *Ecclesiasticus* xxxi. (Let steadfast counsel precede your every action.) Whence he twisted, not the letter only, but the meaning, to suit his purpose of procuring matter to prevent the people from returning to the unity, as it was supposed, of the Church. Whereupon the Rector of the University [of St Andrews], Master John Elwold, and other famous divines, extracting from his propositions scandalous and seditious conclusions, greatly suspected of heresy, promotive of schism, and not tending to produce the union of holy mother Church, sent them to the Apostolic See for examination. These the Court of Rome con-

demned, as is evident from the Bull addressed to the kingdom of Scotland, and put in execution by the diligence and labour of Master John Fogo, a monk of Melrose, afterwards Abbot of the same, a most worthy master in theology.

“Harding proved his conclusions ‘per naturas, figuras, scripturas, picturas’ (al. puncturas), and other illustrations which it were tiresome to the reader to set forth in order. They may, however, be briefly elicited from the Papal Bull, which specified ten errors. The first of these savoured of heresy, and was this: that if Benedict should yield, he would give occasion of eternal damnation to his subjects. The second, that according to the right Scripture, restitution should be first made to Benedict before he should be held bound to yield. The third, that if, after the Council of Constance, Benedict had been notoriously negligent, the prelates of Scotland had a right to proceed against, remove, and depose him, if he should be incorrigible; in which case, Benedict being by them cut off, the prelates themselves, who were of the obedience of Benedict, had the right of electing the sole Pope. The fourth, that considering the notorious negligence and incorrigibility of Benedict, and his deposition, the Scottish Church was bound, in order to remove all doubts as to the papacy of Martin, first to lay before him the laws that should regulate the Papacy, and then to yield their obedience. The fifth was, that he condemned the Council of Constance, and said that those who were there could not make union in the Church of God, but only those of the realm of Scotland could, which he illustrated by the parable of the elephant. The sixth, which was seditious—viz., that those of the kingdom of Scotland who had taken the start of their brethren in yielding obedience to Martin were sons of the devil, and like unto vipers; and a similar assertion followed—that they who had received favours from Benedict, and afterwards adhered to Martin, were like scorpions, and that in respect of a twofold property—&c. The seventh, that as long as John should live in prison there could be no union free of suspicion in the Church of God. The eighth, that after the notorious negligence of Benedict, the rights of the Church universal descended in the members who belonged to his obedience. The ninth error, which seemed schismatical, was that they only who were of the obedience of Benedict were Catholic, and all others were schismatics and heretics. The tenth, that

Benedict was not negligent as to those doings that related to the union of the Church, either in the Council of Constance or in the times before it."

"Concerning the withdrawal of the Scots Church from Benedict, and its doing obedience to Martin V."

"In opposition to Harding, Master John Fogo, afterwards Abbot of Melrose, vehemently disputed; and in a certain controversial letter of his, he inveighed against him, reproaching him greatly with the theme of his text, and saying, 'I wish you had made use of the sentiment expressed in your text, viz. "Ante actum consilium stabili;" for if you had been solidly advised, and had wisely or soberly reflected, you would never have propounded in the presence of so great an assembly, so many scandalous, erroneous, and seditious matters. Is not this your hateful comparison?—That an elephant which had leaned against a half-cut tree, and had accordingly sustained a fall, could not get up again of itself, because it wanted joints; that on its bellowing another huge elephant came up also, which was not able to help it; that while these two were ruminating, twelve elephants assembled, but all these were unable to raise up the fallen elephant, nor would they ever be able, unless a little elephant should arrive, which might put himself under the big one, and so raise him up. This parable you interpret thus:—The elephant is the Church; the tree, the Papal-jurisdiction, on which the Church had leaned and fallen, and now made an outcry when it could not rise again. Its noise aroused that great elephant, the King of the Romans, but he did not prevail. The twelve other elephants are other Christian kings and princes, but all of these should be unable to remedy the ruin of the Church, although they might make a great noise, until the little elephant should come—which is the Scots Church. And you hinted in your exhortation, "Suffer them to bellow, suffer them to shout, leave them to go round and round, do you Scotsmen wait in patience." "You are the keystone in the arch of the spiritual edifice, and you hold the key of the Church." "Do not hasten; do not hurry." "Anteactum consilium stabili." O man more cruel than the beasts! for the beasts busy themselves in trying to raise the elephant, and the man uses his persuasions to cause the mother Church to remain in ruins. Wherefore darest thou, alien, to make such assertions? Of a truth, because thou art an alien to us, and

a stranger to the truth.' He also had set forth many objectionable assertions in his proposition, applicable to the Council of Constance, such as these:—'If an enemy had reproached me I could have borne it,' saying this as in the person of Benedict to the Council. And to the Emperor Sigismund he applied the following:—'And if he who hated me had magnified himself against me, I would have hid myself from him.' But as to the Cardinals who withdrew from him, he added:—'But it was thou, a man, mine equal, my guide, and my acquaintance, who didst take sweet meat with me.' And so he concluded in reference to all of them:—'Let death seize upon them, and let them go down quick into hell.'

"But of a sudden, after Fogo had adduced the condemnatory Bull on his side, Harding died a natural death at Lanark, and so the controversy ceased; and in consequence, that same year, last of all the kingdoms, Scotland withdrew from Benedict, and adhered to Martin; a circumstance which all declared to be creditable to the great steadiness and singular constancy of the Scots."

It may be interesting, in conclusion, here to remark, that the barbarity shown by the Council of Constance to Huss and Jerome was highly approved of in Scotland at the time. An event equally cruel took place at St Andrews, not many years afterwards, in which the Monk of Melrose—Master John Fogo, above referred to—took a prominent part.

A Bohemian physician of eminence, called Paul Craw or Crawar, who had settled in St. Andrews shortly after the conclusion of the Council, professed the doctrines of Huss and Wicliff, and endeavoured to disseminate them amongst the people. The Papal Inquisitor for Scotland, Laurence of Lindores (also one of the first Professors in the University of St Andrews), was not long, however, in taking steps to repress these efforts of a heretic, who could not be moved by the force of argument, or the fear of the civil power, to recant his dangerous doctrines. He was therefore committed to the flames in 1433; and the manner of his death is thus quaintly described in the part of Bellenden's translation of Hector Boece's Chronicle of Scotland which refers to the events of that period:—

"Nocht lang efter, was tane in Sanct Androis ane man of Beum, namit

Paule Crow, precheand new and vane superstitionis to the pepil; specially againis the sacrament of the alter, veneration of sanctis, and confession to be maid to preistis. At last, he was brocht before the theologis, and al his opinionis condampnit. And becaus he perseverit obstinatly to the end of his pley, he was condampnit and brint. He confessit afore his deith, that he was send out of Beum to preiche to Scottis the herisyis of Hus and Wiclief. The king commendit mekil this punition; and gaif the abbacy of Melros to Johne Fogo, for he was principall convikar of this Paule."—See also Knox's History of the Reformation, (Works, vol. i. p. 6. App. p. 407.)