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The Beginnings of the Church Career of Tomasz I, the Bishop of Wrocław, until Taking Over the Office (1232)

Początki kościelnej kariery wrocławskiego biskupa Tomasza I
do czasu objęcia biskupstwa (1232 r.)

ABSTRACT: Tomasz I descended from Jelenie-Jeleńczycy family line. His father Przybysław was a castellan in Sądowel and a lord in Powidzk. His uncle Piotr (died in 1240) was a provost of a cathedral chapter. Tomasz I did not complete his education at the level of a local cathedral school but started further studies at foreign universities, undoubtedly in Italy, accomplished by winning a doctorate. Owing to his uncle's patronage, he became a member of a cathedral chapter. He also acted as a chancellor of Henryk Brodaty. The Bishop Tomasz I belongs to a group of those Polish bishops from the beginning of the 13th century who are known to had possessed holy orders at the moment of taking up the position of a diocesan bishop, which that time was not a common practice. He was elected the Bishop of Wrocław in 1232. It can be stated with the substantial degree of probability that Tomasz was a candidate of the Silesian ruler – it is proved by the fact that immediately before consecration he had held an office of the chancellor of prince.

KEYWORDS: Silesia, Church, Tomasz I, Jeleńczycy, *sacri ordines*, doctor of canon law

ABSTRAKT: Tomasz I pochodził z rodu Jeleni/Jeleńczyków. Jego ojciec Przybysław był kasztelanem w Sądowelu i panem na Powidzku. Jego wuj Piotr (zm. 1240) był prepozytem kapituły katedralnej. Tomasz I na pewno nie zakończył swojej edukacji na poziomie miejscowej szkoły katedralnej, lecz podjął dalszą naukę na zagranicznych uczelniach, zapewne we Włoszech, i to najprawdopodobniej zwieńczoną zdobyciem doktoratu. Dzięki protekcji wuja wszedł do kapituły katedralnej. Pełnił także funkcję kanclerza Henryka Brodatego. Biskup Tomasz I należy do grona tych polskich biskupów z początku XIII wieku, o których wiemy, że w chwili obejmowania urzędu ordynariusza diecezji posiadali święcenia kapłańskie, co na ówczesne czasy nie było często spotykaną praktyką. W 1232 roku został wybrany na biskupa wrocławskiego.

Z wielkim prawdopodobieństwem można powiedzieć – jeśli wziąć pod uwagę fakt, że bezpośrednio przed przyjęciem sakry biskupiej sprawował urząd kanclerza książęcego – iż był kandydatem śląskiego władcy.

SŁOWA KLUCZOWE: Śląsk, Kościół, Tomasz I, Jeleńczycy, *sacri ordines*, doktor dekretów

In the history of the bishopric of Wrocław, the 13th century deserves the name of a new and weighty epoch. There are numerous reasons for this assessment. Primarily, the Episcopal See of Wrocław at that time was seated by only powerful individualities who fought with enormous fortitude for freedom with prince's power. The struggle, with unprecedented obstinacy, frequently associated with a humiliation of the bishop's dignity, as it was in the case of Bishop Tomasz II, ended with the total victory of the Church. Possessed talent, persistence and understanding of an established program and its effective implementation led to a significant transformation in the law, functioning of the Church and society as well as in an existence of each Christian resident. Full of a creative energy and conscious in applying rough and dramatic measures in a case of resistance, the bishops brought the Silesian Church province to a strong development in many fields. Owing to their vigilance, the Silesian Church would always form a unified body, led by a single bishop. Such a success would not have been achieved if Wrocław bishops had not bridged their policy with the Holy See and Gniezno metropolis. The list of the bishops devoted with all their soul to the Church starts with Wawrzyniec (1207–1232), next Tomasz I (1232–1268) and ends with Tomasz II (1270–1292). The first one was thoroughly researched by a historian N. Jerzak. Desiring to complement the above-mentioned research, I undertook an attempt to study the path of Tomasz I to rule the Church of Wrocław.

Background and family environment

The future Bishop of Wrocław, Tomasz I descended from a wealthy, noble and the most influential family in the 13th century – Jelenie/Jeleńczycy. According to the majority of historians, most likely the Archbishop of Gniezno Wincenty from Niałko¹ came from this family line. However, the archbishop was included

¹ J. Umiński, *Arcybiskup Wincenty z Niałka, następcą Henryka zw. Kietliczem* (Archbishop Wincenty from Niałko, the Successor of Henryk, Called Kietlicz), [in:] *Księga pamiątkowa*

to the family of Łodzie² by J. Bieniak³ and A.M., Wyrwa. This belief was opposed by J. Maciejewski who stated that firstly the sons of Wincenty; Bogusław and Mirosław could have been related to a voivode Przedpełek on the distaff, secondly, a papal bulla describes Wincenty as a man *generis et morum nobilitate preclarum*⁴ and the criteria was met in 1220 by Jeleńczycy.⁵ T. Jurek, who recently dealt with the family of Tomasz I, recognized Bieniuk's and Umiński's proposals as equally likely and stated that in an existing situation there is no need to modify the opinions⁶ expressed by them. Simultaneously, a thesis of Tomasz's descent from the Rawicz⁷ family suggested by F. von Heydebrand or T. Silnicki⁸ was steadfastly rejected by Jurek.

The Comes Przybysław was the father of the bishop, whereas a sister of a Wrocław Provost, Piotr described as an uncle⁹ of the bishop, was his mother. Przybysław occurred in the sources in 1202¹⁰ and the following year, on 28th June, witnessed the Henryk Brodady document as a Master of the Horse.¹¹ In 1223

ku czci W. Abraham (Memorial Book Dedicated to W. Abraham), Lviv 1931, vol. 2, pp. 146–149.

² A.M. Wyrwa, *Procesy fundacyjne wielkopolskich klasztorów cysterskich linii altenberskiej: Łęknio-Łąd-Obra* (Foundation Processes of Wielkopolska Cistercian Monasteries of the Altenberg Line: Łęknio-Łąd-Obra), Poznań 1995, pp. 139–140.

³ J. Bieniak, *Rozmaitość kryteriów badawczych w polskiej genealogii średniowiecznej* (Diversity of Research Criteria in Polish Medieval Genealogy), [in:] *Genealogia – problemy metodyczne w badaniach nad polskim społeczeństwem średniowiecznym na tle porównawczym* (Genealogy – Methodical Problems in Research on the Polish Medieval Society on Comparative Basis), J. Hertel (ed.), Toruń 1982, pp. 145–146.

⁴ *Kodeks dyplomatyczny Wielkopolski* (Diplomatic Code of Wielkopolska) (further: KDW), I. Zakrzewski, F. Piekosiński (eds.), Poznań 1877–1908, vol. 1, no. 109.

⁵ J. Maciejewski, *Episkopat polski doby dzielnicowej 1180–1320* (Polish Episcopate During the Feudal Fragmentation 1180–1320), Kraków–Bydgoszcz 2003, p. 72.

⁶ T. Jurek, *Slesie stirps nobilissima. Jeleńczycy – ród biskupa wrocławskiego Tomasza I* (*Slesie stirps nobilissima. Jeleńczycy – the House of The Bishop of Wrocław, Tomasz I*), "Roczniki Historyczne" (Historical Annals) 58 (1992), p. 34 ff.

⁷ Ibidem.

⁸ F. von Heydebrand und der Lasa, *Die Herkunft der Breslauer Bischöfe Thomas I und Thomas II*, "Zeitschrift des Vereins für Geschichte Schlesiens" (further: ZVGS) 51 (1917), p. 134; T. Silnicki, *Dzieje i ustrój Kościoła katolickiego na Śląsku do końca w. XIV* (History and System of the Catholic Church in Silesia until the End of the 14th Century), Warsaw 1953, p. 155.

⁹ *Księga henrykowska* (The Book of Henryków), R. Grodecki (ed.), Poznań–Wrocław 1949, p. 374.

¹⁰ For the first time occurs in a document of the Bishop of Wrocław, Cyprian in 1202; *Schlesisches Urkundenbuch* (further: SUB), vol. 1, von H. Appelt (ed.), Graz–Wien–Köln 1971, no. 82.

¹¹ SUB, vol. 1, no. 83.

he served as the Sądowel Chatelaine¹² and the Lubuska Castellany held by him from 1236 until death¹³ was a culmination of his official career. In a document from 1223 he was proved to be a possessor of Powidzk near Milicz,¹⁴ which the Bishop initially presented to the Bishopric of Wrocław¹⁵ and afterwards in 1268 to the Wrocław Cathedral¹⁶ as his *patrimonium*. He died certainly in 1244.¹⁷

A certain Gosław¹⁸ was the grandfather of the bishop. He had two sons – aforementioned Przybysław and Dzierżak.¹⁹ The latter one occurred during the Prussian crusade in 1222 with a title of the Voivode of Wrocław (a palatine).²⁰ It

¹² In a document from 2 August 1223 occurred as the Castellan of Sadowel; see: SUB, vol. 1, no. 227.

¹³ As the Castellan of Lubusz; see: SUB, von W. Irgang (ed.), Graz–Wien–Köln 1977, no. 112, 234.

¹⁴ *Regesten zur schlesischen Geschichte. Zweiter Theil. Bis zum Jahre 1280* (further: Regesten), C. von Grünhagen (ed.), Breslau 1875, no. 270; F. von Heydebrand, *Die Herkunft...*, op. cit., p. 134; M. Kogut, *Dzieje Kościoła w kasztelanii milickiej do połowy XVII w.* (History of the Church in Milicz Castelany until the Mid-Seventeenth Century), Kluczbork 1997, pp. 57–58.

¹⁵ W. Schulte, *Quellen zur Geschichte der Besitzverhältnisse des Bistums Breslau*, “Darstellungen und Quellen zur schlesischen Geschichte” 3 (1907), pp. 185, 45.

¹⁶ SUB, vol. 1, no. 228; Regesten, no. 1289; C. Grünhagen, *Über das angebliche Testament des Bischofs Thomas I*, ZVGS 5 (1863), p. 380.

¹⁷ SUB, vol. 2, no. 270.

¹⁸ Obituaries of Wrocław Obiń and Wielopolska Lubiń define a few Gosław or Gościśław. One of them could be the grandfather of the bishop, Gosław. *Nekrologi opactwa św. Wincentego we Wrocławiu* (Obituaries of St. Wincenty Abbey in Wrocław), [in:] *Monumenta Poloniae Historica* (further: MPH), *Series nova*, vol. 9/1, Warsaw 1971, pp. 5, 51; *Nekrolog opactwa Panny Marii w Lubiniu* (Obituary of the Virgin Mary Abbey in Lubiń), MPH, *Series nova*, vol. 9/2, Warsaw 1976, pp. 11, 23.

¹⁹ *Księga henrykowska*, op. cit., p. 256; see: M. Cetwiński, *Rycerstwo śląskie do końca XIII w. Pochodzenie – gospodarka – polityka* (Silesian Knighthood until the End of the 13th Century: Origin – Economy – Politics), Wrocław 1980, p. 30.

²⁰ SUB, vol. 2, no. 216. Albert, ‘called With Beard’ married the daughter of Dzierżak. The German from Lusatia, after the father from Czurbanie family line and Walloon (nicknamed Łyka) after the mother indicating his bourgeois origin made a staggering career in Silesia. It was not until 1209 when he was a judge of the Court of Henryk Brodaty, to be a starost since 1226. More on him see: H. Neuling, *Die schlesische Kastellaneien bis zum Jahre 1250*, ZVGS 10 (1870), p. 98; F. Schilling, *Ursprung und Frühzeit des Deutschtums in Schlesien und im Land Eebus*, Leipzig 1938, pp. 101, 224; K. Eistert, *Der Liegnitzer Archidiakon Heinrich von Steine (1303) d. Rittergeschlecht d. Suevi und ihre Familienkirche in Odersteine Kr. Ohlau*, [in:] *Archiv für schlesischen Geschichte*, vol. 3, Breslau 1938, p. 68; J. Mularczyk, *Dobór i rola świadków w dokumentach śląskich do końca XIII wieku* (Selection and Role of Witnesses in Silesian Documents until the End of the 13th Century), Wrocław 1977, pp. 24, 31, 124; K. Wutke, *Zur Geschichte des Geschlechts der Gallici (Walch) und ihres Grundbesitzes in Schlesien im 13/16 Jahrhundert*, ZVGS 61 (1927), p. 290; L. Białkowski,

comes from false documents containing reliable personal data from 1230 and 1232 that he could hold a position of the Castellan of Bardo.²¹ He appears together with his wife Elżbieta²² in the Lubiąż's obituary. Five children of Dzierżak are known. A daughter of an unidentified name married Albert z Brodą. She did not enjoy the marriage for long, as *The book of Hendrków* informs she died during a delivery before 1229.²³ A son bearing the father's name – Dzierżak occurred in sources not until 1264.²⁴ Unquestionably, Przybysław, authenticated as *filius Dersconis*,²⁵ was the son of Dzierżak. He commenced his official career in the court of Henryk Brodaty where he filled an office of the Governor²⁶ (1237–1238) as well as witnessed a document of Henryk Pobożny in Chobienia on 12th March 1238.²⁷ During the reign of Henryk III he was the Castellan of Uraz (1250).²⁸ In 1250 he repeatedly witnessed documents signed by Henryk III Biały.²⁹ However, the office was not held by him for the extensive period of time as he moved to the court of Bolesław Rogatka where he was a pantler³⁰ (1261–1263). His appearance in documents of Bolesław Rogatka was frequently noticed, for example on 16th October 1243.³¹ In 1245 at Słęża, Bolesław Rogatka witnessed an exchange of a village between Przybysław and Tomasz I, which as comes from a document, Przybysław previously received from a prince.³² His witness can be also noted in a document of Bolesław Rogatka signed in Górka on 1st October 1247.³³

Ród Czamborów-Rogalów w dawnych wiekach (The Czambor-Rogal Family in the Past Centuries), "Roczniki Heraldyczne" (Heraldic Annuals) 6 (1925), p. 80 ff.; S. Kozierowski, *Obce rycerstwo w Wielkopolsce w XIII–XIV w.* (Foreign Knighthood in Wielkopolska in the 13th – 14th Centuries), Poznań 1929, pp. 26–27; M. Cetwiński, *Rycerstwo śląskie...*, op. cit., p. 22; B. Zientara, *Henryk Brodaty i jego czasy* (Henry the Bearded and His Times), Warsaw 1975, pp. 173, 253.

²¹ SUB, vol. 1, no. 226, 314, 372, 373.

²² *Monumenta Lubensia*, W. von Wattenbach (ed.), Breslau 1861, p. 49.

²³ *Księga henrykowska*, op. cit., pp. 256, 297 ff.

²⁴ SUB, vol. 3, no. 468. In this document, Dierżak, the son of Dzierżak, witnessed the Prince Henryk III's confirmation of the exchange of properties between the Bishop Tomasz I and Bogusław from Strzelin.

²⁵ SUB, vol. 2, no. 146, 252, 299.

²⁶ Ibidem, no. 137, 145.

²⁷ Ibidem, no. 146.

²⁸ Ibidem, no. 410.

²⁹ Ibidem, no. 391, 409, 413.

³⁰ SUB, vol. 3, W. Irgang (ed.), Köln–Wien 1984, no. 382, 437.

³¹ SUB, vol. 2, no. 252.

³² Ibidem, no. 299.

³³ Ibidem, no. 329.

Piotr and Kunczko who entered the priesthood were also the sons of Dzierżak. As can be assumed, they owned careers to a favoritism of their uncle, Tomasz I, the Bishop of Wrocław.³⁴ It was not until 1257 that Piotr took an office of the Canon of Wrocław.³⁵ In 1258 he became to occur in documents with a title of bishop's chancellor. This office was occupied by him by almost 40 years. He is to be placed among the most trusted advisors of Tomasz II. He fulfilled significant and secret missions during a dispute between Tomasz II and the Prince Henryk IV. Until death, he provided advice and shared experience with Bishop Jan Romka. He died at old age in 1296.³⁶

His brother Kunczko vel Konrad commenced an official career in 1248 as a notary of the Prince Henryk III Biały. Since 1251 he sat in the Chapter of Wrocław³⁷ and since 1253 he held there a function of the Cantor.³⁸ Before 1262 he became the Provost of the Gniezno Chapter³⁹ owing to that Tomasz I was able to use him to represent his interests at the court of the Wielkopolska Province. The conjunction of both prelatures was approved by the Pope in January 1264.⁴⁰ The election to the Gniezno Archbishop⁴¹ office, most likely after 26th August 1271, was the most significant achievement of Konrad. After the death of the Archbishop Janusz, a part of the Gniezno Chapter selected him as a successor. Nevertheless, he had never took the office due to lack of papal approval.

The above-mentioned election divided the Chapter of Gniezno into two hasty and reluctant to compromise factions. The first, who were called 'bigger and healthier'⁴² group by the Pope's document voted for the Provost Konrad, the latter group chose Jan, the Canon of the Chapter – nicknamed Rydlica,⁴³

³⁴ See: T. Jurek, *Slesie stirps nobilissima...*, op. cit., p. 27.

³⁵ SUB, vol. 3, no. 252.

³⁶ R. Samulski, *Untersuchungen über die persönliche Zusammensetzung des Breslauer Domkapitels im Mittelalter bis zum Tode des Bischofs Nanker (1341)*, Weimar 1940, pp. 41, 152; R. Żerelik, *Kancelaria biskupów wrocławskich do 1301 roku* (The office of Wrocław Bishops till 1301), Wrocław 1991, pp. 180, 235 ff., 267.

³⁷ SUB, vol. 3, no. 8, 9; R. Samulski, *Untersuchungen...*, op. cit., p. 151.

³⁸ SUB, vol. 3, no. 60.

³⁹ KDW, no. 405.

⁴⁰ SUB, vol. 3, no. 469.

⁴¹ Historians do not agree on the date of the Archbishop's death. It could happen at the beginning of the following year. Certainly it was before 1st March 1272 due to the fact that on this date Konrad was in Wrocław where he witnessed at the first place in a document of the Castellan of Wrocław, Dzierżykij. The Dean of Wrocław, Mikołaj testified, among others the diploma together with him. SUB, vol. 4, Köln 1988, no. 166.

⁴² *...maior et sanior pars Capituli*. KDW, no. 463, 456; *Vetera Monumenta Poloniae et Lithuaniae*, Romae 1860, vol. 1, pp. 157, 158.

⁴³ KDW, no. 456, 463; *Vetera Monumenta Poloniae et Lithuaniae*, op. cit., pp. 157–158.

for the Archbishop. Both parties had to lodge a complaint to Rome as the Pope Grzegorz X ordered to investigate the case by the Cardinal Provost of Saint Marcin *ad montes*.⁴⁴ Both elects started seizing Archbishop's possessions and incomes triggered either by a desire of an interim profit or by an expectation that owing to a *fait accompli* method they would maintain the position. Obviously, both elects ladled out the Archbishop's possessions generously distributing it between their voters and relatives. In order to prevent further wasteful economy and to protect the Archbishop's possessions and incomes until confirmation of one of the elects, on 17th January 1274, the Pope Grzegorz X assigned the Kujawy Bishop, Wolimir as the administrator the Bishop's estates.⁴⁵ As for Konrad, the dispute ended in 1275 with his death.⁴⁶

The Bishop Tomasz I had three brothers: Marcin, Zbylut, Przybimyl and a sister of the unknown name. She married Bogusław Starszy from Strzelin, the father of the Bishop Tomasz II, a member of a very influential family at the court of Wrocław, which used a sobriquet – Drzemlik.⁴⁷ Since 1232 Bogusław was the Castellan of Ryczyn and then between 1246–1248 – Niemcza.⁴⁸ In a document from 1264 Bogusław Starszy is called *amicus*⁴⁹ by Tomasz I. Fedor von Heydebrand und der Lasa translated this term as a 'brother in law'.⁵⁰ It was confirmed by the fact that the Bishop of Wrocław Tomasz II called his predecessor, Tomasz I an uncle *aunculus*⁵¹ in the last will. Therefore, he was the uncle of his successor and namesake.⁵²

The brother Zbylut, the son of Przybysław⁵³ played a significant role at the court of Wrocław for a certain amount of time. In 1244 he witnessed documents

⁴⁴ Ibidem.

⁴⁵ S. Zachorowski, *Rozwój i ustrój kapituł polskich w wiekach średnich* (Development and the Structure of Polish Chapters in the Middle Ages), Krakow 1912, p. 229; W. Karasiewicz, *Jakób II Świnka: arcybiskup gnieźnieński* (Jakub II Świnka; the Archbishop of Gniezno), Poznań 1948, p. 4.

⁴⁶ Ibidem, pp. 456, 463; W. Karasiewicz, *Jakób II Świnka...*, op. cit., p. 3; T. Silnicki, K. Gołąb, *Arcybiskup Jakub Świnka i jego epoka* (Archbishop Jakub Świnka and his Epoc), Warsaw 1956, p. 19 ff.

⁴⁷ T. Jurek, *Slesie stirps nobilissima...*, op. cit., p. 29.

⁴⁸ M. Cetwiński, *Rycerstwo śląskie...*, op. cit., p. 155.

⁴⁹ SUB, vol. 3, no. 482.

⁵⁰ Fedor von Heydebrand, *Die Herkunft...*, op. cit., p. 138.

⁵¹ W. Semkowicz, *Nieznany testament Tomasza II biskupa wrocławskiego* (Unknown Testament of The Bishop of Wrocław), "Collectanea Theologica" 17 (1936), p. 272.

⁵² It is confirmed by a number of sources: see: SUB, vol. 3, no. 52; ibidem, vol. 4, no. 157; J. Pfitzner, *Zur Abstammung und Verwandtschaft der Bischöfe Thomas I. und Thomas II. von Breslau*, "Schlesische Geschichtsblätter" 1 (1925), p. 19.

⁵³ First time as the son of Przybysław; see: SUB, vol. 2, no. 270.

of Bolesław Rogatka as the Castellan of Sądowel.⁵⁴ He belonged to key inspirers of a movement against Bolesław Rogatka. Osiński assumes that the absence of Zbylut at the prince's circle after 1244 can indicate his participation in an assassination on Bolesław Rogatka. As a result, he was barred from wielding the power and only the partition of Silesia conducted by the brothers in 1248 enabled him to retake one of the highest offices⁵⁵ – that time by the Prince of Wrocław, Henryk III Biały side – not as the Castellan but a court judge (1250–1256).⁵⁶ A similar function was held by him at the Court of Głogów (1259–1260).⁵⁷ Zbylut married Waclawa, the daughter of Peregryn from Wezenborg.⁵⁸ After 1260 he occasionally occurred in the sources. It is assumed that he fell into disgrace. Undoubtedly, he still lived in 1273.⁵⁹ As can be read in *The Annual of Trask* in 1285 he could be murdered by the order of the young Prince Henryk IV.⁶⁰ Długosz wrote directly that the knights mentioned in *The Annual* were murdered by Henryk Probus.⁶¹

Further Bishop's brother, Marcin, apparently as a result of Tomasz I favoritism devoted himself to a church career⁶² not playing any political role. Firstly, by the favor of his brother, he became the Chancellor of Bishop (1233)⁶³ and then the Canon of Wrocław (1239–1259).⁶⁴

Przybimił, the brother of the Bishop has never appeared in the sources as a living person.⁶⁵ Later sources provide knowledge about him. A document from 1273 reads that he married Wisława Jaktorówna from Wielkopolska. At the time of the marriage she was already a widow of Comes Przybek, the son of

⁵⁴ Certification as the Castellan of Sadowel; see: *ibidem*, no. 272, 273.

⁵⁵ J. Osiński, *Bolesław Rogatka. Książę legnicki, dziedzic monarchii Henryków Śląskich (1220/1225–1278)* (Bolesław Rogatka, Prince of Legnica, Heir to the Monarchy of Silesian Henryks [1220/1225–1278]), Krakow 2012, pp. 125–127.

⁵⁶ SUB, vol. 2, no. 413; SUB, vol. 3, no. 19, 45, 60, 61, 137, 189.

⁵⁷ SUB, vol. 3, no. 304, 324.

⁵⁸ J. Menzel, *Die schlesischen Lokationsurkunden des 13. Jahrhunderts*, Würzburg 1977, no. 8, 22; see: M. Cetwiński, *Rycerstwo śląskie...*, *op. cit.*, p. 155; F. von Heydebrand, *Die Herkunft...*, *op. cit.*, p. 134 ff.

⁵⁹ SUB, vol. 4, no. 215.

⁶⁰ *Rocznik Traski* (Annual of Trask), MPH, vol. 2, Lviv 1872, p. 850: *Wratislaviensis dux, Johannes Menchicz cum Petro et Sbilutone occiduntur.*

⁶¹ *Joannis Dlugossii Annales seu Cronicae incliti Regni Poloniae*, lib. 7, Warsaw 1975, p. 237.

⁶² T. Jurek, *Slesie stirps nobilissima...*, *op. cit.*, p. 29.

⁶³ SUB, vol. 2, no. 32.

⁶⁴ SUB, vol. 2, no. 159; see: R. Samulski, *Untersuchungen...*, *op. cit.*, p. 150; R. Żerelik, *Kancelaria...*, *op. cit.*, p. 179.

⁶⁵ *Ibidem*, p. 30.

the Lubuski Castellan, Przybysław. Their daughter Jarosława married Gunter Biberstain Młodszy, bringing two villages⁶⁶ as a dowry.

Both Tomasz I and Tomasz II were linked with the Ordinary of Lubuskie, Wilhelm from Nysa by family relations. In the case of Tomasz II the cognateness occurred in III/IV levels of canonical counting and a great-great-grandfather of Wilhelm and a grandfather of Tomasz were the common ancestors. As for Tomasz I, the same level of the affinity with the Lubuskie Ordinary can be found due to the fact that the mother of Tomasz II was the sister of Tomasz I. However, Wilhelm was linked with the latter by the bonds of different nature. The family of the Bishop of Lubuskie, whose property completely contrasted from the positions of both Tomasz I and Tomasz II, faithfully served the Bishopric of Wrocław, at least in second generation.⁶⁷ M. Cetwiński assumed that the Bishop of Wrocław, Wawrzyniec coming from the Wilczyce⁶⁸ family, was related to his successor Tomasz I. It would result from a document⁶⁹ in which certain Henryk was named the brother of the Bishop Wawrzyniec and relative (*consanguineous*) of Tomasz I.⁷⁰

Presbyterate

The Bishop Tomasz I belongs to a group of those Polish bishops from the beginning of the 13th century who are known to have possessed holy orders at the moment of taking up the position of a diocesan bishop, which that time was not a common practice. It was of a significant importance as elects possessing presbyterate could count on quick receiving of the episcopal consecration. It was a frequent situation when a candidate for a bishop possessed Holy Orders required by the law, that allowed for his legal election but he was not a priest which resulted in staying an elect for a longer time and his consecration had to be delayed. Bishops could consecrate higher Holy Orders (*sacri ordines*)

⁶⁶ KDW, no. 451; Regesten, no. 1428; L. Białkowski, *Ród Bibersteinów. Studium nad średnio-wiecznym rodem rycerskim* (The Biberstain family. Study of the Medieval Knight Family), Krakow 1908, p. 8; T. Jurek, *Silesie stirps nobilissima...*, op. cit., p. 30.

⁶⁷ See: J. Maciejewski, *Pochodzenie i kariera biskupa lubuskiego Wilhelma I z Nysy* (Origin and Career of the Bishop of Lubuskie, Wilhelm I from Nysa), "Roczniki Historyczne" (Historical Annals) 68 (2002), pp. 85–90.

⁶⁸ M. Cetwiński, *Rycerstwo śląskie...*, op. cit., p. 31.

⁶⁹ Regesten, no. 362.

⁷⁰ Ibidem, no. 543a.

only six times per year in terms ordered by canon law.⁷¹ It was only possible to consecrate once in a given term.⁷² Confirmation of possessing a *prezbyterate* by Tomasz can be read in a document which survived to present times. Its content indicates that in 1230 the Chancellor of Henryk Brodady, Master Tomasz, and the Canon of Wrocław was simultaneously the parson of the St. Jan Ewangelista Parish Church in Oleśnica.⁷³ Moreover, Tomasz baptized three sons of Henryk Pobożny: Bolesław II, Konrad and Władysław.⁷⁴ Bolesław II and Konrad had been born before taking the office of bishop⁷⁵ by Tomasz therefore, this proves that he was already the priest. All of them called Tomasz by using the word *compater* which means *a godfather*⁷⁶ in Latin. Obviously, this term is to be more understood as a kind of spiritual relation and Tomasz's role as a minister of sacraments.⁷⁷

Education

The Bishop Tomasz I certainly did not finish his education on a level of a local cathedral school but he commenced further foreign studies most likely accomplished by gaining a doctorate. There is one existing source credit line which

⁷¹ On Saturday before Passion Sunday, on Holy Saturday and four times per year in the so-called 'Fry Days' and here, as the rule, only Saturday was involved; *Corpus Iuris Canonici*, p. 2: *Decretalium Collectiones*, E. Friedberg (ed.), Graz 1959 (further: DC), col. 118; A. Gąsiorowski, *Święcenia w diecezji kujawskiej na przelomie XV i XVI wieku* (Consecrations in Kujawy Diocese at the Turn of the 15th and 16th Centuries), "Roczniki Historyczne" (Historical Annals) 67 (2001), pp. 84–86. About adhering to this regulation during the period under question see: *Das Formelbuch des Domherrn Arnold von Protzan*, Breslau 1862, no. 1–2, p. 143; Significant number of examples of consecrations on Dry Saturdays in the 15th century was provided by K. Stopka, *Szkoły katedralne metropolii gnieźnieńskiej w średniowieczu. Studia nad kształceniem kleru* (Cathedral Schools of the Gniezno Metropolis in the Middle Ages. Study on the Education of the Clergy), Krakow 1994.

⁷² DC, col. 121–122.

⁷³ SUB, vol. 1, no. 317, The word *parrochianus* was used in this document undoubtedly in a sense of a parson, a parish priest of a village church.

⁷⁴ SUB, vol. 3, no. 103, 138, 278, 338, 467, 554. It is doubtful that Tomasz was their godfather. Definitely more likely he baptized them; see: J. Maciejewski, *Episkopat polski...*, op. cit., pp. 24–25.

⁷⁵ K. Jasiński, *Rodowód Piastów śląskich* (Origin of Silesian Piasts), vol. 1, Wrocław 1973, pp. 110 and 122.

⁷⁶ A. Jougan, *Słownik kościelny łacińsko-polski* (Latin-Polish Church Dictionary), Poznań–Warsaw–Lublin 1958, p. 128.

⁷⁷ For the clarification of the meaning of the word *compater* see: [in:] C. Cange, *Glossarium ad scriptores mediae et infimae latinitatis*, vol. 1, Graz 1953, p. 463.

confirms this fact, mainly from a document of the Ordinary of Kujawskie, Michał from 1232 issued on the Polish Bishops Summit on 18th May 1232 on the occasion on the consecration of the Archbishop Pełka.⁷⁸ The ceremony was attended by the Bishop of Wrocław, Wawrzyniec and Tomasz, the doctor of canon law, who hanged a seal⁷⁹ to the document issued on the given occasion.

Publishers of *Diplomatic Code of Poland* associated Tomasz with the subsequent Ordinary of Wrocław.⁸⁰ Admittedly, we possess only this single document of a problematic similarity of names, not allowing for straightforward identification in relation to other sources,⁸¹ however, written remarks regarding the Bishop provide assurance that Tomasz not only had a master's but definitely a doctor's degree⁸² as well. Tomasz I accomplished his education at a university level and possibly in the then popular Bologna. In documents prepared in his bishopric office he did not use master's degree title.⁸³ In turn, Papal mandates from May and June of the following year were sent, among others, to Master Tomasz.⁸⁴

The analysis of those documents indicates one additional and relatively interesting fact. Both Papal documents listed only two bishopric offices to which they were addressed to and the only one called by the name, was Tomasz. Connections? Deals? Or rather a visible evidence of recognition by the Pope and personnel of Rome Curia his significant knowledge, imaginativeness and fame? It allows to assume that Tomasz was a noted person in the Rome circle. Apparently he proven himself when he came to Rome in connection with a completion of the studies.

Undoubtedly, Tomasz was the man of a deep, firm intellectual formation and outstanding mentality. All the more, Tomasz I engraved in the minds of the then people as the man belonging to the intellectual elite in Silesia. An author of *The Book of Hendryków* set out the views regarding his high intelligence in such a way: *Hic idem magister Thomas erat huius provincie ex stirpe nobilissima*

⁷⁸ *Kodeks dyplomatyczny Polski* (Diplomatic Code of Poland), vol. 1, L. Rzyszczewski, A. Muczkowski, I. Bartoszewicz (eds.), Warsaw 1847–1858, no. 21; R. Samulski, *Untersuchungen...*, op. cit., p. 90; T. Silnicki, *Dzieje i ustrój Kościoła...*, op. cit., p. 155; *Deutsche Geschichte im Osten Europas. Schlesien*, N. von Conrads (ed.), Berlin 1994, p. 128.

⁷⁹ It was the seal with the inscription '*Thome doctoris decret.*'

⁸⁰ *Kodeks dyplomatyczny Polski*, op. cit.

⁸¹ Editor of SUB (vol. 2, no. 18) found identification uncertain.

⁸² In the light of the recent research by J. Maciejewski regarding the use of the term *magister* in the 13th century this thesis can be accepted as very likely; idem, *Episkopat polski...*, op. cit., p. 37.

⁸³ SUB, vol. 1, no. 308, 317.

⁸⁴ SUB, vol. 2, no. 4, 6 (*magistro Thome canonico*).

*natus, litteratura et honestate morum tam decenter ornatus, ut eius virtutum fama in curia Romana et multis aliis in locis diebus suis apud magniflcos viros lucidissime fulgeret.*⁸⁵ It was also clearly addressed by an author of *Chronicle of Polish Princes* by a statement that Tomasz: *litterarum sapientia et virtutibus morum claruit, ut eius fama celebris esset in Romana curia et apud nobiles et magnates.*⁸⁶ The scholarliness of Tomasz was also noticed in *Catalogue of Bishops of Wrocław*.⁸⁷ *The Annual of Poznań* calls him: *vir prudens et doctus, ymmo speculum tocius cleri Polonie illius temporis* and an author of *Life of St. Jadwiga* commenting a divorce verdict issued by him – *vir utique litteratus et prudens.*⁸⁸

Undoubtedly, I do not intent to undermine the above-cited terms but this elevated tone results from the fact that Tomasz skillfully used his knowledge and fame, which was to reach circles of official of the Rome Curia, in practical struggle for Church freedoms but ton for scientific interests.

Being well-educated, he placed emphasis on his relatives to gain education. It is believed that his nephew, Tomasz II used the patronage of his uncle, similarly as his *nepos*, the Canon of Wrocław, Tobiasz who studied in Bologna between 1267–1269.⁸⁹ Tomasz I also affiliated education of young, talented boys.⁹⁰ It is plausible that the Bishop of Wrocław was a patron of studies of his successor, Jan Romka. The Romka family was not among the wealthiest at that time thus, they would not afford such a significant financial contribution for the son. Having decided to finance the studies of Jan Romka, Tomasz I discerned an academically able young man – worth investing. In the future Tomasz experienced a great gratitude from his side. Jan Romka, as his chaplain, demonstrated his solidarity in the most difficult period for the Bishopric of Wrocław, mainly during the fierce conflict with the Prince of Legnica, Bolesław Rogatka in 1256–1261.

⁸⁵ See: *Księga henrykowska*, op. cit., p. 273.

⁸⁶ *Kronika książąt polskich* (Chronicle of Polish Princes), Z. Węglewski (ed.), MPH, vol. 3, Lviv 1878, pp. 547–548.

⁸⁷ *Księga henrykowska*, op. cit., p. 373.

⁸⁸ *Rocznik kapituły poznańskiej* (Annual of Poznań Chapter), p. 41; *Vita sanctae Hedvigis*, A. Semkowicz (ed.), [in:] MPH, vol. 4, p. 616.

⁸⁹ *Chartularium Studii Bononiensis*, Bologna 1927–1936, vol. 7, no. 2159; vol. 8, no. 3229; vol. 11, no. 4866.

⁹⁰ See: M. Maciejowski, *Orientacje polityczne biskupów metropolii gnieźnieńskiej 1283–1320* (Political Orientations of Bishops of Gniezno Metropolis), Krakow 2007, p. 65.

Election for Bishop of Wrocław

Solid education and extraordinary mentality of Tomasz were noticed by the Bishop Wawrzyniec. At the beginning of his career, Tomasz was employed in a bishop's office and before 1230 he was tasked to take over the office of Chancellor after Idzi. Soon after, he became a member of the Chapter of Wrocław.⁹¹ A new stage of his career began after the death of the Ordinary of Wrocław on 7th June 1232.⁹² Unquestionably, the Bishop Tomasz I was canonically selected by the Chapter on 31st October⁹³ as that year he occurred as the elect of Wrocław. The selection by the Chapter *per viam scrutinii* is to be treated as a certain historical fact, however, the date of election, accompanying circumstances and its course are unknown.

It can be assumed that Tomasz owed his election to his uncle Piotr, the then Provost of the Chapter of Wrocław, the outstanding individual in all respect and canons among which were his relatives who possessed stalls in the Chapter of Wrocław.⁹⁴ Nevertheless, the reconciliation of the future Bishop with the Prince seems to be necessary due to his power and significance of the episcopal office for the state.⁹⁵ In a given case, it can be stated with the substantial degree of probability that Tomasz was a candidate of the Silesian Ruler – it is proved by the fact that directly before consecration he had hold the office of the Chancellor of Prince.⁹⁶ None of his two consecutive successors

⁹¹ R. Samulski, *Untersuchungen...*, op. cit., p. 35.

⁹² Regesten, no. 188, according to Lubiąż, Kamieniec and Henryków catalogues.

⁹³ He occurs as *Wratislaviensis electus* in Skaryszów by the side of the Prince Henryk see: Regesten, no. 396; SUB, vol. 2, no. 24.

⁹⁴ R. Samulski, *Untersuchungen...*, op. cit., p. 55; T. Jurek, *Slesie stirps nobilissima...*, op. cit., p. 27.

⁹⁵ SUB, vol. 2, no. 24; cf. W. Irgang, *Die schlesische Kirche im 13. Jahrhundert – Orientierung am westlichen Muster*, [in:] *Christianity in East Central Europe Late Middle Ages*, J. Kłoczowski, P. Kras, W. Polak (eds.), Lublin 1999, pp. 100–101. This researcher calls into questions respecting by the Prince Henry the Bearded the principle of canonical election of the bishop. Maciejewski had no such doubts; cf. idem, *Episkopat polski...*, op. cit., p. 52. Whereas Z. Lisiewicz, *Obsadzenie stolic biskupich w Polsce* (Filling Episcopal Capitols in Poland), Lviv 1892, p. 108, states that the first episcopal selections were formally elections but in fact the strong influence of the ducal authority was visible. However, he is not justified in claiming that it is not known whether the Henry the Bearded respected the principle of the canonical election of the Bishop.

⁹⁶ Confirmed in 1230 (SUB, vol. 1, no. 308, 317), he was probably the Chancellor till 1232. See: F. von Heydebrand, *Die Herkunft...*, op. cit., pp. 134–137; B. Zientara, *Henryk Brodaty...*, op. cit., p. 294; R. Żerelik, *Personalne związki katedry wrocławskiej i lubuskiej oraz kolegiat śląskich z kancelariami książęcymi (do 1350 r.)* (Personal Connections between Wrocław and Lubuskie Cathedrals and Silesian Collegiate Churches with Offices of Princes [till 1350]),

(Jan Romka and Henryk from Wierzbno) were directly linked with the office or the Court of the Prince and their career paths were clearly associated with ecclesiastical activities.

It is worth underlining that the times of election of Tomasz I for the Wrocław See constituted a significant turning point in systematic delimiting the secular power during elections conducted by chapters in Silesia. The ongoing process of the political disintegration of this land can serve as the main limiting factor which resulted in weakening of the ducal power. The second factor is the mutual competition of Silesian rules for the influence on Church policy either in diocesan or general spheres. The ability to conduct an effective diplomatic dialogue accompanying this process led to either solutions based on own intention or to political defeat. The end result of the excessive dispute between the Prince Henryk IV and Tomasz II, especially granting the great privilege to the Church of Wrocław in 1290, highlights this to the best extent.

This was experienced by the Prince of Żagań and simultaneously the Cathedral Provost, Konrad who lost a battle for the episcopal throne with a representative of a modest knight family, a long-time collaborator of Tomasz I and Tomasz II, Jan Romka. This episode was described by Długosz⁹⁷ in a relatively reliable manner. The Prince Konrad could count on help in this case only from his brother, the Henryk of Głogów due to the fact that the support from all Silesian rulers⁹⁸ is hard to believe.

Won conflicts of the bishops of Wrocław led to the full independence of the Silesian Church from local secular rules who when defeated, frequently granted new privileges to the bishopric.

[in:] *Ludzie Kościoła katolickiego na ziemi śląskiej* (The People of the Catholic Church in Silesia), Wrocław 1994, p. 10. The close relationship with the Court of the Prince Henry is also evidenced by the fact that Tomasz baptized his sons before he had become the bishop.

⁹⁷ *Joannis Dlugossii Annales...*, op. cit., pp. 272–273.

⁹⁸ T. Silnicki, *Dzieje i ustrój Kościoła...*, op. cit., p. 193; T. Jurek, *Dziedzic Królestwa Polskiego. Książę głogowski Henryk (1274–1309)* (Heir to the Kingdom of Poland. Henryk, the Prince of Głogów [1274–1309]), Poznań 1993, pp. 25–26.

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