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# CALENDAR OF SCOTTISH SUPPLICATIONS TO ROME 1418-1422

1934

# CALENDAR OF SCOTTISH SUPPLICATIONS TO ROME 1418-1422

Edited by

REV. AND HON. E. R. LINDSAY, M.A.

AND

A. I. CAMERON, M.A., PH.D., D.LITT. DIPLÔMÉE OF THE VATICAN IN PALEOORAPHY



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# PREFACE

THERE can be few great collections of historical documents remaining in the world which have not already been sifted by historians. But, as this work shows once more, the Archives of the Vatican, representing the care and activity of the Papacy during centuries of European development, still prove to be an unexhausted storehouse of historical material. And the liberality of the recent Pontiffs, especially of His Holiness Pope Pius XI, in opening the Vatican Archives to the Anderts of the world, has made it possible to collect and publish this interesting contribution to the history of sociland.

I should explain that the calendaring was begun in collaboration, but that my part in the later stages of the work has been confined to a few footnotes and the preparation of the printed text.

Miss Cameron has written the Introduction and made the Index. It was chiefly she who deciphered the original registers and translated each unpunctuated supplication into the good flowing (if sometimes complicated) English presented to us, impressing her co-editor as much by the rapidity of her work as by her knowledge of the mediaeval Chaneery; and the reader will not be slow to recognise that the Calendar could not have been produced without such archivistical experience as Miss Cameron possesses.

We desire to express our deep sense of gratitude to Monsignor Angelo Mercati, Prefect of the Vatican Archives, and to his Staff, for the courtesy accorded to us in the facilities of collaboration and for the privileges granted to

# PREFACE

Miss Cameron for making the most of a short holiday visit to Rome to complete the Calendar.

We also owe our thanks to Mr. William Angus, Curator of Historical Records, H.M. General Register House, Edinburgh, and to Mr. H. M. Paton, his colleague, for the privileges of the Historical Department, as also to Dr. H. W. Meikle, Librarian of the National Library of Scotland, for advice and assistance given in various ways while the work was in progress. To the Benedictines of Prinknash. and especially to the Rev. Dom Gregory James, O.S.B., we are grateful for information concerning the liturgical interest of some of the supplications; and we likewise thank the Rev. William E. Brown, D.D., Professor W. J. Watson, and the Rev. D. E. Easson, Ph.D., for their help in contributing explanatory notes on questions arising out of the text. And finally, we must gratefully acknowledge the invariable assistance we have received from Mr. E. W. M. Balfour-Melville, who, in addition to his duties as General Editor of the Society's Publications, has placed his special knowledge of the period at our disposal.

E. R. LINDSAY.

October, 1934.

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#### Transcript of Facsimile.

Inceptum xvi Junii

> Quinternus viij libri decimi de vacantibus per fiat anno secundo Pater<sup>1</sup> beatissime Cum vestrum humile Monasterium Cal-

Re S[anctiandree.] ve

koniense ordinis sancti Benedicti Sanctiandree diocesis ecclesie Romane immediate subjectum sic in Confinibus Regni Scocie versus Angleam<sup>2</sup> videlicet et propterea insultus guerrarum ibidem prochdolor inter ipsa duo Regna vigentium sepe contingat aliqua loca sacra dicti Monasterii et sibi subdita per sanguinis effusionem polluj interdici uel suspendi que de leui reconsiliarij non possunt propter distanciam loci Episcopi crebraque pericula marium inter sedem episcopalem et Monasterium ipsum consistentia vnde plurima dampna atque scandala possint exoriri propter etiam similes causas ac graves expensas dicti Monasterij interdum Religiosi et subditi ipsius ad ordines dum opus esset promoueri nequeunt Calices etiam et Altaria ornamenta et vestimenta dicti Monasterii et ecclesiarum sibi subditarum benedici retardantur propter que sepissime diuinus cultus tam honeste prout deceret nequit etiam exerceri Supplicant igitur sanctitati vestre deuoti oratores vestri Willelmus Abbas et Conuentus dicti Monasterii quatenus cultus diuini reverenciamque sancte Romane ecclesie cuj dictum Monasterium immediate subjectum existit ut prefertur dicto Willelmo suisque successoribus dicti Monasterii Abbatibus Monasterium ipsum omniaque et singula loca sacra ecclesias et Cimiteria dicto Monasterio vnita et ab eo dependencia que per sanguinis uel seminis effusionem aut excommunicatorum inhumacionem polluj interdici uel suspendi contigerit pro tempore per seipsum reconsiliarj Religiososque dicti Monasterij Necnon seruitores et subditos ad omnes minores ordines promouere necnon calices Altaria ornamenta et vestimenta dicti Monasterii et ecclesiarum sibi subditarum benedicere licite ac libere possit et ualeat dignemini misericorditer concedere facultatem de gracia speciali Constitutionibus apostolicis necnon statutis dicti ordinis ac synodalibus et prouincialibus ceterisque contrariis non obstantibus quibuscunque cum clausulis oportunis, fiat ut petitur O. datum florencie Pridie Jdus Junii Anno Secundo.

<sup>1</sup> The large initial letter is designed to give prominence to the beginning of a new quinternus. It is the eighth quinternus of the tenth volume of the second year of Martin v., and is designated de vacantibus (vacant benefices). The marginal note states that it was begin on 16 June.

<sup>2</sup> The correction mark above e denotes error; rectius Angliam. It will be noticed that the latinity of the whole supplication is poor.

Concessio.

Facsimile (reduced) of Register of Supplications, vol. 127, f. 101. Calendared, p. 73.

Trapel your Juning .

90:18

Runtenworig Pober Secony Se vaccon p frat and poo

5mg

acon Bed and Enmy orm fruite monafterned Calloning or Inne pinet 25milto Ochundre Swel early Former muchate petroctum for my confinel; Rogmy Ococie vofue Anglein ug et presen mululeus guerras seidem pogolon me you Suo regna orgen oum pope concingar stuped loca piera Sed man a ple fullities per Anginis officionen polling moorder al fuffonde que de lou roomfiliary non poffue pror Supan lor op orobrage praila marin moor potom whaten a monaften pm confito unde ptima Supma acos pandule poffine youry jo sel files can fas ac gra nes popentas 90 your pory meer dung religisk 2 filling muis ad ordness sun opus effer pinouer nequenne for-ares cours or aliveria ornanwood er soft mucra & afor er cottude fils fuldicare bridia recordancer que Conflue Summe alous any gonefte pur Soveret negut early yourcer supplicate your av Sense vinconte on withing Albas to conventue 22 afon quare all Sunny / rendram as pande Pontan totte ay don anona frommy much publicerung eventer un porter diero voitono fingos preceptorono How makery Ollerabe and your form annaly or fingula laca pron certias er commercia sice agona frons umol oo il is dependencia que por pangine un fime effution aut que concurso refumation helling meerder wet fulpende concisioner prose por lending recoule -Ewy religion Des so mattery Roow Bucones or publicas ad somes non or orderes prover nearing alices aleared andmenor or veformoned gol yof or othing por publicing billion have as likere puffier so nater Degrining min concer facula Se good pocule confront uptic reason prance to ordina ao Brostalibus co promincialites covering concrare non softer quibufurnes own this operom. Far ut perious a darf floring prodie 1846 Juny anno Occurdo

Transcript of Facsimile

sine diocese.

[Conclusion of a supplication concerning the monastery of St. Laurence en Brunois of no diocese (*sine diocese*), but referring to benefices in the Cathedral Church of Mâcon in France.]

Pro Celestino Macgillamicheyl super vicaria parrochalis ecclesie sancti bedanj in beanedder dalloch Ergadiensis diocesis.<sup>1</sup>

E[rgadiensis.]

mandatio.

Verum pater sancte quia per Inaduertenciam siue errorem H. prot. supplicationis expressum fuit In Supplicatione cuius copia premittiur quod dicta vicaria vacauit per mortem Cristinij predicti cum re vera vacauisset per obitum laurencij maccomdyn quondam eiusdem ecclesie perpetui vicarij cum super huiusmodi gratia litere Apostolice sint confecte Dignetur sanctitas vestra ne id Celestinus huiusmodi gratie frustretur effectum committere et mandare huiusmodi literas gracie de mandato in Cancellaria vestra corrigi ae ubique expediri cum expressione quod dicta vicaria per obitum predicti Laurencij non Cristinj vacauit ae gratis de mandato cum pro eisdem liters in onnibus officijs vestre sanctitatis prius plenaria solucio facta erat et sub prima data contrarijs non obstantibus quibuseumque flat O datum forencie quarto Non Julij Anno Tercio.

Reformatio.

[Reformatio of a supplication for dispensation for defect of birth of petitioners in Savona diocese.]

> fo. xx finitum v Julij<sup>2</sup> ultima Julij fo. xx.

<sup>&</sup>lt;sup>1</sup> This is a summary of the contents of the original supplication of which a copy was produced.

<sup>&</sup>lt;sup>a</sup> This marks the end of the quinternus. A discrepancy will be observed between the two notes of the day of finishing, unless v is for ultima.

The general aspect of the page shows a tendency to crushing at the end of a *quinternus* in order to conform to the page limit. See p. xiii.

#### Register of Supplications, vol. 144, f. 200<sup>v</sup> Calendared, p. 214.

Coursen ay brunes barry at 90 becalie y affirmine pu refer Sere provoral active for maring & come of porn Englos white aptive freewal frand any forther is sundright flow funched fits got below down no south com from fit fine also quarte moso at ap raufes I proper forme comp consider quite 2 toon ang fright " toward but ful Digner to a an fuffinit many burt 20 as asome Signow and put Experiale poseer color agate from an Inster capp " by curyou Irlinde que obruir et que sing fortud de Angera libio function fits good allow and no gooder no approgram the oportunie feat of petitur of ounder tradue o. During planey torredrimo ht July anno torro f V Error to be drie to Ingriter and fire control lithere . P 32 of Solofine agon of Mapping for my come pour ser 13 or birne and the fit and p · can Sulor A current landing and company on the config and the second and but have god be applies five experie Dignorus & Sme & Sale finnes Gree and further offen romitte at mander Greed loved gratt & millero d' convectine and roman ar blue good and applian of Sa brand & about forthe Lundry no Express Germin ar Strie & midden on aper cope loss à andes affinis co o fois plensoir pheno few cute at ful four Suca converge no ofprin forging fat a Dow floring quarter May July anno torero Spor quelound bration arelan Shappate 2 queres 2 paring De grague & rangero films Bet all and a for for fright and a form & form & canves For Sup & Softeny ne this who & prime at about prime for prove for apper loved fring the amon more any a let fundarion friday no coping fouring flat 0. Drew R floring counto tel Jung proso destro

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THE present volume is a Calendar of Scottish Supplications granted by Pope Martin v. during the first five years of his pontificate. It began as a collaboration between the two editors with the aim of exploring a valuable source of information for an obscure period of Scottish history. The Introduction was devised as an explanatory study, but circumstances have made it also a tribute to the memory of a great and generous teacher. The late Father Bruno Katterbach, O.F.M., would have desired no other memorial from his Scottish student than devoted labour upon the preparation of this volume, to the publication of which he was already looking forward at the time of his death. He spent years of ungrudging toil upon the cataloguing and renovation of the Registers of Supplications, with an investigation of their contents, and had no doubt as to their value for the history of Latin Christendom. His last work was the compilation of an inventory of all extracts made by the different European countries from these Registers,1 and he included this Calendar in it as a prospective publication of the Scottish History Society.

<sup>1</sup> Inventari des Registeri delle Supplicate (Città dell'Vaticano, 1932), with a foreword by Monsignor Angelo Mercaii. H.M. General Register House possesses a copy of this book as well as of the two volumes of Sussidi per la Consultatione dell' Archivio Vaticano. In the preface of the Inventorii (pp. vilicia) Father Bruno gives a list of the publications which have extracted material from the Registers of Supplications covering the fourteenth to the sixtenth centuries. The present volume is referred to thus: 'E R. Lindsay and A. I. Cameron, Scottish Petitions to Rome, r449-1421 (in preparatione da parte della Scottish History Society).' By reason of a short holday visit to Rome, and the courtesses and facilities granted by Monsignor Angelo Mercati, it has been possible to extend the Calendar to cover the period from 1445 to 1422.

The period covered is short, but peculiarly suited to illustrate both the general characteristics of the Registers and also their value for Scottish history in particular. Their importance is heightened by the fact that Scotland. although a poor country, ' situated, as it were, at the ends of the world' (p. 164), was nevertheless the 'special daughter' of the Apostolic See,1 with direct appeal to the Curia for want of a metropolitan at home. This explains why Scottish supplications, in comparison with those of other countries, tend to be disproportionately numerous. The result is to supply the student of ecclesiastical procedure with excellent illustrations of the nature and scope of petitions to Rome, and to provide the historian with a wealth of miscellaneous information to supplement the scanty domestic records of the time and the other Vatican registers for the period.2

Papal supplications are technically petitions addressed to the Pope, begging grace or justice; but under the rather forbidding shell of legal phraseology they reveal to us something of the heart of our forefathers, with their ambitions and beliefs, hopes and fears; show us also something of the state of society in which they lived, the problems they had to face and how they dealt with them. They are, indeed, a mine of information, but the material has to be quarried and the stones hewn into shape.

The Registers consist of a series of 7865 volumes, extend-

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<sup>&</sup>lt;sup>1</sup> Bull of Clement III., 1188; printed in Robertson's Statuta Ecclesiae Scoticanae, I. XXXIX, n.

<sup>&</sup>lt;sup>1</sup> The sources for Scottish history in the Vatican Archives at this period are the Vatican and Lateran Registers, the Registers of Supplications, and the various Registers of the Apostolic Camera. The first are calendared in the Calendars of Papal Letters (vol. vii, edited by J. A. Twennlow); the last in The Apostolic Camera and Scottish Benefices (A. I. Cameron; St. Andrews University Publications, No. xxv). Letters and Supplications pertained to the basiness of Chancery, while the Apostolic Camera dealt with financial and administrative matters.

ing from 1342 to 1899,1 but for Scotland their importance ceases with the Reformation, when Scottish matters were committed to the Congregation de Propaganda Fide. Each book normally consists of 300 folio pages of about 15 inches by 12 (42 by 29 centimetres), and is divided into fifteen sections of twenty folios known as quinterni. Each quinternus was the transcription of a single clerk, who had to space his material to suit the page limit. An official, styled Magister Hebdomadarius or Master of the Supplications, allocated among the clerks the supplications to be registered. It was his duty to revise the transcripts, to correct any clerical errors and to authenticate any alteration that the Pope had ordered to be made in the original.<sup>2</sup> At the top left-hand corner of every quinternus he noted the date when the work of copying was begun, and at the bottom of the last page he noted the date of completion.3

There is no index to the individual registers, and although the regnal years of the Popes follow in regular sequence, particular contents have to be collected by going through the volumes page by page. The only clue is an initial letter in the left-hand margin of each supplication to indicate the diocese concerned. Yet without this slender guidance the trained eye and the expectant sense learn where to look for proper names; and among the motley company of Latins and Slavs, Czechs, Germans and

<sup>&</sup>lt;sup>1</sup> About 1704 the volumes were rebound to date in a uniform vellum cover, but they bear modern labels and serial numbers on the backs; the folios have been restamped in arabic numerals, and damaged pages have been carefully doctored in the Vatican bindery at considerable expense. The registers that are covered by our Calendra have experienced many vicisitidues of history. They were at Constance with Martin v.; accompanied him to Florence and to Rome, where they had various locations in the course of time; were taken to Paris by Napoleon in 18io; restored in 18; and deposited in the Archivio della Dataria at the Lateran; and were restored to the Vatican by Loo xuin. in 1892, (*Honestari, xii*)

<sup>&</sup>lt;sup>2</sup> See e.g. pp. 151 n., 289 n.

<sup>&</sup>lt;sup>a</sup> The facsimiles show specimen pages relating to Scotland at the beginning and end of a *quinternus*.

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Scandinavians, a Scottish name, howsoever disguised, strikes a Scottish reader with a strange familiarity. Moreover, when one has mastered the legal technicalities and conventional phraseology one knows where to pick out the essential facts and substance of the different types of supplication ; for they fall into certain well-defined categories, which in many cases are specified in the left-hand margin by a rubric such as Nova Provisio, Reformatio, Concessio, and the like. At the top of the opposite margin many supplications have also another note-the name of the Referendary who submitted the petition to the Pope for signature. In the beginning supplications were proffered verbally, but as business became complicated they had to be reduced to writing and soon fell into typical moulds. By the time of Martin v. the Referendariesofficials enjoying the confidence of the Pope 1-were the agents for presenting them for signature, either to the Holy Father or to the Vice-Chancellor, and of revising those signed by the latter.2 The Vice-Chancellor expressed his sanction by the word Concessum,3 and the supplications thus granted were registered in separate volumes. To the

\* Referendari, xvi-xvii.

<sup>&</sup>lt;sup>1</sup> One of them, the Abbot of Verona, was given the family name of the Pope, 'de Columna,' because of his friendship with Martin v., Otto de Colonna. According to the reformed rules of Chancery of Martin v. the Referendarise were to be six in number, of various mations, excellent doctors or licentiates, skilled in law and of blameless life (Tangl, Kanzli-ordnwnge, p. 371, No. 37). It was their office to examine supplications before presenting them to the Pope, so that they might be able to advise him. In cases where he ordered a correction to be made in the text, both the original and the alteration were faithfully reproduced in the Register, with the marginal note: correction de mandaio domini nostri pape, and authenticated by the initial of the Magister Hebiomadariis (see p. 15).

<sup>&</sup>lt;sup>a</sup> This was also the term employed when the Referendiaries acquired the right of signing supplications. In their case the phrase ran: Concessmut pletitivin thy research downis mostri paper. The supplications signed by the Vice-Chancellor in our Calendar are contained in volumes 111, 119, 135, 149. It will be noticed that these petitions are sponsored by at least two Referendaries.

Pope alone belonged the right of signing *Fiat*, followed by the initial of his Christian name. After signature,<sup>1</sup> the petitions had to be dated and registered in Chancery before the relevant papal letters could be drawn up, embodying the substance of the petition and bearing the date of its signature, written in words.

The bulls, however, omitted certain circumstantial details; and, in addition to this, although all papal letters are based upon supplications, not nearly all the supplications are now represented by corresponding letters.<sup>2</sup> It follows, therefore, that the Registers of Supplications are important as a primary source of knowledge since they are a complete collection and—apart from clerical crrors<sup>3</sup>—a faithful reproduction of all the signed original petitions.<sup>4</sup>

From the standpoint of procedure, our Calendar shows that Martin v. commonly subscribed in person, and that he sometimes qualified his grant by a condition or limiting clause. Thus a dispensation sought for ten years was

<sup>&</sup>lt;sup>1</sup> As the signature was the crucial and all-important point on which the whole grace hinged, a signed supplication came later to be known also as a Signature.

<sup>&</sup>lt;sup>2</sup> Papal letters could be expedited in various ways, and only those which passed through the Vatican and Lateran Registers have been preserved and are now made accessible (as far as regards Great Britain and Ireland) in the Calendar of Papal Letters. Strictly speaking, papal bulls were those letters to which the leaden bulls of the Pope was attached by way of seal, but the word is often loosely used as synonymous with papal letters in the wider sense.

<sup>&</sup>lt;sup>a</sup> The supplications are frequently of bad latinity, often negligently transcribed and carelessly supervised. A French historian remarks: 'S la latinité des documents est détestable ce n'est pas de ma faute ; les suppliques notamment ont été cerites avec précipitation et sont fort mal redigées ; la Chancellerie pontificale de cette époque était bien tombée.' (H. Denifle, La Désolation des Eglisse en France du xw siédet, 1, xviil).

<sup>&</sup>lt;sup>4</sup> There is no record as to rejected supplications. After registration, signed originals became dispersed and only a few have survived. Some were recently discovered in the binding of a manuscript in the Bibliothèque Nationale, and this was made the occasion of an interesting study by M. Emile A. Van Moé (Swapifayes originales adresses à Jean XXII, Clement VI et Innocent VI, published in the Bibliothèque de l'Ecole des Charles, xcii. 1931).

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conceded for two, and the supplication of John Flemyng, a secular priest, for provision to the hospital of St. German was granted, 'if it is the custom 'i (pp. 45, 65). It is interesting to note that restrictions were imposed even upon the facultics granted to the Bishop of St. Andrews, the leading prelate of the time in Secotland, and one to whom the cause of Martin owed much (pp. 107-8).

On this occasion nine petitions were proffered by Wardlaw and signed under the same date, and we find similar sheaves presented also by the Abbot of Scone and the Bishop of Glasgow, Dukes Robert and Murdach of Albany, and Stewart of Dernelcy, Constable of the Scots in France (pp. 113-14, 182-3, 162-3, 285-6, 282-5). In thus submitting rolls of petitions these magnates were following a practice common at the time among lords temporal and spiritual and universities. For facility in expediting the apostolic letters, also, supplications of a similar nature or of a single country were sometimes grouped together.2 Thus, on 17 July 1419, the supplication of James Lyndesay appears as the seventh, and only Scottish, petition in a rotulus of ten (p. 89), and the curious may pick out many other examples of this practice. The usage, however, became outworn as business grew more complicated : petitions of different provenance ceased to be grouped together in a roll, and each supplicant with the help of trained experts looked after his own concern.

A glance at the technique of the supplications in the present Calendar makes it clear, even to the uninitiated, that they were no longer, if indeed they ever had been,

<sup>&</sup>lt;sup>1</sup> Apparently even in that day there was doubt as to the anomalous position of the bospital of St. Germains which, it was diversely alleged, was "wont to be assigned to secular clerks of the Order of St. Augustine," and "wont to be collated by the Bishop of Bethlehem to those wearing the red star of a clerk of the said order "(gp. 65, 5).

<sup>&</sup>lt;sup>2</sup> Dom U. Berlière, Suppliqués de Clement VI, 1342-1352, xv, xxxi (Analecta Vaticano-Belgica.)

spontaneous prayers. The 'drafter of the supplication' (p. 189) had become a skilled practitioner in a highly specialised craft. As the object of a petition was to obtain a papal grace valid in canon law, precision and legal formalities were important considerations for the recipient. If any technical flaw were detected, the grant might 'be deemed surreptitious' and judicially worthless. Such a fear drove many anxious minds to the cost of a new supplication — known as a *Reformatio* — embodying an alteration, or supplying an omission, in the original.

Sometimes, however, the need for revision arose not from inadvertence or negligence but 'through restrictions of the rules of Chancery.' Registration of bulls was a department of Chancery's activities, and rules of Chancery were official pronouncements of the Popes,<sup>1</sup> over-riding particular grants to individual supplicants, unless where exception was specifically made in their favour (cf. p. 156). Thus, for example, the monastery of Arbroath found that 'the signature of their recent petition is of little benefit ' (p. 206), and the parishioners of Liston complained that 'according to the rules of Chancery' the Indulgence granted towards the building of a bridge over the Almond was limited to ten years, 'a great part of which time will probably have clapsed before the above work is begun ' (pp. 190, 200).

In these cases it is definitely stated that the restriction was imposed by the rules of Chancery, but in other instances where a grant has been curtailed we are left to infer that the change was automatically due to the same regulations. Thus on 24 November 1421 the Pope granted a dispensation to Adam Dominici to hold two incompatible

<sup>&</sup>lt;sup>1</sup> The rules of Chancery from John XXII. to Nicholas v. have been printed by E. von Ottenthal, *Regulae Cancellariae Apostolicae* (Innsbruck, 1888). It was usual for Popes on their accession to ratify the ordinances of their predecessors.

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benefices for life, while on 17 December it is stated that the dispensation was granted for two years <sup>1</sup> and that ' the signature is of little benefit to Adam.' Thereupon he, like many another supplicant anxious to improve or safeguard his position, had resort to a *Reformatio*, whereby his dispensation was extended to a period of seven years (pp. 269, 275).

Frequently the occasion of a Reformatio was to rectify some technical flaw which vitiated the original grant. Certain statements, for example, could not be omitted from a supplication with impunity. Thus the value and diocese of a benefice, or the order of a monastic house, had to be stated; and the 'notwithstanding' clauses had to lay forth all impediments-defect of birth, the holding of incompatibles or the like-for which dispensation was required by canon law. In a petition for provision to a church, moreover, besides the actual cause of vacancy many other conceivable reasons of voidance are commonly rehearsed. Half a page or more may be spent in enumerating these hypothetical contingencies before summing up in the phrase 'whether void as above or in whatsoever way.' To the ordinary reader this is all that is necessary, and for reasons of space the irrelevant formulae have been omitted from the present Calendar.2 No doubt the clerks

<sup>&</sup>lt;sup>1</sup> According to rules of Chancery a supplication signed *fiat ul petitur* in favour of a simple priest seeking dispensation to hold incompatibles was interpreted to mean a dispensation for two years to hold two incompatibles only. Graduates and the nobly born received a more extensive dispensation. (Ottenthal, 194, No. 33; cf. Highland Papers, iv. 167, n. 2, Soct. Hist. Soc.)

<sup>&</sup>lt;sup>a</sup> A Belgian historian puts it that these details are juridically necessary but historically superfluous. 'L'énoncé des causes concrètes de la vacance n'est pas exempt, du reste, de détails juridiquement nécessaires mais historiquement superflus.' (S. Fierens, Suppliques d'Urban V, 1562-1370, xiii). Specimens of originals with full text may be consulted in Professor Baxter's Copiale Prioratus Sanctiandree and in Highland Papers, vol. iv. (J. R. N. Macphail, Scottish History Society), and in MS. Transcripts from the Vatican in H.M. General Register House.

of the Registers found much of the mechanical work of copying tedious in the extreme. One can hardly blame them if they sometimes made errors in transcription, or the Masters if they did not always detect these errors. But to the 'devout orator' it was another matter. For him it was necessary to ensure his position in every way, lest the validity of his supplication should be challenged 'on any . . . ground of ambiguity' (p. 46).

This fact gives the key to the meaning of several of the formulae denoting the different types of supplication. *Confirmatio*, for example, is a ratification by the Pope of acts of his predecessors or of inferior authorities, and is sought by supplicants in order that 'the above may have greater validity '(p. 49). Confirmation in its broadest sense has a wide scope, covering all kinds of papal graces ; but its application is most frequent under the name of *Nova Provisio*, in the more restricted field of ecclesiastical provisions.

We learn from the very first entry in our Calendar that a new provision is made by the Pope because for certain reasons the supplicant ' doubts the validity ' of his former provision, and desires that the Pope would ' provide him anew' so that his position may be unassailable. Of a kindred nature is the grace known as Perinde Valere, the effect of which was to validate as from the time of signature papal letters which owing to some technical flaw were canonically invalid. Thus William Croyser, having cause to fear that his letters of provision to the archdeaconry of Teviotdale and vicarage of Innerleithen 'may be branded as surreptitious and that he may be molested in future about the said vicarage and archdeaconry,' petitioned that the Pope 'would grant that the letters and processes and consequences whatsoever might be valid ' from the original date, ' and that the executors named therein might proceed to full execution in all respects as if the said defects had in no way been committed ' (pp. 32-3).

Still another grace belonging to the same category is *Habilitatio*, whereby the Holy Father did 'utterly abolish all inhability,' or canonical disqualification, which the supplicant might have incurred (p. 167). The effect was to restore him 'to his pristine state,' and, in so far as his supplication was concerned, thereby to habilitate or enablehim to resume the canonical position which he held before his default (p. 207). Thus Edward de Lawedre, who had resigned his claim to the parish church of Lyston in circumstances which he had good reason to fear 'might be evilly construed as simony,' petitioned for rehabilitation so that he 'might not be molested in future.' The 'certain sum of money ' which he had accepted from his rival 'to continue friendship between them ' was in plain fact a bribe to buy him off and prevent litigation (p. 207).

This petition may therefore serve as a bridge between two types of supplication : between those which besought a grace of a private or personal nature, and those which addressed the Pope as the fountain of justice. It is true that the signature of any supplication was an act of apostolic grace, but there was an innate distinction between graces of a personal and of a juridical nature.<sup>1</sup> Thus in a group of three supplications granted to James 1. under a common date, the last two items—the concession of a portable altar and concerning a plenary remission of sins—were personal privileges, whereas the first—the

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<sup>&</sup>lt;sup>1</sup> The distinction corresponds to that in the judicial sphere between the forum ecclesiasticum internum and the forum ecclesiasticum externum, where 'the internal forum is the tribunal established in the sacrament of penance,' and the external forum 'included every exercise of ecclesiastical jurisdiction external to the tribunal of penance.' (Addis and Arnold, A Catholic Dictionary, 5th edition, under Forum Ecclesiasticum, p. 352.)

reservation of benefices to supporters of the King—was an act of patronage involving legal consequences.

Of all types of supplications, those respecting benefices show most clearly the far-reaching effects of a signature. A simple provision may be considered as a personal grant, but its results were juridical, and complications frequently arose. On 3 May 1418, for example, William Ramesay obtained a grace of provision to the vicarage of Monkton, which, two days later, was similarly provided to John Patricii (pp. 41, 43). The earlier date would earry precedence, but one can see how easily litigation could arise over conflicting provisions.

Bishops had powers of ordinary jurisdiction within their diocese except in exempt cases. Thus the Bishop of St. Andrews as Ordinary ' by a judicial sentence ' deprived William de Sancto Andrea ' of a certain priory which he was then holding ' (p. 25). For want of a metropolitan, appeal from an episcopal court lay direct to Rome, while resort was sometimes had to the Apostolic See even in the first instance. A suit, indeed, might be 'pending alike in the kingdom of Scotland and in the Roman Curia before divers judges,' as in ' the matter of controversy ' over the hospital of St. Germains (p. 86), where ' both of the litigants obtained a definitive sentence '-a decision which, as the name implies, was the final pronouncement of the judge upon the point at issue. If appeal were not made by the condemned party within ten days after he had been notified of the sentence, the right automatically lapsed and the definitive sentence passed in rem judicatam.1 If, on the other hand, appeal was lodged within the legitimate time, the cause was committed to an Auditor of the Sacred

<sup>&</sup>lt;sup>1</sup> Thus John de Ketnes, formerly Abbot of Cupar, 'was deprived and removed by a definitive sentence of the Father Abbot which passed in rem judicatam' (p. 52). This is a case of ordinary jurisdiction, but the same procedure ruled in the lesser courts and in the Roman Curia,

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Apostolic Palace of Causes,<sup>1</sup> and the resulting litigation was often long and intricate, turning upon side issues or 'alleged new evidence,' as in the complicated suit between John Boumaker and John de Edynburgh (pp. 280-1). Boumaker's supplication reveals a chaotic state of appeal and counter-appeal, but it also reminds us that ultimate decision always lay with the Pope as the supreme fountain of justice. If he thought fit, the Pontiff might 'for certain reasons' order the Auditor 'not to proceed further' (p. 86); he might remit the cause to be tried locally (*in partibus*), or he might call it up to himself and 'utterly extinguish the suit.'<sup>2</sup>

Sometimes in the course of litigation one of the parties withdrew, or was invalidated from proceeding in the suit; <sup>3</sup> whereupon his rival might petition to be substituted in his place by surrogation, or a 'new adversary might perhaps arise to take it up ' (p. 293). If a litigant ' freely renounced his right ' (p. 290), and his competitor was surrogated therein by substitution, then the suit should theoretically be terminated; but in practice this seldom happened. Eager and needy aspirants after ecclesiastical livings were too often looking for such opportunities as surrogation offered. They saw, for example, that the constitution *Execrabilis*,<sup>4</sup> which was aimed against pluralities, afforded

<sup>8</sup> e.g. by obtaining another benefice or through deprivation.

The constitution Execubilis was an ordinance of John XXII. in 1317, to the effect that if a beneficed priest obtained a second benefice with cure, he must resign the first within a month after obtaining peaceable possession of the second, unless he had dispensation to hold two incompatibles. 'Que vult, quod si quis habet beneficium curatum et non habet dispensationem ad duo incompatibilia, id est ad duo curata beneficia, et assecutive.

<sup>&</sup>lt;sup>1</sup> The Auditor to whom a cause was committed thereupon 'judicially proceeded to a decree of citation [of the parties] and to the arrest of the apostolic letters' previously granted in favour of the defendant (p. 194; cf. pp. 115, 254).

<sup>&</sup>lt;sup>a</sup> This is the expression commonly used in such cases. It is true that there are no examples of it in our Calendar, but the period covered is too short to study instances of long protracted litigation.

them possibilities of surrogating themselves in benefices canonically void by the infringement of this rule. Thus John de Keremor, an unbeneficed priest, forty-four years of age, petitioned that, 'seeing he has through no fault of his own been frustrated of all benefices hitherto void in Curia, the Pope would give mandate to the Auditor to surrogate him in and to the right, if any,' which Michael de Ouchtre had in the deanery of Dunblane at the time of his promotion to Sodor (pp. 298-9). It is significant that he was too precipitate in his eagerness,<sup>1</sup> and that he had to have resort to a *Reformatio* because 'all kinds of voidance were not expressed ' in his original petition, while, further to strengthen his position, he obtained the signature, five days later, of a grace Si Neutri.

This type of supplication was to the effect that if neither of two litigants <sup>2</sup> had right in or to a contested benefice, it might be provided to the petitioner, whether an outsider, like the above John de Keremor, or himself one of the parties to the suit. A contestant, who felt doubtful of the strength of his cause or was anxious to avail himself of all possible resources of the law, might, like Edward de Lawedre, obtain the signature of both a Si Neutri and a Surrogatio (pp. 291, 293). We may well believe Lawedre's statement that he had incurred 'much labour and expense in prosecuting the suit ' against Columba de Dunbar, for litigation was costly and he was a master in all juridical

<sup>1</sup> His precipitancy is none the less striking because after all it was futile. Ouchtre's promotion to Sodor did not become effective, so that there was consequently no voidance of the deanery of Dunblane.

<sup>2</sup> In cases where there are more than two litigants, a supplication of this tenor is known as *Si Nulli*.

auctoritate ordinăria vel vigore gracie expectative aliud beneficium curatum pacifice et quiete, tunc primum beneficium adstatim et ipso facto vacat; et si no dimititi primum beneficium infra mensem ad manus ordinarii, tunc eciam vacat secundum beneficium curatum; et sic ambo vacant.' (Printed by S. Schmitz-Kallenberg, Practica Cancelleriae Aposloitae Sacauli va exenutis, p. 8.)

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devices. Throughout our Calendar he appears as an assiduous benefice hunter, and in his early carcer, while he 'studied theology for five years and more at Paris' (p. 25), he also had an eye to his own ecclesiastical advancement.

It is not surprising, therefore, that he, as an adherent of Martin v., should have sought to oust the schismatic rector of Lyston by means of a commission of deprivation (pp. 34-5). On the charge that Andrew de Hawyk had pertinaciously presumed 'to adhere to the child of iniquity Peter de Luna' and had 'rendered himself unworthy of the said parish church,' he petitioned ' that the Pope would give mandate to some good man, in or outwith the Roman Curia, to inform himself summarily about the foregoing and, if he find them to be true, to deprive Andrew and provide Edward.' Supplications of this kind, in which the accuser's aim was to supplant the accused, are frequently found, and commonly proceeded upon accusations against the moral character of alleged 'sons of iniquity,' whose crimes were an evil example to others and a danger to the weal of their own souls (e.g. pp. 18, 128). Doubtless, charges of simony or unchastity would not be lodged without some apparent ground, but at the same time one looks askance to-day at the righteous indignation of a plaintiff who had his own axe to grind in exposing sin.

This is a point to bear in memory when estimating the value of supplications. Although they may state true facts they do not necessarily express the whole truth, especially in controversial cases in which the supplicant is himself an interested party. Thus, when the Abbot of Arbroath described the Bishop of St. Andrews as 'a man of such character that he does not rule but is ruled, and that by indiscreet and wicked men,' his statement was coloured by the fact that he personally was seeking exemption from all jurisdiction and superiority of the Bishop.

his Ordinary diocesan (pp. 187, 150). If 'love and friendship ' were ' never likely to be perfected between them,' this was at least in part the Abbot's fault. Upon the evidence of his own supplication he stands condemned of contriving a breach of the concord ; and there was neither love nor friendship in the spirit that wished the Bishop 'to be punished . . . as an example for others.' According to himself, he exercised the functions of his office ' having before his eyes the good of religion,' but on the representation of one of his monks he was 'publicly defamed' as the perpetrator of many 'crimes and delinquencies' (pp. 265, 18). The plea that the Abbot 'pathetically' made for exemption is countered by the charges against him of dilapidation, bad administration and infamy.1 Facts are laid before us, but they are not complete ; their value lies not so much in their calculated effect as in the casual information which is scattered about.

This incidental yield of miscellaneous knowledge makes the Registers of Supplications like a quarry where every worker must hew his own stones for his own purpose. The genealogist, the local antiquary and the social economist will work on the seams that repay them; the specialist in ccclesiastical <sup>2</sup> or political history is he who can best assess the richness of the mine; but the ordinary reader from his detached point of view with a sweep of his eve

<sup>&</sup>lt;sup>1</sup> It is noteworthy that the Bishop of St. Andrews 'supported and defended' the 'wagabond and apostate monk' whom the Abbot wished to correct for 'the good of religion,' and whom the 'friends and familiars' of the Abbot apprehended in St. Andrews 'without asking leave of the Ordinary' (pp. 26;-6). If 'on account of this pious minis may impute fault where there is no fault,' investigating minds would like to ascertain where the truth lay. One wonders if the runaway monk was Brother William de Dalketh, 'familiar' of the Bishop of St. Andrews, who supported him in his desire to study theology at Paris under a pension to be compulsorily paid by the Abbot and convent of Arbreath (pp. 24;94).

<sup>&</sup>lt;sup>2</sup> There is much information, for example, about monastic foundations, collegiate churches, canonries and prebends.

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perhaps gathers the most vivid general impression of colour and diversity.

For the genealogist, for example, it is noteworthy that Sir Robert de Keth, Marischal of Scotland, had two sons, George and Andrew, students of St. Andrews University, not hitherto known to record (pp. 2-3), while the episcopal and constitutional historian will share his satisfaction in corroborating the supposition that William Lauder, Bishop of Glasgow, sometime Chancellor of Scotland, was sprung 'of the ancient family of the Lauders of the Merse' (p. 233 and n.).

The antiquary and the local historian, for their part, will gamer such information as the existence of a Poor's Hospital of St. Anthony at Leith as early as 1418 (p. 12), while the eivic pride of the citizens of Glasgow will be tempered with humiliation when they read that Bishop William Lauder desired ' to exhume or transfer the bones of the most holy Confessor Kyntigern, formerly Bishop, now patron, of the Church of Glasgow, and to place them in a chest of gold or silver, that they may be the more devoutly honoured,'—and that this beloved saint of the Celtic Church was so little known at the Apostolic See that there was doubt as to whether he was canonised (p. 182).

Again, it will interest the economist and the student of monasticism that Thomas Puriok, canon of St. Andrews, 'caused certain coal seams in the lands of the said Church to be prospected and mined at the substance and expense of himself and his friends, even selling his own patrimony,' and to read of the arrangements which 'a love of

<sup>&</sup>lt;sup>1</sup> It is interesting to recall that only a few years after this date, Aeneas Sylvius on his famous mission to Scotland ' first saw coal, beholding with wonder what seemed stones joyfully received as alms by the half-naked beggars who stood shivering at the church doors.' (Robertson's Statuta, I, xcmi.)

possessions' moved him to make for the recovery of his expenses, and for his profits 'by way of pension for life' (pp. 222-3).

It will appeal to the educationalist that the Abbot and convent of Cambuskenneth 'have been accustomed to maintain one or two of their canons for a certain time in study and to give a pension for their maintenance during that time' (p. 205), and that Bishop Henry Wardlaw petitioned Pope Martin to ratify and confirm the privileges, liberties and immunities granted by Benedict XIII. to the University of St. Andrews (pp. 108-9). Apart from the new light which the Bishop's supplications throw upon the early history of that institution, they are also important as an illustration of the general trend of Scottish ecclesiastical policy. When he besought Pope Martin to ratify the bulls of foundation which had been received from Pope Benedict amid general acclamation less than six years before, he was, like many another of his countrymen, turning from a broken reed to a more sure support.

Benedict XIII. was deposed by the Council of Constance in July 1417 and Martin v. was elected in the following November, but not till October 1418 did the Scottish Estates formally transfer obedience from Peniscola to Rome, and nine more months elapsed before their ambassadors reached the Curia.<sup>1</sup> His last supporter had then deserted the aged Anti-pope at the end of his days. A certain pathos attaches to the venerable figure of the lonely and courageous old man, but contemporary Scotland

<sup>&</sup>lt;sup>1</sup> Martin's letter to the Governor, intimating the arrival of the ambassadors, was dated 2 August 1419 (*Copiala*, 24). The Scottish Estates made their declaration of obeelinence to Martin v. at Perth in October 1418 (*Scotichronicon*, ii, 449-451; edition 1859). The Governor had there supported the spokesman of Benedict, while the University of St. Andrews opposed him.

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was faced with actualities which forbade sentiment.<sup>1</sup> In the Roman obedience the national hierarchy was an integral part of the universal Western Church : as the solitary adherent of a powerless Pope it was isolated among the nations.<sup>2</sup>

Although petitioners might rhetorically bemoan that they inhabited the 'ends of the world ' (p. 164), there is no indication that Scotsmen considered themselves as outwith the main stream of European life. Priests turned their eyes or bent their steps towards Rome; scholars betook themselves to Paris and other Continental universities; merchants traded to the Low Countries, where 'the town of Bruges' was more important as a commercial and banking centre than as a place of convenient 'prisons of laymen' (p. 26); noblemen like Lord Darnley sought fame and fortune in the French wars. Links such as these kept men in touch with the outside world; but when they were cut off from Rome and estranged ceclesias-

<sup>&</sup>lt;sup>1</sup> Professor Baxter, in a sympathetic account of 'Scotland's Pope. Benedict XIII.,' writes that 'among all the mediaeval popes, there is probably none who gives the Scottish student of history a more intimate and personal concern and appeal than Benedict XIII. For almost all the others Scotland was a small, distant and unimportant province of their large patrimony of Christendom. For Benedict it represented during the space of nearly three years . . . almost the whole extent of his control.' As to his character : 'Long after he had reached the allotted span, he showed the energy and strength of a young man, refusing to bow to circumstance. waging a necessarily unsuccessful contest against a rival universally acknowledged, passing his life in the observance of simple piety and in the noble discharge of his high office, so that even his bitterest enemies were forced to admit that he added dignity to the papacy and was worthy of his high calling ' (in Scots Magazine, September 1929, p. 2). His chief fault was obstinacy, arising ' from his unshakeable belief that as pope he was superior to emperor and Council, and that to obey their behests was a betraval of papal prerogative ' (Copiale, 399).

<sup>&</sup>lt;sup>a</sup> In this connection it is illuminating that the Governor petitioned that John Feldew, his 'beloved clerk,' might be enrolled among the scriptores of the Roman Curia, 'so that thereby Scottish business may be transacted better and more speedily: because various people of other nations of Christendom, except the Scots, hold divers offices in the Papal Curia' (p. o§).

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tically from their 'auld ally' of France, the menace of isolation might seem to east its shadow over them. Churchmen in particular must have felt uneasy, and it is not surprising that a strong drift of opinion set in among them in favour of Martin. The Governor's devotion to Benedict was probably inspired not so much by loyalty to a losing cause as by the principle of self-interest. It was his desire to supplant the captive nephew in whose name he ruled, and as England adhered to the Roman Pope it suited his purpose to support the Anti-pope.

King James, on his side, found here an opportunity. He saw that by enlisting the help of Martin v. he might work for his own emancipation. It is significant that Thomas de Mirton tendered the King's obedience to Pope Martin in Curia on 6 July 1418, about a year before the ambassadors sent by the Governor made their tardy appearance to present the 'general obedience' of Scotland. On 8 August James received personal indults and a concession that certain reserved benefices should be collated to his supporters (pp. 13, 14), while provisions were granted to his secretary and his procurator at the Roman Court<sup>1</sup> (pp. 14, 15). The Pope's gesture signified his willingness to strengthen the King's party in Scotland,<sup>2</sup> where, as we have seen, there was already a marked current of feeling in favour of ' promoting the union of the holy Church of God' (p. 155). Albany was carried with the tide; since he could not withstand its force he might try to control it.

The stream of supplications to Rome had already begun

<sup>&</sup>lt;sup>1</sup> Supplications of John Lyon and Thomas de Mirton. Lyon's grace of provision was, however, ineffective, and Mirton's a subject of litigation.

<sup>&</sup>lt;sup>9</sup> This point has been clearly brought out by Mr. É. W. M. Balfour-Melville in his still unpublished study of James I. I am very grateful to the author for the privilege of reading his work in manuscript. It has been invaluable for its background of political facts and historical setting. The editors have been fortunate in having in the Secretary of the Scottish History Society a student of the period with which their documents deal.

## XXX CALENDAR OF SUPPLICATIONS

and the period covered by our Calendar marks the time of transition when Scotland was adjusting herself to the change of obedience. Thus the inordinate number of petitions for the second year of Pope Martin is largely due to the fact that men were anxious to make their position secure by obtaining confirmation at Rome of what had been granted at Peniscola. When, therefore, on 31 August 1419, the Pope claimed for himself all reservations of benefices 'whatsoever and wheresoever in the realm of Scotland, void from the morrow of his elevation until the day of the presentation of Scottish obedience ' he did much 'to remove all doubt' as to the ecelesiastical situation (p. 116). To have disregarded the provisions made by Benedict after his deposition but while Scotland was still in his obedience, would have been to make confusion chaos. It was therefore wise 'to absolve, habilitate and restore to their pristine state all and sundry those who in the interval . . . [had] adhered to the said Peter or obtained any graces from or by his authority,' and 'to provide anew all and sundry the churches, monasteries, dignities or benefices to those persons to whom Benedict [had] provided them' (pp. 163, 164). These petitions bear to be submitted by the Duke of Albany, and in so far as they made for order and security they reflect credit on his statesmanship, while in so far as they cancelled the earlier indult in favour of James they reveal shrewd self-interest.

What were the precise relations between uncle and nephew the evidence is too scanty for us to determine, but the antagonism between them is perhaps reflected in the disputed provision to the abbaey of Paisley. It is significant that the King petitioned on behalf of Thomas Morow, his first chaplain, and that his supplication was granted under the terms of the concession of 8 August 1418 (p. 61). The accusation of his competitor, that

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Thomas was 'detected and convicted as a public falsifier of the seals of the Prince and Abbot' (p. 76), may mean that he exercised, or tried to exercise, abbatial functions on the strength of royal letters. In his captivity, however, not the seals of the King, but those of the Governor, carried weight in Scotland.<sup>1</sup> Nevertheless, although 'James King of Scots through the power of his enemies is deprived of his liberty, whereby he has not sufficient of the revenues of his kingdom to maintain his fitting state and to discharge adequately the stipends of his servitors ' (p. 300), yet he had his counsellors and a 'keeper of his privy seal,' and was not destitute of the resources of diplomacy.<sup>2</sup> The supplications indicate that he was by no means negligible, although the light they throw upon his actions is too intermittent to reveal his policy.

It may be coincidence, but it is also suggestive of renewed activity on the King's part, that soon after the death of Duke Robert of Albany he petitioned for a pension out of Scottish benefices by way of salary for the keeper of his privy seal.<sup>3</sup> The concessions granted to Albany appear to have been something in the nature of a concordat. Papal support was no longer withheld from the Governor in favour of the King, and the period of transition to the Roman obedience was achieved without any political complications. How far the adjustment had proceeded can be gathered from the nature of the supplications after the succession of Duke Murdach in his father's place. The period of securing confirmation from Martin

<sup>&</sup>lt;sup>1</sup> It is interesting to notice that in the end Thomas Morow did become Abbot of Paisley. He was personally present in Rome when he offered his common services in September 1424. (Scot. Benefices, 5.)

<sup>&</sup>lt;sup>2</sup> It appears from Finke's Acta Concilis Constanceensis that he had a representative at the Council of Constance.

<sup>&</sup>lt;sup>3</sup> Pp. 300-1. Want of evidence makes it impossible to dogmatise. This supplication comes at the end of our present Calendar, and later petitions may afford further information.

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of what had been granted by Benedict was over: the Roman Pontiff had become the sole fountain of grace and justice. Litigants as well as supplicants had resort to the Roman Court, and Scottish judicial business there was accumulating.

The note of transition was, however, not confined to the sphere of Scottish benefices. In the field of liturgy and Church ceremonies also it was a time of beginnings and development. Thus the blessing of the chalice was still a privilege to be obtained only by special concession : and the supplication for an 'indult that the priests who celebrate masses at the altars [in the parish church of Irvine] may at the end of these masses give to the people present a simple blessing,' is noted as marking ' the period when priests were beginning to aspire to this privilege by way of special permission ' (pp. 177 and n., 166 and n.).<sup>1</sup>

This last petition is, moreover, an interesting document for social history. William de Cunygham, priest, and Nicholas de Loudun, burgess of Irvine, showed themselves true sons of their age when they expressed their piety by founding altars in the parish church of Irvine, and when they sought a papal indulgence for the 'augmentation and endowment of the said chapels.' The 'zeal of devotion ' which manifested itself in erecting ecclesiastical foundations was widespread, forming a bond of brotherhood between burgesses and princes. The ardour which fired Nicholas de Loudun to build altars in his parish church also inspired Stewart of Derneley, of royal race, Constable of the Scots in France, to found a chapel in the Church of Orleans and to propose to found a collegiate church at Darnley, and likewise moved the Earl of Douglas, the

<sup>&</sup>lt;sup>1</sup> It is interesting to notice also a change which affected Scotland in the Calendar of Saints' Days. As the feasts of St. Lawrence and St. Blance coincided, the day of the Celtic Saint has been transferred from 10th to 11th August, out of deference to the more famous Roman Saint (p. 121 and n.).

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Provost, bailies and commonalty of Edinburgh to unite their voices in petitioning the Pope to erect the parish church of St. Giles into a collegiate church (pp. 77, 284).

For raising money towards the upkeep of such foundations, and for arousing popular interest and support, the common device was to obtain a papal indulgence for all Christ's faithful, who 'truly penitent and confessed' should 'devoutly visit' the place of indulgence on the appointed days and 'stretch out helping hands' for its completion or for its augmentation and endowment.<sup>1</sup>

Indulgences, moreover, were professedly a means of obtaining money for good works in those days when the central government was too poor and too feeble to raise money by taxation for the maintenance of the public services. The Church, being organised and universal where the feudal State was weak and disintegrated, therefore rendered a good service to society when it supported the erection and upkeep of bridges. In the fifteenth century, when rivers were a serious obstacle to communication, to build or to repair bridges was an act of 'compassion upon [one's] fellow-countrymen and also for the public benefit of the kingdom' (p. 190). It was said, for example, that in the river Almond 'both in times of flood and at other times numerous merchants and others . . . are drowned, and

<sup>&</sup>lt;sup>1</sup> An indulgence is the extra-sacramental remission of the temporal punishment due, in God's justice, to sin that has been forgiven, which remission is granted by the Church in the exercise of the power of the keys, through the application of the superabundant merits of Christ and of the saints, and for some just and reasonable motive. 'A grant of indulgence of so many years or days means 'that it cancels an amount of purgatorial punishment equivalent to what would have been remitted, in the sight of God, by so many days or years of the ancient canonical penance' (*Catholic Encyclopadia*, v. 783, 784). Its bestowing infers that sin has been already forgiven: it is to Christ's faithal, truly penitert and confessed, that relaxationis to be granted of a certain number of days of enjoined penitence. (See e.g. pp. 166, 284.)

## xxxiv CALENDAR OF SUPPLICATIONS

otherwise . . . exposed to many perils of life and goods ' (p. 190). We read, moreover, that the Eden ' is so perilous as it goes down to the sea that people are often drowned in fording it, as of late fifteen hapless priests at the same moment, therefore the Bishop [of St. Andrews], considering all this and fearing that the university would have to withdraw from the eity, began to construct a bridge which he cannot carry to completion without the alms of Christ's faithful ' (p. 109).

Some of the scholars who braved the torrent of the Eden may have been drawn by a disinterested desire 'to prosecute the study of the seven liberal arts ' (p. 229), but to most of the students, religious and secular, learning was less lovely for her own sake than for the benefits which a degree conferred. A university graduate received preferences in the pursuit of 'ecclesiastical stipends' (p. 285) on the principle that ' exalted and lettered persons ought to be honoured with greater benefices' than their less fortunate brethren (p. 260). The Church opened a career to talent, to gentle or simple, rich or poor, but the path was easier for those who had rank and dignities. That is why supplicants were eareful to advertise their 'royal stock,' noble race or scholastic attainments, and why they sought the support of patrons to petition on their behalf. In so doing, princes and potentates were also serving their own interests, for in trained and beneficed ecclesiastics they found their ' counsellors ' and ' familiars,' officers of state, eivil servants and chaplains.

Edward de Lauder knew the professional value of a theological course at the university of Paris, and many another besides Andrew de Hawiek esteemed the degree of Bachelor of Deerects because thereby they might 'use and enjoy all and sundry the privileges, graces and preferences enjoyed by other bachelors in decreets

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with regard to the assecution of ecclesiastical benefices ' (p. 261).

This Andrew de Hawick is himself a typical example of the cleric who was a seeker of benefices and also an officer of state and a promoter of public works. His 'faithful service' to the Governor had apparently been profitable to his pocket, although perhaps not altogether 'for his soul's weal.' He had acquired 'possessions and goods,' which he wished to dispone 'to pious and other uses in his last will,' but he expressed a desire while still in life 'to make restitution for injuries . . . and to restore other people's goods to those to whom they belong,' although he was 'utterly ignorant as to whom he ought to make satisfaction or restitution' (pp. 292, 308). How far he had reason to fear the pricking of conscience it would be hazardous to guess, but in his mentality as well as in the aspects of his career he shows himself to be a true child of his generation.

His very name appears to have historic interest. He had probably no patronymic, but was merely Andrew of Hawick, deriving his surname from his native place. Such instances arc common in our Calendar. In the very first supplication we meet John of Carstairs and Thomas of Kilconquhar; and the reader can multiply examples of surnames similarly derived from place-names. He will notice, further, that in the Celtic parts of the country where the clan system prevailed there is a difference in nomenclature, corresponding to the difference in the social fabric between the patriarchal system and the urban and feudal organisations. In the modern sense Dominicus Kenychi, monk of Iona (p. 264), no more possessed a surname than did Andrew de Hawick : but he was individualised as Dominic, son of Kenneth, a unit within a family community, whereas Andrew was particularised as the native

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of a town, a unit within an economic community.<sup>1</sup> Differentiated again from both of these stands James Lyndesay, rector of Inchebrioch (p. 218), as representative of a third great social grouping—that of the 'noble race ' of feudal houses which had already adopted family patronymics.

The growth of hereditary surnames deriving from clans, towns, occupations,<sup>2</sup> personal characteristics and so on was a gradual process, developing as civilisation grew more complex, and undoubtedly at work within our period. One wonders, therefore, if any social significance or only a personal motive underlay the change of name of John de Dalgles, who was 'thus recently called, but previously from the time of his birth called John Willelmi' (p. 85). Like many other statements in the Supplications, it has at least the interest of arousing speculation and suggesting problems which it does not solve. The concrete facts narrated by petitioners often open up fields of enquiry, which baffle while they fascinate the enquirer. One asks, for example, where the truth really lay between simple piety and zeal of devotion on the one hand, irreverence, violence and immorality on the other. Thus we have the bright side of the picture in that 'the Chapel of St. Catherine, commonly called the Balm Well, was devoutly resorted to by Christ's faithful on the feast of St. Catherine' and that ' on Friday of every week a multitude of the faithful, on account of the devotion to St. Vinian [Ninian], flock to the chapel of St. Vinian' (pp. 186, 114); whereas we have the gloomy side in that the parishioners of Strageith ' take no pains to come to the church . . . and moreover many of

<sup>&</sup>lt;sup>1</sup> This broad distinction strikes the reader, but it must not, of course, be carried too far. Thus Patrick Stephani (Stevenson) was presumably a Lowlander (p. 221). The Gaelic prefix 'Mac' and the Saxon suffix 'son' are occasionally to be met with, but these forms had not yet become crystallised.

<sup>&</sup>lt;sup>9</sup> Bowmaker and Goldsmith are instances in our Calendar of names derived from occupations.

## INTRODUCTION

them come like beasts and are utterly ignorant of the divine offices and the mandates of the Church ' (p. 122).

These three pictures are all coloured by the point of view of the petitioner, so that the contrast may not be so glaring as appears between the alacrity of the devotees of St. Catherine and St. Ninian, and the reluctance of the parishioners of Strageith to 'come on empty stomachs' over many miles 'to hear divine offices and afterwards return to their homes fasting.' Moreover, the shrines of St. Catherine and St. Ninian appear to have enjoyed popularity as places of local pilgrimage long before the Apostolic See added the benefit of an indulgence : religion and recreation were mingled in the devotion of the pilgrims. But the weary and hungering parishioners of Strageith had no allurements to encourage their flagging footsteps, and accordingly the grant of an indulgence was devised as an incentive that they might ' be brought back to the way of truth and be compelled to come more willingly to church.' It was the age-long problem of church attendance, which our forefathers met with the characteristic methods of their own generation.

Similarly, if an Abbot could cause his rival 'to be detained in irons in the prisons of laymen' (p. 26), or if a future Bishop <sup>1</sup> could allow a papal executor to be maltreated by his mother in the family home and in his own presence, we may agree that these things were 'a bad example and a seandal to the ecclesiastical state ' (p. 225), but we must also admit that 'the instigation of the diabolical spirit' is strongest when governance is weak, and when 'injuries and violence . . . remain unpunished' (p. 113).

Not only was lawlessness abroad in the land, but otherwise also there was insecurity of life and tenure. History

<sup>&</sup>lt;sup>1</sup> Columba de Dunbar was provided to the see of Moray on 3 April 1422. (Scot. Benefices, 17.)

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confirms the statement that 'there was continual waging of dire wars by the wild Seots ' in the western islands (p. 265). In the northern isles, the Church of Orkney was politically as well as ecclesiastically 'in the realm of Norway' (p. 43 and n.), but Bishop Stevenson was 'ambassador of Seotland to the Pope and procurator of Robert Duke of Albany at the Roman Court,' while the archdeaeonry was eontested by two priests of St. Andrews dioeese (pp. 120, 81, 195, 213). Our Calendar, indeed, throws new light upon the obseure and stormy story of this bishoprie 'lving far distant in the island seas and at the end of the world ' (p. 85). It illustrates, moreover, that 'dire wars' were not confined to the poor and remote parts of the realm. The wealthy Border country was frequently the prey of English invaders. Kelso, 'one of the most famous monasteries of the whole kingdom of Seotland,' was 'very often severely damaged by hostile ineursions,' and Dryburgh ' had been devastated by hostile fire ' (pp. 177, 196).

Conflagrations, however, were not always due to the hand of man, whether English raider or personal enemy. The monastery of Arbroath was burned 'through lightning'; and the 'outbreak of fire' at Inverkeithing was probably due to the bad economic state of mediaeval towns (pp. 92, 228). Disease was rampant also from the same eauses, and we are reminded of the prevalence of leprosy, whose 'lamentably afflieted' vietims were 'utterly debarred from the society of men' (pp. 169, 278).

Stray facts like these have a significance for estimating the value of the Registers of Supplications. They may have little apparent importance in themselves, yet have much meaning for those with knowledge to interpret them. The individual petitions were drawn up in the way of business, without any idea of providing a source book of history for later generations. A supplicant besought a

#### INTRODUCTION

grace, formulated and granted with legal precision; and the Roman Chancery kcpt a record of these for its own purposes. The cycs of both were fixed on the present, not on the future. The one stated facts, deliberately or casually, to strengthen his ease; the other recorded these facts for reference.

This is a point which it is well to remember. No more than a modern newspaper do the Supplications give a balanced picture of contemporary life. The voice of the litigant and the seeker of benefices is loud, but one would like to know more about their parishioners, and of the poorly paid vicars to whom the eure of their souls was committed.<sup>1</sup> There is evidence that communities resented the incorporation of their parish church in a monastic house. It was a natural desire on their part ' that the cure of their souls should be entrusted to their own rector ' and not to ' a temporal vicar, or more truly a hireling ' (p. 212). But just as the Pope formally appointed commissioners to investigate charges of perjury, apostacy, simony, unchastity, dilapidation and other ' faults and demerits,' so we in our day must be careful to sift the evidence before we presume to pass a judgment.

We must penetrate beneath the formulae of canon law, the conventional forms of words and the tricks of rhetoric, to the bed-rock of sober facts. Then we find that fugitive statements are often weighted with real historic importance, and that they have an appeal that is universal and not provincial in its nature. We are reminded that there is nothing new under the sun, and that although the people

<sup>&</sup>lt;sup>1</sup> Where the fruits of the vicarage of Stirling are given as '40 marks sterling in absence, and 60 marks sterling in case of residence, 'the difference presumably represented the stipend of the curate on the spot (p. 161; cf. p. 155). One wonders what were the qualifications of the 'chaplains, subordinate (conductifieos) and temporal, but adequate and fit, 'who were designed to supersede perpetual vicars in the three parish churches which were to be united to the monastery of fong (p. 271).

and the days have long since passed, yet in essence human nature and social problems remain much the same. The channels of self-expression and the manner of reacting to the surrounding situation may seem remote and strange ; but the common bond of humanity bridges the gulf of years. Personality breaks through legal shackles, and animates ancient documents, making the Registers of Supplications a mirror of their times. The vision may be fragmentary, but it gives us a living picture of Scotland at a landmark in her history.

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## TABLE OF CONTRACTIONS

B.A.		Bachelor of Arts.
B.L.		Bachelor of Laws.
D.Dec.		Doctor of Decreets.
D.C.L.		Doctor of Canon Law.
Dom.		Dominus.
Lic. Dec.		Licentiate of Decreets.
O.S.A.		Order of St. Augustine.
O.S.B.		Order of St. Benedict.
S.T.B.		Bachelor of Theology.
U.J.B.		Bachelor of both Laws.
U.J.D.		Doctor of both Laws.

A.P.		Acts of Parliament of Scotland.
C.P.R.		Calendar of Papal Registers
S.P.		Scots Peerage



## TABLE OF REFERENDARIES

Abb. S. Proculi: Bartholomew de Zambeccariis of Bologna, O.S.B., Abbot of S. Proculus, Bologna. Abb. Veronen; Peter de Milis (Emigli) of Brixia, monk of S. Zeno of Milan, O.S.B. Astoricen: Gundissalvus Garsie de S. Maria, Bishop of Astorga. Breilleti: William Brillet, Bishop of S. Brieuc. Clun: Robert d'Eschaudessolla, Abbot of Cluny. Creten: Peter Donati, Archbishop of Crete. Deca: Seguntin: Gundissalvus Roderici de Neyra, Dean of Siguenza. De Montegaud: William de Montjoie, Dean of Angers. F. Aretin: Francis Jacobi Piendebene de Montepolitiano, clerk, Arezzo diocese. Florentin: Aimericus Corsini, Bishop of Florence. G. Dornos Proth: George Dornos, U.J.D., Archdeacon of Barcelona, Prothonotary. Gundissalvus; Gundissalvus Garsie de S. Maria, Bishop of Astorga, 1419; see Astoricen. Guzman: Vascus Remigii de Guzman, Archdeacon of Toledo. H. Proth: Hermann Dwerg, Prothonotary. Jo. Constan: John de Rupescissa, Patriarch of Constantinople, Jo. de Cervantes: John de Cervantes, Archdeacon of Seville. Jo. Ixworth: John Ixworth, rector of Boston, Archdeacon of Worcester. Jo. Lubucen: John de Borsnitz, Bishop of Lübeck. Michael: Michael de Naves, canon of Valentia. Proth. de Branc: John Brancaccio, Prothonotary. Proth. de Castellan (Castillion): Zanonus de Castelliono, U.J.D., Prothonotary. S. Maxen; Peter Baston, Abbot of S. Maxentius, O.S.B., Poitiers diocese. S. Wandrigis: John de Bouquetot, Abbot of S. Vandrille, Rouen

diocese.

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## CALENDAR OF SUPPLICATIONS RELATING TO SCOTLAND

## I. MARTIN V

#### Nova Provisio

JOHN DE CASTELTARRIS, bachelor in both laws,<sup>1</sup>-that on 1418. the recent voidance of the parish church of CUPAR (de 3 January. Constance. Cupro), St. Andrews diocese, by the death of the late Master Thomas de Kilgwonguhar, he, by virtue of a certain expectative grace made to him by Peter de Luna,<sup>2</sup> accepted the same within the lawful time and had himself provided and admitted to possession. It is true that by some it is asserted that the foresaid late Thomas was a chaplain of honour of Peter de Luna and of the Apostolic See. For this and other reasons John doubts the validity of the grace, acceptance and provision, and therefore supplicates that the Pope would provide him anew to the foresaid church (40 marks of old sterling), whether void as above or in whatsoever way.

Fiat. O.

Constance, 3 Non. Jan., anno 1. 109, 66<sup>v</sup> [<sup>2</sup>/<sub>3</sub> p.]

### Reformatio super parrochiali ecclesie de Tarvat Sanctiandree diocesis

Since in the supplication signed by the Pope about the 1418. parish church of TARWAT, St. Andrews diocese, under date <sup>[sub</sup> dat. <sup>13</sup> January.] diocese, omitted to put 'elerk, Glasgow diocese,' and since he fears that that omission may be hurtful to him or that the expedition of the apostolic letters may be retarded, he

<sup>&</sup>lt;sup>1</sup> Utriusque Juris Bachellor: for greater convenience this title will afterwards be contracted U.J.B.

<sup>&</sup>lt;sup>2</sup> Benedict XIII., Anti-pope, 1394-1424.

#### CALENDAR OF SUPPLICATIONS

supplicates that the apostolic letters might be expedited with the addition ' clerk, Glasgow diocese,' and under first date.<sup>1</sup>

Concessum.

111, 80v [1 p.]

## In mortis articulo

1418. ROBERT de KETH, knight, Marshal of Scotland, first, 7 January. Florence. the point of death.

#### Mutatio voti

Item: formerly the said Robert thoughtlessly (levitate animi motus) in the days of his youth vowed to visit the Holy Sepulchre, and planned many times to go, but because of his office and for other reasons he could never obtain licence of his superiors, and now, stricken in age, a septuagenarian or thereby, he is not able to go. He therefore supplicates that the Pope would give mandate to his Ordinary to commute the vow into another work of charity, and absolve him thereform.

Fiat. Satisfaciat ecclesiis illis de quibus sibi videbitur in summa quam expositurus fuisset in eundo ad sanctum sepulchrum. O. [Let him make satisfaction to such churches as he sees good in the sum which he would have spent in going to the Holy Sepulchre.]

Florence, 6 Kal. Oct., anno 2.

Item : that the Pope would provide GEORGE DE KETH, elerk, St. Andrews diocese, his lawful son, who has studied for four years in the University of St. Andrews,<sup>2</sup> to canonries in either of the Churches of Glasgow or Aberdeen, under an expectative grace.

Fiat ut petitur. 0.

<sup>&</sup>lt;sup>1</sup> Another supplication of same tenor is found in Reg. Supp. 113, 43<sup>v</sup> [4 p.].

<sup>&</sup>lt;sup>2</sup> His name does not appear in the graduation rolls of the University.

Item : that the Pope would provide ANDREW DE KETH, clerk, etc., as above, who has studied for five years and more in the said University,<sup>1</sup> to canonries in the Churches of Glasgow and Aberdeen, as above, and would dispense him, who has completed his twenty-second year, to hold whatsoever ecclesiastical benefices, even with cure, etc., notwithstanding defect of age.

Fiat ut petitur et dispensamus. O.

May it be signed by the Pope's hand under date 6 Kal. Feb., anno 1. 113, 266 [1<sup>3</sup>/<sub>4</sub> pp.]

Fiat. O.

#### [No rubric]

James King of Scots 2 in person of his familiar MICHAEL 1418 OUCHTRE, priest, Dunblane diocese, who is Bachelor in 29 January. Decreets,<sup>3</sup> in which he has read for three years,-that the Constance. Pope would provide him to an ecclesiastical benefice with cure or without cure, even if a perpetual administration. etc., void or to be void, pertaining, together or separately, to the collation of the Bishop of St. Andrews, the Prior and chapter of St. Andrews, the Abbot and convent of the monastery of Dunfermlyng, O.S.B., said diocese : notwithstanding that he holds a canonry and prebend with cure in the Church of Dunblane, and the perpetual vicarage of the parish church of Strongeth [Strageith], Dunblane diocese (all the fruits, £14 of old sterling) ; and notwithstanding defect of birth as the son of a priest and an unmarried woman, for which he has dispensation, as may be expressed in Chancery.

Fiat ut petitur. O.

Constance, 4 Kal. Feb., anno 1.

<sup>1</sup> Andreas de Ketht is inscribed among the Bachelors of the University in 1417. (*Early Records of the University of St. Andrews*, 4.) Neither of these sons appears in the *Scots Peerage*.

<sup>a</sup> James was at this time a captive in England. The relations of Martin v. with the King and the Governor Albany are an interesting historical problem of this period.

<sup>8</sup> Henceforward contracted to B.Dec.

[2 pp.]

## CALENDAR OF SUPPLICATIONS

Jo. Constantin. S. Wandbrigis.

#### Nova provisio

1418. 7 February. Constance.

JOHN DE CASTELTARRIS, clerk, Glasgow diocese, U.J.B., constituted in the Roman Court .- that the Pope would ratify and confirm, with all the consequences, the acceptation, provision and induction to the possessions of the perpetual vicarage of the church of CUPAR, St. Andrews diocese (40 marks of old sterling), by authority and virtue of letters, called apostolic, of Peter de Luna, called Popc Benedict XIII in his obedience, and that he would collate and provide him anew if need be to the same, void by the death of the late Thomas de Kilcongware, last possessor, outwith the curia of the said Peter, or void in whatsoever way, even if for the reason that the said John in presentation of a certain supplication about the parish church of Tarrewet, St. Andrews diocese, sought provision thereto when the said church should be void by the peaceable assecution 1 of the said vicarage of Cupar by apostolic authority to be made by Thomas Myreton, but John himself had accepted it before by virtue of letters of the said Peter, and Pope Martin gave mandate to provide it to the said Thomas as to a reserved benefice.<sup>2</sup>

Concessum. O.

Constance, 7 Id. Feb., anno 1.

111, 9º [2 p.]

Clun.

#### Nova provisio

1418. Fundated :

after 17 February.] When formerly on the voidance of the PRIORY of the Cathedral Church of ST. ANDREWS in Scotland, O.S.A., by

<sup>1</sup> Assecutio is the technical term for obtaining possession of a benefice.

<sup>2</sup> sue si pro co quod dictus Johannes in presentacione cuiuciam supplicationis supp parochalia ecclesia de Tarreute Sanctiandree dicesis continentis quod dum vacaret ipra ecclesia per assecutionem pacificam dicte vicarie de Capro aucioritale aposicilies per Thomam Myreton faciendam quam eciam vigore litterarum dicti Paris per Johannes ante acceptivervai et de qua per Eandems Sanctistatem mandatur eidem Thome tanquam de beneficio reservato providere vacet.

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the death of the late James Biset, last Prior of the same, dving (diem claudientis extremam) outwith the Roman Court.1 who, while he lived, was a chaplain of honour of the Apostolic See, JAMES DE HALDENSTON, canon of the said Church, Master in Theology, was unanimously (concorditer) elected to the foresaid priory by the greater and wiser (saniori) part of the chapter, although some canons of the foresaid Church, specially called to the said election with the rest of the canons (cum aliis cocanoniciis suis). expressly refused to take part in the election : 2 therefore it is supplicated on the part of (ex parte) the said James. that the Pope would confirm and approve the said election and its consequences, supplying from the plentitude of his power all defects in the same or in its form, whether in the elections, or on account of the lapse of the time prescribed by law (a jure limitati) for the confirmation of elections : and moreover would provide James anew to the priory of the said Church.3 which is a dignity major post pontificalem. has cure of souls, and is elective (the rents, fruits and profits of which, since they are in common, to be had for sufficiently expressed), whether void by the death of the foresaid James Biset, or void in whatsoever way : notwithstanding the right which he claims (quod sibi competit) in the priory of May, foresaid Order and diocese, about which formerly he was litigating in the Curia of Peter de Luna, called Pope Benedict XIII in his obedience, his right and claim to which he is ready to resign within a year after obtaining peaceable possession of the said priory of St. Andrews ; and [notwithstanding] that the late William de Camera after the death of the said James Biset was elected to the said priory and, confirmation of the said election not having followed, after a lawsuit had been instituted in the Curia of the said Peter de Luna, or by the

<sup>&</sup>lt;sup>1</sup> 25 June 1415. (Copiale, lv. 396.)

<sup>&</sup>lt;sup>a</sup> The dissenting canons declared that provision should be made by the Pope. ('A Chapter Election at St. Andrews,' R. K. Hannay, in *Scotlish Historical Review*, xiii, 323.)

<sup>&</sup>lt;sup>3</sup> He was provided by the Pope at Constance on 17 February 1418. (C.P.R., vii. 63.)

authority of his letters, died (functus vita) outwith the said Curia.<sup>1</sup>

## Fiat ut petitur. 0.

And that the Pope by a richer gift of grace would give mandate that the said letters be expedited under date of the first supplication,<sup>2</sup> no taxation being expressed, since all revenues are in common, notwithstanding the rules of Chancery.

Fiat. 0.

110, 272v [1 p.]

## [No rubric]

1418. 1 March. Constance.

Since at the false or at least unreasonable allegation (minus racionabilem suggestionem) of the Abbot and convent of the monastery of MELROS, Cistercian order, Glasgow diocese, or otherwise, Peter de Luna (then called Benedict XIII) annexed, incorporated and united the parish church of MAGNA CAVERIS, said diocese, to the said monastery, and since such a union ought not to be maintained (teneri), nay rather ought to be annulled and utterly revoked by the Pope, who ought himself to make provision to such worthy benefices, even if they are parish churches (et benemeritis de talibus beneficiis eciam si parrochiales ecclesie existant per Eandem Sanctitatem provideri), lest such benefices should be defrauded of their due obsequia and lest the cure of souls should be neglected ; therefore WILLIAM CROYSEE.3 M.A., resident in the Roman Court, supplicates that the Pope would provide him to the said parish church of Magna Caveris (£80 of old sterling), void, or when it becomes void, by the revocation of the said union by the Pope, or void in

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<sup>&</sup>lt;sup>1</sup> He was buried 'in the church of St. Giles, Bruges, probably some time in the latter half of 1417.' (*Copiale*, 396; 'A Chapter Election at St. Andrews,' S.H.R., xiii. 322.)

<sup>&</sup>lt;sup>a</sup> This first date does not appear, but probably about the time of his provision in February 1418.

<sup>&</sup>lt;sup>3</sup> This is William Croyser, afterwards famous as the agent of the Pope in his contest against James 1. and the nationalist party, and then of the Council of Basle against the papalist party in Scotland. The vicissitudes of his stormy career can be traced in records of the period.

whatsoever way ; or that the Pope would give mandate to some good man in partibus to inform himself about the foregoing and, when he find them to be true or some other reason why the said union ought to be revoked or annulled. to provide him to the same : notwithstanding a canonry and prebend of Dunkeld and the parish church of Kirgonzan [Kirkgunzean], Glasgow diocese, given in commend (commendata) to him in a certain way, all of which he holds (total fruits not more than £20); also notwithstanding a canonry and prebend and the precentorship of Moray (£50 of old sterling), about which he has mandate of provision by the Pope, although he has not obtained possession ; also notwithstanding the right which he has to the parish church of Torbolton, Glasgow diocese (£40 of old sterling), about which he has been litigating for a long time in the Curia of Peter de Luna and intends to litigate in the Roman Curia, which precentory (a dignity with cure) and the parish Church of Torbolton, if he obtain it, he has dispensation to hold together and to exchange for compatible benefices. But he is ready to renounce this right, provided the Pope dispense him to hold the parish church of Magna Caveris, if he obtain it, for three years from the time of obtaining peaceable possession, together with the said precentory, and to exchange it in the meanwhile for a compatible benefice.1

Since at the false allegation made by the Abbot and convent of Holyrood of Edenburch, O.S.A., St. Andrews diocese, to Peter de Luna, or otherwise, the said Peter annexed, incorporated and united the parish church of KYNGORN, said diocese, to the said monastery, but it is asserted by some that simony took place and that such union and incorporation ought not to be maintained, etc. [as above], therefore GEORGE KER, M.A., said diocese, of

<sup>&</sup>lt;sup>1</sup> These two supplications are scheduled together and receive a common signature. In the Register they are bracketed by a pen-stroke in the right-hand margin. The present Calendar has frequent examples of this practice, which is a relie of the earlier procedure of presenting a sheaf of supplications in rotatio.

noble race on both sides, supplicates that the Pope would provide him to the said parish Church of Kyngorn (£80 of old sterling), void, or when it becomes void, by revocation of the said union by the Pope, or that he would give mandate to some good man, etc. [as above], to annul the union and to assign and collate the said church to George. notwithstanding a certain hospital which he holds (£8 sterling).

Fiat pro utroque et committatur et dispensamus cum primo ad biennium.1 O.

Constance, Kal. Mar., anno 1. 118, 41º [2 pp.]

#### In mortis articulo

For the part of JAMES KING OF SCOTS, it is supplicated that the Pope would grant him for his soul's weal power to chose a fit confessor who, as often as need be, may impart to him full remission of all his sins, and grant him absolution at the point of death, with plenary apostolic authority.

Fiat semel in vita et semel in mortis articulo in forma. O. Constance, 3 Id. Mar., anno 1. 115, 169v [ p.]

#### Surrogatio

1418. 21 April. Constance.

1418. 13 March.

Constance.

Since the Priory of MAY, O.S.A., St. Andrews diocese (which James de Haldensten holds and which was the subject of litigation in the Curia of Peter de Luna between the said James and a certain adversary wherein it was proceeded to some acts, the state of which suit to be held as sufficiently expressed), is hoped to be void by assecution made or to be made by apostolic authority by the said James to the priory of the Church of St. Andrews, said order and diocese,-therefore Archibald Earl of Douglas. Lord of Galloway and Annandale and Great Guardian of the Marches of Scotland, supplicates in the person of his beloved

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Clun.

<sup>&</sup>lt;sup>1</sup> i.e. William Croyser is granted dispensation to hold the benefices for two years.

clerk JOHN HYRSTER [? Lystar], canon of St. Andrews, O.S.A., B.Dec., his nuncio and familiar, that the Pope would surrogate the said John in and to all the right of the said James in the said priory of May and in the lawsuit theranent, also that the Pope would provide him to the said priory of May, of whatsoever tax it be, and which depends from the said Church of St. Andrews 1 and is accustomed to be ruled by canons of the said Church, whether void as above or in whatsoever way : or if neither of the litigants had right.

Fiat ut petitur. O.

And may the letters apply to benefices of whatsoever tax.

Fiat. O.

Constance, 11 Kal. May, anno 1.

112, 4v [3 p.]

S. Wandrigis.

1418.

#### Concessio

That the Pope would grant the underwritten graces for the Cathedral Church and Prior of ST. ANDREWS. Since 27 April. Constance the Cathedral Church of St. Andrews in Scotland is eminent among the churches of the realm, on account of which the Prior for the time being is accustomed always to precede in honour all abbots, even mitred, and other prelates post pontifices, in parliament, in councils of the clergy 2 (conciliis cleri), and other general councils, in

<sup>2</sup> i.e. Provincial Councils. The fourth Lateran Council in 1215 directed all metropolitans to celebrate annual Provincial Councils with their suffragans. 'The Scottish Bishops were at once confronted with the fact that they had no metropolitan, and therefore could not give effect to the requirement of the Lateran statute. They represented the facts to the Pope ; and just ten years after the Lateran Council a remedy was provided. A papal bull of Honorius III. authorised the Scottish bishops to hold annual Provincial Councils for ' the correction of excesses and the reformation of morals.' The Bishops chose one of their own number to preside

<sup>&</sup>lt;sup>1</sup> The Priory of May had been founded by David I. as a cell of Reading, but it was transferred to the canons of St. Andrews in the latter half of the thirteenth century. (Records of Priory of May, viii.-ix., xxii.-xxv.) For references to Lystar see Scotichronicon, i. 374; Calendar of Papal Petitions, i, 608-610.

synods and other public congregations, therefore the Prior and convent of the said Church supplicate that the Prior for the time being may make use by apostolic authority of pontifical dress (*insigniis*) in the celebration of divine offices, in parliament, in councils of clergy, in synods and other general councils—lest he who has prerogative in rank and order should seem to be disregarded or lightly esteemed (*post positus vel contemptus*) in the prerogative, use and wearing (*deportatione*) of pontifical distinctions (*insigniorum*)—for the honour of the foresaid Church, in such way as other prelates and abbots of the realm are accustomed to wear them in celebration of divine offices and other public sessions.

Fiat ut petitur. O.

#### Concessio

Since the sub-prior for the time being of the Cathedral Church of St. Andrews in Scotland, O.S.A., is, on account of his sufficiency and continual residence, accustomed to be, by special indulgence of the Apostolic See, papal penitentiary in the Feast of the Apostole See, papal penitentiary in the Feast of the Apostole See, because of the brevity of the time of these days and many other impediments, divers penitents in articles reserved to the Apostolic See are not able to come in those days to the said Church to care for the safety of their souls, therefore the Suid Sweal of Christ's faithful coming to the foresaid Church the Pope would prorogue the apostolic indugence from the said Feast of the Apostels up to the Assumption of the Glorious Virgin and for the octave of the same.

Fiat pro octo aliis diebus.

at these assemblies under the title of 'Conservator of the Council.' (Dowden, The Mediaval Church in Scolland, 238-230 et seq.) Records have not survived to enable us to judge with what regularity Provincial Councils were actually held in Scotland; but incidental references, such as the present, suggest that they were more frequent than has sometimes been supposed.

#### Confirmatio

The above Prior and convent supplicate that the Pope would confirm the union and donation of the parish church of ABIRCRUMBY, St. Andrews diocese, formerly made by William erstwhile Bishop of St. Andrews to the said Church and canons of St. Andrews.

Fiat in forma. O.

#### Concessio

The above Prior and convent supplicate that,-since hitherto the Cathedral Church of St. Andrews in Scotland, and those seeking refuge there (confugientesque ad eam), and the cemetery and all the other places within the bounds (cepta) of the monastery have been wont to enjoy ecclesiastical immunities, but now certain sons of iniquity, scorning the said immunity, have not feared there to perpetrate irregularities (enormia) and acts of violence,the Pope would give licence to the prior for the time being, notwithstanding whatsoever ordinary jurisdiction, to excommunicate all those (quoscunque) committing homicides, rapine, arson or any other violence within the bounds of the said monastery or its granges, after threefold and canonical monition, if, having been personally named and expressly admonished, they shall not have made satisfaction : from which sentence absolution may be granted only by the Prior, after suitable satisfaction to the foresaid Church and others to whom it ought in reason to be paid.

Fiat in forma. O.

Item: that the Pope would receive JAMES DE HAL-DENSTOUN as a chaplain of honour and special familiar of the Pope and Apostolic See, with all the privileges, exemptions and liberties of such chaplains and familiars.

Fiat. O.

Constance, 5 Kal. May, anno 1.

112, 72v [1 p.]

## CALENDAR OF SUPPLICATIONS

[No rubric]

THOMAS DE SANCTOCLARO, clerk, St. Andrews diocese, of noble race: that the Pope would provide him to a canonry and prebend and the precentorship of MORAY, which is a dignity with cure in the said Church (£60 of old sterling), void or when they become void by the peaceable assecution of the archdeaconry of Teviotdale (*Thevidalie*) in the Church of Glasgow, made or to be made by William Croyser, or void in whatsoever way: notwithstanding defect of birth which he suffers as the son of an unmarried man and an unmarried woman, for which he is dispensed by apostolic authority.

Fiat ut petitur. 0.

Geneva, 7 Kal. July, anno 1.

114, 113 [½ p.] Jo. Ixworth.

#### Indulgentia

1418. 30 July. Geneva. Since in the hospital of LETHE, near Edenburg, St. Andrews diocese, poor, infirm and miserable persons are received, according to the faculties of the said hospital which is newly founded and inadequately endowed (quod noviter fundatum et debiliter dotatum existit), and since those pilgrims (ipsique pelegrind), and also dwellers and inhabitants of those parts, bear special devotion to the said hospital, which is founded in honour and to the name (sub vocabulo) of St. Anthony,<sup>1</sup> that therefore with the lapse of time the infirm and other such may be treated better, and the foresaid devotion suffer increase, JOHN CLEGARL, hermit of St. Anthony, rector of the said hospital, supplicates that the Pope would grant to all and sundry Christ's faithful, truly confessed and contrite, who shall devoutly visit the said hospital on the feast of the said

1418. 25 June. Geneva Michal.

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<sup>&</sup>lt;sup>1</sup> This is the earliest reference known to record of a hospital of St. Anthony of Leith. Cf. G. G. Coulton, Scotlish Abbeys and Social Life, 106.

Saint and of others accustomed to be given in the Apostolic Chancery, and shall stretch out helping hands for the sustentation and refreshing of the poor, infirm and other persons, seven years of relaxation and as many quarantines of imposed penance; and would grant that these indulgences may not expire with the lapse of time.

Fiat in forma. O.

Geneva, 3 Kal. August, anno 1.

# 115, 100 [½ p.] Jo. Ixworth.

## [No rubric]

ROBERT DE MIRTOUN, priest, St. Andrews diocese, that 1418. the Pope would provide him to the priory or hospital of <sup>8</sup> August. Sr. GERMAN, Order of Bethlehem, of the said diocese, to Geneva. which are annexed two parish churches (all the fruits, 80 marks of old sterling), void by the death of Henry Ramsay, last possessor, outwith the Roman Court, whether void as above or in whatsoever way: notwithstanding the intrusion of a certain Richard de Marintoun, canon regular of Scone, O.S.A., foresaid diocese, who has detained it unjustly for four months or thereabout, and detains it occupied.

Fiat ut petitur. O.

Geneva, 6 Id. Aug., anno 1.

#### 116, 42 [1 p.]

#### Concessio; altare portatile; in mortis articulo; in locis interdictis

[JAMES, KING OF SCOTS]<sup>1</sup> supplicates (for the good of 1418. peace, quiet and tranquillity, and for avoiding the very 8 August. great scandals, losses and dangers which his kingdom Geneva. suffers at present, and which it is feared will daily occur) that the benefices of his kingdom and domains (dominiorum),

<sup>&</sup>lt;sup>1</sup> The name of the supplicant is not given in the supplication, but in the margin there is a note: Pro Jacobo Rege Scocie ejus supplicatio que precedebat non eral signata. P.

reserved by Peter de Luna before the day of his deposition <sup>1</sup> and the sentence brought against him in the Council of Constance, and void from that day up to 6th July, when the obedience of the said King was made by his procurator in Curia to Pope Martin v, might be provided and collated (as if specially reserved by Pope Martin) to those well disposed to the said King.<sup>2</sup>

Fiat. 0.

Item: that the Pope would grant the said King a portable altar, ut in forma.

Item: a plenary remission of all his sins once in life, and at the point of death, ut in forma. Further, that the Pope would grant him an indult to have Mass and other divine offices celebrated even before daybreak and in places under interdict, ut in forma.

Fiat de omnibus in forma. O.

Geneva, 6 Id. Aug., anno 1.

116, 43 [<sup>2</sup>/<sub>3</sub> p.]

## [No rubric]

1418. 16 August. James King of Scotland (Scocie) in person of his secretary, JOHN LEONIS [Lyon], M.A., priest, St. Andrews diocese, that the Pope would provide him to the archdeaconry of TEVIOTALE (Tevidalic), in the Church of Glasgow (80 marks of old sterling), void by the death in the Roman Court of John Watson, who during his lifetime held the said archdeaconry together with a certain parish church, Glasgow diocese, by apostolic dispensation, on account of which it was reserved to the disposition of the Apostolic See according to ordinances of Peter de Luna, formerly called Benedict XIII in his obedience, in whose obedience the said King then was, and which was void after the removal of the said Peter from the Papaey and

<sup>&</sup>lt;sup>1</sup> Benedict XIII. was deposed by the Council of Constance on 26 July 1417.

<sup>&</sup>lt;sup>2</sup> tamquam per Eandem Sanctitatem specialiter reservata ipsis regi benevolentibus, provideantur et conferantur eisdem provisionibus apostolicis aut quas dictus Petrus de facto citra facere prosumpseri . . .

before the assumption of Pope Martin 1; whether void as above or in whatsoever way : notwithstanding a grace of the said archdeaconry made by Pope Martin to a certain William Croyser since provisions to benefices reserved in the dominion of the said kingdom by the said Peter, and void from the day of his deposition from the Papacy up to 6th July last past, when the said King gave his obedience to Pope Martin, made by the Pope without the supplication of the said King, as also provisions to whatsoever benefices made by the said Peter, were revoked and held as null by Pope Martin at the instance and supplication of the said King.

[The following supplication is linked on to this one by a bracket in the margin.]

## [No rubric]

THOMAS DE MIRTON, canon of Brechin, B.Dec., procurator in Curia of James King of Scots, and nuncio of the Pope 16 August. to the said King for his obedience, which Thomas brought back (reportavit) to the Pope at his own labours and expenses, that the Pope would provide him to the perpetual vicarage of the parish church of CUPAR, St. Andrews diocese (60 marks of old sterling), void by the death outwith the Roman Court of Thomas de Kilcongware. chaplain of honour of the Apostolic See, and which was void after the deposition of Peter de Luna and before the assumption of Pope Martin, whether void as above or in whatsoever way: notwithstanding the intrusion of a certain John Legat by authority of the above Peter de Luna, also notwithstanding a canonry and prebend of Brechin and the parish church of Tarwet, St. Andrews diocese ; with dispensation to hold the latter for five years after peaceable possession of the above vicarage, and for the reparation of the church which is almost entirely in ruins. and in the meantime to dimit it for another compatible

1418. Geneva.

<sup>&</sup>lt;sup>1</sup> Martin v. was elected on 11 November, and crowned on 21 November, 1417.

benefice (the total fruits of which are worth not more than 40 marks of like sterling),<sup>1</sup> since provisions of grace, etc., were revoked as above.

Fiat ut petitur pro utroque. O.

Geneva, 17 Kal. Sept., anno 1.

116, 50v [11 pp.]

Jo. Ixworth.

#### [No rubric]

JOHN DE FORSYTH, clerk, St. Andrews diocese, that the Pope would provide him to the parish church of CAYWET [Tarvit] (30 marks sterling), said diocese, void by assecution made or to be made by Thomas de Mirton, canon of Brechin, of the perpetual vicarage of the parish church of Cupar, St. Andrews diocese, whether void as above or howsoever.

Fiat ut petitur. O. Geneva, 15 Kal. Sept., anno 1.

116, 125 [1 p.]

#### [No rubric]

1418. 20 August. Geneva.

1418. 18 August.

Geneva.

THOMAS DE MIETOUN, canon of Brechin, B.Dec., and procurator in Curia of James King of Scots, that the Pope would provide him to the hospital or chapel of BALGONY, St. Andrews diocese (15 marks sterling), belonging to the collation, institution and sole disposition of the Bishop of Aberdeen, Chancellor of the above King.<sup>2</sup> by reason of his office of Chancellor (and which from its earliest foundation has been accustomed to be assigned in title to secular elerks), void or when it becomes void by the consecration of Thomas de Twllawch, now promoted to the Church of Orkney (Arkaden.), and residing in Curia, or if otherwise void in whatsoever way : notwithstanding the canonry and prebend above said, and the parish church of Tarwet,

<sup>&</sup>lt;sup>1</sup> quam usque ad quinquennium post supradicle vicarie pacificam possessionem el pro ipsius ecclesie reparacione que quasi in omnibus patitur ruinam el interim pro alio compatibili dimittere insimul retinere valeat dispensare dignemini, quorum fructus, etc.

<sup>&</sup>lt;sup>2</sup> Bishop Gilbert de Greenlaw. (See Dowden, Bishops of Scotland, 118-120.)

#### RELATING TO SCOTLAND

St. Andrews diocese (whole fruits not more than 40 marks sterling), and the right which he claims to the perpetual vicarage of the parish church of Cupar, of which he has not yet obtained possession.

Fiat ut petitur.	0.	
Geneva, 13 Kal.	Sept., anno 1.	116, 226 [ <sup>3</sup> / <sub>5</sub> p.]

#### Licencia visitandi per procuratorem

WALTER STEWART, archdeaeon of St. Andrews, that the 1418. Pope would grant him indult to visit for life monasteries, Rome, St. ehurches, chapels and other ecclesiastical places in which Peter's. the office of visitation is incumbent upon him, by a fit person or persons whom he shall depute for the purpose, visiting one, two, three or more on the same day, and to receive procurations in money.

Fiat ut petitur. O. Rome, St. Peter's, 11 Kal. Oct., anno 1. 112, 141<sup>v</sup> [<sup>1</sup>/<sub>2</sub> p.]

## II. MARTIN V

#### Commissio privationis

It is represented for the part of ROBERT LOWMAKAR [sic]. 1410. monk expressed of the monastery of ABBYRBROTHOK in <sup>3</sup> January. Scotland, O.S.B., St. Andrews diocese, concerning dilapidation of the goods of the said monastery and the bad administration and infamy of the Abbot, as follows : that Dom. Walter Panitar, Abbot of the said monastery, before he was made Abbot, in the presence of many freely took his bodily oath, that if he should be elected and appointed he would keep and inviolably observe the ancient customs and observances of the monastery as of old, and that in no way would he give, alienate or dispone the lands, rents, possessions or goods of the said monastery to its seathe without the assent of the convent. Notwithstanding, however, after he was elected to the abbaey, breaking his oath he removed and altogether changed the ancient

customs and laudable and honest observances up till then observed, incurring perjury; and he introduced new observances without the consent and will of the monastery and causes them to be observed by his own temerity ; and the ecclesiastical lands, possessions, rents and other goods of the monastery without knowledge, deliberation and assent of the convent he feued, dilapidated and prodigally alienated, and disposed and disposes of them at his own will and judgment, capriciously setting in feu farm for life (propria voluntate ad tempus vite ad firmas assedando) some of the lands of the said monastery, remitting the tithes of other lands and fermes of grain and flour, pocketing (inbursando) great sums, appropriating to himself many emoluments pertaining to the said monastery and extending to the sum of 2,000 or 3,000 crowns of gold, or otherwise disponing the same at his judgment and not to the utility of the said monastery, to its no little scathe, to the violation of his oath, and infringement of the rule, customs and observances of the monastery. Over and above, the said Abbot with some adherents took the goods of a certain ship wrecked on the sea-shore in those parts, carried them away furtively, and converted them to his own wicked uses, on account of which the temporal lords, being informed of the above crime, caused the lands of the said monastery to be placed in the hands of the King, for recovery (pro deliberacione) of which and to redeem himself and his accomplices in that crime, he paid £800 Scots from the goods of the said monastery without the advice, will and consent of the convent,1 and committed and perpetrated many other crimes and delinquencies which turn to the no little scandal of many, the prejudice of the monastery and danger of his own soul. And since the foresaid crimes, being of such evil example, should not be tolerated, and especially since the said Abbot is thus publicly defamed, the above Robert seeks timely help from the Pope for himself and the said monastery, and supplicates that the Pope would give mandate to some

<sup>&</sup>lt;sup>1</sup> There seems to be no mention of this incident in Scottish records.

good man in partibus—where the merits and circumstances of the cause can be ascertained better and more briefly than in the Roman Curia—to inform himself summarily about the foregoing (summarie simpliciter et de plano sine strepitu et figura judicii informet), and if he find that the said Abbot has been defamed among the good and serious population because of these crimes or any of them, and especially of dilapidation, to remove and suspend him, and otherwise to proceed in a cause of inquisition, and if by the sufficient deposition of witnesses or otherwise he find the foregoing or sufficient of them to be true, to deprive the said Abbot in perpetuity and otherwise punish him according to his demerits.

Fiat ut petitur et dispensamus. O. Mantua, 3 Non. Jan., anno 2.

120, 34v [13 pp.]

Michal.

#### Nova provisio

Lately Pope<sup>1</sup> Clement VII promoted, and confirmed the 1419. just election of, DAVID DE BENYNG to the Abbacy of 12 January. Mantua. MELROS, Cistercian order, Glasgow diocese, and by virtue of this promotion David obtained peaceable possession of the said abbacy and possessed it peaceably for nearly twenty-four years, as he possesses it at present. But because Pope Clement died before the apostolic letters were expedited about the said promotion, so that he could not prove the same by authentic documents and apostolic letters, therefore he supplicates that Pope Martin would ratify, confirm and validate his election, provision, confirmation, assecution and all the consequences, as if he could clearly prove the same by apostolic letters of the said Pope Clement; and if need be provide him to the said abbacy (£800 sterling), void by the death, outwith the Roman Court, of Gilbert de Roxburch, last Abbot; whether void as above, or howsoever : notwithstanding defect of birth as the son of an unmarried man and an unmarried woman, for which he is said to be dispensed :

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<sup>&</sup>lt;sup>1</sup> Anti-pope, 1378-1394.

and if he cannot prove this dispensation, that the Pope would dispense him.

Fiat ut petitur. 0.

#### Concessio

Item: that the Pope would grant to the present Abbot and his successors for the time being licence to bless altarcloths (mappas), corporals, sacerdotal vestments and whatsoever other ecclesiastical ornaments pertaining or necessary to the monastery.

Fiat. 0.

Mantua, Prid. Id. Jan., anno 2. 120, 7 [1 p. +]

Gundissalvus.

[No rubric]

1419. 13 January. Mantua. JOHN BOUMAKAR, rector of the parish church of Muniabroc, Glasgow diocese, that the Pope would provide him to the perpetual vicarage of the parish church commonly called VARIE CAPELLE [Falkirk], which is a cure (£50 sterling), St. Andrews diocese, void by the death, outwith the Roman Court, of the late Thomas de Rw [*sic*], last possessor, whether void as above, or by the constitution of Pope Boniface that no regular may possess or hold a benefice accustomed to be ruled by seculars, or void in whatsoever way: notwithstanding the said parish church of Muniabroc, which he holds (£20 sterling) and which he is ready to dimit, provided, etc. [*i.e.* that he obtain peaceable possession of Varie Capelle].

Fiat ut petitur. 0.

Mantua, Id. Jan., anno 2. 120, 11 [2 p.]

Reformatio

1419. 14 January. Mantua. Recently the Pope dispensed WILLIAM CROYSER, M.A., scholar in Theology, canon and sub-dean of Dunkeld, and archdeacon of Teviotdale in the Church of Glasgow, that he might hold the perpetual vicarage of the parish church

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of ENNERLITHAN, St. Andrews or Glasgow diocese, together with the above archdeaconry (which is a cure), at the pleasure of the Apostolic See ; but as, on account of wars waging in that province, the said dispensation seems of little profit to him, unless granted with a licence of exchange, therefore the said William supplicates that he may dimit the foresaid vicarage and archdeaconry together or successively for other ecclesiastical benefice or benefices, like or unlike, even if major *post pontificalem* in cathedral churches, etc., as often as he pleases for the sake of exchange or otherwise, and in their place hold at the pleasure of the Apostolic See another or others, like or unlike, two only incompatible together.

Fiat. 0.1

#### Reformatio

Recently the Pope granted new provision to DONALD DE DUNFERMINNG, canon of Incheolm (Insule Sancte Columbe), O.S.A., Dunkeld dioeses, lately provided by Peter de Luna to the Abbacy of INCHAFFRAY (Insule Missarum), said order, Dunblane dioeses; but since in his supplication it was alleged that he was sufficiently dispensed for defect of birth as the son of a priest and a married woman, which, however, is not true, because he was dispensed only by Peter de Luna and after his condemnation, which dispensation is not valid in law, therefore Archibald Earl of Douglas supplicates that the Pope would dispense him sufficiently for above defect and that the apostolic letters about the said abbacy may be expedited with the said dispensation.

Fiat ut petitur. 0.

Mantua, 19 Kal. Feb., anno 2.

120, 32 [1 p. +]

#### Michal.

## [No rubric]

WILLIAM TURNBUL, clerk, Glasgow diocese, that the 1419. Pope would provide him to the perpetual vicarage of the  $^{15}_{13}$  January.

<sup>&</sup>lt;sup>1</sup> Another instance of the bracketing of supplications.

parish church of ESTCALDOR (£10 of old sterling), St. Andrews diocese, void by the resignation or false exchange, simoniaeally made before the Ordinary, between John Ka, then vicar of the foresaid vicarage, and John de Batheat, then vicar of the vicarage of Batheat <sup>1</sup> said diocese, who exchanged the said vicarages simoniaeally; whether void as above or in whatsoevere way.

Fiat ut petitur et committatur cum inscriptione et per renunciationem.

Fiat. 0.

Mantua, 18 Kal. Feb., anno 2. 120, 186v [ p.]

#### Concessio

1419. 18 January. Mantua.

Lately Peter de Luna, Benedict XIII, granted in commend, during the Schism, the parish church of KIRK-GONZAN, Glasgow diocese in Scotland, in past times united (recorporatam) to the monastery of Halmecultram, Cistercian Order, Carlisle diocese,2 to WILLIAM CROYSER, M.A., canon of Dunkeld ; then on the termination of the Schism Pope Martin granted the commend during the time of the wars between the kingdoms; and then on the voidance of the archdeaconry of Teviotdale in the Church of Glasgow he provided William to the same and willed that the commend should endure only for five years. But if William should dimit the above church which he has held for so long in commend, perhaps the fruits would be seized by laymen and the cure of souls be utterly neglected : wherefore he supplicates that, notwithstanding the foresaid will of the Pope, he may retain the church according to the first commend granted by him, namely, during the time

<sup>&</sup>lt;sup>1</sup> Or Bathcat [Bathgate]. The writing is indistinct.

<sup>&</sup>lt;sup>a</sup> Kirkgunzeon was gifted to the abbey of Holm Cultram by Huctred, son of Fergus of Galloway (1161-1174). (Charters printed in *The Register and Records of Holm Cultram*, 48-50.) During the Schlism the Abbot of Holm found that 'Englishmen cannot dwell in Scotland, so that the church of Kyrkgunnyme is neglected and committed to laymen.' He therefore petitioned that it might be served by a Scot. (*Ibid.*, 89.)

of the wars and until the restoration of full peace and tranquillity.

Fiat ad beneplacitum sedis Apostolice. O.

Mantua, 15 Kal. Feb., anno 2.

## Commissio

Although a certain portion of land called YEBOUHOUS<sup>1</sup> 1419. with its pertinents lying within the limits of the parish 18 January. church of Stow in Wedak [Wedale], St. Andrews diocese, is known to belong by just title to the Abbot and convent of the monastery of MELROS, and outwith the memory of man they have enjoyed peaceable possession or nearly so (vel quasi), nevertheless afterwards and perhaps for about forty years (postmodum et a quadraginta annis forsan citra) the Bishop of St. Andrews, falsely asserting that the said land belonged to him, occupied and detained it, as he does at present unlawfully, taking up the fruits. Wherefore the Abbot and convent of the said monastery supplicate that the Pope would give mandate to some good man in partibus to inform himself summarily about the foregoing and, if found to be true, to restore the Abbot and convent to the possession and peaceable enjoyment of the same, to condemn the Bishop in the fruits taken up during the time of this occupation, and to make satisfaction thereanent to the Abbot and convent, with power of invoking the aid of the secular arm, if need be.

Fiat et committatur. O. 120, 187 [14 pp.].

#### Concessio<sup>2</sup>

Lately the Pope dispensed WILLIAM CROYSER to hold the parish church of KIRKGONZAN, Glasgow diocese, in commend for five years [as above]. But if the said William should dimit the said church which he has held for so long in

<sup>&</sup>lt;sup>1</sup> Perhaps The Bow House, a term sometimes used to denote the principal farm-house.

<sup>&</sup>lt;sup>2</sup> This and the foregoing supplication are bracketed together.

commend, perhaps the fruits would be seized by the hands of laymen, and divine worship and the cure of souls be utterly neglected, therefore the above William supplicates that he may retain the foresaid church according to the first commend made to him by the Pope, namely, during the time of wars between the foresaid kingdoms and up till the restoration of full peace and tranquillity.

Fiat ad beneplacitum Sedis Apostolice. O. Mantua, 15 Kal. Feb., anno 2.

### Nova provisio

1419. 29 January. Mantua. That the Pope would ratify, with the consequences, the acceptation and provision made by ordinary authority to NICHOLAS INGLIS, clerk, Glasgow diocese, in holy orders, of the parish church of FEDEROSSOW, St. Andrews diocese (£40 sterling), void by the death outwith the Roman Court of the late Thomas Etraille [cf. p. 87], last rector, and that he would provide him anew to the same, whether void as above or in whatsoever way.

Fiat ut petitur. 0. Mantua, 4 Kal. Feb., anno 2. 121, 71<sup>v</sup> [<sup>1</sup>/<sub>3</sub> p.]

#### Dispensatio

1419. 13 March. Florence. THOMAS DE PENIKUKE, priest, St. Andrews diocese in Scotland, and perpetual vicar of the parish church of the place of BATHET [Bathgate], said diocese, that the Pope would dispense him to hold for life, together with the said vicarage, which has cure (20 marks Scots), another benefice with cure and incompatible, and to resign or exchange these two incompatibles, together or separately, as often as he pleases, for others, like or unlike : notwithstanding defect of birth as the son of a priest and an unmarried woman, for which he was formerly dispensed.

Fiat ut petitur ad quinquennium. O. Florence, 3 Id. Mar., anno 2.

122, 124 [1 p.]

Michael.

#### Commissio

Formerly the Pope gave mandate to the Cardinal of Piacenza to inform himself and report (as is the custom) 20 March. upon the voidance of the monastery of DUNFEMYLYNE. O.S.B., St. Andrews diocese in Scotland, to which ROBERT DE SCOTLAND, monk, expresse professus, and claustral prior 1 of the said monastery, was elect, and upon the merits of Robert and this election. But Robert, not attempting to resist the divine call (vocationi), consented to the election, and thereafter (Schism then flourishing in the Church of God) by the counsel and command of the Ordinary and of the governors of the kingdom he sent certain procurators to the Curia of Peter de Luna, to whom obedience was then paid in these parts. Afterwards, however, the General Council of Constance supervening, he, desiring peace in the Church, went over to the Council, both residing there and following the Pope, not without grave bodily inconvenience, but obtained no confirmation of his said election. And in the meantime a certain William de Sancto Andrea, monk of the said monastery, by unlawful allegation and bribery, had himself provided by Peter de Luna (nevertheless presumably before his deposition), and took over the rule and administration. And the said William is a public perjuror and concubinary, having offspring alive, and is branded with apostacy, and at the time of his provision and promotion (praefectio) 2 was excommunicate because of his exceeding faults and demerits ; also, as a delapidator and destroyer of ecclesiastical goods he had been deprived by a judicial sentence (sententialiter) of the Ordinary of a certain priory which he was then holding. And, more detestable to relate, he caused Robert (then

1419. Florence.

<sup>&</sup>lt;sup>1</sup> The claustral prior was 'in an abbey, the officer next under the abbot, appointed by him to exercise certain authority, maintain discipline. and preside over the monastery in his absence.' (Oxford English Dictionary.)

<sup>&</sup>lt;sup>2</sup> praefectio (verb, proficere in) is often used in ecclesiastical Latin to mean obtaining a post which is also a promotion. It is based on classical use as equal to 'making a (successful) advance.'

holding counsel about the prosecution of his election, and after legitimate appeal interposed by him) to be taken to the town of Bruges, Tournay diocese, and to be detained in irons in the prisons of laymen, and to be inflicted with divers losses and injuries, thereby incurring ecclesiastical pains and censures. Therefore Robert supplicates that the Pope would give mandate to the above Cardinal or to another of the Cardinals to inquire diligently about the foregoing and to report afterwards to the Pope, so that if the above election and institution be found unlawful, or William worthy of deprivation, etc., he provide Robert to the said monastery, and otherwise do everything necessary or opportune in the foregoing, with power of eiting William outwith the Roman Court, etc.

Fiat ut petitur de commissione. 0. Florence, 13 Kal. Apr., anno 2.

122, 197<sup>v</sup> [2 pp.]

Michal.

#### [No rubric]

WILLIAM CROYSER, priest, St. Andrews diocese, M.A., canon of Dunkeld and papal nuncio, that the Pope would provide him to a canonry and prebend and to the archdeaconry of LOTHIAN in the Church of St. Andrews, which is a dignity or office with cure (£120 of old sterling), void by the death, outwith the Roman Court, of Richard de Cornell, chaplain of the Apostolic See, or void in whatsoever way : notwithstanding the foresaid canonry and prebend of Dunkeld, which he holds (£6 of old sterling), and the parish church of Kirkgonzan, Glasgow diocese (£16 of old sterling), commended to him in a certain way; also a canonry and prebend and the archdeaconry of Teviotdale in the Church of Glasgow, which is a dignity or office with cure (£80 of old sterling), and the perpetual vicarage of the parish church of Ennerlithan, Glasgow diocese (£40 of old sterling). He was dispensed by the Pope to hold the foresaid archdeaconry of Teviotdale and the perpetual vicarage together at the pleasure of the Apostolic See, with power of exchanging them as often as he pleased for

1419. 22 March. Florence. other incompatibles, like or unlike ; and the said perpetual vicarage he is ready to resign, or at least to renounce his right therein. Also that the Pope would dispense him to hold the said two archdeaconries together, and to resign them for the sake of exchange or otherwise, and in their place to hold others, like or unlike, two only incompatible together.

 Fiat ut petitur.
 O.

 Florence, 11 Kal. Apr., anno 2.
 122, 55 [1 p. +]

#### Michal.

#### [No rubric]

THOMAS DE PENICUKE, clerk, St. Andrews diocese, B.Dec., 1419. and nuncio sent to the Curia on the part of the Bishop of 22 March. Florence. St. Andrews, that the Pope would provide him to the parish church of KYNEL, said diocese (£40 of old sterling), void by the death, outwith the Roman Court, of Thomas Liel. chaplain of the Apostolic See, last possessor, or void in whatsoever way : notwithstanding the perpetual vicarage of the parish church of Batheath, said diocese (£20 of like sterling); dispensing him to hold the said rectory or parish church of Kynel together with the said vicarage of Bathcath, at the pleasure of the Apostolic See: notwithstanding defect of birth [as above, p. 24]. And that the Pope would sign with his own hand by Fiat ut petitur et dispensamus.

Fiat ut petitur. O. Florence, 11 Kal. Apr., anno 2. 122, 208<sup>v</sup> [<sup>4</sup>/<sub>5</sub> p.]

#### Michal.

#### [No rubric]

WILLIAM CROYSER, M.A., arehdeacon of Teviotdale in 1419. the Church of Glasgow, that the Pope would provide  $\lim_{t \to pril} \frac{1}{1} \frac{1}{pril}$ to a canonry and prebend in the Church of Ross (the name of which to be had here as sufficiently expressed, fruits £5 of old sterling), void by the death outwith the Curia of Thomas Lycl, chaplain of the Apostolic See, last possessor, whether void as above, or in whatsoever way : notwithstanding a canony and prebend of Dunkeld, and the parish church of Kirkgonzan which he holds in *commendam*, and the perpetual vicarage of the parish church of Ennerlithan, Glasgow diocese, to which he is provided by apostolic authority, also the archdeaconry of Teviotdale, and a canonry and prebend of Glasgow, canonically annexed to the said archdeaconry which is a dignity with cure (the total fruits of which, £140 of old sterling), and that he was lately dispensed to hold the said archdeaconry and vicarage together at the pleasure of the Apostolic See.

Fiat ut petitur. O. Florence, Kal. Apr., anno 2.

123, 32 [<sup>8</sup>/<sub>3</sub> p.]

[No rubric]

Lately, on the voidance of the archdeaconry of LOTHIAN in the Church of St. Andrews, by the death outwith the Curia of the late Richard Cornel, chaplain of the Apostolic See, the Pope granted provision, or provided William Croiser, archdeacon of Teviotdale in the Church of Glasgow. to the same. But, before the letters thereanent have been made out, the said William resigned, and now resigns, in the hands of the Pope all right in or to the said archdeaconry ; therefore EDWARD DE LAWEDRE, deacon, St. Andrews, diocese, M.A., supplicates that the Pope, admitting the resignation, would provide him to the said archdeaconry which is a dignity with cure (£120 of old sterling), whether void by the death of Richard or by the resignation of William, or in whatsoever way, and to which a canonry and prebend of Glasgow [sic] are canonically annexed : notwithstanding the parish church in Suthak, Glasgow diocese, which he holds (£20 of old sterling), and defect of birth, for which he has been dispensed, as the son of an unmarried man and an unmarried woman ; and notwithstanding the parish church of Gogar, and a dis-

1419. 2 April. Florence,  $\mathbf{28}$ 

pensation to hold two incompatibles. Also that the Pope would dispense him to hold the said archdeaconry together with the said parish church in Suthak at the pleasure of the Apostolic See, and to resign them as often as he pleases, simply or for exchange.

Fiat ut petitur et dispensamus ad duo incompatibilia ad beneplacitum Sedis Apostolice. [We dispense him to hold two incompatibles at the pleasure of the Apostolic See.]

# Nova provisio

Item: recently on the voidance of a canonry and prebend and the archdeaconry of TEVIOTDALE in the Church of Glasgow by the death, outwith the Curia, of the late James Walteri, chaplain of the Apostolic See, the foresaid WILLIAM CROISER obtained possession of the same by virtue of certain apostolic letters of collation. But the foresaid Edward, who obtained collation by ordinary authority and asserts that he had provision, resigned and now resigns in the hands of the Pope all right in or to the same and possession, if any. Lest therefore the foresaid William should be molested in future, he supplicates that the Pope, admitting Edward's resignation, would provide him to the said canonry and prebend and archdeaconry which is a dignity with cure (fruits of which (quorum), £80 of old sterling), whether void by the death of James or the resignation of Edward, or in whatsoever way, notwithstanding, the commend of the parish church of Kirkgonzan, a canonry and prebend of Dunkeld, and a grant of provision to a canonry and prebend of Ross, and to the perpetual vicarage of Ennerlithien (all fruits, £60 of old sterling).

Fiat ut petitur. O.

Item : since the foresaid Edward resigned and now resigns in Curia the parish church of GoGAR, St. Andrews diocese, which he holds (£10 of old sterling), the said WILLIAM CROISER supplicates, as above, that the Pope would provide him to the same, and dispense him to hold it, and whatsoever other incompatible ecclesiastical benefice, together with the above archdeaconry of Teviotdale for four years, without prejudice to the *commend* of Kirkgonzan,<sup>1</sup> with power of exchange of the church of Gogar and the other incompatible, and that in the meantime and after the lapse of the four years the tenor and effect of the above dispensation and *commend* may not be affected.<sup>2</sup>

Fiat ut petitur et dispensamus de vicaria et archidiaconatu ad quinquennium de duabus ecclesiis parrochialibus dispensamus ad annum. O. [Granted; we dispense him to hold the vicarage and archdeaconry for five years and two parish churches for one year.]

Florence, 4 Non. Apr., anno 2. 123, 108v [3 pp.]

#### Michal.

#### Revocatio unionis

1419. 4 April. Florence. Since formerly Peter de Luna, then Benedict XII in his obedience, incorporated and united in a certain way the parish church of the town of EDYNBURGH or its perpetual vicarage to the monastery of SCONE, O.S.A., St. Andrews diocese,<sup>3</sup> and the said incorporation and union have not yet taken effect; and if perchance they have taken effect, because they have proceeded from null or unnecessary causes and false allegations and lack validity (et propterea merito suo carebunt vigore); and since, if the provost, bailies and community of the town had the right of presentation of a rector or vicar to the Ordinary upon occasion of voidance, they might hope in this way to make

<sup>1</sup> durante eciam et sibi salva remanente supradicta in precedente supplicatione expressa commenda.

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<sup>&</sup>lt;sup>2</sup> supradicte et commenda,...sibi salue maneant ad obtinendum Archdiacon[al]um et vicariam et ecclesiam in Kirkgonaan prefatos iuxta ipsarum obtente [sic] dispensationem et commende tenorem et effectum.

<sup>&</sup>lt;sup>a</sup> In 1393 Robert III. granted the right of patronage of the church of St. Giles to the monastery of Scone, and this was confirmed by bulls of Pope Benedict in 1395. (*Charters of St. Giles*, 29-30, 33-36.)

provision for their soul's weal and peace of conscience; and since the assent is accorded of James King of Scots or the Governor, true patron of the said parish church or vicarage,therefore the foresaid provost and community supplicate that the Pope would give mandate to some priest, in or outwith the Roman Court, that he inform himself summarily about the foregoing, and if he find that the said union has not vet taken effect, or if it has taken effect, that it proceeded or was obtained as above, that he revoke, cancel and annul the same, and also grant to the foresaid provost and community for all future time, if they obtain consent of the said King, the right of presenting, on occasion of the voidance of the said church or vicarage, a suitable person to the Ordinary for institution, and reserve to them the right of presenting, or transfer it to them from the foresaid King.

Fiat si non fuerit sortita effectum [sic] tempore assumptionis nostre et committatur. O. [Granted, if the union had not taken effect at the time of our assumption ; and let the mandate be given.]

Florence, Prid. Non. Apr., anno 2. 123, 283 [1 p.]

Michal.

## Licencia visitandi

Item : the above WILLIAM (CROYSER) 1 supplicates that the Pope would grant him indult to visit churches, monas-7 April. teries and other ecclesiastical places within the bounds of the said archdeaconry of TEVIOTDALE, as often as the office of visitation is incumbent by custom or by right, by fit deputy or deputies whom he shall choose, for ten years, even visiting two, three or more on one and the same day; and to take up the procurations in money.

Fiat ad terminum in forma. O.

Florence, 7 Id. April, anno 2.

123, 289 [2 p.]

<sup>1</sup> Inserted in the margin : Sic incipit guod priores non fuerunt signate pro Willelmo Croyser. P.

1419. Florence.

# Dispensatio

1419. 8 April. Florence. EDWARD DE LAWEDRE, deacon, M.A., rector of the parish church in SUTHAR,<sup>1</sup> Glasgow diocese, that the papal dispensation to hold the said church for five years together with the archdeacoury of Lothian [see above, p. 28] may be extended to 'at the pleasure of the Apostolic See, with power to resign them, or either of them, as often as he pleases, simply or for exchange, holding two only, however, incompatible together, even if two parish churches, etc.': notwithstanding the foresaid archdeaconry (£120 of old sterling) and the parish church (£20 of old sterling), and a dispensation for defect of birth.

Fiat ad quinquennium de duobus incompatibilibus. O. Florence, 6 Id. April, anno 2. 123, 293 [<sup>5</sup>/<sub>5</sub> p.]

Michal.

Michal.

# Perinde valere

Recently the Pope by divers letters granted mandate of provision, or provided WILLIAM CROYSER, canon of Dunkeld, M.A., to the archdeaconry of Teviotdale in the Church of Glasgow, and then to the perpetual vicarage of the parish church of Emerlithan, Glasgow diocese, and in the later (*posterioribus*) letters it was stated that the said parish church is in St. Andrews diocese, but in truth (as also is contained in the supplication) it is in Glasgow diocese, Also in neither of the letters is it mentioned that lately, but before the date of the letters, William was provided, or had mandate of provision by apostolic authority, to the parish church of Torbolton, said Glasgow diocese. On account of this William fears that the letters may be branded as surreptitious and that he may be molested in future about the said vicarage and archdeaconry; wherefore he now freely resigns in the hands of the Pope all claim in or to the said church of Torbolton, and supplicates that the Pope, admitting the said resignation, would

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1419. 11 April. Florence.

<sup>&</sup>lt;sup>1</sup> Southwick, now included in the parish of Colvend, Kirkcudbrightshire.

grant that the letters and processes and consequences whatsoever might be valid from the date of the same, and that the executors named therein might proceed to full execution in all respects as if the said defects had in no way been committed, etc.

Fiat de utroque. O.

Florence, 3 Id. April, anno 2.

Michel.

124, 45 [7 p.]

# Perinde valere

WILLIAM CROYSER, canon of Dunkeld, M.A., that the Pope granted him a mandate of provision to a canonry and prebend of GLASGOW and the archdeaeonry of TEVIOT-DALE in the said Church by apostolic letters, in which by inadvertence it was stated that the archdeaeonry is an office, although the supplication signed by the Pope contained ' even if it be a dignity,' and moreover in the letters and supplication no mention was made of the parish church of Corbolton [Tarbolton], Glasgow diocese ; therefore William resigns his claim in the said parish churches and supplicates that the letters may be considered valid from the date, etc. (as in the preceding).

# Fiat. O.

Et sub data dictarum litterarum. Fiat. O.

124, 107<sup>v</sup> [<sup>3</sup>/<sub>5</sub> p.]

# [No rubric]

Since the Pope granted provision to EDWARD DE 1410. LAWEDRE of the archdeaconry of LOTHAN in the Church 17 April. Forence. of St. Andrews, void by the death of Richard Cornell, Forence. chaplain of the Apostolic See, and to THOMAS DE PENIKUKE of the parish church of Kynell, St. Andrews diocese, void by the death of late Thomas Lyel, likewise chaplain of the Apostolic See, and the said Edward and Thomas are not able to prove otherwise than through witnesses that the defunct were chaplains, for the reason that they were

# 34 CALENDAR OF SUPPLICATIONS

chaplains of Peter de Luna, called Benedict XIII in his obedience, and these registers are not at hand in the said Curia,—lest therefore there should be difficulty in Chancery over the expedition of the letters, on account of the general reservation of benefices of chaplains of the Apostolic See, especially in the kingdom of Scotland, may the Pope give mandate that, as far as affects the producing of documents about the above, the deposition of witnesses before any of the presidents of Chancery may be held as sufficient for the expedition of the letters.

Fiat. O. Florence, 15 Kal. May, anno 2. 123, 238<sup>v</sup> [<sup>1</sup>/<sub>2</sub> p.]

Jo. Ixworth.

# [No rubric]

WILLIAM MORDACI, priest, St. Andrews diocese, that the Pope would provide him to the parish church of Essy, said diocese (40 marks sterling), void by the consecration of William Stephani, or his assecution of the Church of Orkney, or void in whatsoever way.

Fiat ut petitur. O. Florence, 13 Kal. May, anno 2. 124, 55<sup>v</sup> [<sup>1</sup>/<sub>2</sub> p.]

#### Commissio privationis

1419. 20 April. Florence. Since Andrew de Hawyk, rector of the parish church of Lvsrox, St. Andrews diocese, has pertinaciously segregated himself from the union of Holy Mother Church, and after and against the determinations of the Council of Constance has presumed and presumes to adhere to the child (*alumpno*) of iniquity Peter de Luna, and sent a certain nuncio, and then, before the lapse of two months, personally betook himself to the Curia of the said Peter, with cause and intent of impetrating ecclesiasical benefices from him as from a true pope, whereby he has rendered himself unworthy of the said parish church, which he holds, and is deprived of it by the sentence and decree of the said

1419. 19 April. Florence. Council.-therefore EDWARD DE LAWEDRE, deacon, M.A., of knightly race, who has studied theology (in sacra pagina) for five years and more at Paris, supplicates that the Pope would give mandate to some good man, in or outwith the Roman Curia, to inform himself summarily about the foregoing and, if he find them to be true, to deprive Andrew and provide Edward to the said church (£100 of old sterling), whether void as above, or in whatsoever way : notwithstanding, etc. (as in his previous supplications). Also that the Pope would dispense him to hold the said parish church and the archdeaconry of Lothian together for life, with power of exchange, etc.

Fiat ut petitur et inscribat se et dispensamus ad annum. 0. Florence, 12 Kal. May, anno 2. 124, 90 [14 pp.]

Michal.

# Nova provisio cum dispensatione

Lately, on the voidance of a canonry and prebend of the Church of ORKNEY by the death of the late canon 24 April. Florence. John Muschilburgh, outwith the Roman Court, JOHN PATRIESON, clerk, St. Andrews diocese, was collated to the same by ordinary authority and obtained possession : but for certain causes it is feared that the said provision and collation lack validity,-therefore John supplicates that the Pope would provide him to the said canonry and prebend (6 marks of silver), whether void as above, or howsoever, and would dispense him (who has been dispensed by apostolic authority that notwithstanding defect of birth as the son of an unmarried man and an unmarried woman. he might be promoted to all, even holy, orders, and hold an ecclesiastical benefice with cure) to hold onc, two, three or four other ecclesiastical benefices with cure or without cure, even if canonries, etc., and to resign them, simply or for exchange, for other compatibles.

Fiat ut petitur et dispensamus. O. Florence, 8 Kal. May, anno 2.

124, 221v [7 p.]

#### Jo. Ixworth.

# [No rubric]

1419. 26 April. Florence. JOHN DE DALGLES, priest, St. Andrews diocese, that the Pope would provide him to the parish church of Essry, said diocese (40 marks sterling), void by the non-promotion of William Stepheni Bishop of Orkney, to the Church of Orkney, or by his consceration, or by lapse of canonical time of consecration, or void in whatsoever way: notwithstanding the parish church of Kercforcher,<sup>1</sup> foresaid diocese (20 marks sterling), which he holds.

Since the foresaid parish church of KERCFORTER is hoped to be void as soon as the above-written John obtains peaceable possession of the said parish church of Essy, therefore WILLIAM MORDACI, priest, said diocese, supplicates that the Pope would reserve or provide him to the same (20 marks sterling) when it becomes void as above, or in whatsoever way.

Fiat ut petitur pro utroque. O. Florence, 6 Kal. May, anno 2.

124, 225v [1 p. +]

# [No rubric]

1419. 28 April. Florence. LAURENCE BEL, priest, Dunblanc (Dublinen.) diocese, that the Pope would provide him to the parish church of STRAMEGILO, Dunkeld diocese (40 marks sterling), void because Nicholas de Athol, then holding the said parish church, obtained canonical collation to, and peaceable possession of, the precentorship of Dunkeld, which is a dignity with cure, whether void as above, or in whatsoever way.

Fiat ut petitur. O. Florence, 4 Kal. May, anno 2. 123, 180<sup>v</sup> [<sup>1</sup>/<sub>4</sub> p.]

#### Dispensatio

1419. 1 May. Florence. Lately Pope Benedict XIII dispensed COLUMBA DE DUNBAR, clerk, St. Andrews diocese, to hold at pleasure

<sup>&</sup>lt;sup>1</sup> Kirkforthar, now in Markinch parish, in Fife.

another ecclesiastical benefice along with the deanery of the church of DUNBAR (a dignity, £40 of old sterling), said diocese, with licence of exchange-by virtue of which dispensation he holds the rectory of the parish church of LOCHORWART,<sup>1</sup> said diocese (£30 sterling), together with the said deanery. And since in these parts there are few benefices with cure of much annual value (alicuius annui valoris), Columba cannot from the above fruits support the burdens incumbent upon him,-therefore James King of Scots in person of the said Columba, who is of a race of earls of royal stock,<sup>2</sup> supplicates that the Pope would dispense him to hold for life along with the said deanery and rectory, one other ecclesiastical benefice with cure or otherwise incompatible, even if a dignity, etc., with power of exchange: notwithstanding that he holds the hospital of Rothven, Aberdeen diocese (£30 sterling).

Fiat ad quinquennium de tribus. O.

Florence, Kal. May, anno 2.

125, 117<sup>v</sup> [1 p. +]

Michal.

# [No rubric]

INGERAM LYNDESAY, clerk, Glasgow diocese, B.Dec., who 1419, is a kinsman of Alexander Lyndesay Earl of Crawfurde, <sup>1</sup> May. Florence, Properould provide him to the canonry and Prebend of CASTILTARRIS in the Church of Glasgow, void by the death, outwith the Roman Court, of the late Richard de Cornelio, archdeacon of Lothian and eanon of Glasgow, who was a chaplain of honour of Peter de Luna (Benedict XIII) before his deposition, wherefore all his benefices are reserved to the Pope (the fruits of the said canonry and prebend, holding them for the time and not being resident in the Church of Glasgow, not exceeding £10 of old sterling); and that the Pope would remove (amoti exinde) a certain John Forestarii, priest, St. Andrews

<sup>&</sup>lt;sup>1</sup> Modern Borthwick.

<sup>&</sup>lt;sup>a</sup> He was a son of George, tenth Earl of Dunbar and Earl of March. Many points in the genealogy of this family are obscure. (See Scots Peerage, vol. iii, Dunbar, Earl of Dunbar.)

diocese,—who had intruded himself by ordinary authority, even before the death of the foresaid Richard, and has presumed to occupy them unlawfully until now,—or any other unlawful detainer : notwithstanding the rectory of the parish church of Rathow, St. Andrews diocese (£50 of old sterling), which he holds, and defect of birth as the son of an unmarried baron and an unmarried woman, for which he has dispensation.

Fiat ut petitur. O.

Florence, Kal. May, anno 2.

125, 116<sup>v</sup> [<sup>7</sup>/<sub>8</sub> p.] Proth. de Branc.

[No rubric]

Recently Walter Sen, formerly canon of GLASGOW, having dimitted the canonry and dominio prebend 1 of the said Church in the hands of Peter de Luna, formerly called Benedict XIII in his obedience, two years after his deposition and deprivation, obtained possession of the deanery of the said Church through collation of the said Peter. who de facto provided the above canonry and dominio prebend, thus void, to Alexander de Lawedre, even after the ordinance and election in the Council General of the kingdom of Scotland of ambassadors to be sent to tender (praestandam) obedience to Pope Martin, and therefore the said canonry and dominio prebend are still void,-wherefore COLUMBA DE DUMBAR, deacon, St. Andrews diocese, lawful son of the Earl of March (filius comitis Marchiarum Scocie de matrimonio genitus) supplicates that the Pope would provide him to the same (£60 of old sterling), whether void as above or in whatsoever way: notwithstanding that he holds the deanery of the church of St. Bayc of Dumbar, which is a principal dignity of lav patronage, and the parish church of Lochorekaet, and the chapel of the hospital of Rothven, St. Andrews and Aberdeen dioceses (all the fruits £100 sterling).

MICHAEL OUCHTRE, priest, Dunblane diocese, B.Dec., that the Pope would provide him to the canonry and prebend

1419. 2 May. Florence. 38

<sup>&</sup>lt;sup>1</sup> Apparently Eddleston; cf. pp. 39-40; Orig. Par., i. pp. 210-213.

of OBNY in the Church of Dunkeld, void by the death outwith the Curia of the late John de Glasgu, who was despoiled of the said canonry and prebend, which William Croyser, who bears himself as a clerk, St. Andrews diocese, detains in unlawful possession, as Richard de Crech, his predecessor and principal despoiler, detained it (£10 of old sterling), whether void as above, or in whatsoever way : notwithstanding that he holds the canonry and prebend of Moyzee [Monzie] in the Church of Dunblane, and the perpetual vicarage of the parish church of Strongeth, Dunblane diocese (all the fruits £14 of old sterling), and notwithstanding defect of birth as the son of a priest and an unmarried woman, for which he has dispensation, as may be expressed in Chancery.

Fiat ut petitur pro utroque. O. Florence, 6 Non, May, anno 2.

Proth. de Brancaciis.

# [No rubric]

MICHAEL OUCHTRE, that the apostolic letters about the canonry and prebend of OBNY in the Church of Dunkeld might be expedited, notwithstanding that through the negligence of the scribe in the supplication the clause was omitted 'non obstante gracia expectativa in cancellaria declaranda.'

Fiat. O.

Et sub data dicte peticionis. Fiat. O.

124, 172 [ p.]

#### Creten.

#### Nova provisio

Since Peter de Luna, then called Benedict XIII in his obedience, before his deprivation by the Council of Con-3 May. stance, granted mandate of provision of the parish church of RATHOW, St. Andrews diocese, to a certain Alexander de Laweder, archdeacon of Dunkeld, who speedily (*quam*)

124, 236 [1<sup>1</sup>/<sub>3</sub> pp.]

cito) obtained peaceable possession of the same, by virtue of these letters he is bound to resign the canonry and prebend of Edilliston, which he was then holding in the Church of Glasgow and which Pope Benedict decreed to be void. Nevertheless Alexander refused to resign them. and in defiance of the decree detained them in de facto occupation, together with the said parish church. But when these things were shown to the said Peter, a little after the sentence of deposition brought against him in the Council, he gave mandate to certain judges in partibus to deprive Alexander of the said parish church if they found the foregoing to be true, and to collate, assign and provide INGERAM LYNDESAY, clerk, Glasgow diocese, of knightly race. The sub-executor of the said letters and processes, finding the same to be true, accordingly deprived Alexander and collated and provided Ingeram to the foresaid parish church, by virtue of which collation and provision he obtained possession and held and possessed it thereafter, as he does at present de facto : but the said Alexander strives to take up the fruits and unlawfully to disturb Ingeram in the collecting of them. But because the mandate of deprivation proceeded after the sentence of deposition of the said Peter but while obedience was still given to him in the kingdom of Scotland, the validity of the foregoing is doubted,-therefore Alexander Lyndesay, Earl of Crawfurde, nephew of the King of Scots, supplicates that the Pope would ratify the above deprivation, provision and all consequences whatsoever, and would provide anew the said Ingeram, his kinsman, who is B.Dec., to the said parish church (£40 of old sterling), void by the above deprivation, or by free resignation of the said Alexander or in whatsoever way, abolishing all stain of inhability, etc., which the said Ingeram may have incurred by reason of the foregoing, and habilitating him as far as need be for the obtaining of the said parish church and whatsoever other ecclesiastical benefices that may be canonically collated to him : notwithstanding that he holds the vicarage of the parish church of Monkton. Glasgow diocese, which he is ready to dimit, and notwith-

#### RELATING TO SCOTLAND

standing defect of birth which he suffers as the son of an unmarried baron and an unmarried woman, for which he has dispensation, as may be expressed in Chancery.

Fiat ut petitur de nova provisione. O.

WILLIAM RAMESAY, priest, St. Andrews diocese, B.Dec., that the Pope would provide him to the perpetual viearage of the parish church of MONKTON, Glasgow diocese (£12 sterling), void by the peaceable assecution of the parish church of Rathow, St. Andrews diocese, by Ingeram Lyndesay, clerk, Glasgow diocese, or void in whatsoever way: notwithstanding that he holds a perpetual chaplaincy without cure in the diocese of Dunkeld (£6 of old sterling).

Fiat ut petitur. 0.

Florence, 5 Non. May, anno 2.

124, 269 [23 pp.]

## [No rubric]

NICHOLAS TUNNOK, priest, rector of the parish church 1419. of Furvy [Forvie], Aberdeen diocese, M.A. of Paris, that 3 May. Florence. the Pope would provide him to the precentorship of ABERDEEN, which is a dignity with cure, and to which the prebend of OCHTIRLESS is canonically annexed (40 marks of old sterling), void because William de Lawedre, then holding the parish church of St. Eligius, St. Malo diocese, obtained the said precentorship by authority of certain apostolic letters and detained them together unlawfully for several months against canonical sanctions, as also (licet) a certain William de Crawford holds it at present unlawfully occupied ; whether void as above, or by the death of the late Alexander de Ectale, outwith the Roman Court, or by the resignations or deaths of the foresaid William or of the late Simon de Ectale, or void in whatsoever way. And because a kinsman of William de Crawford with his accomplices, perhaps induced by a suspicion that Nicholas might impetrate (obtinere poposceret) the precentorship from the Apostolic See, after laying violent hands upon him and dragging him forcibly from

the hospice where he was at the time, not without the tearing of his clothes, extorted from him (whom he laboured to take from the hospice to a certain castle, where he might hold him captive) his bodily oath, also afterwards repeated before a notary and witnesses, that he (Nicholas) should not impetrate the precentorship from the Apostolic See to the prejudice of William,-lest the said William de Crawford thereby obtain his ends and continue to detain the precentorship without canonical title, Nicholas supplicates that the Pope would utterly absolve him from his oath, and decree that he is in no way bound to observe it, and dispense him to hold the said parish church of Furby (16 marks of old sterling), which he possesses, along with the precentorship, for five years, with power of exchange.

Fiat ut petitur et absolvimus. O. 125, 41 [11 pp.] Florence, 5 Non. May, anno 2. The supplication is repeated, f. 117, with signature : Fiat ut petitur et absolvatur. O. Florence, 3 Non. May, anno 2 [5 May 1419]. [14 pp.] Also repeated, f. 171v, with signature : Fiat ut petitur et absolvimus. O. [14 pp.]

Florence, 3 Non. May, anno 2.

Confirmatio cum nova provisione

1419 4 May. Florence.

When formerly Alexander, then Abbot of SCONE, O.S.A., St. Andrews diocese, for certain reasonable causes proposed freely to resign, Peter de Luna (Benedict XIII) before his deposition gave letters of mandate to the Bishop of St. Andrews among others to provide (if the said resignation should be made) a fit person from among the canons and promote him as Abbot (illi preficeret in Abbatem). The Bishop of St. Andrews (those parts still being under the obedience of the said Peter, although after his deposition by the Council of Constance) proceeded to the execution of the letters, and, admitting the resignation, provided ADAM DE ABIRDEN, canon, and at that time claustral prior of the said monastery, bachelor in theology and canon law, and promoted him as Abbot; by virtue of which provision and promotion (*prefectionis*) the said Adam obtained possession, or nearly so, of the rule and administration, and presides (*presst*) laudably over the monastery at present. Lest, however, the validity of the above should be challenged on any remaining ground of ambiguity (*ambiguitatis relicio scrupulo*), the said Adam supplicates that the Pope would ratify the same with the consequences whatsoever and decree his provision and institution valid as if before the date of deposition [of Peter], and would provide him anew etc. to the said monastery. [Value not stated.]

Fiat ut petitur. O.

Florence, 4 Non. May, anno 2.

124, 278 [11 pp.]

#### [No rubric]

JOHN PATRICII, priest, canon prebendary of the Church 1419. of Orkney in the realm of Norway,<sup>1</sup> in his second year of 5 May. Florence. the perpetual vicarage of MONKTON, with cure, Glasgow diocese (20 marks of old sterling), void or to be void by the assecution of the rectory or parish church of Rothow, St. Andrews diocese, by Master Ingeram Lindesay, last possessor of the said rectory : notwithstanding defect of birth as the son of an unmarried man and an unmarried woman, for which he was formerly dispensed by apostolic authority ; and notwithstanding the abovesaid canony and prebend of Orkney (7 marks of old sterling).

Fiat ut petitur. O.

Florence, 3 Non. May, anno 2.

<sup>1</sup> Orkney was claimed as a suffragan of Trondjheim by virtue of a papal ordinance in 1152. <sup>(1)</sup>Up to that date Orkney seems to have formed something of a debatable land with no certain ecclesiastic superior.<sup>(1)</sup> (Dowden, <u>252</u>.) It had been claimed by York and Hamburg. It was

125, 149<sup>v</sup> [<sup>3</sup>/<sub>4</sub> p.]

[No rubric]

Formerly, on the voidance in a certain way of the priory of COLDINGHAME, O.S.B., St. Andrews diocese, WILLIAM BRON, monk of Dunfermlin, bachelor in theology (*in sacra pagina*), foresaid order and diocese, was unanimously elected Prior,—wherefore he supplicates that the Pope would confirm the same with the consequences, and provide him to the said priory (\$200 of old sterling), which is conventual and dependent from the said monastery of Dunfermlin : notwithstanding a provision made to Robert Boumaker, who is of another profession and habit, yet made no mention of this diversity in his impertation ; also notwithstanding that a certain John [*rectivas William*] de Drakis, Englishman, has detained unlawful occupation of the said priory for two years and more, as he does at present.<sup>1</sup>

Fiat ut petitur. O.

Florence, 3 Non. May, anno 2.

Reformatio

8 May. Florence. JOHN PATRIESON, student of canon law in the university of St. Andrews in Scotland, that the Pope would cause the apostolic letters upon his petition about the canonry

<sup>1</sup> A copy of this supplication has found its way into the archives of Durham. (*The Priory of Coldingham*, 97, edited by James Raine for the Surtees Society.) The Priory of Coldingham was a cell of the Benedictine House of St. Cuthbert of Durham by virtue of charters from Edgar, David and other succeding Kings of Scotland, besides 'divers earls of Dwnbare.' Robert 111. sought to sever this connection by annexing Coldingham to the monastery of St. Margaret, Dunfermiline, but the rights of Durham were confirmed by a charter under the Great Seal in 1391-1392. The litigation between Brown and Drax was decided by a sentence of the Roman Curia in favour of Drax; and an Act of Parliament of James 1. in 1424 again confirmed the rights of Durham. (*Ibid*, 125, 132; Raine, North Durham, appendix 20; Acts of Parliamet, ii. es.)

Michal.

# 125, 273 [¾ p.] Michal.

1419.

5 May.

Florence.

placed under the jurisdiction of St. Andrews by the bull of Sixtus IV., which rected St. Andrews into an archiepiscopal see in 1472. (Theiner, Vetera Monumenta Hiberrowum et Scotorum, 466.)

#### RELATING TO SCOTLAND

and prebend of ORKNEY to be expedited *ad dignitates*, etc., since this and other requests which were contained in the petition were not granted in the signature.

Fiat ut petitur. O. Florence, 8 Id. May, anno 2. 125, 26<sup>v</sup> [<sup>1</sup>/<sub>3</sub> p.]

#### Michal.

# [No rubric]

JOHN PATRIESON, clerk, St. Andrews diocese, that the 1410. Pope would provide him to the archdeaconry of the Church & May. Florence. of ORXEXEY, which is a dignity major *post* pontificalem (28 of old sterling), void by the free resignation made outwith the Roman Curia by John Thome, formerly archdeacon, or void in whatsoever way : notwithstanding that he holds a canonry and prebend in the said Church of Orkney (27 of old sterling), and defect of birth as the son of an unmarried man and an unmarried woman, for which he has dispensation, as may be expressed in Chancery.

Fiat ut petitur. 0.

Florence, 8 Id. May, anno 2.

# Dispensatio

NCHOLAS TUNNOCK, priest, rector of the parish church 1410. of Ffurby, Aberdeen diocese, M.A. of Paris, whom the Pope <sup>10</sup> May. Florence. Iately dispensed to hold the precentorship of ABERDEEN (40 marks Scots), because he doubts that he cannot lawfully hold the said precentorship and parish church together without canonical dispensation, supplicates that the Pope would dispense him to hold the said precentorship or another incompatible benefice along with the said parish church, with power to resign them, together or successively, simply or for exchange, and to hold two such incompatibles for ten years : notwithstanding the parish church of Furby (16 marks Scots).

Fiat ad biennium. O.

Florence, 6 Id. May, anno 2.

125, 69<sup>v</sup> [<sup>3</sup>/<sub>4</sub> p.]

125, 25<sup>v</sup> [<sup>2</sup>/<sub>2</sub> p.]

# CALENDAR OF SUPPLICATIONS

#### Nova provisio

1419. 10 May. Florence.

Formerly, after HENRY DE OGILBY, clerk, St. Andrews diocese, and John Thome, then perpetual vicars respectively of Tibermore, Dunkeld diocese, and of MUNYFUTHE, St. Andrews diocese, had resigned these vicarages for the sake of exchange in the hands of Robert Bishop of Dunkeld. and with the consent of Henry Bishop of St. Andrews, but without the will and consent of the Abbot and convent of the monastery of Abyrbrocht, O.S.B., St. Andrews diocese, patrons, as is asserted, of the vicarage of Monyfuth, the Bishop of Dunkeld admitted the resignation and by ordinary authority provided Henry to Munyfuth and John to Tybirmor, also without the consent of the said Abbot, and possession followed. Thereafter they held and possessed, as they do at present; nevertheless the said Abbot and convent, before the deposition of Peter de Luna (Benedict XIII), wished to move a cause against the said Henry, on the ground that the said vicarage of MUNYFUTH had been united and annexed (as was asserted) by the said Peter to the said monastery, and obtained commission of the cause to a certain Auditor of the said Peter, with citation of Henry. But after the deposition of Peter, Henry was absolved by instance of the judge by a definitive sentence, and the Abbot and convent condemned in 20 florins for expenses. Henry obtained suspension of the union at the pleasure of the Apostolic See, so far as it was valid during the lifetime of Peter, the exchange, etc., being done during the obedience of Scotland to him, and obtained collation and provision to the said church and remained in possession, as he does at present. But for certain reasons he doubts the validity of the resignation, admission, suspension of the union, etc., therefore he supplicates that the Pope would confirm the same, and, so far as need be, provide him anew (who is licentiate in arts, and of knightly race) to the said perpetual vicarage of Munyfuth (£24 of old sterling), whether void as above, or by the free resignation of John, or howsoever ; suspending

Michal.

or simply revoking the said union, and habilitating him : notwithstanding defect of birth as the son of an unmarried knight, baron and sheriff 1 (vicecomite) and an unmarried woman, for which he has dispensation.

Fiat ut petitur. O. 125, 147v [21 pp.]

Florence, 6 Id. May, anno 2.

## Reformatio

COLUMBA DE DUNBAR, that the apostolic letters on his 1419. supplication about the canonry and prebend of GLASGOW 11 May. Florence. might be expedited with expression of a clause (inadvertently omitted in the supplication) that he holds the archdeaconry of Lothian in the Church of St. Andrews in Scotland, a dignity with cure but not major post pontificalem (120 of like pounds [?] sterling); and under the date of the said petition.

Fiat. O.

Florence, 5 Id. May, anno 2.

#### Michal.

125, 88v [1 p.]

#### Confirmatio

Since formerly the late Robert, King of Scots, consider-1419. ing that the monastery of SCONE, O.S.A., St. Andrews 15 May. diocese (which is almost in the middle of Scotland and Florence. where the Kings of Scots were wont to be crowned and where the King, his father, is buried), had to sustain great expenses on account of divers assemblies of magnates and nobles of the realm, which were then frequently held in that monastery for treating of weighty and important business of the realm, granted the right of patronage of the parish church of ST. GILES OF EDYNBURGH, said diocese, then

<sup>&</sup>lt;sup>1</sup> Sir Alexander Ogilvy of Auchterhouse, Sheriff of Angus. He was a patron of the scholars who founded St. Andrews University; and it was his natural son, Henry, the present supplicant, who was despatched to obtain the bulls of foundation from Benedict XIII. (Wilson, The House of Airlie, i. 38.) He returned with these on 3 February 1413-1414, amid universal joy. (Fordun, Scotichronicon, ii. 445-446.)

pertaining to the said King, with all its rights and pertinents, to the said monastery and canons thereof; that this donation may have greater validity, the Abbot and convent of the monastery supplicate that the Pope would confirm the same with all its consequences.

Fiat in forma. O. Florence, Id. May, anno 2.

125, 154 [3 p.]

# Michal.

# Rotulus VI supplicationum

# Confirmatio

1419. 22 May. Florence.

Formerly, after Robert erstwhile King of Scotland (Scocie) had gifted the right of patronage of the perpetual vicarage of the parish church of ELON in Bouchen. Aberdeen diocese (then legitimately pertaining to him), to the Abbot and convent of the monastery in KynLos, Cistercian order, Moray diocese, Henry erstwhile Bishop of Aberdeen, having compassion upon the poverty of the aforesaid Abbot and convent on account of the wars which were waging in those parts, with the consent of his chapter, and having summoned all who had interest, likewise granted and confirmed the said vicarage (then void by the resignation of Robert de Peblis in the hands of the Bishop) with all its rents and profits to the aforesaid Abbot and convent for their sustentation ; and for the utility of the Church of ABERDEEN and for the augmentation of divine worship the Bishop reserved upon the fruits of the foresaid vicarage 24 marks to be assigned annually by the Abbot and convent in the name of a simple prebend for a canon in a canonry which the Bishop then created ; with the provision that the perpetual vicar of the said parish church who served the cure of souls and kept perpetual residence should also receive 20 marks annually from the fruits; as is more fully contained in authentic letters under the seals of the said Bishop and chapter.1 That therefore the

<sup>&</sup>lt;sup>1</sup> See Registrum Aberdonense, i. 48-50. The document is undated, but was probably shortly before 15 August 1328.

above may have greater validity, the said Abbot and convent supplicate that the Pope would ratify the donation, collation and confirmation with whatsoever consequences of the said vicerage (10 marks sterling, the above deductions being made) to the above monastery (300 marks sterling).

## Confirmatio

Formerly after Hugh de Abernithi,<sup>1</sup> knight, for the soul's weal of himself, his forebears and descendants had granted in pure alms the advowson<sup>2</sup> of the parish church of MACILNER<sup>3</sup> and two acres (areas) of land, then expressed, to the monastery of CUPAR, Cistercian order, St. Andrews diocese, to be held and possessed by them in perpetuity, and had the grant confirmed by Alexander erstwhile King of Scots, William<sup>4</sup> erstwhile Bishop of St. Andrews, with the consent of his chapter and after solemn deliberation, freely granted and donated the foresaid church with its lands and other rights and pertinents in perpetuity to the Abbot and convent of the foresaid monastery for their sustenance and the augmentation of hospitality, always saving to himself and his successors an annual procuration 5 of 2 marks, and the other episcopal burdens lawfully incumbent,-in such a way that the church should be served by a fit perpetual chaplain who, being presented by

<sup>&</sup>lt;sup>1</sup> Hugh de Abernethy played an active part in the reign of Alexander III. (Scots Peerage, vii, 399-400.)

<sup>&</sup>lt;sup>a</sup> Advowson (right of patronage) is an English rather than a Scottish term. Cf. the following supplication, where the alternative expressions are both given.

<sup>&</sup>lt;sup>8</sup> This name is spelt Machyland in the charter of confirmation in 1309. (Register of Cupar Abbey, ii. 287.) It may be Meikleour, now in the parish of Caputh.

William de Lamberton, who played an important part during the Wars of Independence.

<sup>&</sup>lt;sup>6</sup> Procurations 'consisted originally in the hospitable entertainment of the bishop and his attendant train when he came to make his visitation of the parish churches. In process of time (about the thirteenth century) this obligation was commuted for a payment in money.' (Dowden, *Mediaeaul Church in Scaland*, 118).

the Bishop and his successors to the Abbot and convent, should have the cure of souls and should receive 100 shillings annually for his sustentiation from the Abbot and convent. And the said Abbot and convent, on the strength of the said grant, took possession of the church, then void in a certain way, and for many years have held it and still hold it; and for the greater validity they supplicate that the Pope would ratify, with whatsoever consequences, the donation of the said church (24 marks sterling) to the said monastery (500 marks sterling), and would unite and incorporate it in perpetuity to the same.

# Confirmatio

Formerly after the late Marjory,1 widow of John Earl of Atholl, for the soul's weal of herself, of John, of their forebears and descendants had granted in perpetuity in pure alms the advowson or right of patronage of the parish church of ALWECH [Alvah], Aberdeen diocese, with certain land, then expressed, to the monastery of St. Mary of CUPAR, Cistercian order, St. Andrews diocese, and had the grant confirmed by Robert King of Scots, Henry Bishop of Aberdeen, having compassion [etc., as above], freely granted and donated the foresaid parish church with its land and other rights and pertinents to the said Abbot and convent: and for the utility of the Church of Aberdeen and the augmentation of divine worship the Bishop reserved upon the fruits of the said parish church 6 marks sterling, to be paid annually by the Abbot and convent to a perpetual chaplain, to be chosen by the dean and chapter of Aberdeen, to celebrate Mass in the said Church of Aberdeen on all Sundays : with provision also that the church [of Alwech] should be served by a fit vicar, pre-

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<sup>&</sup>lt;sup>1</sup> Marjory, daughter of Donald, tenth Earl of Mar, wife of John, Earl of Atholl, who was an adherent of John Ballol and was captured at Dunbar in 1296. He made his peace with King Edward, but went over to Robert Bruce, his brother-in-law; was captured after the Battle of Methven, and hanged at London on 7 November 1306. (Scots Peerage, i. 427. See also Register Ocupar Abbey, I. xvii, 30.)

sented [etc., as above], and to have  $\pounds 10$  sterling annually for his sustentation : as is more fully contained in authentic letters under the seals of the Bishop and chapter. For the greater validity the said Abbot and convent supplicate that the Pope would ratify, with whatsoever consequences, the grant, donation and confirmation of the said parish church (25 marks sterling, the above deductions being made) to the said monastery (500 marks sterling), and the other things contained in the letters.

#### Confirmatio

Formerly after Gilbert de Haya,<sup>1</sup> knight, had granted [etc., as above], the advowson of the parish church of Fossogwhi [Fossoway], Dunblane diocese, with two aeres (areis) of land, then expressed, to the monastery of St. Mary of CUPAR, Cisterian order, St. Andrews diocese, with confirmation by Robert King of Seots, Maurice erstwhile Bishop of Dunblane,<sup>2</sup> having compassion on the poverty [etc., as above], likewise granted and confirmed the foresaid ehureh with its lands and other rights and pertinents to the Abbot and convent, always saving to himself and his successors a fourth of the fruits for annual procurations and the other episcopal burdens lawfully incumbent ; and in such a way that the church should be served by a fit perpetual vicar, to be presented [etc., as above], and to have 10 marks sterling for his sustentation. For greater validity, the Abbot and convent supplicate that the Pope would ratify the donation, etc., of the said church (25 marks sterling, the above deductions being made) to the said monastery (500 marks sterling), and the other things contained in the authentic letters.

Fiat in forma pro omnibus quatuor. O.

<sup>&</sup>lt;sup>1</sup> The Register of Cupar Abbey shows that the Constable, Gilbert de Hay, was a benefactor to Kinloss, and this donation is mentioned in a charter of confirmation in 1309 (ii. 287-288).

<sup>&</sup>lt;sup>2</sup> This is the prelate who, as Abbot of Inchaffray, exhorted the Scots before the Battle of Bannockburn.

# Confirmatio

When lately the monastery of CUPAR (de Cupoto), Cistercian order, St. Andrews diocese, was void of an abbot (for the reason that John de Ketnes, monk, formerly Abbot, on account of his faults and demerits was deprived (privitatus) and removed by a definitive sentence of the Father Abbot which passed in rem judicatam), WILLIAM DE LEDHUYS, monk, was elected Abbot by the convent, confirmation of the election following by the Father Abbot, and blessing by the diocesan,1 by virtue of which election and confirmation he obtained possession, or nearly so, of the rule and administration of the said monastery and has laudably governed it for fourteen years or thereabout, as he does at present. He supplicates that the Pope would ratify the above election, confirmation and blessing with whatsoever consequences and, in so far as expedient, provide him anew to the said monastery, whether void as above, or in whatsoever way.

Fiat in forma. O.

# Nova provisio

Lately the monastery of DERIS, Cistercian order, Aberdeen diocese, being void of an abbot by the death, outwith the Roman Court, of the late Abbot Thomas, ROBERT CROKAT, then monk of the above monastery, was duly elected Abbot by the convent, and he obtained confirmation of the election by the Father Abbot<sup>2</sup> by ordinary authority, and at length (*tandem*) had blessing by the diocesan, by virtue of which election and confirmation he obtained peaceable possession of the rule and administration, and has laudably governed for about three years, as he does at present. He supplicates that the Pope would

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<sup>&</sup>lt;sup>1</sup> *i.e.* the Bishop of St. Andrews.

<sup>&</sup>lt;sup>2</sup> The Abbot of Kinloss. (Keith, 422-423.)

ratify the above election, confirmation and blessing, and provide him anew to the said monastery.

Fiat in forma. O.

Florence, 11 Kal. June, anno 2.

126, 23 [6½ pp.]

[The last two supplications of this rotulus have a marginal note: non exprimuntur fructus. They appear again together, and still without statement of fruits, over the signature: Fiat ut petitur pro utroque. O. Florence, Prid. Kal. June [31 May], anno 2. f. 155°, 1<sup>§</sup> pp.]

#### Nova provisio

Formerly, on the voidance of the monastery of Dun-1419. FERMELYN, O.S.B., St. Andrews diocese, by the death of 22 May. Florence. the late Abbot John outwith the Roman Court, Peter de Luna (Benedict XIII), before his deposition and in whose obedience Scotland then was, provided WILLIAM, present ABBOT, then a monk of the said monastery, and instituted him, by virtue of which provision and promotion (prefectionis), William obtained possession, or nearly so, of the rule and administration of the goods of the said monastery, and has been blessed, and now for three years has laudably ruled, as he does at present. That, therefore, the provision and promotion may have greater validity, the said William supplicates that the Pope would confirm the same with whatsoever consequences, and provide him anew to the said monastery.

Fiat ut petitur. O.

Florence, 11 Kal. June, anno 2.

125, 265<sup>v</sup> [1 p.]

#### Creten.

#### Reformatio

WILLIAM RAMESAY, about the perpetual vicarage of the parish church of MONKTON, Glasgow diocese,—that in-<sup>26</sup> May. advertently it was omitted to express in his petition that Ingeram Lyndesay obtained possession of the parish church of Rathow on the deprivation of Alexander de Lawerder, of which mention was made, and afterwards had a mandate of new provision. Lest his grace be deemed surreptitious, William supplicates that the apostolic letters may be expedited with expression of the above.

Fiat. O.
Florence, 7 Kal. June, anno 2. 126, 39<sup>v</sup> [<sup>1</sup>/<sub>4</sub> p.]
[Bracketed with another supplication, Rouen diocese.]

Michael.

#### Indulgencia

Since a multitude of people resort to the church of the monastery of SCONE (de Skona), O.S.A., St. Andrews diocese (which was founded under the name of St. Michael,<sup>1</sup> and where rest the bodies of kings and magnates of the realm of Scotland) on the feast day of the said Saint and of St. John the Baptist,—that, therefore, the devotion of the people may be augmented and the monastery fittingly conserved in its buildings and monuments, [it is supplicated that] the Pope would grant an indulgence of seven years and as many quarantines to all Christ's faithful visiting the said church and stretching out helping hands for its conservation on the feasts of the foresaid Saints <sup>2</sup> and on others according to Chancery (cancellarie).

Fiat in forma. O.

#### Concessio

Since a multitude of people resort to the above monastery, as foresaid, that there they may have consolation and be endowed with spiritual grace, [it is supplicated that] the Pope, considering the great distance of those parts

1419. 26 May. Florence. 54

<sup>&</sup>lt;sup>1</sup> The Culdee monastery of Scone was dedicated to the Holy Trinity. In its charter of foundation as an Augustinian house it was granted to the Virgin Mary, St. Michael, St. John, St. Laurence and St. Augustine. (*Liber Ecclesie de Scon*, 1)

<sup>&</sup>lt;sup>a</sup> The feast of St. Michael the Archangel is on 29 September, and the apparition of St. Michael on 8 May; the feast of St. John the Baptist on 24 June, and of his beheading on 29 August.

from the Curia, would grant faculty to the Abbot, that the claustral Prior of the monastery may hear the confessions of all those willing to confess to him, both religious of the said monastery and any others, such as secular clerks and lay persons whatsoever, and may absolve them in the same way as the Penitentiary Minors in the Roman Court have power to absolve.

Fiat in preteritis. O. [Granted for the past.]

Florence, 7 Kal. June, anno 2. 126, 85<sup>v</sup> [<sup>8</sup>/<sub>2</sub> p.]

[Both these supplications are signed together under the same date.]

# Commissio privandi

Since Andrew de Hawik, rector of the parish church of 1419. Liston or KYRKLISTON, St. Andrews diocese, has presumed 29 May. to adhere to Peter de Luna in despite of the decrees of the Council of Constance, and sent a certain nuncio to impetrate graces from him as from the sovereign Pontiff, and has personally visited his curia after the kingdom of Scotland had withdrawn its allegiance from him, and since, moreover, he has rendered himself unworthy of the foresaid church, which he holds, and is deprived by sentence and decree of the said Council, EDWARD LAWEDRE, priest, M.A., of knightly race, kinsman (consanguineus germanus) of the Bishop of Glasgow,1 and who has studied theology (in sacra pagina) at Paris for five years or thereabout, supplicates that the Pope would give mandate to some good man, in or outwith the Roman Curia, to inform himself summarily about the foregoing, and, if found to be true, to deprive Andrew by apostolic authority from the said church and provide Edward to the same (£100 of old sterling), whether void as above or by the death of Andrew or in whatsoever way : notwithstanding the archdeaconry of Lothian, a dignity with cure in the Church of St. Andrews (£120 of old sterling), and the parish

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Michal.

<sup>1</sup> William Lauder, 1408-1426.

church of Suthak, Glasgow diocese (£20 of old sterling), which  $(quam)^1$  he is ready to resign provided [he obtain possession of the above], and notwithstanding defect of birth, etc. Also that the Pope would dispense him to hold together for life the above parish church and archdeaconry, with power of resigning, simply or for exchange, etc., as often as he pleases: notwithstanding a certain grace formerly granted to him about Liston [*sic*], which he is ready to resign, and resigns *de facto* on obtaining this supplication: also notwithstanding the provostship of the eity of Edinburgh granted to him in a certain way.

Fiat ut petitur si post declarationem trium statuum Scocie adhesit. O. [Granted, if Andrew de Hawik adhered to Peter de Luna after the declaration of the three Estates of Scotland in favour of Pope Martin.]

Florence, 4 Kal. June, anno 2.

126, 70v [13 pp.]

de Montegaudio.

## Surrogatio et nova provisio

Since, when a suit was pending undecided in the Roman Curia between THOMAS DE MYRTON, B.Dec., and procurator in the Curia of James King of Scots, and John Legat and John de Casteltarris, alleged clerks, Glasgow and St. Andrews dioceses, about the perpetual vicarage of the parish church of CUPAR, St. Andrews diocese (to which on its voidance by the death outwith the Roman Court of the late Thomas de Kylkengwar, last rector of the said vicarage, and its previous reservation to apostolic disposition, Thomas de Myrton was provided by apostolic authority), the said John de Casteltarris pertinaciously presumed to adhere to Peter de Luna, formerly Benedict XIII, after his deposition, thus incurring the pains imposed by the Council of Constance and deprivation of his claim to the said vicarage-therefore Thomas de Myrton supplicates that the Pope would surrogate him in and to the

1419. 29 May. Florence.

 $<sup>^{1}</sup>$  i.e., it is only the parish church, not both the benefices, which he is ready to resign.

right of the said John, and provide him to the above vicarage (60 marks sterling), whether void as above or in whatsoever way ; notwithstanding the parish church of Tarlbert, said diocese, and the canonry and prebend of Brechin (40 marks sterling) which he holds, also the deanery of Glasgow (170 marks sterling), a dignity with cure major post pontificalem, perhaps elective, of which he has not possession, and notwithstanding a dispensation to hold the above vicarage and deanery together for two years with power of exchange. And that the Pope would dispense him to hold them for five years with like power, and provide him anew.

Fiat ut petitur si post declarationem obedience in Scozia adhesit. O.

Florence, 4 Kal. June, anno 2.

## Reformatio

LAURENCE BEL, that the apostolic letters about the 1419. perpetual vicarage of the parish church of STRAMIGILO, 29 May. Florence, Dunkeld diocese, might be expedited with the expression that it is the perpetual vicarage that is void (which through error was not stated in his supplication).

Fiat. O.

Florence, 4 Kal. June, anno 2.

#### Reformatio et commissio

The Abbot and convent of the monastery of St. Mary of 1419. CUPAR, Cistercian order, St. Andrews diocese, that their Florence, supplications about the donation of the parish churches of Fossoqwiny, Alwecht and MACILNERIS,1 Dunblane, Aberdeen and St. Andrews dioceses [above, pp. 49-51] were signed Fiat in forma, whereby the effect of their supplication is not fully granted,-that therefore the Pope would ratify the grants and confirmations, considering that

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126, 116 [11 p.]

# 126, 116v [1 p.]

Jo. Ixworth.

<sup>&</sup>lt;sup>1</sup> Or Macileuris,

(attento quod) the Abbot and convent are in peaceable possession, or nearly so, of the presentation and of the said churches.

Committatur Cardinali Sancti Georgii. O. Florence, 4 Kal. June, anno 2. 126, 148 [<sup>3</sup>/<sub>4</sub> p.]

## Nova provisio

1419. 29 May. Florence. Lately, on the voidance of the perpetual vicarage of the parish church of ENNERLITHAN, Glasgow diocese, by the death outwith the Roman Court of the late James Walteri, asserted by some to be a chaplain of the Apostolic See, WILLIAM CROYSEER, M.A., canon of Dunkeld, was provided to the same by letters of the Pope. But because he doubts the validity of his provision, he supplicates that the Pope would ratify the same with whatsoever consequences and provide him anew to the foresaid vicarage (40 marks of old sterling), whether void as above or in whatsoever way : notwithstanding the archdeacomy of Teviotdale, and the canonries and prebends of Glasgow, Dunkeld and Ross, and the parish churches of Goghar, and of Kirkgonzan (which he holds in commend), St. Andrews and Glasgow dioceses (total fruits £100 sterling).

Fiat ut petitur pro omnibus quatuor. O.

Florence, 4 Kal. June, anno 2. 126, 149 [1 p.]

[This supplication is grouped with other three petitions.]

Michal.

### Reformatio

1419. 29 May. Florence. The Abbot and convent of the monastery of KYNLOS, about the incorporation of the parish church of ELON in Bouchen, Aberdeen diocese: that their petition was signed Fiai in forma, whereby the effect is not fully granted: that therefore the papal letters may be expedited with the expression of confirmation.

Committatur Cardinali Sancti Georgii. O.

Florence, 4 Kal. June, anno 2.

126, 151 [‡ p.]

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# Michal.

## [No rubric]

Formerly Robert erstwhile King of Scots, for the soul's 1410. weal of himself, his forebears and others then expressed, by 29 May. his letters granted anew in free alms in perpetuity (in liberam puram et perpetuam elemosinam) and also confirmed all the lands, donations, possessions, burgadia 1 (granted to the Abbot and convent of the monastery of KYNLOS. Cistercian order, Moray diocese, by his predecessors and other faithful), lying within Moray and the sheriffdom of Banffe, with woods, waters, mills, huntings, fishing, commodities, easements and pertinents, privileges, indulgences and liberties; also expressly willing and granting that the Abbot and convent and their men dwelling on the above lands in all future time be bound to make no suit or appearance for the said lands and possessions, lying wheresoever in the kingdom of Scotland, to himself or to any official of the Sheriff or Chamberlain Court, or to the Justiciar or to any other person, nor be compelled to come to any deposition of indictments or to wappenschaws (ad indictamentorum deposiciones vel armorum ostensiones) outwith the above lands, nor [be bound] to payment of contributions or similar customs, nor to any secular service, nor even to come to the army of himself or his successors, Kings of Scotland, unless it is stipulated in his letters that every man must come notwithstanding any privilege or indulgence; 2 but that the Abbot and convent with their men, lands, possessions and goods should be free and immune in perpetuity from the above vexations and burdens. That therefore the foresaid donations, concessions and confirmations may be strengthened by apostolic support and remain unshaken in future, the Abbot and convent supplicate that the Pope

<sup>1 ?</sup> Burgagia, burgage tenures.

<sup>&</sup>lt;sup>2</sup> vel eciam ad exercitum suum vel successorum suorum Regum Scotorum venire nisi in suis caveretur letteris quod pro capite suo iret unusquisque privilegio quolibet vel indulgencia non obstante minime compellerentur.

would ratify the same with whatsoever consequences, dccreeing them to be valid for all future time.

Committatur Cardinali Sancti Georgii. O.

Florence, 4 Kal. June, anno 2.

126, 152v [13 pp.]

Abb. Veronen. Florentin.

Nova provisio

1419. 30 May. Florence. ALEXANDER BARBERH, priest, that the Pope would ratify and confirm the acceptance and provision of the parish church of ABRENT, Dunkeld diocese (£20 sterling), made to him by apostolic authority by Peter de Luna before his deposition, and would likewise ratify the possession and all the consequences, and provide him anew if need be to the said church, void because a certain Richard de Creiff, last possessor, obtained the church of Kinkel, a parish church with cure, Aberdeen diocese, whether void by the said assecution or in whatsoever way: notwithstanding that he holds the archdeaconry of Caithness (£20 sterling), and the prebend called Guthry in the Church of Brechin (20 marks sterling).

Concessum ut petitur pro dictis quatuor.

Florence, 3 Kal. June, anno 2. 119, 36 [3 p.]

[This is the last of the four supplications in the rotulus.]

#### Nova provisio

1419. 31 May. Florence. Formerly, on the voidance of the monastery of PAISLEY, Cluniae order, Glasgow diocese, by the death outwith the Roman Court of the late Abbot John, Robert Abbot of Cluny, Macon diocese (according to the institutions of the order,<sup>1</sup> as approved by the Apostolic See), after the assumption of Pope Martin, by ordinary authority provided

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<sup>&</sup>lt;sup>1</sup> Abbot John de Lithqw had had a long controversy upon this point with Walter Bishop of Glasgow, who claimed that the right of confirmation belonged to him by ordinary authority. (*Registrum Mon. de Passelet*, 330-331.) Cp. p. 75.

THOMAS MOROW, monk, professed of the said monastery, B.Dec., and promoted (*prefecil*) him as Abbot; by virtue of which provision and institution Thomas obtained possession, or nearly so, of the rule and administration, and laudably governs (*preest*) at present. For greater validity, James King of Scots supplicates that the Pope would ratify the said provision and promotion of Thomas, his first chaplain,<sup>1</sup> with whatsoever consequences, and provide him to the said monastery (1000 marks sterling), whether void as above or in whatsoever way.

Fiat ut petitur si ante declarationem obedientie Scocie facta fuit provisio hujusmodi. O. [Granted, if the provision was made before the declaration of the obedience of Scotland to Pope Martin.]

Florence, Prid. Kal. June, anno 2. 126, 115v [1 p.]

S. Maxen.

#### Nova provisio

Lately, on the voidance of the precentorship of ABERDEEN 1419. and the canonry and prebend of OICTERLESS canonically 31 May. Florence. annexed thereto, by the death outwith the Roman Court of Simon Etale, last possessor, Gilbert Bishop of Aberdeen, to whom collation and provision pertain by right and custom, collated, provided and inducted WILLIAM DE CRAUFURDE, priest, said diocese, who holds and possesses peaceably at present. But because he doubts the validity of the said collation, provision and induction, he supplicates that the Pope would ratify the same with whatsoever consequences, and provide him anew to the said precentorship, which is a dignity with cure, and to the canonry and prebend (40 marks of old sterling), whether void as above, or in whatsoever way : notwithstanding the parish church of Coule (10 marks sterling); and dispensing him to hold the said precentorship and parish

<sup>&</sup>lt;sup>1</sup> It is interesting that the captive James should have a monk of Paisley as his 'first chaplain.' (Cf. C.P.R., vii. 141, 291; and see Introduction, pp. xxix, xxxi.)

church together for five years, with power of exchanging in the meantime for other compatibles.

Fiat ut petitur. O.

Florence, Prid. Kal. June, anno 2.

126, 156<sup>v</sup> [1 p.]

Michal. Jo. Ixworth. D. Montegaud.

#### Commissio

1419. 31 May. Florence.

The Provost, bailies and community of the town of EDYNBURGH, St. Andrews diocese, with the assent of James King of Scots or the Governor, the true patron of the parish church or vicarage of the said town, supplicate that the Pope would give mandate to some good man, in or outwith the Roman Curia, to take summary information, and if he find that the union of the said church formerly made by Peter de Luna (Benedict XIII) to the monastery of Scone, O.S.A., said diocese, has not taken effect, or, if perchance it has taken effect, to have proceeded from null or from unnecessary causes or false allegations, to revoke and annul the same, and to reserve to the above Provost and community (if with the consent of the King or Governor) for all future time the presentation, as often as there be a voidance, of a fit person to be instituted as rector or vicar by the Ordinary, or to transfer the right of patronage from the said King to them.

Fiat de consensu patroni ut petitur. O.

Florence, Prid. Kal. June, anno 2. 126, 160v [14 pp.]

Abbas Veronen. De Montegaud.

#### Nova provisio

1419. 1 June. Florence. Lately a certain Alexander Vaus for certain reasonable causes freely resigned in the hands of the Ordinary the canonry and prebend and archdeaconry of CATHINESS, and he, having admitted the resignation, by his ordinary

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authority provided the said canonry, prebend and archdeaconry, thus void, to THOMAS DE GRENLAU, M.A., B.Dec., and versed (provecto) in theology, and inducted him into possession. For six years or thereabout he held and possessed the same, he and the kingdom of Scotland being in the obedience of Peter de Luna, then called Pope Benedict XIII in his obedience, and he holds and possesses at present : but because he doubts that in future legal action may be brought against him (dubitet eidem in futurum posse impigni), therefore he, present in the Roman Curia, supplicates that the Pope would collate him anew if need be, or provide him to the same (40 marks of pure silver), whether void as above, or by deprivation of a certain Alexander Barber, or void in whatsoever way : notwithstanding the canonries and prebends of Ruffyll and Kynnor in the Churches of Dunkeld and Moray (total fruits of which £30 sterling).

Concessum ut petitur.

Florence, Kal. June, anno 2.

119, 73 [<sup>8</sup>/<sub>4</sub> p.] Michal.

#### Nova provisio

Lately, on the voidance of the parish church of KYNNEL. 1419. St. Andrews diocese, by the death outwith the Roman 1 June. Court of the late Thomas Lyel, last possessor, JOHN GIL, Florence. M.A., Bachelor in Theology, obtained collation and possession by virtue of an apostolic grace, and holds and possesses it at present. But he doubts the validity of the said collation, provision and possession, because it is asserted by some that Thomas was a chaplain of honour of the Apostolic See, and that consequently the said church is generally reserved to apostolic disposition ; he therefore supplicates that the Pope would ratify the same with whatsoever consequences, and provide him anew to the said parish church of Kynnel (40 marks of old sterling), whether void as above or in whatsoever way : notwithstanding the right, if any, which a certain Thomas de

Penicuk claims to have in or to the said church by virtue of a collation and provision made to him by apostolic letters.

Fiat ut petitur. O. Florence, Prid. Kal. June, anno 2. 126, 72<sup>v</sup> [<sup>3</sup>/<sub>2</sub> p.]

## Confirmatio

1419. 1 June. Florence.

Formerly (Jam pridem), on the voidance of the monastery of CULROSS, Cistercian order, Dunblane diocese (£100 Turonensium parvorum) 1 by the death of the late Adam de Caral, last Abbot, outwith the Roman Court, the convent with due solemnity unanimously elected JOHN DE PEBLYS. priest, monk of the monastery, professed of the order, to be Abbot, and John consented within lawful time to his election, and was thereafter confirmed by the Ordinary and the Father Abbot 2 and blessed by the Ordinary, and enjoyed peaceable possession of the monastery and its goods for twenty years. But because the said Abbot John never had himself confirmed by any of the contending rivals for the Papacy, awaiting the longed-for union of Holy Mother Church, now by the help of God achieved in the person of Pope Martin, he has certain scruples of conscience, and supplicates that the Pope would ratify his election and confirmation and all the consequences.

Fiat ut petitur. 0.

Florence, Kal. June, anno 2.

130, 88<sup>v</sup> [1 p. - ]

De hospitali

1419. 2 June. Florence.

Since the hospital of ST. GERMAN de Stella Betalamitana,<sup>3</sup>

<sup>8</sup> St. Germains in Haddingtonshire was said to have been a house of

<sup>&</sup>lt;sup>1</sup> Petite tournois; small deniers of Tours, a currency of frequent use at this time; perhaps here a slip for pounds sterling.

<sup>&</sup>lt;sup>8</sup> The Abbot of Kinloss. He deposed John de Peblys for incontinency in this same year. (*Records of Kinloss*, xl.) According to the constitution of the Cistercian order the relationship of a monastic house to its offshoots was that of parent to daughter. This was the only link between two houses. Thus the Abbot of Melrose was the Father Abbot of Kinloss, but had no authority over Culross, which was the daughter house of Kinloss.

O.S.A., with its annexes, has hitherto been wont to be assigned to secular clerks in that order, and to be ruled by them, and since it is said to be void by the death outwith the Roman Court of the late Henry de Ramessay, last possessor, and notwithstanding that a certain Richard Maryton, canon regular of the monastery of Scone, said diocese, has intruded himself de facto into the said hospital -Alexander Lyndesay, Earl of Crawfurde, nephew of the King of Scotland 1 (Sicilie; rectius Scocie), supplicates in the person of his secretary JOHN FLEMYNG, priest, St. Andrews diocese, B.Dec., that the Pope, receiving him [John] into the said order, would provide him to the above hospital with annexes (£50 of old sterling), whether void as above, or by free resignation of Henry, or in whatsoever way: notwithstanding the two chaplaincies of Kylgeny and St. George in the church of Dunde, which he holds and is ready to resign, and notwithstanding defect of birth as the son of a priest and an unmarried woman, for which he has dispensation, as may be expressed in Chancery.

Fiat si est consuetum. O. [Granted, if it is the custom.] Florence, 4 Non. June, anno 2. 126,  $204^{v}$  [ $\frac{7}{4}$  p.]

#### Michal.

# Nova provisio

Lately, on the voidance of the conventual priory of 1419. URQWARD, O.S.B., Moray diocese, by the promotion of 2-June. William de St. Andrea, monk, said order, made by Peter Florence. de Luna (Benedict XIII) to the abbey or monastery of Dwnfermeleyn, said order, St. Andrews diocese, ANDREW RAYBOURN, Prior of Coldingane,<sup>2</sup> said diocese, B.Dec., was canonically elected to the said priory of Urqward,—by

the Templars, following the rule of St. Augustine. (See Keith's *Scotlish Bishops*, 435, 475.) There is much obscurity about the early history of this hospital.

<sup>&</sup>lt;sup>1</sup> His mother was a daughter of Robert II.

<sup>&</sup>lt;sup>2</sup> In the Dunfermline succession. He is not mentioned in the records of Coldingham Priory.

virtue of which election he obtained possession, and held and possessed it for a long time, as he does at present. But he doubts the validity and supplicates that the Pope would ratify the foregoing with whatsoever consequences, and would provide him to the said priory (60 marks sterling), whether void as above or in whatsoever way.

Fiat ut petitur. O.

### Nova provisio

Lately ROBERT CLERICI, priest, Brechin diocese, M.A., was collated by ordinary authority and obtained peaceable possession of the parish church of INRARITE [Inverarity]. St. Andrews diocese, then void by the free resignation of William Belli in the hands of the Ordinary, and he has held and possessed the church from that time, as he does at present; but for certain reasons he doubts the validity of his assecution, and that the said church was not void as above, but by the free resignation made outwith the Roman Court before a certain notary and witnesses by a certain David Edwy, who, it is said, had a mandate of provision by apostolic authority, but did not have possession. Therefore Robert supplicates that the Pope would provide him to the said church (£20 of old sterling), whether void by the resignation of William or of David, or in whatsoever way : notwithstanding that he holds a chaplaincy at the altar of All Saints in the parish church of Dunde (7 marks Scots), Brechin diocese.

Fiat ut petitur. 0.

Florence, 4 Non. June, anno 2.

126, 263v [11 pp.]

[These two supplications are granted together by signature under the same date.]

Creten.

## Dispensatio

1419. 2 June. Florence. INGERAM LYNDESAY, clerk, St. Andrews diocese, of a race of Earls, B.Dec., who, by virtue of papal dispensations to hold compatible benefices, obtained possession of the parish church of RATHOW, said diocese,-that together with the said parish church (£40 of old sterling) the Pope would dispense him to hold for life another ecclesiastical benefice, even if with cure of souls and a dignity, etc., with power of resigning them together or successively, simply or for exchange.

Fiat ut petitur ad biennium si sunt disparis cure. O. [Granted for two years, if they are unlike in cure, i.e. only one having cure of souls.]

Florence, 4 Non. June, anno 2. 127, 104 [1 p.]

Creten.

# De ordinibus recipiendis

INGERAM LYNDESAY, acolvte, Glasgow diocese, rector of the parish church of Rathow, St. Andrews diocese in 5 June. Florence Scotland, B.Dec., that the Pope would dispense him (who is in the Curia and who ought by ritual regulation (rite) to receive holy orders by reason of the foresaid parish church, which he has held for about a year, although on account of continuous labours at the Roman Curia he has hitherto not been conveniently able to take the said orders, and who has been dispensed by apostolic authority to be promoted to all holy orders notwithstanding defect of birth as the son of an unmarried knight, a baron, and an unmarried woman) to receive in Curia on the Saturday of the approaching Ember Week 1 (istis proximo Sabbato quatuor temporum) from some Catholic bishop subdeacon's, deacon's and priest's orders on the one day and by a single

1419.

<sup>1</sup> i.e. Saturday, 10 June-the Saturday before Trinity Sunday, which fell on 11 June in 1419. In an Ember Week there are only three Ember Days-Wednesday, Friday and Saturday; and ordinations take place only on the Saturday. Ember Days fall in the weeks following (I) the first Sunday in Lent ; (2) the Feast of Pentecost ; (3) the Feast of the Exaltation of the Holy Cross (14 September); (4) St. Lucia's Day (13 December). If, however, 'the 14th September and 13th December fall on a Wednesday the Ember days commence on the Wednesday following,' (See H. Nichols, Chronology of History, 146, for the enumeration of Ember Days.)

laying on of hands, and thereafter freely and lawfully to minister in the said orders.

Fiat. O.

Florence, Non. Junc, anno 2.

126, 227<sup>v</sup> [1 p.]

Michal.

#### Confessionale

1419. 5 June. Florence. ARCHIBALD EARL OF DOUGLAS, that the Pope would grant him an indult to choose a fit confessor, secular or regular, to absolve him from all crimes, sins and excesses committed by him and confessed, even such as to which the Apostolic See should be consulted, and to impose salutary penance, and absolve him from all and sundry sentences of excommunication, etc., if he have incurred such.

Fiat. O.

#### Concessio

Moreover, since the said Earl bears a singular devotion to the Carthusian order, and wishes to found and erect anew or cause to be founded and erected a conventual house 1 for some brothers of the said order in a fit and suitable place, he supplicates that the Pope would grant a licence to erect or cause to erect the foresaid house for the said brothers, with church, bell tower, and other necessary offices (officinis), and that all and sundry the resident brothers should enjoy all the privileges, indults, immunities, liberties, exemptions, and whatsoever graces enjoyed by other houses and persons of the said order, granted by the Apostolic See or otherwise howsoever; also that the Pope would grant an indulgence of three years and as many quarantines, not to expire with the lapse of time, to all Christ's faithful stretching out helping hands or otherwise giving pious alms for the said erection

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<sup>&</sup>lt;sup>1</sup> Not named, and there is no record that the foundation was made.

and foundation, and the conservation and fabric of the church.

Fiat de edificatis, privilegiis et indulgencis in forma. O.

# Confirmatio

Since the late Pope Innocent,1 desiring to provide for the state and indemnities of the Abbot and convent of the monastery of Holmcaden, Cistercian order, granted an indult by his letters that whosoever should furtively carry off or invade any of their possessions or goods should underlie excommunication without appeal; and also Pope Lucius of happy memory decreed ad exemplar and firmly inhibited any one to promulgate a sentence of excommunication, suspension or interdict against the Abbot, convent or monastery, against that which had been observed from the beginning of the said rule, or to exact tithes from lands they cultivate or set to pasture or feu out for a term or longer; and granted them licence to absolve their servants in the hour of death, to administer the sacraments and give them ecclesiastical sepulture.<sup>2</sup> as is more fully contained in the letters :---that therefore the Abbot and convent of the monastery of Melrose may follow their devotions the more peacefully and be protected by the ecclesiastical sword against those who labour to oppress their liberties and rights, the said EARL [OF DOUGLAS] and ABBOT AND CONVENT OF MELROS SUDDicate that the Pope would extend the above concessions granted to the monastery of Holmicaden to the Abbot and convent

<sup>&</sup>lt;sup>1</sup> Innocent III. (1198-1216) granted privileges and exemptions to Holm Cultram, and confirmed previous grants made by Lucius III. (1181-1185), but the text is not given. (*Register of Holm Cultram*, 98.)

<sup>&</sup>lt;sup>a</sup> quadque suorum laborum quos propriis manihus aut sumplibus colerent seu de suorum nutrimentis annimalium non tamen de nocalibus cal eciana de terris antiquitus cultis et incultis nenon de conductis quas ad firmam vel lemnium seu cultas quemoslobile tenerent nullas ab eis seu ab aliis por co quad iporum animalia in aliqua patsura custodirent vel haborent decimas arigere vel extoquere pressument, licereque esi eciami pioronm servitores in extremis positos absolvere el opportunitate suscepta illis cum sepultura ecclesiatifa ministree sacramenta.

of the monastery of Melros, and would ratify the same; to remain inviolate for all future time.

Fiat et exhibeantur. 0.

Florence, Non. June, anno 2.

126, 244<sup>v</sup> [2 pp.]

Michal. Proth. de Brancac.

## Nova provisio

1419. 6 June. Florence. JOHN BARBERH, priest, that the Pope would ratify his acceptance and provision to the parish church of TAWAS, Aberdeen diocese (£20 sterling), made by apostolic authority, also his possession and whatsoever consequences, and would provide him anew, if need be, to the same, then void in a certain way, as is more fully contained in the apostolic letters thereanent, or void in whatsoever way : notwithstanding the prebend commonly called Bancharideveny [Banchory-Devenick] (£20 sterling), also the prebend of Lunnalare [Lemlair] in the Church of Ross, of which he has not peaceable possession (£20 sterling).

## Nova provisio

ALEXANDER BARBERH, that the Pope would ratify the acceptance and provision, etc., of the canonry and prebend of GUTHRY in the Church of Breechin (20 marks sterling), made to him by Peter de Luna, as above, and provide him anew, if need be, to the same, void because a certain Patrick de Hulston, then possessor, obtained possession of the prebend of Ramfrew in the Church of Glasgow, or void in whatsoever way: notwithstanding the archdeaconry of Caithness and the parish church of Abirnit, Dunkeld diocese (total fruits £40 sterling).

# Nova provisio

1419, 6 June. Florence. JOHN BARBERII, priest,—that the Pope would ratify and confirm his acceptance and provision of the prebend of BANCHARIDEVENY in the Church of Aberdeen (£20 sterling),

made to him by Peter de Luna [etc., as above], and provide him anew, if need be, to the said prebend, then void in a certain way, as is more fully contained, ctc., in the apostolic letters thereanent, or void in whatsoever way : notwithstanding the vicarage or parish church of Tarvas which he holds (£20 sterling), also the prebend of Lunnalare in the Church of Ross (£20 sterling) of which he has not peaceable possession.

Concessum pro his tribus.

Florence, 8 Id. June, anno 2.

119, 36 [2 pp.]

Michel. Creten.

## Nova provisio

JOHN BARBERII-that the Pope would ratify his accept-JOHN BARBERII-that the rope would fatty its accept and and provision of the prebend called LUNNALARE Florence. [Lemlair] in the Church of Ross (20 marks sterling), made by Peter de Luna before his deposition, also the possession and consequences, also provide him anew, if need be, to the same, whether void as expressed in the apostolic letters or otherwise : notwithstanding the vicarage or parish church of Tarvas (£20 sterling), and the prebend of Bancharvdeveny in the Church of Aberdeen (£20 sterling). both of which he possesses.

#### Nova provisio

ALEXANDER BARBERII, priest, that the Pope would ratify, etc., his acceptance and provision of the archdeaconry of CAITHNESS, a non-major dignity (£20 sterling), made to him by Peter de Luna by apostolic authority, it having become void because a certain Alexander Vaus, the possessor of the archdeaconry, was promoted to the Bishopric of Orkney and then translated to the Bishopric of Caithness ; whether void as above or in whatsoever way ; and would provide him anew if need be : notwithstanding the parish church of Abirnit (£20 sterling), which he was dispensed by apostolic authority to hold together with the

1419.

said archdeaconry, and notwithstanding the prebend of Guthry in the Church of Brechin (20 marks sterling).

Concessum ut petitur pro utroque.

Florence, 4 Id. June, anno 2.

119, 221v [1 p.]

Creten.

## Reformatio

1419 12 June.

Florence.

WILLIAM RAMESAY, that the apostolic letters upon his supplication about the perpetual vicarage of the parish church of MONKTOUN, Glasgow diocese, might be expedited with the expression 'gracie expectative sibi facte in eadem cancellaria declarande,'-which was cancelled in the original. it is unknown by whom.

Fiat. O.

Florence, Prid. Id. Junc, anno 2.

127, 32<sup>v</sup> [3 p.]

[No rubric]

1419 12 June. Florence.

Since in the supplication of INGERAM LYNDESAY, about the canonry and prebend of CASTILTARIS, in the Church of Glasgow, it was omitted to express that formerly Richard de Cornelio, after the deposition of Peter de Luna (Benedict XIII) by the Council of Constance, but during the obedience of Scotland, obtained the said canonry and prebend by virtue of a certain expectative grace impetrated from the said Peter before his deposition, and to mention the expectative grace granted by Pope Martin to Ingeram ; lest therefore the grace should be thought surreptitious, he supplicates that the apostolic letters be expedited with expression of the foregoing.

Fiat ut petitur. O.

Florence, Prid. Id. June, anno 2.

127, 32v [1 p.]

## Confirmatio

1419. 12 June. Florence.

Since James, erstwhile Bishop of St. Andrews,1 with assent of the Chapter, by ordinary authority totally and in

<sup>&</sup>lt;sup>1</sup> James Ben, who succeeded Lamberton in 1328. (Dowden, Bishops of Scotland, 23-25.) This exemption is not found in the records of Kelso.

perpetuity exempted the monastery of KELSO (Calchonien.), O.S.B., St. Andrews diocese, immediately subject to the Roman Church, with its whole parish from all jurisdiction and subjection to the Bishop of the place, granting that the Abbots should be in no way bound to come to his synod, and that the monastery should have divers churches united to it, and should enjoy the jurisdictions, immunities, indults, faculties, privileges and exemptions, granted, ratified and ordered to be observed by Popes Innocent II. Innocent IV. Adrian, Celestine and divers others, and subsequently by the various Bishops of St. Andrews with assent of the Chapter: and since sundry legacies (legationes), donations and grants of rents and lands have been made to the said monastery, therefore Abbot William and the convent of the same supplicate that the Pope would confirm and renew the said concession of not coming to synod, granted by the above Bishop James, and all and sundry the other exemptions, liberties, indults and privileges abovesaid, with whatsoever consequences.

Fiat. O.

Florence, Prid. Id. June, anno 2.

#### Concessio

Since the monastery of KELSO (Calkonien.), O.S.B., St. 1410. Andrews diocese, immediately subject to Rome, is situated <sup>12</sup> June. Florence. account of outbreaks of war between the two realms it often happens that some holy places of the said monastery and subject to it are polluted by the effusion of blood, and are under interdict or suspension, and cannot easily be reconciled because of the distance of the Bishop of the place and the many perils of the seas lying between the episcopal see and the monastery, whence many losses (*dampna*) and scandals may arise; also, for like causes and the heavy expenses of the said monastery, its religious and subjects cannot be promoted to orders when need be, and there is delay in blessing the chalices, altar ornaments

127, 59v [1 p, +]

and vestments of the said monastery and dependent churches, on acount of which very often divine worship cannot be fittingly rendered,—therefore Abbot William and the convent of the said monastery supplicate that the Pope would grant a faculty to the said Abbot William and his successors to reconcile by themselves and the religious of the said monastery all and sundry the holy places, churches and cemeteries, united to or dependent from the same, which may be polluted, interdicted or suspended by bloodshed, profanations or by the burial of excommunicates; and to pless chalices, altar ornaments and vestments of the said monastery and dependent churches.

Fiat ut petitur. 0.

Florence, Prid. Id. June, anno 2.

127, 101 [1 p.]

Michael. Jo. Ixworth.

## Nova provisio

1419. 15 June. Florence. ALEXANDER DE BALCHAS, priest, Aberdeen diocese, vicar of KYNNERNY, said diocese, after he obtained the said vicarage (then void in a certain way) by ordinary authority, held and possessed it peaceably and quietly, as he does at present, taking up the fruits. But since it is doubted by some that the collation and its consequences are invalid, it is supplicated that the Pope would ratify and confirm the same, and, if need be, provide him to the said vicarage (20 marks sterling), whether void as above or in whatsoever way.

## Nova provisio

1419. 15 June. Florence. ADAM DE GARDON, B.Dec., priest, vicar of the parish church of CRAWVIND [Cramond], Dunkeld diocese, who obtained the said vicarage and held and possessed it, taking up the fruits [etc., as above]—that the Pope would ratify and confirm the collation and consequences, and provide him if need be to the said vicarage (40 marks sterling), etc., as above.

Concessum pro hiis quatuor ut petitur.

Florence, 17 Kal. July, anno 2. 119, 103 [1 p.]

These are the first two, and only Scottish, supplications in the rotulus of four.]

## Michal.

1419.

#### Nova provisio

It is represented for the part of ABBOT JOHN and the convent of the monastery of PAISLEY, Cluniac order, 16 June. Glasgow diocese, that formerly (on the voidance of the monastery because Roland, Abbot of Corsraguin [Crossraguel], above order and diocese, then Abbot of Paisley, had freely resigned for a year and a half and more in the hands of the Bishop of Dunblane, deputed judge for the purpose by letters of Peter de Luna before his deposition) he was provided by virtue of the said letters and was canonically promoted (prefectus) as Abbot, and obtained peaceable possession, or nearly so, of the rule and administration, and ruled peaceably and quietly for a considerable time. Afterwards however Thomas Morow, who bears himself as a monk of the above monastery, falsely reporting to the Abbot of Cluny, Macon diocese, Father Abbot,1 that the provision and disposition of the monastery of Paisley had devolved to him through negligence 2 or otherwise, and alleging that he had been provided by letters of the said Father Abbot, presumed de facto and presumes at present to prevent Abbot John from governing peaceably and fittingly. And although Abbot John and the convent appealed to the Apostolic See from certain processes obtained by pretext of letters of the Abbot of Cluny, etc., nevertheless Thomas-who is detected and convicted as

<sup>&</sup>lt;sup>1</sup> According to the constitutions of the Cluniac order, all houses were directly subject to the parent house at Cluny.

<sup>&</sup>lt;sup>2</sup> i.e. through neglect to provide within the statutory time according to the statutes of devolution.

a public falsifier of the scals of the Prince and Abbot, and who is also an apostate (apostasic note subditus) and dilapidator of the precious goods of the said monastery of Paisley—in no way feared through his accomplices to rob a great sum of money, which was discovered on his person, from a certain nuncio sent by Abbot John and the convent to the Apostolic See for following up the appeal and carrying on their other business. Therefore they supplicate that the Pope would ratify the provision and institution of John with whatsoever consequences, and would provide him anew to the monastery of Paisley, howsoever void ; also that he would commit the hearing of the appeal and the principal business to one of the Cardinals, with power of citing Thomas and his accomplices outwith the Roman Court and *ad partes* as often as opportune.

Fiat ut petitur de nova provisione et de appellatione. 0. Florence, 16 Kal. July, anno 2. 127, 90<sup>v</sup> [1<sup>2</sup><sub>3</sub> pp.]

Proth. de Bran.

## Dispensatio

JAMES LYNDESAY, priest, St. Andrews diocese, of a race of Earls, M.A., B.Dec., who has studied theology for four years, as he does at present; that the Pope would dispense him to hold the parish church of INCHEBRIOUCH, St. Andrews diocese (£40 of old sterling): [as in supplication of Ingeram Lyndesay, p. 66].

Fiat ut petitur ad quinquennium. O.

Florence, 16 Kal. July, anno 2.

127, 104v [1 p.]

Michael.

# Reformatio

1419. 16 June. Florence. COLUMBA DE DUNBAR, St. Andrews diocese, about his dispensation to hold incompatibles, that the apostolic letters may be expedited with the expression that the

1419. 16 June. Florence deanery in the church of DUNBAR is a principal dignity with cure.

## Fiat. O.

Florence, 16 Kal. July, anno 2.

# 127, 105 [1 p.]

#### Michael.

## Dispensatio

ALEXANDER BARBERIJ, priest,-that formerly he was 1419. provided by Peter de Luna to the archdeaconry of CAITH- 16 June. Florence. NESS, a dignity with cure, and to the parish church of ABIRNIT, Dunkeld diocese (£40 sterling), with dispensation to hold them together for life with power of exchange ; he therefore supplicates that the Pope would ratify and confirm the foregoing, and dispense him anew.

Fiat ut petitur et dispensamus de novo ad quinquennium. O. 130, 82v [3 p.] Florence, 16 Kal. July, anno 2.

Michal.

1419.

## Concessio 1

Since the EARL OF DOUGLAS, the Provost, bailies and commonalty abovesaid [of EDINBURGH] desired to erect 19 June. the parish church of ST. GILES (in which at present there are thirteen perpetual chaplaincies sufficiently endowed) into a collegiate church, and the foresaid chaplaincies into as many prebends, and so far as their faculties permit to erect other prebends with canonries, dignities, personatus, offices and ecclesiastical benefices, and especially a provostship, which is a principal dignity, out of the perpetual vicarage or rectory of the said church, although by false allegations or unnecessary causes the Abbot and convent abovesaid 2 [i.e. Scone] claim to have the right of patronage,-it is supplicated that the Pope would give mandate to some one in partibus to erect the said parish church into a collegiate church, the perpetual vicarage into a

<sup>&</sup>lt;sup>1</sup> Marginal note : Supplicatio ad quam presens reformatio se refert est cassata.

<sup>&</sup>lt;sup>2</sup> Cf. Reg. Sup., 126, 160"; above, p. 62; and C.P.R., vii, 136.

provostship, the chaplaincies into prebends, etc., and do all things opportune and necessary ; and after the erection of the said provostship that Edward de Lawedre, rector of the parish church of Suthak, Glasgow diocese, be created Provost, so that he may now preside in Chapter and be provided as soon as the said vicarage of St. Giles (£100 of old sterling) becomes void by the resignation or death of the present vicar or rector, or in whatsoever way : that the patronage and presentation to the said provostship. prebends, dignities, etc., be reserved (except the provostship for this turn) to the said Provost and commonalty [of Edinburgh1: that the institution or confirmation to the provostship pertain to the Ordinary; to the prebends and dignities, etc., to the Chapter: and if and after false allegations, etc., be proved, decree that the patronage in no way pertains to the above Abbot and convent : notwithstanding that Edward holds the foresaid church of Suthack, which in a certain event he is bound to resign, and which he is ready to dimit after he takes up the fruits of the provostship, and notwithstanding that he has had grant of provision to the archdeaconry of Lothian in the Church of St. Andrews, and notwithstanding the parish church of Lyston, St. Andrews diocese (both £100 sterling), and defect of birth as the son of an unmarried man and an unmarried woman. The Provost, bailies and commonalty promise as a sign of endowment of the said college to procure annual rents of 100 crowns of gold and to continue the fabric of the said church, on which within the past few years they have expended more than five or six thousand like crowns.1

Fiat et committatur. O.

Florence, 13 Kal. July, anno 2. 127, 107v [21 pp.]

## Nova provisio

1419. 20 June. Florence. Lately, on the voidance of the parish church of STEVYNSTON, Glasgow diocese, by the free resignation of

<sup>1</sup> Cf. C.P.R., vii. 136.

William Petit, chaplain of honour, who then held it, in the hands of Peter de Luna, Benedict xIII, the said Peter de Luna, admitting the resignation, collated and provided RICHARD PETIT, B.Dec., canon of Ross, to the same, by virtue of which collation and provision Richard obtained peaceable possession. But since Richard doubts the validity for certain reasons (and particularly because at the time of the resignation, etc., the said Peter de Luna had been deposed by the Council of Constance, and William was a chaplain of honour, although the parts of Scotland had not vet withdrawn their allegiance from Peter). therefore Richard, who is B.Dec., supplicates that the Pope would ratify the foregoing with whatsoever consequences. and provide him anew to the said parish church (20 marks of old sterling), whether void as above or in whatsoever way: notwithstanding the canonry and prebend of Ross (16 marks of old sterling).

Fiat ut petitur. O.

Florence, 12 Kal. July, anno 2.

127, 185 [1 p. +]

Creten. S. Maxen.

# Nova provisio

ROBERT CLERICI, priest, Brechin diocese, M.A., that the 1419. Pope would provide him anew to the parish church of <sup>22</sup> June-INNERARITE, St. Andrews diocese [etc., as in the supplication of 2nd June, of which this is a copy], void by the resignation of the foresaid William [Belli], or of David, or void in whatsoever way: notwithstanding that he holds a perpetual chaplaincy (7 marks Scots) at the altar of All Saints in the parish church of Dunde, Brechin diocese.

#### Nova provisio

*Item*: Lately, on the voidance of the chaplaincy at the altar of All Saints in the parish church of DUNDE, Brechin diocese, by the resignation or death of the late Richard Fodringam outwith the Roman Court, the foresaid ROBERT [CLERICI] by the collation of the Earl of Crauford obtained peaceable possession of the same, thus void, and the collation or provision to which is said to pertain in full right (*pleno iure*) to the said Earl. Nevertheless for certain reasons he doubts the validity of the said collation; therefore he supplicates that the Pope would provide him to the said chaplaincy (7 marks Scots), whether void as above or howsoever.

Concessum pro hiis quatuor petitur.

Florence, 10 Kal. July, anno 2. 119, 86v [1 p. +]

[Granted along with two other supplications.]

Abb. Veronen.

## Nova provisio

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1419. 23 June. Florence.

Lately, on the voidance of the archdeaconry of LOTHIAN in the Church of St. Andrews by the death of the late Richard de Colven, COLUMBA DE DUMBER, son of the Earl of the Marches of Scotland, said diocese, obtained the same by ordinary authority and had peaceable possession, as he has to-day. But doubts are cast by some on the validity of the ordinary provision, for the reason that Richard is said to have been a chaplain of honour of the Apostolic See, and thus the said archdeaconry (which became void after the deposition of Benedict XIII) is believed to have been reserved; also for some other causes the said ordinary provision is called in question. Therefore on the part of the said Columba it is supplicated that the Pope would provide him to the said archdeaconry (£120 of old sterling), a dignity but not major post pontificalem, whether void as above or in whatsoever way : notwithstanding the deanery of the collegiate church of St. Baii [St. Baya] of Dunber, and the hospital of Rodoven [Ruthven], and a mandate of provision to the canonry and prebend Dominii [sic] in the Church of Glasgow (£60 of gold).

Fiat ut petitur. O.

Florence, Non. Kal. July, anno 2.

127, 189<sup>v</sup> [1 p.]

Creten.

## Reformatio

MICHAEL OUCHTRE, that the apostolic letters upon the 1410. canonry and prebend of ORNY in the Church of Dunkled <sup>26</sup> Jane. may be expedited with the expression that this prebend <sup>Florence</sup> is the subdeanery in the said Church.

Fiat. O.

Florence, 6 Kal. July, anno 2.

## Reformatio

JOHN PATRIESON, about a canonry and prebend of 1419. ORRNEY: that he obtained the same by ordinary authority <sup>22</sup> June. Florence. without sufficient dispensation, and that also in his petition inadvertently no mention was made that he possessed by the same ordinary authority the chaplainey without cure at the altar of St. Laurence in the said Church of Orkney (£2 sterling). Lest the grace be deemed surreptitious, he supplicates that the Pope, providing him anew as far as need be, would cause the letters to be expedited with the above expression.

JOHN PATRICSON, about the archdeaeonry of ORKNEY: that inadvertently it was omitted to mention the chaplaincy at the altar of St. Laurence [as above]—that therefore the apostolic letters may be expedited with the due expression and under date of the original petition.

Fiat ut petitur pro utroque. O.

Florence, 4 Kal. July, anno 2. 127, 240v [2 p.]

## Reformatio

JOIN BORMARA, about the perpetual vicarage of the 1419, parish church of VARIE CARELLE [Falkirk], St. Andrews <sup>50</sup> June. diocese. Since it appears that this perpetual vicarage has been incorporated to the monastery of Holyrood of Edunkirch, O.S.A., St. Andrews diocese, by Peter de Luna, without any cause expressed in his letters thereanent, and

. 127

127, 189<sup>v</sup> [ 1/3 p.]

since the said monastery abounds greatly in faculties. and the Abbot and convent (against whom the above John has obtained a suit about the said vicarage to be committed in the Roman Curia with citation to the parties) cause the said church to be governed by one of the religious of the monastery, having permission to leave the monastery for the purpose (illi per hoc extra dictum monasterium dissolucionis et vagacionis preparata materia), vet not in such a way as it becomes it to be served in spiritualities, and since the parishioners rather desire the cure of souls to be committed to a secular priest, as formerly, and the religious to be taken back to the monastery, therefore the Pope is supplicated to revoke and annul the incorporation (if such there be), and the above letters, and whatsoever consequences, and to provide the above John to the said church, whether void by the above revocation, or in whatsoever way.

Fiat si ex falsa causa. 0.1 Florence, Prid. Kal. July, anno 2. 127, 255<sup>v</sup> [<sup>7</sup>/<sub>8</sub> p.]

Proth. de Bra.

# Dispensatio

1419. 1 July. Florence. James King of Scots, in the person of MICHAEL OUCHTRE, priest, Dunblane diocese, familiar domestic and commensal of himself, his father and his mother, B.Dec. of Paris, who has read Decrects for certain years, as he does at present, and intends to do as far as the Licentiate,—that the Pope would dispense him (who is already dispensed by apostolic authority to be promoted to holy orders, notwithstanding defect of birth, etc., and to hold compatible benefices, and who by virtue of this dispensation obtained the canonry and prebend of Moyeyhe [Monzie] in the Church of Dunblane, and the perpetual vicarage of the parish church of Strongeth, said diocese,) to hold for life together with the said canonry, prebend and parish church (£14 of old

<sup>&</sup>lt;sup>1</sup> Falkirk continued to be served by a canon of Holyrood. (See C.P.R., vii. 454-455; and also later supplications.)

sterling) another ecclesiastical benefice, even with cure and a dignity, etc., with power of resigning it and the said parish church together or successively, simply or for exchange, holding two only incompatible, especially because in those parts benefices are contiguous and extremely lean in fruits (*in fractibus exiles et debiles calde*).

Fiat ad quinquennium. O.

Florence, Kal. July, anno 2.

127, 117v [1 p. +]

Michal. Jo. Ixworth.

#### Nova provisio

Recently, on the voidance of the hospital of ST. GERMAN, St. Andrews diocese, by the death of the late Henry 10 July. Florence. Ramsay, last rector outwith the Roman Court, John Bishop of Bethlehem 1-to whom the collation, provision and disposition of the said hospital wholly (omnimoda) pertainscollated, assigned and provided the same with its annexes to RICHARD DE LANGLANDRIS, priest, said diocese, notwithstanding that then, as until the present, (tunc prout est ad huc de presenti) it was unlawfully occupied by a certain Richard de Mariton. But since the said Richard de Langlandris for certain causes doubts the validity of the said collation, assignation and provision, he supplicates that the Pope would ratify the same with whatsoever consequences, and provide him anew to the said hospital with its annexes, which has cure of souls (60 marks sterling). whether void as above or by the death outwith the Roman Court of the late John Rollow, formerly rector, or void in whatsoever way.

Concessum ut petitur.

Florence, 6 Id. July, anno 2.

119, 141<sup>v</sup> [<sup>7</sup>/<sub>8</sub> p.]

<sup>1</sup> Joannes Mercatoris (Marchand), Order of Preachers, 1412-1423. (Eubel, *Hier, Cath. Med. Aevi*, i. 139.) Eubel states that after the middle of the thirteenth century this was a titular dignity given to bishops residing in France.

#### CALENDAR OF SUPPLICATIONS

## Creten.

#### Dispensatio

1419. 14 July. Florence. JAMES LYNDESAY, priest, St. Andrews diocese, of a race of Earls, M.A., B.Dec., who has studied theology for four years, as he does at present, and who was formely dispensed to hold ecclesiastical benefices [etc., as above, p. 76], by virtue of which dispensation he obtained the parish church of Inchebrioch (£40 of old sterling), St. Andrews diocese,—that the Pope, granting richer grace, would dispense him to hold whatsoever major dignities, etc., and that in expediting the graces he need make no mention of defect of birth.

Fiat. 0.

Florence, Prid. Id. July, anno 2. 128, 63v [1 p.]

# Nova provisio

1419. 15 July. Florence

WILLIAM BISHOP OF ORKNEY and ambassador of the realm of Scotland 1 narrates that formerly Benedict XIII. wishing to promote him to the above Church of Orkney, then void, but considering that the said Church was then a subject of litigation (fuerat litigiosa) between two obediences in the universal Church,2 granted that the said Bishop William (at that time a clerk and canon of Moray) should rctain in *commend* all the benefices which he then held in the kingdom of Scotland, namely, the canonry and prebend of Ryny in the Church of Moray, and the rectory of the parish church of Essy, St. Andrews diocese, and the hospital of Edikan<sup>3</sup> (which is of lay patronage, and of which the said William is utterly deprived), until a year from the day when he should gain entire and peaceable possession of some cathedral church, collated to him by Benedict, and should have entire and peaceable possession

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<sup>&</sup>lt;sup>1</sup> To intimate the adherence of Scotland to Pope Martin. (Copiale, 23-24.)

<sup>&</sup>lt;sup>2</sup> William Stevenson was appointed by the Anti-pope, Benedict XIII., in 1415. Thomas de Tulloch was provided by Pope Martin in 1418 (*Scottisk Benefics*, 1), but litigation seems to have gone on for some time, and there is much obscurity in the records of Orkney at this period.

<sup>&</sup>lt;sup>8</sup> Edynhame in C.P.R., vii. 118.

of all the fruits and revenues. After this dispensation, the above Benedict provided William to the see of Orkney, lying far distant in the island seas and at the end of the world, and after much strife and discord he gained possession of the Church but not of the fruits. Immediately after obtaining possession of this Cathedral Church, William, hearing of the assumption of Pope Martin to the pontificate, and being obedient to him, made haste to set out to visit his presence in person. When he was already on the journey,1 being burdened with an embassy from the realm of Scotland, a certain John de Dalgles (thus recently called, but previously from the time of his birth called John Willelmi), alleged priest, stepped in (supervenit) and impetrated the above parish church of Essy, as void by the assecution of the see of Orkney, making no mention of the above grant of commend or of the dispensation made by Benedict before his deposition. Wherefore Robert, Governor of Scotland, and all the three Estates of the Realm, supplicate that the Pope would confirm anew the commend and dispensation granted by Benedict, notwithstanding the impetration of John de Dalgles, and would dispense him to hold the above canonry and prebend of Ryny and the parish church of Essy (50 marks sterling) in commend until promoted by the Pope to some Cathedral Church in the realm of Scotland, and for a year thereafter.

Fiat de novo sicut sibi alias concessum fuit. O.

128, 22 [2 pp.]

#### Michal.

#### Surrogatio cum nova provisione

Florence, Id. July, anno 2.

Lately, on the voidance of the hospital of ST. GERMAN, 1410, O.S.A., St. Andrews diocese (wont to be collated by the IJ July. Bishop of Bethlehem to those wearing (*defernitions*) the <sup>Florence</sup>. red star of a clerk of the said order), by the death of the late John Rolloc, chaplain of the Apostolic See, at the supplication of Robert Duke of Albany, Governor

<sup>&</sup>lt;sup>1</sup> He went by way of Burgundy, and was at the court of the Duke from 11 April to 2 May 1419. (*Copiale*, 398.)

of Scotland, Benedict XIII provided RICHARD DE MARYNGTON, canon of Scone, above order and diocese. Thereafter between the said Richard and a certain Henry de Ramsay, priest, said diocese, matter of controversy arose about the said hospital, and, while the suit was pending alike in the kingdom of Scotland and in the Roman Curia before divers judges, both of the litigants obtained a definitive sentence, the cause of the appeal from which in the second instance was committed to Gundissalvus de Sancta Maria, Auditor of the Sacred Apostolic Palace of Causes, who proceeded to some acts but not to the conclusion of the cause. In the meantime for certain reasons Pope Benedict ordered the Auditor not to proceed further, and when the cause was thus pending undecided the foresaid Henry died and Richard obtained peaceable possession of the said hospital, and was confirmed anew by an apostolic legate of Pope Martin.1 Wherefore on the part of Richard it is supplicated that the Pope would ratify the provision and possession, and would surrogate him in all claim (if any) which the said Henry de Ramsav had in or to the said hospital, and would provide him anew to the same (£50 of old sterling when the holder is non-resident), whether void as above by the death of John Rolloc, or of Henry, or in whatsoever way, giving commission to the Bishop of St. Andrews to confer the sign of the star pertaining to the said hospital, which he was dispensed by the Apostolic See not to be compelled to wear, and which now he freely offers to wear.2

Fiat ut petitur et committatur de receptione habitus. O.

Florence, 16 Kal. Aug., anno 2.

128, 26 [13 pp.]

<sup>1</sup> There is no record in the *Papal Registers* of an apostolic legate in Scotland at this time, but Griffin, Bishop of Ross, and Finlay de Albania were sent as papal nuncios in 1418. (*C.P.R.*, vii. 6.)

<sup>a</sup> The text here is enigmatical. It reads: '... committents: reverendo pari domino Episcopo Sanctiandree ut signum stelle dicto hospitali pertinens super quo cum dicto Ricardo ne deferre teneretur per sedem apociolicam extitui dispensatum quod iam sponte offeri gerendum eidem Ricardo aucioritate Vestre Sanctitais conferai e assignet.' This seems to mean that Richard had been dispensed from the necessity of wearing the star, but now offers to wearit.

86

Michal.

# Nova provisio

JAMES DE KETH, Prior of the priory of ROSTINOTH, O.S.A.,1 St. Andrews diocese,-that formerly on the 17 July. voidance of this priory by the promotion of Thomas de Esdale, then Prior, to the abbacy of the monastery of Jedworth, said order, Glasgow diocese, Henry Bishop of St. Andrews provided James, at the presentation of the Abbot and convent of the said monastery of Jedworth, and instituted him, although it was generally reserved according to the rules, reservations and custom of Benedict XIII. in whose obedience those parts then were. Then, discovering or hearing of this reservation, the said Bishop by right of a legation granted to him by the said Benedict. provided James to the priory by apostolic authority as to a reserved benefice, and thereafter he possessed it, as he does at present, peaceably and quietly. But for certain causes he doubts the validity of the provision and fears that he may be molested in future : therefore he supplicates that Pope Martin, for greater security, would provide him to the foresaid priory (£200 sterling), void in whatsoever wav.

Fiat ut petitur. 0.

Florence, 16 Kal. Aug., anno 2.

Michal.

# Nova provisio

NICHOLAS INGLIS, subdeacon, Glasgow diocese, M.A., of 1419. noble race, nephew of the Bishop of St. Andrews,-that 17 July. Florence. lately (during the obcdience of Scotland to Peter de Luna, although after his deposition by the Council of Constance) on the voidance of the parish church of FECHIRESSOCH [Fetteresso], St. Andrews diocese, by the death of the late Alexander Traill, outwith the Roman Court, the said Nicholas accepted the same within the legitimate time on

<sup>1</sup> It was a cell of Jedburgh.

#### 87

1419. Florence.

128, 27 [7 p.]

the strength of a faculty granted by the said Peter de Luna to Henry Bishop of St. Andrews and of his nomination by the said Bishop, and he had provision and possession. And then, having discovered that the said Alexander was a familiar commensal of the late Cardinal Guido, Bishop of Palestrina, and that the benefice moreover was generally reserved, Peter de Luna provided Nicholas to the said church as to a benefice thus reserved. But since Nicholas doubts the validity of the foregoing for certain causes, and especially because they were done after the deposition of Benedict, therefore he supplicates that the Pope would ratify the above acceptance, provision and possession, and new provision as to a reserved benefice, with whatsoever consequences, and would provide him to the said parish church (60 sterling).

Fiat ut petitur de nova provisione. O.

Florence, 16 Kal. Aug., anno 2.

128, 27 [1 p.]

Abb. Veronen.

#### Si neutri

1419. 17 July. Florence.

In a suit pending in the Apostolic Palace before John de Thomaris of Bologna, Auditor of Causes, between JOHN BOUMAKAR, priest and plaintiff (agentem) on the one side, and on the other a certain John de Edingburgh, alleged canon of the monastery of Holyrood of Edingburgh, St. Andrews diocese, about the perpetual vicarage of the parish church of VARIE CAPELLE [Falkirk], said diocese, it has been proceeded to certain acts, but short of conclusion, and by some it is asserted that neither of the said litigants has right to the said vicarage. Therefore the above John Boumakar supplicates that the Pope would give mandate to the foresaid Auditor that, if he find that neither has right, he collate and provide him to the said perpetual vicarage (£60 sterling, when one is non-resident), void by the death outwith the Roman Court of Thomas de Rw [Rew, Row; cf. pp. 112, 142], last possessor, or howsoever void : notwithstanding that he holds the parish

church of Muniabroc (£20 sterling), Glasgow diocese, which he is ready to resign, provided, etc. [*i.e.* that he gain possession of the above].

Fiat ut petitur. 0.

Florence, 16 Kal. Aug., anno 2. / 128, 73 [1 p. -]

# [No rubric]

JAMES LYNDESAY, pricst, St. Andrews diocese, M.A., 1419. B.Dec., student in theology, dispensed to hold ecclesiastical 17 July. Florence. benefices, etc. [as above, p. 84],-that the Pope would provide him to the deanery of ABERDEEN, with prebend annexed, a major dignity with cure and elective, in the said Church (£80 of old sterling), void through the fact that a certain Patrick de Spaldvng, bearing himself as a priest (pro presbitero se gerens), Brechin diocese, has presumed to retain them for a considerable time unlawfully occupied, together with the vicarage with cure of the parish church of Elon, Aberdeen diocese, without obtaining dispensation, and to usurp the fruits ; or void by the free resignation of the said Patrick, or howsoever : notwithstanding defect of birth, and the rectory of Inchebrioch, St. Andrews diocese, which he holds (£40 sterling).

Fiat ut petitur pro omnibus decem. O.

Florence, 16 Kal, Aug., anno 2.

128, 163 [<sup>2</sup>/<sub>3</sub> p.]

[This is the seventh supplication in the rotulus of ten.]

Creten. Astoricen. Michal.

#### Nova provisio

It is represented on the part of (exponitur pro parte) 1410, WILLIAM NORY, Prior of May, St. Andrews diocese, that <sup>18</sup> July. Florence, by the death outwith the Roman Court of Robert de Luchris, then Prior (the Kingdom of Secoltand then being in the obedience of the former Benedict XIII but before his removal by the Council of Constance), during ten years the foresaid William Nory accepted the priory by a certain expectative grace made to him by Benedict and had himself provided,1 but James de Haldaston, now Prior, but then a canon of St. Andrews, obtained provision of the said priory of May by ordinary authority. A great suit arose between them in the Curia of Benedict about the right of the said priory and divers resignations and impetrations, and for a considerable time (diu) it pended undecided. but at last it was finally decided for the said William Nory ; by virtue of which sentence he obtained possession of the said priory and possessed it peaccably from that time, as he does at present. But for certain causes he doubts the validity of the collation, acceptance and provision and possession made to him by Benedict, and all the consequences ; he therefore supplicates that the Pope would ratify the same and provide him anew to the said priory of May (£140 sterling), whether void by the death of the late Robert, or by promotion of the said John to the priory of St. Andrews, or by the resignation of a certain John Lychstar, canon of St. Andrews, who, on the promotion of John to the priorship of St. Andrews, impetrated the priory of May from Pope Martin and afterwards apostatised (postea fidem renigrando apostatavit), and went over personally to Peter de Luna and impetrated the priory of St. Andrews from him : 2 or void in whatsoever way.

# Nova provisio

It is represented on the part of WALTER DE LICHTON, priest, perpetual vicar of the parish church of FORDON, St. Andrews diocese, that formerly on the voidance of the said vicarage by the death of the late Master John de Lichton at the Court of the former Benedict XIII, the

 <sup>...</sup> per decem annos predictus Willelmus Nory exponens per quamdam graciam expectativom sibi per olim Benedictum factam eundem prioratum acceptaveria es sibi provideri fecit de evolem.

<sup>&</sup>lt;sup>2</sup> See Copiale, 397.

said Benedict collated the vicarage to the above Walter de Lichton, brother german of John, and provided him to the same a considerable time before his deposition ; by virtue of which collation and provision he peaceably obtained corporal and real possession of the above vicarage. Neverthcless for certain causes he doubts the validity [etc., as abovel: he therefore supplicates that the Pope would ratify the same and provide him anew to the said vicarage of Fordun (35 marks [sterling]), whether void by the death of the foresaid Master John, or by the death outwith the Roman Court of a certain John Archibaldi, formerly alleging a right to the said vicarage, or void in whatsoever way.

Concessum ut petitur pro hiis quatuor.

Florence, 15 Kal. Aug., anno 2.

These are the two last supplications in the rotulus of four.]

Michael

119, 186<sup>v</sup> [1 p.]

#### Nova provisio

It is represented on the part of NICHOLAS CHYLDE, priest, St. Andrews diocese, licentiate in arts, that formerly, on 19 July. Florence. the voidance of the parish church of HALIS, said diocese, by the death of the late Richard Huntar in the Roman Court. he obtained provision thereto by apostolic authority and had peaceable possession, and possesses the same at present. But since for certain causes he doubts the validity of the provision and fears that he may be molested in future, he supplicates that the Pope would ratify the foregoing with all the consequences, and provide him anew to the said parish church (40 marks sterling), whether void as above or howsoever: notwithstanding his adhesion to Peter de Luna before his rejection by the realm of Scotland (ante determinationem Regni Scocie); and notwithstanding an impetration from him, after his deposition, of certain letters, which he does not intend to use.

Fiat ut petitur. O.

Florence, 14 Kal. Aug., anno 2.

128, 123v [7 p.]

1419.

#### Concessio

1419. 20 July. Florence.

After the burning through lightning (post combustionem per fulguris incendium) of the monastery of ABIRBROTHOC, O.S.B., St. Andrews diocese, the monks, not living under regular discipline and order, as befits them, but transferred here and there, in some cases had sinned so greatly 1 that the providence and discretion of the Abbot is not sufficient to dispense and absolve them. Therefore, lest the religious should have occasion of relaxing their vows and of wandering, whereby souls may be endangered,2 WALTER ABBOT of the said monastery supplicates that the Pope would grant him faculties, as long as he shall govern, to absolve, dispense and habilitate all and sundry the religious of the said monastery from whatsoever cases, even those reserved to the Apostolic See, as often as they confess to him, and from all kinds of irregularity except bodily mutilation or homicide, and to impose salutary penance.

Fiat ut petitur pro semel tantum. O. [Granted for one time only.]

Florence, 13 Kal. Aug., anno 2.

128, 169v [3 p.]

Proth. de Brancacis. Abbas Veron.

#### Commissio unionis

1419. 21 July. Florence. It is represented on the part of the Abbot and convent of the monastery of HOLYROOD of Edymbourch, O.S.A., St. Andrews diocese, that formerly they had possession of the parish church of KYNGOEN, said diocese, donated to them by Richard erstwhile Bishop of St. Andrews, with the consent of the Chapter, and of William erstwhile King of Scotland, who had the right of patronage, and held it for the uses of themselves and the monastery ; and Pope Honorius III confirmed the same by apostolic authority

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<sup>&</sup>lt;sup>1</sup> sed quidam hincinde transmissi in diversis casubus ita deliquerant. . . . There is a corrector's mark, denoting error, above casubus.

<sup>&</sup>lt;sup>2</sup> ne religiosi monasterii predicti dissolucionis materiam habeant evagandi qua periculum imminet animarum,

by his letters. Then afterwards at the instance of the parishioners, and because the church lay outwith the town, the Abbot of that time caused a certain new church to be built within the town and to be consecrated by the Ordinary, and the parochial insignia to be taken there. When the said Ordinary had collated this new church to a certain clerk, and between the clerk and the Abbot and convent a suit or matter of question had arisen, at length a concord was made between them, namely, that the Abbot and convent should receive only one half, and the foresaid clerk and his successors, rectors of the said new church, the other half of the garbal tithes with oblations and other emoluments. Subsequently, on the part of the Abbot and convent, it was represented to Peter de Luna, then Benedict XIII, that the fruits of the said monastery on which divers burdens were incumbent, on account of wars and otherwise, were not a little diminished, and that of old the foresaid Abbot and convent had held the fruits and profits of the said church for the uses of the monastery, although they in their time took up only half of the garbal tithes. Then Benedict gave mandate to incorporate, annex and unite the said church, with all its rights and pertinents, to the monastery in such a way that, on the resignation or death of the rector, the Abbot and convent should take and hold corporal possession in perpetuity, converting the fruits, etc., and the rights and obventions to the uses of themselves, the church and monastery, without requiring the licence of the diocesan of the place or of any other; and that the cure of souls should be exercised by a perpetual vicar, a canon of the monastery, and that presentation should belong to the Abbot and convent together. reserving a portion or annual pension of 20 marks sterling to be paid by the Abbot and convent to the vicar, as is more fully contained in the letters. By virtue of these letters the church was afterwards incorporated to the said monastery, and the Abbot and convent obtained possession of the church, then void by the free resignation of Walter Bel, alleged rector, before certain notaries and witnesses. Nevertheless there intervened a treaty (tractatus) made by Robert Duke of Albany, Governor of Scotland (to which also the said Abbot gave his assent in order that he might relieve the distress of his monastery and the more usefully govern), namely, that the said Abbot should pay to Walter, that he might be his counsellor. £40 Scots every year for life (idem Abbas prefato Waltero de guadraginta librarum monete Scotie efficaciter respondere deberet). But the said Abbot and convent doubt that they may yet be molested about the said church and that the foregoing is not valid; therefore they supplicate that (considering that said monastery is situated in one of the most notable towns of the whole realm of Scotland, at which there is frequent concourse of princes, magnates and other nobles, and moreover that the burden of hospitality is a great daily expense to the said Abbot and convent and cannot conveniently be sustained without this or other subsidy) the Pope would ratify the concession, donation, incorporation, annexation, union and all and sundry the above, and in so far as is expedient incorporate, annex and unite anew the said church (100 marks of old sterling) to the monastery (1300 marks of old sterling).

Fiat de novo dummodo subsit legitima causa et committatur. O. [Granted anew, if there be legitimate cause, and let the case be committed, *i.e.* to a judge.]

Florence, 12 Kal. Aug., anno 2. 128, 173v [2<sup>2</sup>/<sub>5</sub> pp.]

Astoricen. Michal.

# [No rubric]

WILLIAM ADE, priest, Glasgow diocese, was presented to the perpetual vicarage of LYNTON, said diocese (void by the promotion of Master John de Borthwyk to the parish church of St. Mary de Foresta),<sup>1</sup> by the Abbot and convent of Kelkow, O.S.B., St. Andrews diocese, the true patrons, and was admitted by the Ordinary, and possessed it for three years or less, and holds it at present, taking up the

1419. 21 July. Florence.

<sup>&</sup>lt;sup>1</sup> St. Mary in the Forest of Selkirk or Ettrick. See Orig. Par., i. 268.

fruits. Nevertheless it is asserted by some that John, after gaining peaceable possession of the vicarage, did not have himself promoted to holy orders within lawful time, nor dispensed for defect of age, and that he offered various rewards to obtain the consent of the patron. Therefore William, fearing that in future he may be molested about the vicarage, supplicates that the Pope would provide him anew to the same (£20 of old sterling), whether void as above, or in whatsoever way.

Fiat ut petitur. O.

Florence, 12 Kal. Aug., anno 2.

130, 230 [ <sup>4</sup>/<sub>5</sub> p.]

### Mandatum

Formerly Peter de Luna, called Benedict XIII in his 1419. obedience, dispensed divers persons in the kingdom of  $F_{lorence}^{[?]}$  c.25 July. Scotland to hold incompatibles for life, of which persons some have to expedite letters in the Chancery of Pope Martin (ex quibus aliqui habent in cancellaria Vestre Sanctitatis litteras expedire). Nevertheless on account of the restrictions of the rules of Chancery, the Lords President in the said Chancery refuse to expedite letters in which there is mention of such dispensations. And because an ordinance is said to have been made by Pope Martin, although not published, about these dispensations 1 and collations of benefices and certain dispositions concerning (tangentibus) Scotland made by the foresaid Peter de Luna before his deposition, therefore NICHOLAS DE ATHOLIA, priest, Dunkeld diocese, B.Dec., supplicates that, since by virtue of a dispensation made to him as above he has held a canonry and prebend, and the precentorship of the Church of DUNKELD canonically annexed, for eight years and more, peaceably and quietly, as he holds them at present, the Pope would give mandate to expedite his letters in which mention is made of his dispensation, and

<sup>&</sup>lt;sup>1</sup> super huiusmodi dispensationibus . . . per Vestram Sanctitatem dicitur fore ordinatum quamvis non publicatum. Cf. p. 116.

which are obstructed (*impeditas*) in the Papal Chancery on account of the said restrictions.

Concessum ut petitur.

[Undated. The following supplication is dated :

Florence, 8 Kal. Aug., *anno* 2; and the preceding one, 12 Kal. Aug., *anno* 2.] 119, 160 [§ p.]

### Nova provisio

1419. 25 July. Florence.

JOHN LEGEART, canon regular of the Cathedral Church of St. Andrews, in priest's orders, B.Dec., that the Pope would provide him to the parish church of DwL [Dull], with the chapels annexed thereto, Dunkeld diocese, the church having been collated to him by Benedict XIII (during the obedience of Scotland to him, but after his deposition by the Council of Constance) on its voidance by the promotion of John Bulloc, then true vicar, to the Church of Ross, void by the death of Bishop Alexander outwith the Roman Court. Since the presentation of the said parish church of Dwl (£40 sterling) is known to pertain to the Prior and chapter of St. Andrews, and the said John Legeart was presented by them and admitted by the Ordinary, the Bishop of Dunkeld, and since hitherto no other has been provided by Pope Martin, and John has now utterly renounced his provision by Benedict, he supplicates that Pope Martin would provide him anew to the said church, whether void as above, or in whatsoever way.

Fiat ut petitur. O. Florence, 8 Kal. Aug., anno 2. 128, 210<sup>v</sup> [<sup>2</sup>/<sub>3</sub> p.]

Michal.

### Dispensatio matrimonialis

JOHN DE LAUEDRE, son and heir of Robert de Lauedre, lord of Edrynton, knight, and ANNA DE HEBBUEN, daughter of the late Patrick de Hebburn, knight, lord of

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1419. 27 July. Florence. Halys,<sup>1</sup> St. Andrews diocese, with the advice of their kinsfolk (*parentum*) and friends, wish to contract matrimony ; but because Anna is related in the third degree of affinity to John they cannot do so without a dispensation of the Apostolic See ; it is therefore supplicated that the Pope would dispense them to contract matrimony together, notwithstanding the above impediment, and to decree legitimate the offspring to be born of the union.

Fiat ut petitur. O.

Florence, 6 Kal. Aug., anno 2. 128, 238<sup>v</sup> [ 1 p.]

[Another eopy, of same tenor and date, is found in Reg. Supp. 130,  $131^{\circ}$ ,  $\frac{1}{2}$  p.].

#### Nova provisio

JOIN DE MERTOUN, priest, Glasgow diocese, D.Dec., that <sup>1410</sup> the Pope would provide him to the vicarage of the parish <sup>28 J.dly.</sup> Florence ehurch of ENERLITHANE (30 marks of old sterling), void by the death of the late Master James Vateson on 30 March, 1418, and which he accepted by virtue of an expectative grace, and of which he is in possession : notwithstanding the provostship of the collegiate church of Bothweil, and the two rectories of Glasgu and Kyrkmacooreht [Kirkmahoe], Glasgow diocese (total fruits 300 marks Scots).

Fiat ut petitur pro omnibus tribus. O.

Florence, 5 Kal. Aug., anno 2. 128, 157<sup>v</sup> [1<sup>1</sup>/<sub>8</sub> pp.]

[This is the first of the three supplications in the rotulus.]

#### **Officium** Scriptorie

The ambassadors of the King and realm of Seotland <sup>2</sup> at 1410. the mandate of Robert Duke of Albany, Earl of Fife and  $\frac{29 \text{ July}}{\text{Elargore}}$ .

<sup>&</sup>lt;sup>1</sup> Sir Patrick Hepburn, who distinguished himself at Otterburn and was slain in a conflict in 1402. This daughter Anna is not known in the records of the Scote Peerage. In the pedigree of Lauder of Bass a John (died 1421), son of Sir Robert, is stated to have married Katherine Landell, (Lauders of the Bass, sheet L).

<sup>&</sup>lt;sup>2</sup> William Bishop of Orkney, James Haldenston Prior of St. Andrews, and John Scheves, who tendered the obedience of Scotland to Pope Martin. (*Copiale*, 23-24.)

Mentheth, and Governor of Scotland, that the Pope would provide JOHN FELDEW, B.Dec., beloved clerk of the said Governor, by way of addition (*per aggregacionem*) to the office of a scriptor in primaria of the Papal Curia, and enrol John among the scriptores with all the accustomed honours, privileges and immunities, so that thereby Scottish business may be transacted better and more speedily : because various people of other nations of Christendom, except the Scots, hold divers offices in the Papal Curia : notwithstanding the certain [*i.e.* fixed] number of *scriptores*, etc.

Fiat de concessu scriptorum. O. Florence, 4 Kal. Aug., anno 2. 130, 73 [<sup>8</sup>/<sub>3</sub> p.]

#### Si neutri

1419. 2 August. Florence.

In a suit committed to an Auditor of the Sacred Apostolic Palace of Causes between JOHN GIL, M.A., S.T.B., rector of the parish church of KENNEL, St. Andrews diocese, and Thomas de Penyeuk, priest, and George de Novavilla [Newton], clerk, both of the said diocese, about the said church, with citation of the parties at the instance of John, it is asserted by some that none of the above three has a right in or to the said church ; therefore the above John supplicates that the Pope would give mandate to the said Auditor that, if by event of the suit he find it to be as asserted, he collate and assign to John the church (£20 of old sterling), whether void by the death of the late Thomas Lyel, outwith the Roman Court, or howsoever : even if the said John has perhaps obtained possession of the said church per viam spolii,1 with a new provision or a grant of new provision by the Pope.

Fiat ut petitur pro omnibus octo. O.

Florence, 4 Non. Aug., anno 2. 129, 129v [2 p.]

[This is the third of the eight supplications in the rotulus.]

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<sup>&</sup>lt;sup>1</sup> This may mean that he had taken possession without canonical sanctions. Jus spolii was also applied to the disposal of the moveables of deceased prelates.

### Proth, de Branch,

#### Visitatio

ROBERT BISHOP OF DUNKELD in Scotland,-that the diocese of Dunkeld is extensive and scattered, and the land <sup>4</sup> August. Florence, largely mountainous and desert and often perilous for travellers, so that he, who is a sexagenarian and beyond, and infirm with age, cannot conveniently visit the churches and other places of his diocese, in which the office of visitation is incumbent by right or custom. He therefore supplicates that the Pope would grant him indult to visit the same by a fit procurator and to receive the entire procurations, as if for a personal visit.

### Concessio

Item. That he might reconcile the churches, cemeteries or other sacred places of his diocese by his vicars in spiritualities or officials.1

Fiat de utroque. O. Florence, Prid. Non. Aug., anno 2. 129, 124<sup>v</sup> [<sup>2</sup>/<sub>3</sub> p.]

#### Jo. Lubucen.

### Confirmatio unionis

Formerly, after Hugh de Abenuthi, knight, for the 1419. soul's weal of himself, his forebears and successors, had 7 August. Florence. granted the advowson of the parish church of MACILNERIS and two acres of land to the monastery of CUPAR, Cistercian order, St. Andrews diocese, to be held and possessed in pure alms in perpetuity, confirmation following by Alexander King of Scots, William erstwhile Bishop of St. Andrews, diocesan of the place, with the consent of the chapter and after solemn deliberation, more than a hundred years ago granted the said church with its lands and other rights and pertinents in perpetuity to the Abbot and

<sup>&</sup>lt;sup>1</sup> The text is unusual: si contingat ecclesiam, cimiterium aut aliquem sacratum locum . . . ut per suos in spiritualibus vicarios vel officiales reconciliari facere valeat.

convent for their own uses and for the sustentation of the poor and augmentation of hospitality (saving to himself and his successors two marks for annual procurations and other incumbencies), so that the church should be served by a fit perpetual chaplain, presented by the Abbot and convent to the Bishop and his successors, to have the cure of souls and to receive from the Abbot and convent 100 shillings annually for his sustentation. And the Abbot and convent on the strength of the above concession, etc., took possession of the church on its voidance in a certain way and have held it for many years, and hold it for the foresaid uses. That the above concession, donation and confirmation may have greater validity, they supplicate that the Pope would ratify the concession and donation of the foresaid church (25 marks sterling) to the said monastery (500 marks sterling), made, as above, more than a hundred years ago (iam de post centum et ultra annis elapsis), and the confirmation, and whatsoever consequences.

### Confirmatio unionis

Formerly, after Gilbert de Haya, knight, Constable of Scotland, had granted, [etc., as above], the advowson of the parish church of FossoqwHI, Dunblane diocese, with two acres of land to the above monastery of CUPAR, with confirmation of Robert erstwhile King of Scots, Maurice Bishop of Dunblane with consent, [etc., as above], granted and confirmed the foresaid church with the lands and other rights and pertinents to the said Abbot and convent in perpetuity on account of poverty and destruction caused by wars, saving a fourth part of the fruits for procurations, etc., and reserving 10 marks sterling for a perpetual vicar to be presented, [etc., as above]. For greater validity the Abbot and convent supplicate that the Pope would ratify the said donation, concession, collation and confirmation of the above church (25 marks sterling after the above deductions), made to the said monastery more than eighty years ago, and whatsoever consequences.

#### Confirmatio unionis

Formerly, after Mariory, widow of John Earl of Atholl, had granted, [etc., as above], the advowson of the parish church of ALWETH, Aberdeen diocese, with certain lands and other rights and pertinents, to the said monastery of CUPAR, with confirmation by Robert erstwhile King of Scots ; Henry crstwhile Bishop of Aberdeen, with consent, [etc., as above], and because of poverty, etc., granted the foresaid church in perpetuity to the said monastery, reserving 6 marks sterling from the fruits to be paid each year by the Abbot and convent to a perpetual chaplain who should be chosen by the dean and chapter of Aberdeen, to celebrate mass in the said Church of Aberdeen on all Sundays (singulis diebus dominicis), and £10 sterling for the sustentation of a perpetual vicar to be presented, etc., as above. For greater validity the above Abbot and convent supplicate that the Pope would ratify the donation, concession and confirmation of the above church (25 marks sterling after the above deductions) to the said monastery, made more than eighty years ago, with whatsoever consequences.

Fiat ut petitur pro omnibus tribus. O.

Florence, 7 Id. Aug., anno 2.

Creten.

129, 146 [21 p.]

#### Dispensatio matrimonialis

PATRICK IOBERTI DE ATHOLIA, Dunkeld diocese, of 1419. noble race, has committed fornication with MARGARET 7 August, Florence, McNAB, related to him in the third degree of affinity, and both on account of the scandals which might arise among their kinsmen from this knowledge, and for their soul's weal, they desire to be united in matrimony,-but because of this affinity they cannot fulfil their desire without apostolic dispensation ; therefore they supplicate that the Pope would absolve them and dispense them, notwithstanding the impediment of consanguinity [sic, but above, affinity], to contract and remain in matrimony lawfully



and freely, decreeing legitimate the offspring to be born of the union.

Fiat ut petitur. 0. Florence, 7 Id. Aug., anno 2. 129, 183 [<sup>3</sup>/<sub>5</sub> p.]

### In mortis articulo

1419. 8 August. Florence. WILLIAM ABBOT OF KELSO (*Calconien.*), immediately subject to the Apostolic See, O.S.B., St. Andrews diocese, that a confessor of his choice may grant him plenary remission once in life and also at the point of death, after confession with a contrite heart.

Fiat in forma. O. Florence, 6 Id. Aug., anno 2. 131, 5<sup>v</sup> [<sup>1</sup>/<sub>4</sub> p.]

### Concessio

1419. 10 August. Florence. JOINDE FOGO, monk of the monastery of Melros, Cistercian order, Glasgow diocese, professor in theology, counsellor and confessor of Archibald Earl of Dunglas, that the Pope would grant him indult to hear confessions of twenty-five persons secular or regular, of whatsoever state and condition, of the realm of Scotland, to give them absolution for all their sins, crimes and excesses whatsoever, even for such as should be referred to the Apostolic See, and to impose salutary penance.

Fiat dum tamen infra duos menses postquam dictus Johannes habuerit presentem concessionem predicti XXV confessi sibi fuerint. O. [Granted, provided the twentyfive confess within two months after the present concession to John.]

Florence, 4 Id. Aug., anno 2.

129, 60<sup>v</sup> [<sup>1</sup>/<sub>2</sub> p.]

Michel. H. Prot.

### Nova provisio

1419. 17 August. Florence. JOHN DE KILPATRIK, priest, Glasgow diocese, obtained possession of the parish church of LULLELAN [Killellan], said diocese (void, before the coronation of the Pope, by the resignation of the late John de Lowthiane, priest), in exchange for the parish church of Kilbarchane, said diocese, which the said John de Kilpatrik then held, the exchange being made by ordinary authority with the consent of the patrons, and he holds it peaceably at present, taking up the fruits; but some assert that the said John de Lowthiane, even then lying on a bed of sickness, died outwith the Roman Court within the space of twenty days after this exchange, and therefore the said John de Kilpatrik fears that in future he may be molested about the said church, and supplicates that the Pope would provide him anew to the same (£20 of old sterling), whether void by resignation for exchange as above, or by the subsequent death of John de Lowthiane, or howsoever.

Concessum ut petitur [pro] hiis tribus.

Florence, 16 Kal. Sept., anno 2.

[This is the first of the three supplications in the rotulus.]

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Commissio privationis

It is represented on the part of ANGUS DE LEWYNAXE, 1419. natural son of the Earl of Lewynaxe,<sup>1</sup> clerk, Glasgow <sup>21</sup> August, diocese, that lately, on the voidance of the parish church of LUSS,<sup>2</sup> said diocese (which is of lay patronage),<sup>3</sup> by the death outwith the Roman Court of William Adeson, last rector, the lay patron presented to the Ordinary a certain John Makalpyne, simoniacally, in that a certain sum of money was promised and partly paid to the patron by some kinsmen of the said John and with his consent. The report of the simony reaching the cars of the Ordinary he did not admit the said John; whereupon the patron

119, 244 [<sup>3</sup> p.]

Michael.

<sup>&</sup>lt;sup>1</sup> He witnessed a notarial instrument in 1415 as son of the Earl of Lennox, clerk, without mention of illegitimacy. (*The Lennox*, ii. 61.)

<sup>&</sup>lt;sup>2</sup> The church of Luss enjoyed right of sanctuary by charter of confirmation from Robert Bruce in 1315. (*The Lennox*, ii. 18.)

<sup>&</sup>lt;sup>3</sup> The patronage belonged to Colquhoun of Luss. (Orig. Par. Scot., i. 30.)

presented a certain John Nicolai, who, being thus admitted by pretext of this presentation, took possession of the church in favour of a third, as is believed. But since by reason of the said simony the patron was unable to present, at least for that turn, and for that reason the church has been so long void that the collation has legitimately devolved to the Apostolic See, therefore Angus, who is of noble race on both sides, supplicates that the Pope would give mandate to some good man in partibus or in the Roman Curia to take diligent information about the foregoing and, if simony be proved, to declare that John Nicolai has no right in or to the said church by pretext of the above presentation and to deprive him, and collate, assign and provide Angus by apostolic authority to the foresaid church (£40 sterling), whether void as above, or by the death of the said William or howsoever : notwithstanding defect of birth which he suffers as the son of a married man and an unmarried woman, for which he has dispensation by apostolic authority to be promoted to all orders and to hold an ecclesiastical benefice, even if with cure.

Fiat ut petitur et inscribat se. 0.

Florence, 12 Kal. Aug., anno 2.

128, 281 [12 pp.]

Abbas Veronen.

#### Nova provisio

1419. 21 August. Florence. Lately, the parish church of MUKKIRSI, Dunkeld diocese, becoming void by the peaceable assecution of the parish church of Abernit, said diocese, by the late Alexander Barberii, Peter de Luna (Benediet XIII) granted that it should be reserved and collated to a certain Nicholas Huntar, priest, Brechin diocese, and dispensed him (as he asserts) by the signature of his supplication to hold the foresaid church of Mukkursi together with the perpetual vicarage with cure of Forgund, St. Andrews diocese, for three years after peaceable possession, and in the meantime to exchange for other compatible benefice or benefices.

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But because Nicholas did not procure (confecit) letters about this reservation and did not compear (comparuit) for the governing of the said church by apostolic authority, the Ordinary provided a certain Michael de Stanton to the said church by his ordinary authority, and Michael possessed it for a year and more. At length JOHN DE KEREMOR ignorant of the alleged dispensation (which he has not found in the grant of the said reservation nor in the common Register of Supplications of the said Peter), impetrated the above church of Mukkirsi before the deposition of Peter, and expedited the letters after his deposition but before the assumption of Pope Martin. The above Michael having dimitted the church, he obtained possession by virtue of the above letters, having represented in his impetration that Nicholas, without dispensation to hold incompatibles, had not been able to procure letters about the said reservation, because in the meanwhile he had acquired the said vicarage [of Forgund] with cure. But afterwards Nicholas procured letters about the said reservation and alleged dispensation, after two years and three months from the date of the grant in the Curia of Peter. after his deposition and the assumption of Pope Martin ; and after procuring them he despoiled John of possession. But since the letters were procured in the Curia of Pcter after the assumption of Martin, as was also his dispensation-which, as is said, was not evident (constabat) beforeand since it is not becoming for one clerk to be laden with ccclesiastical benefices, especially incompatibles, and another to lack, and since Nicholas is not a noble nor of knightly race nor a graduate, and the said two benefices are sufficient for the sustentation of two rectors; it is therefore supplicated that the Pope would revoke the said alleged dispensation and whatsoever consequences. And because he doubts the validity of his provision on account of the foregoing, the said John, who is a priest, St. Andrews diocese, B.Dec., familiar of the Cardinal of St. George, and an abbreviator of apostolic letters, supplicates that the Pope would provide him anew to the said parish church of Mukkursi (£13 of old sterling), whether void as above

or howsoever: notwithstanding that he has unjustly detained the said church for a year and more.

Fiat ut petitur de nova provisione. O.

Florence, 12 Kal. Sept., anno 2. 129, 217 [12/2 pp.]

#### Concessio

1419. 21 August. Florence. Archibald Earl of Douglas, special protector and defender of the monastery of MELROS, Cistercian order, Glasgow diocese, lying within his domain (dominio), and the convent of the said monastery supplicate that the Pope would ordain that in future every election of a fit Abbot duly celebrated by the convent and confirmed by the Father Abbot,<sup>1</sup> according to the custom of the monastery and the constitutions of the Cistercian order, should be upheld and take effect (electionem . . . locum sibi vindicare suumque effectum sortiri debere) : and that all and sundry thus provided by election and confirmation should rule and govern in spiritualities and temporalities : and that this be observed for all future time.

Fiat. O.
Florence, 12 Kal. Sept., anno 2.
130, 8 [<sup>3</sup>/<sub>4</sub> p.]

### Concessio

1419. 21 August. Florence. JOHN DE FOGO, monk of the monastery of Melros, for indult to hear confessions [etc., as p. 102, 10th August].

Fiat de deccm personis que confesse fuerint infra duos menses a die quo ipse in Scocia existens de huiusmodi concessione notitiam habuerit. O. [Granted for ten persons who confess within two months from the day when he receives notice in Scotland of this indult.]

Florence, 12 Kal. Sept., anno 2.

130, 8 [<sup>2</sup>/<sub>3</sub> p.]

[This and the preceding supplication are damp-stained. The first has several corrections of text.]

<sup>&</sup>lt;sup>1</sup> The Abbot of Rievaulx in Yorkshire, the parent house of the Cistercian foundation of Melrose by David I.

#### In mortis articulo

HENRY BISHOP OF ST. ANDREWS, that the Pope would 1419. grant him remission once in life and once at the point of 21 August. Florence.

Fiat in forma. O.

### Confessionale

Item: that he may have licence to choose a fit confessor, secular or regular, of any order, to absolve him even in reserved cases, as often as needful, after hearing his confession.

Fiat. O.

### Licentia visitandi

Item: that he may have licence to visit the churches, monasteries and other ecclesiastical places in his city and diocese by any fit person or persons of his choice, visiting even two or three up to ten on one day, and to take up the procurations in money.

Fiat ad triennium in forma. O.

#### Concessio

Item : that he may have faculty to dispense a hundred Scots, religious of either sex and of any order, except Mendicants, from defect of birth, that (notwithstanding defect of birth by any unlawful union, even of married religious or by other unions in whatsoever degrees of affinity and consanguinity, even of sons of prelates) they may put on the elerical habit and be promoted to all holy orders and hold any ecclesiastical benefices with cure or without cure, secular or regular, even if dignities, etc., with power of exchange.

Fiat de viginti quinque personis ad beneficia simplicia et curata non dignitates. O. [Granted,—for twenty-five persons to hold simple benefices, and cures that are not dignities.]

#### Concessio

Item: that he may have faculty to absolve, by himself or another, a hundred Scots, sccular or regular, of any order and of both sexes, from all their sins and faults, even in reserved cases, as often as needful.

Fiat dummodo confesse fucrint infra quatuor menses postquam de predictis noticiam habuerit. O. [Granted, provided they have confessed within four months after he has received notice of the above.]

#### Concessio

Item: that he may have faculty to grant the office of notary (*tabellionatus*) to sixty fit persons, of whatever origin.

Fiat de decem personis. O.

#### Concessio

Item: to dispense six Scottish ceclesiastics, secular or regular, exempt or non-exempt, that notwithstanding defect of age, being in or above their eighteenth year, they may hold an ecclesiastical benefice (seculars, a secular benefice, regulars, a regular benefice of their order), with cure or without cure, even if dignities, etc.

Fiat de quatuor in vicesimo secundo anno. O. [Granted, to dispense four in their twenty-second year.]

#### Confirmatio.

Item : lately Pope Benedict XIII founded in the city of Sr. ANDREWS in Scotland a university (studium generale) in theology, canon and civil law and the liberal arts, and granted privileges, liberties and immunities to those studying, reading and ruling there and to their officials and household (familie): also he and the university (universitas dicti studii) made and enacted not a few wise and useful statutes and ordinances for the rule of it and of the regents, readers and students; therefore the King, Bishop, elergy, nobles and people of the said eity supplicate that Pope Martin would confirm and ratify the institutions, ordinances, grants, privileges, liberties, immunities, statutes and all other things done and ordained by apostolic or ordinary authority, also all the privileges, indults, liberties and immunities granted by the king and eitzens.

Fiat in forma. O.

#### Indulgentia

Item : Since through the said city there flows a certain river named EDYN, which has commonly to be crossed by the scholars, eitizens and inhabitants of Scotland (per guod scolarium . . . communis sit transitus), and because with its wide and deep and muddy bed it is so perilous as it goes down to the sea that people are often drowned in fording it, as of late fifteen hapless priests at the same moment,1 therefore the Bishop, eonsidering all this and fearing that the university would have to withdraw from the eity, began to construct a bridge which he cannot carry to completion without the alms of Christ's faithful. He therefore supplicates that the Pope, remitting a third part of their sins, would grant an indulgence of seven years and as many quarantines to all and sundry Christ's faithful who, being in a state of grace, then or within eight days immediately following, stretch out helping hands for the building of the bridge on each day that they do so.2

Fiat in forma. O.

Florence, 12 Kal. Sept., anno 2.

130, 296v [31 pp.]

<sup>&</sup>lt;sup>1</sup> Quod in eius alveo multum lato et profundo ac lucoso in mare discendenti adeo periculosum existal quod persepe illud transeuntes submerguntur prout nuber quindecim sacerdotes eodem momento protholoor submersi fuerunt.

<sup>&</sup>lt;sup>1</sup> [Stepplicat . . . quatenus] omnibus et singulis eisdem Cristi fidelihus in status graeie tuno cel infra octo dies extrue immediate sequentibus ad opus edificationis et conservationis dicti pontis manus porrigentibus aduitrices singulis dibus guitus koc feerint septem annos et toidiam quadragenas indulgentiarum concedere eisque terciam partem suorum peccatorum remitendo.

### Michael.

# [No rubric]

1419. 23 August. Florence.

Since John Lang, canon and chancellor of DUNKELD, proposes freely to resign the canonry, prebend and chancellorship (which he holds) in favour of NICHOLAS CHYLDE, priest, Dunkeld diocese, licenciate in arts, in the hands of some fit person, outwith the Curia, [it is supplicated] that the Pope would give mandate to some good man or men in partibus to admit the resignation, if it should be made, and to collate, assign and provide Nicholas to the said canonry, prebend and chancellorship, a dignity with cure but not major post pontificalem, in the Church of Dunkeld (£26 of old sterling in the case of a non-resident): notwithstanding that Nicholas holds the parish church of Halvs (£22 of old sterling), St. Andrews diocese; and that the Pope would dispense him to hold the said chancellorship (if collated to him) along with the said parish church, with power of exchanging one of them : notwithstanding that the above Nicholas impetrated from Peter de Luna, after his deposition, a certain commission, which he does not intend to use, about the provision and dispensation of the said chancellorship to him.

Fiat ut petitur de utroque et dispensamus ad triennium. 0. Florence, 10 Kal. Sept., anno 2. 130, 17° [1 p. +]

#### Nova provisio

1419. 23 August. Florence. On the voidance of the perpetual vicarage of LYNTON, Glasgow diocese, by the promotion of John de Borthwyk, last possessor, to the parish church of St. Mary de Foresta, said diocese, WILLIAM ADE, priest, said diocese, was presented to the same by the Abbot and convent of the monastery of Kelso (*Kalconien.*), St. Andrews diocese, the true patrons, and was admitted by the Ordinary, and he has now possessed the vicarage peaceably for three years, as he does at present, taking up the fruits. But he doubts the validity of the said presentation and collation, inasmuch as the above John, suffering defect of age, was not promoted to holy orders within the lawful time and held the viearage without dispensation, taking up the fruits, inasmuch also as the said William, by various intermediaries, presented various gifts to obtain the consent of the above patrons. Therefore for his part it is supplicated that the Pope would provide him to the said vicarage (£20 of old sterling), whether void as above, or in whasever way; with absolution, and remission of the fruits taken up.

Fiat ut petitur et absolvimus. O.

Florence, 10 Kal. Sept., anno 2. 130, 18 [1 p.]

Michal.

# Dispensatio

Robert Duke of Albany, Governor of Scotland, in the 1419. person of his elerk and counsellor JOHN GAY, priest, <sup>25</sup> August. Galloway diocese, master in arts and in medicine, that the Pope would dispense him to hold for life, together with the archdeaeonry of Galloway, a dignity with eure (£30 sterling), which he possesses, another ecclesiastical benefice even with eure and a dignity, etc., with power of resigning them, simply or for exchange, as often as he pleases; holding two only incompatible together.

Fiat ad septennium. O.

Florence, 8 Kal. Sept., anno 2.

# Creten.

130, 25v [3 p.]

### Commissio revocationis unionis

Formerly Peter de Luna, Benediet XIII, for no other 1419. cause except the prayers of the late Robert King of Scots, <sup>28</sup> August. incorporated and united, to its prejudice and detriment, the vicarage of the parish church of VARIE CAPELLE [Falkirk], St. Andrews diocese (which was wont to be ruled by secular priests), to the monastery of Holyrood of Edyngburgh, O.S.A., said diocese, so that, on the cession or decease of the vicar, the monastery should take corporal possession of the vicarage with its rights and profits, and convert the fruits to the use of the monastery, without requiring the consent of the Ordinary; and indeed the consent of the Ordinary was not obtained to the union. The Abbot and convent in virtue of the said alleged union took possession of the vicarage upon the death outwith the Roman Court of the late Thomas de Row, last possessor, and unlawfully detained and do detain it. But Pope Martin gave mandate of provision of this church, if it were void by death or otherwise, to JOHN BOUMAKAR. priest, rector of the parish church of Munyabroc, Glasgow diocese, as by a supplication granted at Mantua; and John obtained the commission of a cause before an Auditor of the Sacred Apostolic Palace of Causes against a certain John de Edynburgh, canon of the said monastery, dctainer of the vicarage, and against others all and sundry alleging interest. This Auditor proceeded to the citation of the said John de Edyngburgh and to certain acts, but not to the conclusion of the cause. And since the fruits and rents of the monastery are sufficiently ample for the sustentation of the Abbot and convent without this union, and since the parishioners desire the cure of the vicarage to be served as of old by a secular priest rather than by a regular, and since such unions contain the seed of wandering and of loosening of religious vows (per tales uniones materia viagacionis et dissolucionis Religiosis preparatur),-therefore the parishioners and John Boumakar supplicate that the Pope would give mandate to the said Auditor or to another by surrogation, that if, on summoning John dc Edyngburgh and the others involved, he find by summary information that the alleged incorporation and union and the letters of Peter de Luna thereanent proceeded on no other cause than the prayers of the King, he revoke and annul the same, remove John de Edvngburgh and the others, and collate and provide John Boumakar to the said vicarage (£60 of old sterling), void in whatsoever way : notwithstanding the parish church of Munvebore, which

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he holds (£20 of old sterling), which he is ready to resign, etc., and which is of lay patronage.1

Fiat si ex falsis causis vel iniusta [sic] et committatur. Florence, 5 Kal. Sept., anno 2. 130, 101 [21 pp.]

### Creten.

#### Concessio

In order that in the MONASTERY OF SCONE, O.S.A., St. Andrews diocese, a notable and royal monastery endowed Florence, with many honours and privileges by Scottish kings, there may be increase of divine worship, and that it may have religious in sufficient numbers, as well as boys, servitors and subjects and frequent new recruits, ABBOT ADAM supplicates that the Pope would grant faculty to him and his successors to promote their servitors and subjects to all minor orders, and to bless the ornaments and vestments of the monastery and its subject churches.

Fiat. O.

### [No rubric]

Since in the territories of the said monastery in past times there have been, as at present there are, and it is feared that in future there will be, many men, violators of churches and monasteries, reivers of their goods and subjects, homicides and otherwise of evil condition, men who often at the instigation of the diabolical spirit do not fear to inflict injuries and violence upon the monastery, the religious, the indwellers (incolis), servitors and familiars, and upon the lands, granges and possessions, nay rather who kill the inhabitants, seize their goods, plunder the granges and possessions and inflict other innumerable and irreparable losses, injuries and violences, which ought not to remain unpunished, -therefore ABBOT ADAM supplicates

1419 28 August.

<sup>&</sup>lt;sup>1</sup> 'The church of Monyabroc was a free parsonage, belonging originally to the family of Lennox, and afterwards apparently to the Lords of the Manor.' (Orig. Par. Scot., i. 43.)

that the Pope would grant to him and his successors faculty to excommunicate all such ill-doers with aggravation and reaggravation, and to inflict other canonical pains, invoking the help of the secular arm as often as need be.

Fiat quod detur [datur] conservator ad scx annos. O. [Let it be given a Conservator for six years.]

#### Indulgentia

Since on Friday of every week a multitude of the faithful, on account of the devotion to St. Vinian [Ninian], flock to the chapel of Sr. VINIAN, St. Andrews diocese, in the parish of Kinfaunis and within the territory and lordship of the monastery of Scone,—in order that the devotion of the people may be augmented, and the fabrie and ornaments of the chapel be fittingly preserved, may the Pope grant relaxation of seven years and as many quarantines to all Christ's faithful visiting that church and stretching out a helping hand to its fabrie and ornaments on the feasts of the said St. Vinian and the above Fridays.

Fiat in forma. O. Florence, 5 Kal. Sept., anno 2.

131, 28 [13 pp.]

# [No rubric]

1419. 29 August. Florence. Since John de Hawyk, perpetual vicar of the parish church of MERINS, Glasgow diocese, proposes freely to resign the said vicarage, which he possesses, Robert Duke of Albany, Governor of Scotland, supplicates in favour of NICHOLAS DE OTERBURN, clerk, said diocese (who has studied for many years and to whom Peter de Luna, to whom Scotland was then in obedience, although after his deposition, gave a mandate of provision to the said vicarage, and granted him, then in his nineteenth year, letters of dispensation to hold an ecclesiastical benefice with cure, but he has not made use of these letters and does not intend to make use of them), that the Pope, admitting the resignation [of John] would provide Nicholas to the said vicarage (£20 of old sterling), whether void as above or in whatsoever way, and dispense him, who is in his twentieth year, to receive and hold the benefice.

Fiat ut petitur et dispensamus postquam crit in vicesimo secundo anno. O. [Granted, and we dispense after he enters his twenty-second year.]

Florence, 4 Kal. Sept., anno 2.

H. Proth. Abbas Veronen.

130, 35 [1 p.]

Si neutri

Since a certain Edward de Lawder obtained commission 1419. of a cause and causes against COLUMBA DE DUNBAR, son Florence. of the Earl of March (Comitis Marchiarum Scotie natum). archdeacon of LOTHIAN in the Church of St. Andrews, about the said archdeaconry, to be heard before a certain Auditor of the Sacred Apostolic Palace of Causes, who, as is believed, has not proceeded to any (aliquos) acts unless that he commanded arrestation, in the Register of Bulls, of all letters to be expedited on behalf of the said Columba: and since it is asserted by some that neither Edward nor Columba has right (jus competere) in or to the said archdeaconry,-therefore the said Columba, possessor, supplicates that the Pope would give mandate to the said Auditor that, if by the event of the suit he find that neither of them has right, he provide Columba to the said archdeaconry, which is a dignity with cure, not however major post pontificalem (£120 of old sterling), whether void by the death of him on whose death Columba obtained provision by ordinary authority, even if the predecessor were a chaplain of the Apostolic See, or void in whatsoever way: notwithstanding that Columba holds the said archdeaconry by apostolic dispensation, along with the deanery of the collegiate church of Dunbar, St. Andrews diocese, which is a principal dignity without cure and of lay patronage, and chapels (cappellas) without cure of the hospital of Rothney, said diocese (£100 of old sterling), and

that lately he had a mandate of provision to the canonry and prebend called prebenda domini in the Church of Glasgow, void in a certain way (£60 of old sterling).

Concessum ut petitur pro hiis tribus.

Florence, Prid. Kal. Sept., anno 2. 119, 261 [1 p.]

This is the second of the three supplications in the rotulus.]

Michal.

# Declaratio. Pro beneficiis regni Scocie

1419. 31 August. Florence.

On the morrow of his elevation to the pontificate, POPE MARTIN renewed the constitutions of Benedict XIII about reservations of benefices, but some doubt has been expressed whether Scotland was comprehended, since it had not then returned to his obedience. To remove all doubt the Pope therefore claims for himself all RESERVA-TIONS of cathedral churches, monasteries, priories, canonries and prebends, dignities, personatus and other ecclesiastical offices with cure and without cure, secular and regular, whatsoever and wheresoever in the realm of Scotland, void from the morrow of his elevation until the day of the presentation of Scottish obedience; and anything done to the contrary he decrees to be null and void.

Fiat et declarimus ut petitur usque ad tempus quo fuit facta declaratio in Regno Scocie. O.

130, 284. Florence, Prid. Kal. Sept., anno 2.

Creten.

#### Reformatio

1419. Florence.

Correction for JOHN BOUMAKAR about the vicarage of 1 September. the parish church of VARIE CAPELLE, St. Andrews diocese. In order that the signature of his petition may correspond with the decreet of the Pope upon the revocation of unions, he supplicates that the letters may be expedited with the expression that the union is revoked 'si ex non veris et

### RELATING TO SCOTLAND

rationabilibus causis facta reperiatur.' [If it is found to be made upon causes not true and reasonable.]

Fiat et committatur, O.

Florence, Kal. Sept., anno 2.

130, 118v [ 1 p.]

Proth. de Brancatijs. Creten

### Nova provisio

ROBERT STEWART, student in arts, precentor of MORAY (after having been dispensed by apostolic authority that, 5 September. notwithstanding defect of birth as the son of an unmarried man, Alexander Earl of Mar and Garrioch (Comite de Mare et de Garuyach), and of an unmarried woman, he might be promoted to all holy orders and hold whatsoever ecclesiastical benefices with cure or without cure, even if canonries, etc.), obtained possession by ordinary authority of the canonry and prebend and precentorship of the said Church, void by the death of the late John de Spinto, last possessor, outwith the Roman Court, and held and possessed them thereafter (ex post), as he does at present, peaceably and quietly. Nevertheless for certain reasons he doubts the validity of this assecution and the consequences, therefore he supplicates that the Pope would ratify the same and provide him, if need be, to the said canonry and prebend and precentorship, which is a dignity with cure, not however major post pontificalem (total fruits £20 of old sterling), whether void as above, or by the free resignation of the said John, or howsoever ; even if the said late John was a chaplain of the Apostolic See, scriptor of apostolic letters, or of the Sacred Penitentiary, or otherwise an official: notwithstanding that the said Robert holds the canonry and prebend of Thore in the Church of Aberdeen, and of Retre in the Church of Dunkeld (total fruits £100 of old sterling).1

Concessum ut petitur pro hiis quinque.

Florence, Non. Sept., anno 2.

119, 256 [11 p.]

This supplication is the last of the five in the rotulus.

<sup>1</sup> quorum fructus £100 similium, i.e. sterling

1419.

Proth. de Brancantijs.

#### Dispensatio

1419. Florence.

Formerly the Pope dispensed ROBERT STEWART, clerk, 6 September. Dunkeld diocese, [grand]nephew of Robert Duke of Albany, etc., first, that notwithstanding defect of birth as the son of an unmarried man and an unmarried woman he might be promoted to all holy orders and hold an ecclesiastical benefice; and then, that he might hold two prebends. He supplicates that the Pope, granting him a richer grace, would dispense him to hold whatsoever ecclesiastical benefices, with cure or without cure, even if canonries, etc., if compatible with the said prebends; and with power of exchange.

Figt. O.

Florence, 8 Id. Sept., anno 2.

#### Michal.

130, 233 [<sup>2</sup>/<sub>3</sub> p.]

#### Nova provisio

1419 Formerly after the Pope had dispensed ALAN STEWORT, 6 September. natural son of Walter Earl of Atholl and Caithness, son of Florence. Robert erstwhile King of Scots,1 canon of Dunkeld and Aberdeen and student in arts 2 (first that, notwithstanding defect of birth as the son of the said Walter. an unmarried man, and of an unmarried woman, he might be promoted to all holy orders and hold a benefice with cure, then that he might hold two prebends), he obtained the prebends of MENMUR and CROWDANE in the Churches of Dunkeld and Aberdeen by ordinary authority, and since then has held them peaceably and quietly. Nevertheless for certain causes he doubts the validity of the assecution and the consequences, and supplicates that the Pope would ratify the same and provide him anew to the said canonry and

<sup>1</sup> i.e. Alan is grandson of King Robert π., and is canon of Dunkeld, etc. Walter Earl of Atholl, his father, has earned a notorious name in history as the instigator of the murder of James 1.

<sup>&</sup>lt;sup>2</sup> He was a determinant of St. Andrews in 1423. (Records of St. Andrews University, 7.)

prebend of Dunkeld (£40 of old sterling) and of Aberdeen (£25 of old sterling); and would also dispense him to hold whatsoever ecclesiastical benefices, with cure or without cure, even if canonries, etc., compatible with the said prebends; with power of exchange.

Fiat ut petitur et dispensamus. O.

Florence, 8 Id. Sept., anno 2.

130, 284v [1% pp.]

### [No rubric]

JOHN DE SCHEVES, priest, Aberdeen diocese, rector of the parish church of Aberbuthnock, St. Andrews diocese, 6 September. D.Dec., and ambassador to tender the obedience of Scotland to the Pope, supplicates that the Pope would provide him to the perpetual vicarage of the parish church of ENNER-LETHAN (£30 of old sterling), Glasgow diocese, void by the free resignation at the Apostolic Sce of William Croser, who had provision upon its voidance by the death outwith the Roman Court of the late James Walteri, alleged chaplain of the Apostolic See, but who never had possession; whether void as above or by the free resignation at the Curia of George de Penikuk, claiming right thereto, or because reserved to apostolic disposition on the ground that the said James Walteri was a chaplain of the Apostolic See, or void in whatsoever way : revoking and annulling the provision made to a certain John de Merton, who accepted the said vicarage in virtue of an expectative grace of Peter de Luna, which Pope Martin revoked before the death of James Walteri : also that the Pope would dispense the said John de Scheves to hold the said vicarage for life together with the church of Aberbuthnoch and the hospital of St. Mary Magdalene of Muskilburgh 1 (£50 of old sterling), and also to hold another incompatible ecclesi-

1419.

<sup>&</sup>lt;sup>1</sup> Not much seems to be known of this hospital. It is not mentioned in Keith's catalogue. Paterson, in his Regality of Musselburgh (p. 94), mentions a chapel of St. Magdalen in the grounds of New Hailes without identifying it with the hospital.

astical benefice, with power of exchange as often as he pleases for three other incompatible benefices.

Fiat ut petitur et dispensamus de duobus incompatibilibus. et de tercio ad quadriennium, tribus consimilis cure non retentis simul. O. [Granted, and we dispense him to hold two incompatibles and a third for four years, but not to hold three with cure at the same time.]

Florence, 8 Id. Sept., anno 2. 130, 286v [13 pp.]

WILLIAM BISHOP OF ORKNEY, ambassador of Scotland

#### Commendam

1419. Florence.

6 September. and procurator of Robert Duke of Albany, Governor of Scotland, in the Roman Court, that the Pope would dispense him to hold the parish church of GOGAR (18 marks of old sterling). St. Andrews diocese, void first by free resignation made into the hands of the Patriarch of Constantinople 1 by Edward de Lawadris on his promotion to the archdeaconry of Lothian,-whereupon it was provided to William Croysar, who, without having obtained corporal possession, resigned it in the hands of the Cardinal of St. George ad velum aureum : to be held in commendam by the said William Bishop of Orkney, together with the parish church of Essy (£22 sterling). St. Andrews diocese, which he held and possessed before his promotion to the Church of Orkney by Benedict XIII, and which he still holds. And Pope Martin dispensed William, and confirmed the dispensation anew, to hold the said church of Essy and other benefices which he then held, until he should obtain full and peaceable possession of the Church and fruits of Orkney or of another cathedral church, and for a full year thereafter. He supplicates that he may hold the churches of Essy and Gogar until he is promoted or translated to some cathedral church in Scotland, especially because his Church of Orkney is poor and a cause of litigation through another provision made by Pope Martin.<sup>2</sup> and

<sup>&</sup>lt;sup>1</sup> John de Ruppescissa, canon of Paris and corrector of apostolic letters. (Eubel, i. 215.) He is the Referendary, Jo. Constan.

<sup>&</sup>lt;sup>2</sup> To Thomas de Tulloch (cf. p. 84).

he does not lift the fruits, and considering that he (for the pleasure of the Pope, and in order to make a concord between parties about benefices for which the three Estates of Scotland had written to his Holiness) dimitted his prebend of Ryny in the Church of Moray for the said church of Gogar.

Fiat ut petitur et dispensamus ad annum post pacificam possessionem ecclesie Orcadensis vel alterius ecclesie cathedralis. O.

130, 287<sup>v</sup> [1<sup>2</sup> pp.] Florence, 8 Id. Sept., anno 2.

### Reformatio

Correction of the petition of the Abbot and convent of 1419. the monastery of KYNLOS, about the right of patronage of 6 September. the parish church of ELON, Aberdeen diocese. Their petition was a confirmation of the right of patronage, etc., made more than eighty years before. They supplicate that the apostolic letters may be expedited with an expression of the confirmation and supplementing of defects, etc.

Fiat ut petitur. 0. Florence, 8 Id. Sept., anno 2.

#### Indulgentia

The Church of DUNBLANE, which was of old most sumptuous in its buildings, its glass windows, its orna- 6 September. ments and vestments, its many relics and jewels, is now on account of mortality, the evils of the times and the thinness of the revenues so greatly reduced that the Bishop, dean and chapter are not able to maintain the fabric befittingly unless they are aided by papal succour. They therefore supplicate that the Pope would grant relaxation of penance for seven years and as many quarantines to all Christ's faithful visiting the Church on the feast of St. Blane, Bishop and Confessor, 1 and on any of

#### Creten.

131, 119 [1 p.]

1419. Florence

<sup>1 10</sup> August. This has been changed to 11 August in the modern Calendar, as 10 August is St. Lawrence's Day.

his days (*et qualibet die eius occasione*), and stretching out helping hands; also that the Pope would grant faculty to the vicar in spiritualities to absolve, even in reserved cases, all Christ's faithful who confess to him and provide towards the restoration of the Church.

[This supplication appears again, signed under date, Florence, 16 Kal. Sept. [17 August], vol. 181, 101. 1<sup>2</sup>/<sub>3</sub> pp.]

#### [No rubric]

In the parish church of STREUGETH [Strageith],1 Dunblane diocese, a great number of the parishioners are distant from the church ten or eight, or six or five Italian miles, and for that reason take no pains to come to the church, nay, some of them come scarcely once in a year, namely at Easter, and moreover many of them come like beasts and are utterly ignorant of the divine offices and the mandates of the Church. They cannot conveniently come on empty stomachs (reinno stomacho), as it was too much to hear divine offices and afterwards return to their homes fasting (jennui); therefore, that these parishioners may be brought back to the way of truth, and be compelled to come to church more willingly on Sundays and other feast days, the Bishop of Dunblane and the rector and vicar of the said church supplicate that the Pope would grant relaxation of forty days of penance to the parishioners for each day that they come to church, whether fasting or not, on Sundays and other feast days, and hear the divine offices; and that this indulgence should not expire with the lapse of time: also that the Pope would grant an indulgence, according to the custom of Chancery, to all who visit that church devoutly on the Feasts of the Church, seven of Christ, five of St. Mary and of St. John the Baptist, and who stretch out helping hands.

Fiat in forma pro utroque. O. Florence, 8 Id. Sept., anno 2.

130, 233<sup>v</sup> [1<sup>1</sup>/<sub>2</sub> p.]

<sup>&</sup>lt;sup>1</sup> Now in the parish of Blackford. (Fasti, iv. 261.)

### [No rubric]

JOHN DE SCHENES [or SCHEVES], rector of the parish church of Aberbuthnoch, St. Andrews diocese [as above, 7 September. Florence. p. 119], that the Pope would provide him to the canonry and prebend of RYNI in the Church of Moray (£8 of old sterling), which William Bishop of Orkney held at the time of his promotion, and which he had an indult to retain for a certain time after his promotion, which indult he has freely resigned at the Apostolic See : notwithstanding that the said John holds the aforesaid church of Aberbuthnoch and the hospital without cure of St. Mary Magdalene of Muskilbrugh (£50 of old sterling), and that the Pope had him provided (duxit providendum) to the perpetual vicarage of the parish church of Ennerlethane, St. Andrews and Glasgow dioceses (£30 of old sterling).

Fiat ut petitur. O.

Florence, 7 Id. Sept., anno 2.

Michal.

130, 286 [1 p.]

# Nova provisio Perinde valere

ROBERT BOWMAKARE, priest, monk of Arbroth, St. 1419. Andrews diocese in Scotland, O.S.B., that by virtue of 7 September. certain letters and processes he obtained possession, or Florence. nearly so, of the priory of COLDINGHAME, St. Andrews diocese, and in the letters through simple ignorance he did not express the true value of the said priory, then void, and he also erred in stating that he was a monk of Dunfermlyn. He therefore supplicates that the Pope would decree the foresaid letters and processes to be valid in all respects as if the full truth had been expressed, and also to provide him anew, and under the first date, to the said priory of Coldingham, O.S.B., St. Andrews diocese, which is a cell of Dunfermlyn, said order and diocese, is elective, and has cure of souls (£1,000 of old sterling), void in whatsoever way : notwithstanding that the said Robert

123 Michal.

1419.

has appealed from his Abbot of Arbroth and that the cause is pending in Curia; also that a certain William Drakys,1 monk of Durham, O.S.B., Durham diocese, unlawfully detains the foresaid priory, and that a certain William Brown, monk of Demfermlyn, was lately elected thereto.

Lately, on the voidance of a canonry and prebend and

Fiat ut petitur. 0.

Florence, 7 Id. Sept., anno 2.

130, 285 [11 pp.]

#### Michal.

#### Nova provisio

1419. Florence.

7 September. the archdeaconry of TEVIOTDALE in the Church of Glasgow by the death outwith the Roman Court of the late James Walteri, alleged chaplain of the Apostolic See, WILLIAM CROYSER. M.A., obtained the archdeaconry by letters of Pope Martin, while John Scheves, D.C.L.,2 was provided to the said canonry, prebend and archdeaconry by Pope Benedict while Scotland was still under obedience to him : but John renounces the possession (if perchance he obtained it) into the hands of the Cardinal of St. George, deputed by the Pope for the purpose. Lest, therefore, the foresaid William should be molested in future about the foregoing, he supplicates that the Pope, admitting the renunciation, would provide him anew to the said canonry and prebend and archdeaconry, which is a dignity with cure (£80 of old sterling), whether void as above, or in whatsoever way : notwithstanding that he holds the parish church of Kirkgonzan, Glasgow diocese, in commendam, holds the canonry and prebend of Obny in the Church of Dunkeld, and had lately a grant of provision to a canonry and prebend of Ross (£30 of old sterling).

Fiat ut petitur. 0.

Florence, 7 Id. Sept., anno 2.

130, 287 [1 p.]

<sup>&</sup>lt;sup>1</sup> Drax remained in possession. Bowmakare's claims seem to have been bought off with a pension. (Priory of Coldingham, 91.)

<sup>2</sup> Doctor of Canon Law.

### Dispensatio

Formerly the Pope dispensed JOACHIM DE COCHRANE, priest, Glasgow diocese, that, notwithstanding defect of 9 September. birth as the son of a priest and an unmarried woman in the second degree of consanguinity, he might be promoted to all holy orders and hold onc ecclesiastical benefice with cure. By virtue of this dispensation he has had himself promoted to all holy orders, and supplicates that the Pope, granting him a richer grace, would dispense him to hold two or three ecclesiastical benefices, compatible together, even if one should be a canonry and prebend, etc., with power of exchange for other compatibles, as often as he pleases.

Fiat. O.

Florence, 5 Id. Sept., anno 2.

### Dispensatio

RICHARD CADY, priest, B.Dec., perpetual vicar of the 1419. parish church of Kilgour, St. Andrews diocese, whom the 11 Sept. Pope dispensed to hold two incompatible benefices for a certain term, that he may be dispensed to hold them for life, with power of exchange.

Fiat ad triennium. O.

Florence, 3 Id. Sept., anno 2. 131, 9v [1 p.]

Creten.

## Commissio revocationis unionis

Formerly, on behalf of the Prior and convent of the monastery of St. Andrews, O.S.A., it was falsely repre- 11 Sept. Florence. sented to the late Pope Clement VII (so-called in his obedience) that the monastery was situated so close to the sea that, unless its fruits were augmented by the union of churches, it could not be sustained, and also that it was

#### Michal.

130, 295 [ p.]

1419.

necessary to build a certain wall in front of the monastery to resist the waves and tempests. Pope Clement, believing the foregoing to be true, incorporated and united in perpctuity the parish church of INCHSTUR,1 St. Andrews diocese, so that, on the death or resignation of the rector, the Abbot and convent might take corporal possession of the church, its rights and pertinents, and convert the fruits to the use of the monastery, without requiring the consent of the Ordinary. But this union was made upon false assertions, because the said monastery has no need of a wall to resist the billows and tempests, as it is perched on a lofty rock, and also it has abundance of rents and fruits and requires no union of churches; vet, on the voidance of the church by death, the Abbot and convent detained and detain it in unlawful occupation in virtue of the alleged union. Therefore the parishioners and WALTER BLARE, clerk, St. Andrews diocese, M.A., supplicate that the Pope would give mandate to some good man in partibus, that, if he find the alleged incorporation and union to have proceeded on false assertion, he revoke and annul the same, and provide [Walter to] the said church of Inchstur (£60 of old sterling).

Fiat et committatur. O.

Florence, 3 Id. Sept., anno 2.

130, 292 [11 pp.]

#### Habilitacio

126

1419. 13 Sept. Florence. During the obedience of Scotland to Peter de Luna, although after his deposition from the Papacy, JOHN DE SCHENES [or Scheves], D.Dec., rector of the parish church of Aberbuthnoc, St. Andrews diocese, obeyed the said Peter as Pope up till the time of the universal declaration in Scotland to withdraw obedience from him to Pope Martin. In the meantime he impetrated from Peter a

<sup>&</sup>lt;sup>1</sup> The church of Inchture had been gifted to the Priory of St. Andrews by Bishop Richard, 1163-1178. (See Registrum Prioratus S. Andres, 138-139, and ad indices.)

canonry and prebend and the archdeaconry of TEVIOTDALE in the Church of Glasgow and obtained de facto possession by virtue of letters of the said Peter; and also, to obtain the execution of certain letters impetrated by him after the deposition but before the declaration of Scotland, the said John, as co-executor, published within the monastery of Dunfernylyne the process of first execution, made in the Curia of the said Peter. He, who has freely resigned the said archdeaconry in the Roman Curia and renounced all claim to it for the pleasure of the Pope, therefore supplicates that the Pope would rehabilitate him, restore him to his state and honours and to his benefices, offices and goods, and validate his expectative graces, etc., in all respects as if he had shown no obedience to the said Peter after his deposition ; remitting to him the fruits taken up by him in the meantime, absolving him from excommunication. etc.

Fiat ut petitur et habilitamus et absolvimus et remittimus quod spectat ad Cameram. O. [Granted, and we habilitate and absolve him and remit what pertains to the Camera.]

Florence, Id. Sept., anno 2.

### [No rubric]

Correction of the petition of the Abbot and convent of 1419. KYNLOSS, Cistercian order, about the perpetual vicarage <sup>13</sup> Sept. of the parish church of ELON in Buchan, Aberdeen [corrected to Moray] diocese : that the apostolic letters may be expedited with a statement of the confirmation of the donation of the right of patronage, or with a commission ad partes.

Florence, 4 Kal. June, anno 2.1

Fiat ut petitur et committatur. O.

Florence, Id. Sept., anno 1.2

131, 186 [1 p.]

131, 60 [1 p.]

<sup>1</sup> Marginal note : Istud datum erat in reformatione ante signaturam.

<sup>2</sup> Sic ; but apparently in error for anno 2. (Cf. p. 121.)

# Commissio privationis

1419. 13 Sept. Florence.

Formerly between John de Erskyne, then chancellor of GLASGOW, and John de Busby, rector of the parish church of Eglishame, said diocese, an exchange was made, simoniacally and illicitly in the hands of the Ordinary, whereby John de Busby obtained peaceable possession of the said chancellorship. But because such things tend to the disgrace of the ecclesiastical order, therefore JOHN WER, priest, rector of the parish church of Lyne, Glasgow diocese, B.Dec., of noble race on both sides, supplicates that the Pope would give mandate to some good man in partibus to inform himself diligently about the foregoing, and, if found to be true, to deprive John de Busby and provide him to the said chancellorship (£60 of old sterling), a dignity with cure in the Church of Glasgow, to which are annexed the canonry and prebend of Campsi, whether void as above, or in whatsoever way : notwithstanding the said parish church of Lyne (20 marks of old sterling).

# Commissio privationis

For the part of PATRICK WERE, clerk, Glasgow diocese [ctc., as above], it is represented that formerly Alexander de Rute [? Bute] and John de Kirkton, then perpetual vicars of the parish churches of Kilmacolm and Killelanc, said diocese, made an exchange, etc., as above, by virtuc of which exchange John Kirkton obtained peaceable possession of the vicarage of KILMACOLM. But the said John publicly keeps a concubine named Margaret de Parco, by whom it is common story that he has offspring. Because of this disgrace, the said Patrick supplicates that the Pope would give mandate [etc., as above] to remove John and provide him to the foresaid vicarage of Kilmacolm (25 marks sterling), whether void as above or in whatsoever way.

Fiat ut petitur pro utroque et inscribant se. O.

Florence, Id. Sept., anno 2.

131, 27v [21 pp.]

#### Dispensatio

The Pope, under date 4 Kal. Feb., anno 1 [29 January 1419. 1418], granted to PATRICK Scor, perpetual vicar of the <sup>2</sup> October. Florence. parish church of Innerkelour, St. Andrews diocese, provision to an ecclesiastical benefice in the collation of the Abbot and convent of Dunfermlyne, O.S.B., said diocese, and decreed that as soon as he gained peaceable possession of a benefice with cure by virtue of this grace he was bound to resign the above vicarage, which he then held and still holds. But the said vicarage does not exceed 40 marks sterling, and he does not possess another ecclesiastical benefice : therefore Muriella Duchess of Albany, in the person of the said Patrick, her continual commensal chaplain, supplicates that the Pope would dispense him to hold for life one other ecclesiastical benefice with cure, etc., incompatible with the said vicarage, with power of exchange as often as he pleases for other two incompatible benefices.

Fiat ad sex menses. Q.

Florence, 6 Non. Oct., anno 2.

#### Creten.

131, 300<sup>v</sup> [1 p. -]

## Dispensatio

ANDREW DE MONRO, priest, canon of the Churches of Ross 1 and Moray, of noble race, whom the Pope formerly 6 October. dispensed, notwithstanding defect of birth as the son of a priest and an unmarried woman, to be promoted to all holy orders and to hold two benefices, even if canonries,that the Pope, granting him a richer grace, would dispense him to hold with these two benefices a dignity, personatus, etc., with power of exchange for other three compatible benefices.

Fiat. O.

Florence, Prid. Non. Oct., anno 2.

1419.

## 132, 127v [7 p.]

<sup>&</sup>lt;sup>1</sup> Afterwards, in 1441, provided to the see of Ross by the Anti-pope. Felix v. (Copiale, 311-313, 483.)

#### Michael.

## Nova provisio

1419. 6 October. Florence. COLUMEA DE DUNBAIR, of royal race, then holding the deanery of DUNBAR, St Andrews dioeese, to which a prebend of the said church is canonically annexed, obtained the canonry and prebend of Dons in the same church, void in a certain way, and held them along with the deanery for six months and more, taking up the fruits, and afterwards resigned them [the canonry and prebend] for the sake of exchange. The said Columba therefore supplicates that the Pope would provide him to the said deanery, a principal dignity (£40 of old sterling), whether void by assecution or in whatsoever way ; also with habilitation and remission of fruits taken up : notwithstanding that he holds a canonry and prebend of St. Andrews and the archdeaeonry of Lothian, and the hospital of Rothven, Aberdeen diocese (80 marks of old sterling).

Fiat ut petitur. O. Florence, Prid. Non. Oct., anno 2.

134, 247 [ f p.]

Michal.

#### Perinde valere

1419. 11 October. Florence. On 7 Kal. Feb., anno 1 [26 Jan. 1418], the Pope granted to WILLIAM CROYSER, M.A., canon of Dunkeld, an expectative grace to one or two canonries in the Church of Dunkeld, or to one or two benefices with cure or without cure, and dispensed him to hold two incompatible benefices for life. Afterwards he obtained the parish church of Kirkgonnen in commendam, etc. [enumerating his benefices], and he fears that his expectative grace may have expired, especially in so far as concerns benefices with cure and incompatibles or dignities. He therefore supplicates that the Pope would renew the same, decreeing that the grace and letters thereanent should have full validity in all respects as if other provisions and grants of provision had not been made to him : notwithstanding the commend of the parish church of Kirkgonnen, a canoury and prebend of Dunkeld and Glasgow, and the archdeaconry of Teviotdale, which he holds (£80 of old sterling).

Fiat. O.

Florence, 5 Id. Oct., anno 2.

132, 98v [12 pp.]

# Michel.

## Nova provisio

Lately, on the voidance of the perpetual vicarage with cure of the parish church of LEVYSTON, St. Andrews <sup>16</sup> October, Florence, diocese, by the death of the late Thomas de Pyngyl, last possessor, Henry Bishop of St. Andrews, chaplain of the Pope, provided it by ordinary authority to JOHN DE CAMERON, priest, St. Andrews diocese, B.Dec., who possessed it peaceably for four years and more, and possesses it at present. But the said John doubts the validity of the above provision: therefore he supplicates that the Pope would provide him anew to the said vicarage (£18 sterling). whether void as above or in whatsoever way : notwithstanding that after the deposition of Peter de Luna, Benedict xIII, but before the general obedience of Scotland to Pope Martin, hc made impetrations from the said Peter, not for himself, but for others ; and that the Pope would dispense [him] for irregularity, excommunication, etc., if he have incurred the same.

Fiat ut petitur et habilitamus. O.

Florence, 17 Kal. Nov., anno 2.

# 134, 251v [7 pp.]

#### Reformatio

Correction for the Abbot and convent of HOLYROOD 1419. of Edynburch, O.S.A., for the incorporation of the parish 20 October. Florence. church of KYNHORN, St. Andrews diocese. The petition, for which the Earl of Douglas, Warden of the Marches of Scotland, by means of Griffin Bishop of Ross, papal nuncio, besought the Pope,1 is found to be signed, 'Fiat

<sup>&</sup>lt;sup>1</sup> Pro qua Comes de Douglas . . . eciam organo Nuncii Eiusdem Sanctitatis Vestre in illis partibus Griffini Episcopi Rossensis Eandem Sanctitatem humilius duxit exorandum.

de novo,'etc. The Abbot and convent annexed the above parish church [of Kinghorn] by virtue of letters of Peter de Luna, Benedict xIII, before his deposition in the Council of Constance, and the signature of the above petition does not correspond fully with their requests ; therefore the Abbot and convent supplicate that the apostolic letters thereanent may be expedited with the expression that the union, annexation and incorporation are confirmed, and the parish church united anew to the monastery, etc.

Fiat et committatur Episcopo Sancti Andree. O. Florence, 13 Kal. Nov., anno 2. 132, 288<sup>v</sup> [<sup>2</sup>/<sub>8</sub> p.]

# Commissio privationis

1419. 23 October. Florence.

A certain Thomas Bell, bearing himself as priest and vicar of MONROSE, Brechin diocese, was suspended and excommunicated by the Bishop of St. Andrews on account of his demerits, and without obtaining absolution has for many years taken part in divine offices in contempt of the Keys, has incurred the canonical pains of irregularity and inhability, and rendered himself unworthy of holding the said vicarage. Therefore ALEXANDER LYNDESAY, priest, treasurer of Aberdeen, M.A. (who has studied theology (in sacra pagina) for three years and studies at present, and who has been dispensed by apostolic authority, firstly, that notwithstanding defect of birth as the son of an unmarried man of a race of earls, and of an unmarried woman, he might be promoted to all holv orders and hold one benefice, then that he might hold two, three or more compatible ecclesiastical benefices and two incompatibles for five years), supplicates that the Pope would give mandate to some good man in partibus to inform himself about the foregoing, and if found to be true, or that Thomas has committed any other irregularity through which he merits deprivation, to deprive him and provide Alexander to the said vicarage (£40 of old sterling), whether void by this deprivation, or by the free resignation of Thomas, or in whatsocver way: notwithstanding the

treasurership of Aberdeen, a dignity but not major post pontificalem (£20 of old sterling).

Fiat ut petitur pro utroque.<sup>1</sup> O. Florence, 10 Kal. Nov., anno 2. 133, 83 [1<sup>2</sup> p.] [Another of the same tenor. Signed : Fiat ut petitur et inscribat se. O. Florence, 3 Non. Nov., anno 2. 134, 188v.] [11 pp.]

Creten.

1419.

## Dispensatio

ROBERT PENVEN, St. Andrews diocese, B.Dec., of knightly stock, kinsman (parentela) of the Earl of Douglas, and 25 October. Florence. personally present in Curia, that the Pope would dispense him to hold for life two incompatible ecclesiastical benefices, even if parish churches, etc., one through an expectative grace, and the other through canonical collation by whatsoever authority, and also to hold the perpetual vicarage of Malkarstoun, which he now possesses (10 marks sterling), together with either of the above, with in the meantime power to exchange one of them as often as he pleases, and to exchange the other incompatible for a benefice or benefices compatible with the remaining one.<sup>2</sup>

Fiat ut petitur ad quinquennium. O.

Florence, 8 Kal. Nov., anno 2.

Michal.

133, 92<sup>v</sup> [<sup>3</sup> p.]

#### Commissio privationis

It is represented for the part of THOMAS DE GRENLAU, 1419. archdeacon of Caithness, M.A., B.Dec., versed (provecti) in <sup>25</sup> Octob Florence, 25 October.

<sup>1</sup> It is signed and dated along with another (preceding) commissio privationis, dealing with the diocese of Nantes,

<sup>&</sup>lt;sup>2</sup> Et interim alterum ibsorum pro alio vel aliis beneficio vel beneficiis ecclesiastico vel ecclesiasticis similibus vel dissimilibus tociens quociens sibi placuerit permutare et alia eciam incompatabilia recipere et durante vita insimil retinere et alterum illorum incombatabilium pro alio vel aliis beneficiis ecclesiasticis cum eorum reliquo compatibili seu compatibilibus permutare libere et licite possit.

theology, that a certain John de Busby, formerly rector of the parish church of Eglisham, Glasgow diocese, and a certain John de Erskyn, formerly chancellor of GLASGOW, to which office the prebend of CAMSY is annexed, resigned into the hands of the Ordinary on the condition that the said John de Erskyn should receive all the fruits of the said prebend, or at least the greater part thereof, even after the exchange; and that from the time of the exchange, now five years ago or more, he has continued to lift the fruits as formerly. But since simony is said to have taken place, therefore the above Thomas de Grenlau supplicates that the Pope would give mandate to some good man in partibus to inform himself diligently about the above, and if found to be true, or that on other grounds the above John de Busby ought to be deprived. to remove him and collate and assign Thomas to the said chancellorship, canonry and prebend with all their pertinents (80 marks sterling), whether void as above or in whatsoever way : and that the Pope would dispense him to hold the said chancellorship, which is a dignity with cure, together with the archdeaconry of Caithness, which is an office with cure, and to exchange either (alterum) of them as often as he pleases : notwithstanding the above archdeaconry and the canonries and prebends of Ruffyl 1 and Kynner in the Churches of Dunkeld and Moray (canonicatibus et prebendis de Ruffyl de Kynnor Dunkelden. ac Moravien.) which he holds (60 marks sterling).

Fiat ut petitur in forma juris et inscribat se et dispensamus ad quinquennium. O.

Florence, 8 Kal. Nov., anno 2. 133, 286 [15 pp.]

#### Mandatio

1419. 27 October. Florence. GRIFFIN BISHOP OF Ross, D.Dec. and B.L., who laboured according to his might, in the Council of Constance and

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<sup>&</sup>lt;sup>1</sup> Ruffil, stated by Mylne to be the prebend of least value in the Church of Dunkeld. (See J. Hunter, *The Diocess and Presbytery of Dunkeld*, i, 313.) Cf. R. K. Hannay, *Rentale Dunkeldense*, 349 (Soct. Hist. Society).

after, for the union of Holy Mother Church—that the Pope would comprehend him in the number of fifty exempted persons (*excipiendarum personarum*), of whom fuller mention is made in the prerogative granted by his Holiness to the Doctors and Masters of the University of Paris, in order that (*ad hoc quad*) he may the more speedily and freely receive the full effect of a certain expectative grace; and that the Pope would order the vice-chancellor or his deputy to cause the said Bishop to be inscribed in the book of Chancery or elsewhere, as expedient, among the number of the exempted : and that the letters might be expedited gratis.

Fiat et sit de numero excipiendorum. O.

Florence, 6 Kal. Nov., anno 2.

Michael.

133, 161 [% p.]

## Nova provisio

It is represented for the part of ROBERT CLERICI, priest, 1419. Brechin diocese, M.A., that formerly on the voidance of 30 October. Florence, the chaplaincy or service of the altar of All Saints in the parish church of St. Mary the Virgin of DUNDE, said diocese, by the death outwith the Roman Court of the late Richard de Fodringan, priest, last possessor, Alexander de Lyndesay, Earl of Crauford, patron of the said chaplaincy, collated and assigned it to the above Robert, as is more fully contained in the charter or letter of donation. By virtue of this donation Robert obtained possession of the chaplaincy and possessed it peaceably for much time, as he does at present. But it is doubted by some whether institution of the Ordinary was necessary, and Robert, doubting for this and other causes that the Earl's donation or assignation was not valid without institution by the Ordinary, supplicates that the Pope would ratify the same and provide him anew to the said chaplaincy (7 marks sterling), whether void by the death of the above Richard. or by free resignation, or in whatsoever way : notwith-

standing the parish church of Inverarite (£20 sterling), St. Andrews diocese, which he holds.

Fiat ut petitur pro utroque. O.

Florence, 3 Kal. Nov., anno 2. 133, 219v [1 p. -]

[Signed and dated with another Nova provisio relating to Autun diocese. This is the first of the two.]

#### Perinde valere

1419. [undated.] Lately ALEXANDER DE CRAGY, of noble race, Orkney diocese, had an expectative grace to a canonry and prebend and other office in the Churches of Glasgow and Dunkeld, but at the time of this grace he had not yet received any clerical character (nondum esset clericali caractere<sup>1</sup> insignitus), wherefore he doubts that the grace may be deemed surreptitious. He therefore supplicates that the Pope would decree the letters upon this grace and the processes thereanent, and all the consequences, to be valid from their date in all respects as if at that time he had received clerical orders.

Fiat et sub prima data. O. 129, 195  $\begin{bmatrix} 1 \\ 2 \end{bmatrix}$  p.]

[Another supplication of the same tenor, also sub prima data, is found in Reg. Supp., 131, 9.]

# Michal.

## Reformatio

1419. [undated.] JOHN GIL, M.A., S.T.B., that the letters of new provision to the parish church of KYNNEL, St. Andrews diocese, may be expedited with the mention of an expectative grace, so that his supplication be not deemed surreptitious through the omission to mention this.

Fiat et sub prima data. O.

<sup>130, 214 [&</sup>lt;sup>2</sup>/<sub>5</sub> p.]

<sup>&</sup>lt;sup>1</sup> Noldin (iii. 461) states that clerical character is not imparted until the conferment of the diaconate. It is only given by a sacrament. The first five clerical orders are not sacraments: the other three orders deacon's, priest's and bishop's—are sacred orders, and impart 'character.'

# Dispensatio

WALTER DE MODINVALE, clerk, Glasgow diocese, kinsman 1419. (de sanguine) of the Earl of Lewyaxe, who for four years and [undated.] more has studied canon haw at Paris and elsewhere, has come from Scotland to the presence of the Pope at great cost, labour, and perils by land and sea, and has been present in Curia for several months; and he supplicates that the Pope would dispense him for ten years to hold two incompatible ecclesiastical benefices, even if parish churches, one by virtue of an expectative grace, and the other canonically collated by whatsoever authority, with power of exchange as often as he pleases during the said ten years.

# [No rubric]

JOHN BOUMAKER, chaplain of John [sie], Governor of 1419. Scotland, that the letters about his petition to hold two in- [undated.] compatible benefices may be expedited with the expression that he may hold for five years, along with the parish church which he possesses, another ecclesiastical benefice with cure, or otherwise incompatible, etc., with power of exchange.

Fiat pro utroque, et pro primo ad quinquennium pro secundo ad triennium. O.

Et sub prima data. O.

Creten.

132, 26 [11 pp.]

# [No rubric]

JOHN BOUMAKER, rector of the parish church of MINIAL- c. 1410. ROC, Glasgow diocese, chaplain of the Governor of Scot-[undated.] land, eldest son of the Lord Murdoch [sic], lieutenant (locum tenentis) of the said kingdom.

[Cancelled.]

In margin, *Cassatum quod Expectativa et est scripta loco suo*. [Cancelled, because it is an expectative and written in its place.]

122, 36 [1 p.]

137

## III. MARTIN V

[No rubric]

Formerly the Pope reserved to the disposition of the Apostolic See, as Pope Benedict had done during his obedience, all elective dignities in cathedral and collegiate churches, secular and regular; and lately the conventual priory of INCHEMOQWHOME [Inchmahome], which is a major dignity, elective and with cure, O.S.A., Dunblane diocese, has become void by the death of William, the last Prior, outwith the Roman Court,—therefore THOMAS DE ABBROTH, priest, canon regular of the Cathedral of St. Andrews, O.S.A., supplicates that the Pope would provide him to the above priory (£300 of old sterling), whether void as above, or howsoever.

Fiat ut petitur pro utroque. O.

Florence, 3 Kal. Dec., anno 3.

137, 237v [3 p.]

[This is the first of two bracketed supplications.]

## Reformatio

119. Under date 15 Kal. Aug., anno 1 [18 July 1418], the Pope granted a new provision to WILLIAM NORRY, priest, eanon of St. Andrews, professed of the Order of St. Augustine, to the priory of MAY, St. Andrews diocese. Since, through the negligence of the drafter of the supplication, it was omitted to state that the said priory is a dignity with cure, may the apostolic letters be expedited with the expression of the foregoing, and under the

first date. Concessum.

Florence, Prid. Id. Dec., anno 3. 135, 18 [3 p.]

Michal.

#### Reformatio

Recently, under date Prid. Kal. Dec., anno 3 [30 November 1419], the Pope granted provision to ROBERT DE STRABROK, priest, St. Andrews diocese, M.A., of the

1419. 12 Dec. Florence.

1419.

20 Dec.

Florence.

1419. 29 Nov. Florence. parish church of GogAR, said diocese, which is hoped to be void in a certain way. But through the negligence of the drafter of the supplication it appears to be in a certain measure useless, since it contains no conclusion, nor are all the ways of voidance specified. May the Pope therefore reserve to Robert the said parish church of Gogar (which he lately granted to William, then Bishop of Orkney, but now Bishop of Dunblane, to be held in commend for a year from the day of peaceable possession of the Church of Orkney or of some other cathedral church in the kingdom of Scotland), when it becomes void by lapse of the said commend, or in whatsoever way; and may the apostolic letters thereanent be expedited with an expression of the foregoing, and under the above date.

Fiat. O.

Florence, 13 Kal. Jan., anno 3.

136, 62 [1 p. -]

#### Nova provisio

Lately, NICHOLAS HUNTAR, priest, Brechin diocese, 1419, secretary and continual commensal of Robert Duke of  $^{22}$  Dec. Albany, Governor of Scotland, by apostolic authority obtained the parish church of FORTEVYOT, St. Andrews diocese, void by the death of the late John Gomison, last rector, and held and possessed it thereafter, as he does at present. But for certain causes he doubts the validity of his collation, provision, assecution and the consequences; he therefore supplicates that the Pope would ratify the same and provide him anew to the said parish church ( $^{240}$  of old sterling), whether void as above or howsover: notwithstanding the parish church of Mukkirsi, Dunkeld diocese, which he holds at present ( $^{210}$  of old sterling), and which he offers freely to dimit.

#### Surrogatio

Lately, JOHN DE KEREMOR, priest, St. Andrews diocese, B.Dec., obtained a commission to dom. Frederick de Hys [Deys], Auditor of the Sacred Palace of Causes, of a cause

against Nicholas Huntar, alleged priest, Brechin diocese, about the parish church of MUKKIRSI, Dunkeld diocese, and a decree of citation *ad partes* against Nicholas; and before the citation had come to the notice of Nicholas he obtained possession by ordinary authority of the parish church of Fortevyot, St. Andrews diocese. May the Pope, therefore, surrogate the said John de Keremor in and to all right, if any, which Nicholas had in the said church of Mukkirsi before his dimission thereof (£12 sterling).

Fiat ut petitur pro utroque. O.

Florence, 5 Kal. Jan., anno 3. 137, 41v [11/2 pp.]

[These two supplications appear again, in a rotulus of four, under date, Florence, 3 Non. Jan., anno 3 (3 January 1420) (Reg. Supp., 138, 137).]

#### Dispensatio

Robert Duke of Albany in the person of his secretary, NICHOLAS HUNTAR, etc., as above,—that the Pope would dispense him to hold for life two ecclesistical benefices with cure, or otherwise incompatible, even if one be a parish church, with power [of exchange] outwith the Roman Court: notwithstanding the parish church of Fortevyot, St. Andrews diocese.

Fiat ut petitur ad septennium. O.

Florence, 5 Kal. Jan., anno 3.

137, 42v [1 p.]

Michal.

## Dispensatio

Archibald Earl of Douglas in Scotland, in the person of his kinsman ROBERT JUVENIS [Young], archpriest of the collegiate church of Dunbar, St. Andrews diocese, chaplain of the Apostolic See and B.Dec., supplicates that the Pope would dispense him to hold for a time along with the said archpriestship (which is a dignity with cure, £20 sterling) any other ecclesiastical benefice with cure and incompatible,

1419. 28 Dec. Florence.

1419.

29 Dec.

Florence.

even if a parish church, etc., if canonically collated to him, with power of exchange as often as he pleases, two benefices only being incompatible.

Fiat ad guinguennium. O.

Florence, 4 Kal. Jan., anno 3.

# 136, 115<sup>v</sup> [1 p.-]

## Creten.

# Nova provisio

It is represented for the part of WALTER DE WARLAW. 1420. priest, St. Andrews diocese, that he and Columba de 3 January. Dunbar, clerk, St. Andrews diocese, resigned in the hands of Henry Bishop of St. Andrews the parish church of Lochorwart [Borthwick] and the vicarage of the parish church of CAREL, St. Andrews diocese, for the sake of exchange, and that the Bishop of St. Andrews collated Walter and inducted him into corporal and real possession of the vicarage of Carel, which he possesses peaceably. But for certain causes he doubts the validity of the foregoing, and therefore supplicates that the Pope would confirm the collation, induction and all the consequences, and provide him anew to the said vicarage of Carel (60 marks sterling). howsoever void

# Nova provisio

It is represented for the part of RICHARD DE LONDORIS. priest, St. Andrews diocese, that formerly he was pre- 3 January. sented to the perpetual vicarage of the parish church of EBDY, then void in a certain way, by the Abbot and convent of the monastery of Londoris, O.S.B., St. Andrews diocese, to whom presentation did and does belong, to the late Walter de Danielston, elect of St. Andrews,1 who collated and provided him by ordinary authority; on the strength of which the said Richard obtained possession

1420. Florence.

<sup>&</sup>lt;sup>1</sup> Walter de Danielston was postulated to St. Andrews (probably in 1402) in a period of confusion after the death of Traill. Dowden (p. 29) says that ' any information about this obscure figure is of interest.' The fact that he is here styled as ' elect ' lends weight to the view that he was never confirmed by the Pone.

and for fifteen years and more has peaceably possessed the vicarage, as he does at present. But for certain causes he doubts the validity of his collation and provision by the above Walter, elect, and of all the consequences, and he therefore supplicates that the Pope would ratify the same and provide him anew to the said vicarage (10 marks sterling).

[There follow (1) New provision to NICHOLAS HUNTAR to the parish church of FORTEVYOT ; and (2) surrogation of JOHN DE KEREMOR in or to the right of Nicholas in or to the parish church of MUKKIRSI; as in Reg. Supp., 137, 41v (pp. 139-140).]

Fiat ut petitur pro omnibus quatuor. O.

Florence, 3 Non. Jan., anno 3.

138, 137 [3 pp. --]

## Confirmatio

1420. 4 January. Florence.

Formerly Peter dc Luna (Benedict XIII) united, annexed and incorporated the vicarage of the parish church of VARIE CAPELLE [Falkirk], St. Andrews diocese, (presentation to which pertains to the Abbot and convent of Holyrood of Edynburgh, and institution to the Bishop of St. Andrews, and which was formerly governed by secular clerks), with all its rights and pertinents to the above monastery of HOLYROOD, O.S.A., at the instance and supplication of the late Robert King of Scots, as is more fully contained in the letters thereanent. The Abbot and convent also obtained possession of the said church on its voidance by the death of the late Thomas Rew, and for twenty years and more have been in peaceable possession of the same; therefore the Earl of Douglas [Christian name not given], Great Guardian of the Marches of Scotland and principal protector of the above monastery, also the Abbot and convent before named, supplicate that the Pope would ratify, approve and confirm the above union and whatsoever consequences.

Fiat in forma. O.

Florence, Prid. Non. Jan., anno 3.

138, 90 [1 p.]

De Montegaud. Jo. Ixworth.

# Nova provisio

THOMAS DE HERIOT, priest, St. Andrews diocese, formerly obtained possession by ordinary authority of the perpetual 7 January. Florence. vicarage of the parish church of ENERIKIK [Innerwick], said diocese, then void in a certain way, and thereafter held and possessed it, as he does at present. But for certain causes he doubts the validity of the assecution and the consequences. May the Pope therefore provide him anew to the above vicarage, which has cure of souls (£10 sterling), if void as above, or howsoever.

Concessum ut petitur.

Florence, 7 Id. Jan., anno 3.

#### Michael.

135, 51 [ p.]

#### [No rubric]

SYMON DE GRENLAU, clerk, St. Andrews diocese, B.A., of noble race, that the Pope would provide him to the 8 January. parish church of KILMONEVOGE [Kilmonivaig] (20 marks sterling), Lismore [Argyle] diocese, void by the death 1 of Master Nigel Makduuhie, last rector, or void in whatsoever way.

Fiat ut petitur pro omnibus sex.

Florence, 6 Id. Jan., anno 3.

This supplication is in a rotulus with other five, not relating to Scotland.]

#### Michal.

136, 106 [1 p.]

#### Dispensatio matrimonialis

Formerly the late Patrick de Dunbar betrothed (affidavit) 1420. a certain young maiden named MARIOTA DE VYCLINTON, 8 January. St. Andrews diocese, per verba de futuro, and maintained Florence.

<sup>&</sup>lt;sup>1</sup> Whether at or outwith the Roman Court is not stated. (Cf. pp. 147.

her in his father's house until the ninth year of her age. Then the said Patrick died, not having consummated the union (*ea carnaliter non cognita*), and his brother JOHN DE DUNBAR, St. Andrews diocese, also espoused Mariota *per verba de futuro*, and maintained her in his house, as he does at present. May the Pope therefore dispense the above John and Mariota, now in her eleventh year, that notwithstanding the above they may be freely and lawfully united together in matrimony, and decree legitimate the offspring to be born of the union.

Fiat ut petitur. 0.

Florence, 6 Id. Jan., anno 3.

136, 235<sup>v</sup> [<sup>2</sup>/<sub>3</sub> p.]

# Abbas Veronen.

## Confirmatio

1420. 10 January. Florence.

Lately, Peter de Luna (Benedict XIII) before his deposition dispensed JOHN DE MERTOUN, provost of the secular and collegiate church of Bothuile, Glasgow diocese, D.Dec., his chaplain (who held and holds the said provostship together with the parish church of Kyrkmocho [Kirkmahoe], said diocese, by apostolic dispensation, as he alleged), to hold two other ecclesiastical benefices, with cure or without cure, incompatible with the said provostship and parish church, even if dignities, etc., with power of exchange as often as he pleased, holding only four incompatibles, at the pleasure of the Apostolic See. Afterwards, by virtue of this dispensation, John obtained possession of the parish church of ENNERLETHAN, said diocese, by canonical collation, and held and possessed it thereafter with the foresaid provostship and parish church, as he does at present, peaceably and quietly. He therefore supplicates that the Pope would confirm this dispensation and all the consequences.

Fiat ut petitur. 0.

Florence, 4 Id. Jan., anno 3.

137, 47º [13 pp.]

RELATING TO SCOTLAND

Dispensatio matrimonialis

Lately, GILBERT DE LAUDRE,1 St. Andrews diocese, contracted matrimony with ANABELLA DE MATALAND, 12 January. said diocese, and had offspring by her, being ignorant of the impediment arising because the mother of Gilbert was godmother of Anabella (Anabellam de sacro fonte levavit). May the Pope therefore dispense them freely and lawfully to remain in the above contract of matrimony, notwithstanding the said spiritual relationship, and decree legitimate the offspring born and to be born.

Fiat ut petitur. 0.

Florence, Prid. Id. Jan., anno 3.

## Perinde valere

Formerly JOHN DE BUSBY, chancellor of GLASGOW, 1420. obtained the said chancellorship by reason of exchange 12 January. by ordinary authority, and afterwards the chief Penitentiary 2 of Benedict XIII (while Scotland was still in his obedience and before his deposition) dispensed him from the inhability which he was alleged to have incurred by occasion of certain pacts in the exchange; and he was provided anew by the said Benedict. The said John, who has taken up some of the fruits of the said chancellorship, doubts that he cannot prove the office of the said Penitentiary unless by public reputation and statement (traditionem), because he exercised his office of chief Penitentiary in the Curia of the former Benedict : therefore he supplicates that the dispensations, which the said Penitentiary in his letters alleged to have been granted on the verbal commission of the Pope, may on the legitimate recognition of the seal and other evidence, by public report and the opinion of the Penitentiary, carry legal weight

Michal.

1420.

Astoricen.

137, 10 [1 p.]

<sup>&</sup>lt;sup>1</sup> Possibly Gilbert, son of Sir Robert Lauder of the Bass. See Sheet I of Pedigree, and also p. 30, in The Lauders of the Bass and their Descendants.

<sup>&</sup>lt;sup>a</sup> The Penitentiarius was an official with special powers of granting absolution in place of the Bishop.

in face of court and outwith in all respects as if it could be legitimately proved that he acted upon an oral commission<sup>1</sup> and that the Pope would provide him to the said chancellorship ( $\pounds$ 40 sterling): notwithstanding the canonry and prebend of Moray, about which he is litigating and has not possession ( $\pounds$ 40 sterling); and a certain chaplaincy, to be expressed in Chancery (40 florins).

Fiat de utroque ut petitur. O.

Florence, Prid. Id. Jan., anno 3.

137, 51 [11 pp.]

D. Montegaudio.

#### Reformatio

1420. 15 January. Florence. In the supplication of WILLIAM BROUN (signed by the Pope '*Fiat ut petitur*, 3 Non. May, *anno*  $2^{\cdot})^{z}$  about his provision to the priory of COLINGHAME, St. Andrews diocese, the true value of the priory was not expressed, since it is worth not £200, but £600 sterling. Also, in the *obstantibus* clauses, the name William was negligently given as John. May the apostolic letters therefore be expedited with the expression of all the foregoing and under the above date.

Fiat ut petitur. O. Florence, 18 Kal. Feb., anno 3.

137, 57<sup>v</sup> [<sup>1</sup>/<sub>2</sub> p.]

Astoricen.

#### Nova provisio

1420. 15 January. Florence. Lately, WILLIAM DE COUAN, priest, Glasgow dioeese, B.Dec., obtained the canonry and prebend of EDOLISTON in the Church of Glasgow, and held it thereafter as he does at present by virtue of certain letters of Pope Benedict before his deposition; and he also accepted the parish

<sup>2</sup> i.e. 5 May 1419; but not found under that date.

<sup>&</sup>lt;sup>1</sup> quatenus dispensationes et inhabilitates [sic] predictas quas dictus penitentiarius vive oveis oraculo dicti domini dim Benalicti fecisse in suis litteris asseril facta legitime recognitione sigilit e dalas constito per publicam reputationem et tractationem ut prefertur dicti penitentiaris perinde in judicio et extra observari mandet ac si de dicti officium gerentis auctoritate et commissione sibi vive vocis oraculo ut prefertur facta legitime constaret.

# RELATING TO SCOTLAND

church of FOTTEBROT [Forteviot], St. Andrews diocese, void by the death <sup>1</sup> of John Gunson, last rector, by virtue of an expectative grace of Pope Martin, the bulls not being made out (all the fruits, 80 marks of old sterling). May the Pope therefore provide him to the same.

Fiat ut petitur pro omnibus tribus.<sup>2</sup>

Florence, 18 Kal. Feb., anno 3.

137, 108 [‡ p.]

#### Michal.

## [No rubric]

SYMON DE GRENLAU, clerk, St. Andrews diocese, B.A., 1420. of noble race, that the Pope would provide him to the <sup>15</sup>January. parish church of KYLMONEWOG, Lismore diocese (£20 sterling), void by the death of a certain Nigel Makduwhie on his way to the Roman Court, or howsoever void.

#### Reformatio

Lately the Pope made a special grace to ANDREW DE RABURN of the priory of URQUHARD, Moray diocese, void by the promotion of William de Sancto Andrea to the Abbacy of Dunfermelyn, and which he obtained by ordinary authority and has now held and possessed peaceably for more than a year and a half. Because, however, it is alleged by some that the above William de Sancto Andrea was deprived of the priory of Urquhard by ordinary authority, may the apostolic letters be expedited with the clause: 'even if void by deprivation of the said William by ordinary authority, or if void in whatsoever way': and under date of the first supplication.

## [No rubric]

JOHN FELDEW, priest, St. Andrews diocese, B.Dec., that the Pope would provide him to the perpetual vicarage of the parish church of STREVELYN (£20 sterling), said diocese, void by the death of the late John de Corntoun, priest, last vicar, or howsoever void : notwithstanding the vicarage

<sup>&</sup>lt;sup>1</sup> Whether in or outwith the Curia is not stated.

<sup>&</sup>lt;sup>2</sup> This is the first of the three supplications in the rotulus.

of the parish church of Kylmanny, said diocese, which he holds ( $\pm 10$  sterling), and an expectative grace by virtue of which he accepted the said vicarage of Strevelin: also notwithstanding that a certain Michael de Owchyltre, priest, also accepted the same by virtue of an expectative grace of an earlier date, and that another priest, Patrick Scot, detains it in occupation by authority of the patron <sup>1</sup> and the Ordinary.<sup>2</sup>

## Si neutri

Lately ALEXANDER DE LAWEDRE, Lic.D., archdeacon of Dunkeld, obtained possession of the parish church of RATHOW, St. Andrews diocese, by apostolic authority, but afterwards a certain Ingeram de Lyndesay, clerk, Glasgow diocese, brought a suit against him in partibus about the said church before certain judges deputed by authority of Peter de Luna, and notwithstanding an appeal legitimately interposed by Alexander they proceeded in the cause, deprived him and provided Ingeram, albeit unlawfully, by the above authority. Alexander, however, possessed the church at that time and continuously thereafter, as he does at present; and at length he had the cause committed to dom. Geminianus.3 Auditor of the Sacred Apostolic Palace of Causes of Pope Martin, on the strength of which commission it was proceeded to certain acts (the state of which to be had for expressed). But it is doubted by some that neither Alexander nor Ingeram has right in the said church : therefore Alexander supplicates that the Pope would provide him to the same, which he possesses (£40 sterling), howsoever void : notwithstanding the above archdeaconry (£50 sterling).

Fiat ut petitur pro omnibus quatuor. O.

Florence, 18 Kal. Feb., anno 3. 137, 128v [31 pp.]

<sup>&</sup>lt;sup>1</sup> Apparently the Abbot and convent of Dunfermline, to whom David I granted two churches and certain land in the Burgh of Stirling. (Charlers)

and Documents of Stirling, 2-3; cf. 71-3. See below, pp. 160-1.)

<sup>&</sup>lt;sup>2</sup> The Latin is defective : quidem Michael . . . acceptavit ac alius dictus Patricius Scot . . . detinent.

<sup>&</sup>lt;sup>3</sup> Geminianus de Prato, provost of Pistoia. (See C.P.R., vii. 94.)

## Commissio privationis

It is represented for the part of JOHN ELWALD, perpetual vicar of the parish church of Selkyylc Regis [Selkirk Regis], 19 January. M.A., licentiate in theology, that long ago the late Adam de Forestarii, knight, of Scotland, obtained for a certain Thomas, his son, presentation by the lay patron and collation or commission by ordinary authority to the hospital of ST. LEONARD, which belongs to lay patronage, St. Andrews diocese, then void in a certain way. The Abbot and convent of the monastery of Holyrood of Edvnburch, O.S.A., said diocese, however, moved, it is believed, by ambition, practised simony with the above knight on behalf of his son, to the effect that Thomas should resign the hospital and give his consent to its union with the said monastery on condition that the Abbot and convent would give and assign (as they did) certain stated possessions to be held with their emoluments by the said knight and his two next heirs for their lives. Accordingly, the above Abbot and convent, hospital and knight and lately his heir occupied possession, as they do at present, although (vel se) they do not exercise divine office and the works of charity in the said hospital according to the institution of the founder. But since these pacts, being illegal, ought not to be permitted by the Church, therefore the above John supplicates that the Pope would give mandate to some good man in Curia or in partibus to inform himself diligently about the foregoing, and if he find that simony occurred, to dissolve the union and deprive and utterly remove the Abbot, convent and monastery, together and severally, from the said hospital.1 and collate, assign and provide John to the same (£20 sterling), which is accustomed to be governed by clerks,

1420.

<sup>&</sup>lt;sup>1</sup> The first mention of the hospital of St. Leonard's in the Charters of Holyrood is in January 1493-1494, when the King confirmed a foundation of Abbot Robert Bellanetyn for six poor aged and infirm persons. (Charters of Holyrood, 234-244.)

whether void as above, or in whatsoever way : notwithstanding the above perpetual vicarage [of Selkirk Regis] (also £20 sterling).

Fiat ut petitur et inscribat se. O. Florence, 16 Kal. Feb., anno 3.

137, 135 [11 pp.]

#### Exemptio

1420. 20 January. Florence.

For the part of Walter, Abbot, and the convent of the monastery of St. Thomas the Martyr of ABIRBROTHOC. O.S.B., St. Andrews diocese, it is pathetically represented that, although the religious in abnegation have chosen to serve Christ in poverty, so that having nothing they may possess everything, there are not wanting prelates, and their deans, officials and commissaries who, inspired by cupidity, wish to take away whatsoever the piety of the faithful has bestowed upon these religious, and who vex them in many ways, complaining that their goods are not those of Jesus Christ and that they cannot serve God and men as they are bound,1 and who not only inflict injury and violence upon them, but also contumely and opprobrium upon the Apostolic See, as is manifestly proved by information taken in the Curia. Therefore the above Abbot and convent supplicate that the Pope would declare the above monastery, Abbot and monks, and all members of the monastery, likewise individual monks and persons, priests, clerks and other ministers, present and future, dwelling with the above Abbot and convent, with all their goods, movable and immovable, present and future, with their familiars and other possessions, to be exempt from all jurisdiction, law, censure, power, visitation, lordship and superiority of Henry Bishop of St. Andrews, his successors and other Ordinary judges; and that the Pope would also declare the monastery, etc., to be immediately subject to the Roman Church, and that in future no one

<sup>&</sup>lt;sup>1</sup> The particular grievance of Arbroath was about the procurations which the Bishop of St. Andrews claimed for visitation. (C.P.R., vii. 170.)

exercise any power of jurisdiction, correction or superiority therein.

Fiat de exemptione durante litigio. O. [Granted, during litigation.]

Florence, 13 Kal. Feb.,<sup>1</sup> anno 3.

Astericen.

139, 133 [11 pp.]

# [No rubric]

MAURICE MACGUGAN, priest, Argyle diocese, that the 1420. Pope would provide him to the perpetual vicarage of the 22 January. Parish church of KYAREBAN (Klikerran), said diocese. (10 marks of old sterling), void by the death, outwith the Roman Court, of the late John Celestini, last vicar, or void because the said late John detained it unlawfully together with the parish church of Aran, or void in whatsoever way.

Fiat ut petitur pro omnibus quatuor. O.

Florence, 11 Kal. Feb., anno 3. 137, 224<sup>v</sup> [1 p.]

[This supplication is third in a rotulus of four.]

Michal.

137, 244v [2 p.]

#### Dispensatio

Archibald de Douglas, in the person of his counsellor, 1420. GEORGE DE BORTHKIK, archdeacon of Glasgow, of noble <sup>22</sup> January. race, B.Dec.,—that the Pope would dispense him to hold <sup>Florence.</sup> together for life two ecclesiastical benefices with cure or otherwise incompatible, even if one of them be an administration or office, etc., with power of exchange in the hands of the Ordinary, as often as he pleases ; holding two only incompatible together.

Fiat ut petitur ad quinquennium. O.

Florence, 11 Kal. Feb., anno 3.

<sup>1</sup> Altered from March, with the note: Correctum de mandato domini nostri Pape. P.

## Michael.

#### Nova provisio

1420. 22 January. Florence.

Formerly, on the voidance of the monastery of CALKOW, O.S.B., St. Andrews diocese, by the death of the late Abbot Patrick, outwith the Roman Court, Peter de Luna (Benedict XIII), while Scotland was under his obedience, and some time before his deposition by the Council of Constance, confirmed the election, canonically made, of WILLIAM, PRESENT ABBOT, then a monk of the said monastery, and promoted (prefecit) him as Abbot; by virtue of which confirmation and promotion, William obtained possession of the rule and administration of the monastery [fruits not stated], had himself blessed, and has laudably ruled (prefecit) these last twelve years past, as he does at present. That the above confirmation and institution may have greater validity, the above William supplicates that the Pope would ratify and approve the same with all the consequences, and would provide him anew to the said monastery.

Fiat ut petitur. 0.

Florence, 11 Kal. Feb., anno 3.

137, 291 [1 p. +]

Abb. Veronen.

[No rubric]

1420. 22 January. Florence. Since the priory of nuns of St. Mary of SUTBERWYK [South Berwick], Cistercian order, St. Andrews diocese, is at present void, and has been so long void that the true manner of voidance is not certainly known,<sup>1</sup> AGNES BRON, aged forty years and more, professed of the monastery of St. Bothan's.<sup>2</sup> said order and diocese, supplicates that the

<sup>&</sup>lt;sup>1</sup> The Cistercian numbery founded at Berwick-upon-Tweed by David 1. was disposessed by Robert III. in March 1300-1301, and given to the monastery of Dryburgh. (*Register of the Great Scal*, i. No. 832.) It would seem from this supplication, however, that a community of nums still persisted, at least in name, thirty years later; but, if it had been destitute of a prioress time out of mind, it must have been in a moribund state. (Cf. below, p. 550.)

<sup>\*</sup> St. Bothan's is said to have been a cell depending upon South Berwick' (Keith, 460), but may have been an independent foundation.

Pope would provide her to the said priory (which is accustomed to be ruled by a prioress) with all its rights and pertinents (15 marks sterling), void in whatsoever way.

Fiat ut petitur pro omnibus quatuor. O. 138, 203 [ l p.]

Florence, 11 Kal. Feb., anno 3.

[This is the second supplication in the rotulus.]

Jo. Ixworth.

## [No rubric]

JOHN BENYNGH, clerk, St. Andrews diocesc, that the 1420. Pope would provide him to the parish church of INCHENAN 24 January. (20 marks sterling), Glasgow diocese, which has been so long void that, according to the statutes of the Lateran Council,1 collation has legitimately devolved to the Apostolic See, or void in whatsoever way.

Fiat ut petitur. 0.

Florence, 9 Kal. Feb., anno 3.

# Michal.

## Confirmatio

It is represented for the part of the Abbot and convent 1420. of KYNLOS, Cistercian order, Moray diocese, that William 24 January. Florence. and Alexander, sometime Kings of Scotland, and other princes and Christ's faithful granted the land of Strathylef. with its pertinents, in free forest, and other lands, rents and possessions in pure alms to the said monastery, as is more fully contained in letters of the said kings, princes and Christ's faithful thereanent, and that Robert King of Scotland approved, ratified and confirmed the same, and moreover granted that all and sundry the inhabitants of the lands of the said monastery within the kingdom of Scotland be bound to compear in no court of the King or

## 153

137, 248v [2 p.]

<sup>&</sup>lt;sup>1</sup> The Lateran Council of 1179 drew up statutes concerning rights of patronage, presentation and provision to benefices. This was the origin of the laws of devolution. If the rightful patron failed to provide within the canonical term, then his right automatically lapsed, for that turn, to the Ordinary, and so on until ultimately it devolved to the Apostolic See.

of his officer, and that they be not summoned outwith their lands for the deposition of oaths or wappinschaws (ad judicamentorum depositiones vel armorum ostentiones), nor compelled to the payment of contributions or any customs or secular services whatsoever, nor be obliged to go to the King's army unless royal letters expressly command a universal muster, notwithstanding any privileges (nec ad exercitum regis nisi quando in litteris regis expresse caveatur quod quisiblet pro capite suo vadat quocunque privilegio non obstante ire cogantur); as also is more fully contained in letters of King Robert. May the Pope therefore ratify

Fiat in forma. O.

Florence 9, Kal. Feb., anno 3.

137, 299 [1 p.]

Astorien.

[No rubric]

1420.

26 January.

Florence.

It is represented for the part of JOHN ELWALD, perpetual vicar of the parish church of Sellak Regis, Glasgow diocese, M.A., licentiate in theology, that a certain John de Merton unlawfully detained and for a long time possessed the archdeaconry of Teviotdale in the Church of Glasgow, with the parish church of Camasblanc [Cambuslang] without obtaining dispensation from the Apostolic See, in violation of the constitution Execrabilis 1; and afterwards, dimitting the above, he held and detained together a prebend of GLASGOW, and the provostship of BOTHVIL, and the parish church of KYRKMANCHQUO, Glasgow diocese, collated to him by apostolic dispensation, as is said. But John de Merton, because he held the archdeaconry and parish church of Camisblanc together without apostolic dispensation is inhabilitated, according to the said constitution, to obtain any ecclesiastical benefices, and moreover his collation to the foresaid prebend, provostship and parish church of Kyrkmanchquo is invalid, because he did not first obtain legitimate habilitation, and, further, in obtaining the dispensation from the Apostolic See to hold the

<sup>&</sup>lt;sup>1</sup> See Introduction, p. xxii and n.

provostship and the last mentioned parish church, he made no mention of defect of birth, and according to the said constitution is deprived of them, and moreover he was not ashamed to remain for a year or more under sentence of greater excommunication. Therefore John Elwald, who, at the time of Scotland's withdrawing from Peter de Luna, was Rector in the University of St. Andrews, and spent much labour and expense in promoting the union of the holv Church of God, 1 supplicates that the Pope would give mandate to some good man in partibus to inform himself about the foregoing, and if he find that the above John de Merton had peaceably held the said archdeaconry and church of Camisblang together, without apostolic dispensation, or that in the dispensation to hold the provostship and the last-named parish church he had made no mention of defect of birth, to declare him to have no right in or to the said prebend, provostship and last-named parish church, or if he find that John had remained for a year and more under excommunication, that he deprive and remove him from the same and provide John Elwald to the provostship (which is a principal dignity in the church of Bothvil), the parish church of Kyrkmanchquo (which is of lay patronage),2 and the above prebend (their fruits not exceeding 500 marks sterling in absence, and 600 marks sterling for those in residence), whether void as above, or in whatsoever way : notwithstanding the perpetual vicarage of the parish church of Selkk [Selkirk] (20 marks sterling), which he is ready to dimit, etc., and his right in the hospital of St. Leonard, St. Andrews diocese, collated to him by apostolic authority (20 marks sterling).

Fiat ut petitur pro omnibus quatuor. O.

Florence, 7 Kal. Feb., anno 3. 138, 143<sup>v</sup> [2 pp.] [This is the first and only Scottish supplication in the rotulus.]

<sup>1</sup> See Scotichronicon, ii. p. 450.

<sup>2</sup> It was in the patronage of the Stewarts of Dalswinton. In 1429 it was erected into a prebend of Glasgow by Mary Stewart, lady of Dalswinton, and her husband, John Forrester of Corstorphine. (*Reg. Glas.*, ii, 324.)

Astorien.

#### Reformatio

1420. 29 January. Florence. In the petition about the chancellorship of GLASGOW, the fruits were stated by error to be £40 sterling instead of £60 of old sterling, and it is feared that the grace may be considered surreptitious,—therefore JOHN DE BUSBY supplicates that letters may be expedited with the expression of £60 of old sterling, and under the first date.

## Reformatio

Item : since, on account of the rules of Chancery, the apostolic letters about the canonry and prebend of GLASGOW, the provostship of BOTHVL and the parish church of KIEKMANQUO, Glasgow diocese, cannot be made out except for one of the above,—therefore JOHN ELWAIT supplicates that apostolic letters may be expedited [empowering him] to hold the canonry, prebend, provostship and parish church foresaid, notwithstanding the above restriction of Chancery, and under the first date.

Fiat pro omnibus quatuor. O. Florence, 4 Kal. Feb., anno 3.

138, 12 [both 1 p.]

[These are the second and fourth supplications in the rotulus.]

## Reformatio

JOHN ELWALT, perpetual vicar of the parish church of Sekkli Regis, Glasgow diocese, M.A., licentiate in theology --that in his supplication about the canonry and prebend of GLASGU PRIMO, the provostship of BOTHULL and the parish church of KIRKMANQUO (signed by the POpe' *Fiai ut petitur.* 0.'), he petitioned to be dispensed to hold the above provostship and parish church together in perpetuity. Since this dispensation does not come under the signature, may the apostolic letters be expedited with the dispensation sought.

Fiat. 0. 138, 12 [1<sup>1</sup>/<sub>3</sub> pp.]

[This supplication is bracketed with the foregoing, but

# RELATING TO SCOTLAND

does not belong to the same rotulus. There is a marginal note : postea per se signata. Ar.]

Jo. Ixworth.

# [No rubric]

Formerly, on the voidance of the rectory of the parish 1420. church of Sr. MONAWK [Kilmonivaig],<sup>1</sup> Argyle diocese, by <sup>20</sup> January. the deprivation of the late Nigel Macdwffyge, by ordinary <sup>Florence</sup>. authority, Donald Lord of the Isles, then true patron, granted and donated the patronage to the late Bean Bishop of Argyle for himself and his successors. Alexander Earl of Mar,<sup>2</sup> in the person of DUNCAN CANESII [cf. p. 172], clerk, said diocese, supplicates that the Pope would provide him to the above rectory (20 marks sterling to an incomer [in the absence of the rector], but to one residing in the said church, 30 marks of old sterling),<sup>3</sup> void in whatsoever way.

Fiat ut petitur. O.

Florence, 4 Kal. Feb., anno 3.

138, 86<sup>v</sup> [<sup>3</sup>/<sub>4</sub> p.] Astorien.

# [No rubric]

Since John Elovald, M.A., licentiate in theology, is 1420. bound to dimit the vicerage of the parish church of Selkyrk <sup>29</sup> January. Regis, Glasgow diocese, which he holds, and all right to it, as soon as he obtains possession of the rectory prebend of the Church of Glasgow (rectoria ecclesie Glasguense que prebenda est in eadem) and the provostship of the collegiate church of Bothwil and the rectory of the parish church of Kyrkmacho, Glasgow diocese (all fruits, 600 marks sterling), or of any of them, as is said to be more fully contained in the letters ; and since the above vicerage of SELKYRK REGIS

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<sup>&</sup>lt;sup>1</sup> See Dowden, 383-384. Cf. pp. 171, 172.

<sup>&</sup>lt;sup>a</sup> Sir Alexander Stewart, eldest natural son of Alexander Earl of Buchan, the 'Wolf of Badenoch,' and himself a man of lawless character. He was Earl of Mar in right of his wife. (*Scots Peerage*, v. 587.)

<sup>&</sup>lt;sup>a</sup> cuius fructus, etc., inportate viginti marcharum sterlingorum residendo vero in dicta ecclesia triginta marcharum sterlingorum antiquorum . . . non excedunt.

is expected soon to be thus void by assecution, ROBERT PENVEN, St. Andrews diocese, B.Dec., supplicates that the Pope would provide him to the same (£20 sterling) when it becomes void by assecution or in any other way except by the death of John: notwithstanding the vicarage of Malkaister [Makerston], St. Andrews diocese (10 marks sterling).

Fiat ut petitur pro omnibus quatuor. O.

Florence, 4 Kal. Feb., anno 3. 138, 110<sup>v</sup> [1 p.+] [This is the first of the four supplications in the *rotulus*.]

[No rubric]

1420. 29 January. Florence.

Although formerly DAVID DE STRIVELYNG, canon of Dunblane, was presented to the Ordinary, to the canonry and prebend of BALMANACH [Balmanno] in the collegiate church of Abrinochi 1 [Abernethy] by a certain lav lord, alleging that he could do so on the strength of his patronage, the Ordinary, proceeding unlawfully (indebite), refused to admit him, and confirmed a certain other alleged presentation of another, albeit de facto, his institution having been made by others. On account of this, David legitimately appealed from the above ordinary collator, and, as is believed, by this appeal the cause devolved to the Roman Curia. But David doubts the validity of his said presentation, and therefore supplicates that the Pope would provide him to the said canonry and prebend (25 marks of old sterling), whether void by the death outwith the Roman Court of William Bron, last prebendary, or howsoever : notwithstanding a certain prebend which he holds (8 marks of old sterling).

Fiat ut petitur pro omnibus quatuor. O.

Florence, 4 Kal. Feb., anno 3.

138, 122 [3 p.]

[This is the last supplication of the four.]

<sup>&</sup>lt;sup>1</sup> Abernethy was at one time a Culdee house, but was said to have been converted into an Augustinian priory, colonised from Inchaffray, in 1273. (Keith, 393.) After becoming a collegiate church it still retained its prior. (See C.P.R., viii, ad indices.)

## Concessio

ALEXANDER DE LAWEDRE, sub-deacon, rector of the 1420. parish of Rathow, St. Andrews diocese, licentiate in 29 January. decrects, that he be not bound [to be promoted] to dcacon's Florence. and pricet's orders until (usque ad) two years.

Fiat ad annum. O.

Florence, Prid. Kal. Feb., anno 3. 138, 190 [4 p.]

# [No rubric]

Since the priory of nuns of St. Mary of SUTBERWYK, 1420. Cistercian order, St. Andrews diocese, has been void for so <sup>29</sup> January. long that there is no certain knowledge of the true manner Florence. of voidance, AGNES BRON, more than forty years of age, nun professed of St. Bothans, said order and diocese, supplicates that the Pope would provide her to the said priory (which was wont to be ruled by a prioress) with all its rights and pertinents (15 marks sterling), howsoever void.

Fiat ut petitur pro omnibus quatuor. O. Florence, Prid. Kal. Feb., anno 3. 138, 203 [‡ p.]

Florent.

## Indulgentia

Since a multitude of the devout flock to the chapel of 1420. Sr. NINIAN, within the parish of Kynfawnys, St. Andrews <sup>81</sup> January. diocese, which is endowed with no possessions whereby it can be fittingly repaired in its edifices and ornaments; may therefore the Pope grant an indulgence of four years and as many quarantines to all Christ's faithful stretching out helping hands to the fabric and ornaments or visiting the chapel in honour of St. Ninian on the more important double feasts of the year (in majoribus <sup>1</sup> anni festis duplicibus) and in their octaves.

Fiat in forma. O.

Florence, Prid. Kal. Feb., anno 3.

138, 98 [<sup>2</sup>/<sub>5</sub> p.]

1 'Majoribus' should probably here be translated by 'the more important.' These 'more important' feasts, with octaves, would appear to

Creten.

#### Nova provisio

1420. 31 January. Florence.

Lately John Scenescalli, archdeacon of GLASGOW, and GEORGE DE BORTHVIK, rector of the parish church of Douglas, Glasgow diocese, for the sake of exchange resigned their benefices in the hands of John de Hauik, precentor of Glasgow, specially deputed by the authority of Peter de Luna (Benedict XIII) for the purpose ; and the said John, admitting the resignations, provided the above John Scenescalli to the parish church and George to the archdeaconry, and by the strength of this provision they obtained possession of the same and held them thereafter, as they do at present. But for certain causes George doubts the validity of his provision and collation, and therefore supplicates that the Pope would provide him anew to the above archdeaconry (200 marks sterling), whether void as above, or in whatsoever way; notwithstanding the parish church of Lochquhorvart [Borthwick], St. Andrews diocese, which he holds by apostolic dispensation (£20 sterling).

Fiat ut petitur pro omnibus quatuor. O.

Florence, Prid. Kal. Feb., anno 3. 138, 148v [1 p. +]

[This is the first and only Scottish supplication in the rotulus.]

Michal.

#### Nova provisio

1420. 4 February. Florence.

It is represented for the part of PATRICK SCOT, chaplain of Robert Duke of Albany, Governor of Scotland, that

be the great Church festivals of Our Lord (Easter, Ascension, Pentecost, etc.) and of the Blessed Virgin Mary (e.g. the Assumption), and perhaps the local patronal feast. Durandus (died 1296) allades to double, semidouble and simple feasts. (Addis and Arnold, *Cath. Dict.*, s.v. *Feast*, 354.)

The use of octaves—the week and the eighth day following a feast —dates from the period of the Jewish Church. (Addis and Arnold, 618.) lately he and Michal Uchilere freely resigned their respective perpetual vicarages of the parish churches of Invirkelore and Strivelin in the hands of Henry Bishop of St. Andrews, outwith the Roman Court, for the sake of exchange ; and the Bishop, admitting the resignations, collated and provided Patrick to STREVELIN and Michael to Inverkelore, by ordinary authority. By pretext of this collation and provision Patrick obtained possession of the said vicarage of Strevelin and held and possessed it thereafter, as he does at present. But for certain causes he doubts the validity of the collation and provision, and therefore supplicates that the Pope would provide him to the above vicarage (40 marks sterling in absence, and 60 marks sterling in case of residence), whether void as above, or by the death of the late John de Kyncardin, outwith the Roman Court, or because the late John de Cornton, formerly vicar, held the same together with a certain perpetual chaplaincy at the altar of St. Lawrence in the said church of Strevelin for twelve years and more, without apostolic dispensation, or void in whatsoever way.

Fiat ut petitur pro utroque. O.

Florence, Prid. Non. Feb., anno 3. 138, 262<sup>v</sup> [1 p.]

[This supplication is the second of the two.]

## Nova provisio

Lately GEORGE DE BORTHVYK, archdeacon of Glasgow, obtained possession of the parish church of LOCHQUHOR- 5 February. Florence. WART [Borthwick], St. Andrews diocese (yoid by the assecution by Columba de Dunbar of the archdeaconry of Lothian), with apostolic dispensation to hold it together with the said archdeaconry; and thereafter he held and possessed it, as he does at present. But for certain causes he doubts the validity of his collation and assecution, and therefore supplicates that the Pope would provide him to the foresaid parish church (£20 sterling), whether void as above, or in whatsoever way : notwithstanding the above

#### Creten.

1420.

archdeaconry (£200 sterling) which he is dispensed to hold together with the church.

Fiat ut petitur pro omnibus tribus. O.

Florence, Non. Feb., anno 3.

[This is the first supplication in the rotulus.]

Michal.

## Nova provisio

1420. 5 February. Florence.

Lately, on the voidance of the parish church of COMNOK, Glasgow diocese, by the death outwith the Roman Court of the late George de Dunbar, last possessor, DAVID DE HAMILTON, M.A., bachelor of canon law, and student of theology at Paris for seven years, of noble race on both sides and kinsman of the Duke of Albany, Governor of Scotland, was presented by the lay patron, instituted by the Ordinary. and was provided to the same, and gained possession by virtue of the foregoing. May the Pope therefore ratify and confirm the above presentation, institution, provision and possession with all the consequences, and, so far as is requisite, provide him anew to the said church (£25 sterling), whether void as above, or even if void because David adhered to Peter de Luna before and after his deposition, or because he did not have himself promoted to priest's orders in due time, or howsoever void : notwithstanding the chapel of St. Thomas the Martyr, said diocese, which he holds (£7 sterling).

Fiat ut petitur. 0.

Florence, Non. Feb., anno 3.

138, 211 [1 p.]

## Concessio pro clericis Regni Scocie

1420. 5 February. Florence.

For the part of ROBERT DUKE OF ALBANY, Governor of <sup>17y.</sup> Scotland, it is supplicated as follows.

Because, before the tendering of the obedience of the kingdom of Scotland by the ambassadors sent to Pope

<sup>138, 250 [3</sup> p.]

Martin at Florence by Governor Albany, some ecclesiastics and seculars of the said kingdom made use of letters or graces of Peter de Luna (Benedict XIII) after the definitive sentence brought against him and his adherents in the General Council of Constance, or impetrated letters from him or otherwise favoured and adhered to him-therefore the Governor supplicates that the Pope would absolve, habilitate and restore to their pristine state all and sundry those who in the interval made use of letters as above, or impetrated letters, or favoured or adhered to the said Peter or obtained any graces from him or by his authority ; also, that those lacking ecclesiastical fruits or the effect of graces impetrated may remain in peace, without other provision, in the benefices which they held peaceably at the time of the promulgation of the said sentence of excommunication [sic], and that they be not molested by any impetrations or dispositions made or to be made by the Pope about these benefices, even if motu proprio; and that he would revoke and cancel all provisions, concessions, or dispositions whatsoever, made or to be made by himself, of whatsoever churches, monasteries, dignities and benefices by occasion of the foregoing to whatsoever persons of whatsoever state or degree ; and that any of the indigent (singuli indigentes) may, if he wish, cause letters to be made out for himself upon the present provision.1

Fiat ut petitur. 0.

# Concessio pro abbatibus etc. dicti Regni

Item: formerly, for the part of the above GOVERNOR, also of the chief prelates and other ECCLESIASTICAL PERSONS, and other inhabitants of the kingdom of Scot-

<sup>&</sup>lt;sup>1</sup> i.e. those supplicants who impetrated letters and graces from Beendict xttr. (as above), but failed to make them effective, are not to be in danger of deprivation because they did so impetrate. If the Pope has made any provisions which would cause them to be deprived, such provisions are to be cancelled. They may make their position more secure by causing apostolic letters to be drawn up, intimating the present concession made to them by the Pope.

land,-desiring that suitable persons might be promoted (preficerentur) as Abbots and other Elect. at least in minor orders [? dignities] .- among other things it was supplicated that all elections duly made might and should be confirmed, without recourse to the Apostolic See, by the Ordinaries to whom the office pertained (apostolic reservations ceasing), and that such confirmations be considered firm and stable, as if made by the Apostolic Sce. To this supplication the Pope replied that he was intending to provide anew all and sundry the churches, monasteries, dignities or benefices to those persons to whom Benedict provided them after his deposition up till the general obedience tendered by Scotland. But the above petitions were made because, on account of the distance and the dangers of the roads, it was extremely hard, costly and even dangerous for persons of that kingdom, which is situated, as it were, at the ends of the world, to be bound to betake themselves from such remote parts to the Roman Court for confirmation. Therefore, it is again supplicated that the Ordinaries to whom (apostolic reservations ceasing) the office pertains may and should confirm elections, duly made, to abbatial and other minor dignities in the kingdom of Scotland; and that those thus elect be not bound to go to the Apostolic See for confirmation.

Fiat ut petitur de monasteriis non excedentibus summam centum quinquaginta florenos et illa confirmentur auctori tate apostolica et hoc ad beneplacitum Sedis Apostolice. O. [Granted as to monasteries not exceeding 150 florins; and let them be confirmed by apostolic authority, and this at the pleasure of the Apostolic See.]

# Pro Gubernatore confessio

Item: the said Governor supplicates that the Pope would grant faculty to him, his wife, their children and familiars, present and future, each and all of them, to choose some fit priest, secular or regular, who, as often as shall be opportune, having heard their confessions, may grant due absolution, even in cases competent to the greater Penitentiaries of the Roman Court.

Fiat pro se et ducissa et filiis, pro familiaribus autem in casu cuiriti [?].<sup>1</sup> O.

Florence, Non. Feb., anno 3.

138, 229 [3 pp.] de Montegaud.

#### Reformatio

Recently, the Pope granted provision to WILLIAM 1420. BROWN of the priory of COLINGHAME, O.S.B., St. Andrews <sup>7</sup> February. diocese, then void in a certain way. But, since in the supplication the true manner of voidance was not expressed, William fears that the grace may be ineffective, and therefore supplicates that the apostolic letters may be expedited with the expression : 'void by assecution of the priory of Wrchart, said order, Moray diocese, by Andrew de Rabourn, by ordinary authority.'

Fiat. O.

Florence, 7 Id. Feb., anno 3.

# 138, 176 [<sup>1</sup>/<sub>3</sub> p.]

# Michal.

#### Indulgentia

WILLIAM DE CUNYGHAM, priest, Glasgow diocese, B.Dec., 1420. kinsman of the King of Scotland,<sup>2</sup> and NICHOLAS DE 7 February. LOUDUN, burgess of Yrvyn, caused to be built in the parish church of PODOYN [Irvine], said diocese, an altar to the honour of Holy Cross, another to the honour of St. Ninian, Confessor, and another to the honour of St. Catherine, Virgin, and for the augmentation of divine worship, and they intend most amply to endow them. That Christ's faithful may have greater devotion to the above

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Apparently a clerical error. This group of supplications shows careless slips.

<sup>&</sup>lt;sup>2</sup> He was the son of Sir William Cunningham of Kilmaurs. On 1 March 1418-1419 he granted a charter of certain lands and rents for the endowment of the chaplaincies of St. Catherine and St. Ninian. Nicholas de Loudon appears as one of the benefactors. (Muniments of the Royal Burgh of Irvine, 1: 125-129.)

altars, may the Pope grant to all who, truly penitent and confessed, devoutly visit the same on the feast days of Holy Cross, St. Ninian and St. Catherine every year 1 and stretch out helping hands for the augmentation and endowment of the said chapels, one hundred days of true indulgence, of perpetual duration ; and would also grant an indult that the priests who celebrate masses at the altars may at the end of these masses give to the people present a simple blessing,<sup>2</sup> such as is wont to be given on feasts by simple priests in those parts ; and [would order that] those abstracting or in any way alienating the fermes, lands and annual pensions, or stealing and robbing books, chalices or other ecclesiastical ornaments granted or to be granted, bequeathed or to be bequeathed, to the said altars or any of them, shall ipso facto incur greater excommunication, from which they may not be absolved unless by the Roman Pontiff, except at the point of death.

Fiat in forma. O. Florence, 7 Id. Feb., anno 3.

138, 244<sup>v</sup> [7 p.]

# Michal.

# Dispensatio matrimonialis

1420. 7 February. Florence. 166

It is represented for the part of ROBERT DE GLESTANYS, and JANET, daughter of William (Doillelmi) TURNEUL, Glasgow diocese, that before they had contracted matrimony together Robert had committed fornication with a certain Janet, daughter of John Turnbul, said diocese, related in the third degree of consanguinity to the above

<sup>&</sup>lt;sup>1</sup> Feast of the Holy Rood (Cross), 14 September; of St. Ninian, 16 September; of St. Catherine, Virgin, 25 November. The feast of the finding of the Holy Cross is on 3 May.

<sup>&</sup>lt;sup>a</sup> This is the blessing or benediction given by all priests at the end of mass. They did not originally give this; but prelates, on their way out, bestowed their blessing as they passed through the crowd. This supplication belongs to the period when priests were beginning to aspire to this privilege by way of special permission. It later became so common as to be regarded as the usual thing. It may be noted that in the Requirem Mass the blessing is not given.

Janet, daughter of William. But since they wish to remain in the contract of matrimony, may the Pope dispense them lawfully so to do, and declare legitimate the offspring, born and to be born, of the marriage.

Fiat ut petitur. 0.

Florence, 7 Id. Feb., anno 3.

#### Habilitatio

ANDREW DE RABUEN, Prior of URCHARD, O.S.B., Moray 1420. diocese,—that the Pope granted mandate of confirmation 7 Fobrary. of his election and induction and of new provision if need were, as by supplication signed 4 Non. June, anno 2 [2 June 1419]. Andrew now supplicates that the Pope would utterly abolish all inhability incurred in his election and through taking up the fruits.

Fiat ut petitur. 0.

Florence, 7 Id. Feb., anno 3.

Florentin.

140, 20v [3 p.]

# [No rubric]

WILLIAM DE CUNYNGIAM, vicar of Dundonald, B.Dec., 1420. kinsman of the King of Scotland, that the Pope would <sup>9</sup>February. ratify and confirm the collation, provision, and assecution with whatsoever consequences, of the hospital of POLMADE with its dependencies (40 marks of old sterling), Glasgow diocese, void by the death of the late William, vicar of Kyrkyntulach, Glasgow diocese, last possessor, and collated to him by the lay patron; <sup>1</sup> and that he would provide him anew if need be, and dispense him to hold the said hospital for life: notwithstanding the vicarage with cure of Dundonald, said diocese, which he holds (60 marks of old sterling).

138, 246 [ t p.]

<sup>&</sup>lt;sup>1</sup> The lay patron was the Earl of Lennox, but his right was challenged by Matthew Bishop of Glasgow, in January 1403-1404, on the ground that the administration of the hospital legitimately pertained to the Church of Glasgow. (*Registrum Glasguerse*, i. 294-295.)

# Nova provisio

Lately, MAURICE JOHANNIS, priest, Argyle diocese, was dispensed by certain authorities (to be held here for sufficiently expressed) that, notwithstanding defect of birth as the son of a priest and an unmarried woman, he might hold an ecclesiastical benefice and receive sacred orders.1 On the strength of such dispensation or dispensations, he obtained possession of a certain benefice by ordinary authority. This he, in ignorance of law, resigned in the hands of the Ordinary in exchange for the treasurership of ARGYLE, which he obtained and possesses at present, taking up the fruits. But now he doubts that he was not sufficiently dispensed, that he had possessed the said treasurership unlawfully, incurred excommunication and irregularity, and that the above vicarage [treasurership] was, and is at present, void,-wherefore he supplicates that the Pope would absolve him from excommunication, if incurred hereby, abolish irregularity, collate and provide him anew, if need be, to the said treasurership (18 marks of old sterling), whether void as above or howsoever, remitting the fruits unlawfully taken up, and dispensing him to hold for life, together with the said treasurership, whatsoever other incompatible benefice, even if a parish church, with power of exchange.

Fiat ut petitur pro omnibus quatuor. O.

Florence, 5 Id. Feb., anno 3. 138, 264v [13 pp.]

[These are the two last supplications in the rotulus.]

Michal.

#### Concessio

1420. 9 February. Florence.

It is represented for the part of JOHN DE NYNHOS, priest, B.Dec., perpetual vicar of the parish church of DUNSYAR, Glasgow diocese, and chaplain of the perpetual chaplaincy

<sup>&</sup>lt;sup>1</sup> All the seven orders—ostiarius, lector, exorcist, acolyte, subdeacon, deacon and priest—are 'holy,' but only the last three are 'sacred,' because they are directly concerned with the sacrifice of the altar. (Noldin, *De Sacramentis*, liber vii. art. 1.)

of St. Mary in the chapel of St. Nicholas of LANARK, said diocese, that he being stricken with leprosy is unable personally to minister in his benefaces; and he fears that the Ordinary, not having compassion upon his affliction, intends to deprive him by reason of the foregoing. But the said John is lamentably afflicted and will be more so in future, and he therefore supplicates that the Pope would grant him faculty for life of choosing as often as he wishes, by his own choice and without the consent of his Ordinary, fit and legitimate coadjutors to minister in his benefices.

Fiat. O.

Florence, 5 Id. Feb., anno 3.

138, 268 [ p.]

Jo. Ixworth.

## [No rubric]

JOHN MACKELAICH, clerk, Sodor diocese, that the Pope 1420. would provide him to the parish church of ST. CUMYN IN 9 February. Florence. GLENELGE,1 Argyle diocese (fruits paid to a substitutefructus importati-16 marks of old sterling, but for one in residence with daily distributions, 20 marks of old sterling), void because the late John Macffredryn, formerly holding the parish church of St. Conan [Knoydart], above diocese, obtained canonical collation to the said church of St. Cumyn, then void in a certain way, and detained them, unlawfully occupied, for a month and more in violation of the Constitution Execrabilis, or if void in whatsoever way: notwithstanding defect of birth as the son of an unmarried man and an unmarried woman, for which he has dispensation, as may be expressed in Chancery.

Fiat ut petitur pro utroque. O.

Florence, 5 Id. Feb., anno 3.

139, 1v [1 p.]

[This is the first of the two supplications.]

<sup>&</sup>lt;sup>1</sup> Now united with the parish of Knoydart. Cosmo Innes declared that of the church of Glenelg there appears to be no notice previously to the Reformation.' (Orig. Par. Scot., II. i. 207. Cf. p. 204.)

#### Michal.

#### Reformatio

1420. 12 February. Florence.

ANDREW DE RABUEN,—that in his supplication about new provision to the priory of URCHARD, O.S.B., Moray diceses, to which he, then Prior of Coldinghem, was elected by the convent of the monastery of Dunferelyn, from which the said priory depends, etc. (signed under date 4 Non. June [2 June], anno 2), by indivertence it was omitted to make mention of the habilitation which is necessary for him on account of taking up the fruits of the said benefice of Urchard. He therefore supplicates that the apostolic letters may be expedited with dispensation to retain the said priory, abolishing inhability, if contracted by reason of the foregoing ; and under the first date.

Fiat ut petitur et dispensamus. O. Florence, Prid. Id. Feb., anno 3.

138, 273v.

#### Nova provisio

It is narrated for the part of GILBERT DE FERY,1 perpetual vicar of the parish church of KYNKEL, Aberdeen diocese, that formerly Henry de Lychton, rector of the said church, with consent of the Ordinary, but without consent of the patron, namely, the Bishop of St. Andrews, created the said Gilbert perpetual vicar pensionary, assigning an annual pension of £10 sterling upon the fruits in perpetuity to Gilbert and his successors, vicars of the said church : that he obtained possession by ordinary authority of the vicarage pensionary, thus created, and held and possessed it, as he does at present. But Gilbert doubts the validity of the above creation, presentation, collation and assecution, with the consequences, and therefore supplicates that the Pope would ratify and confirm the same and provide him anew to the said perpetual vicarage pensionary, which has cure of souls (£10 sterling) : notwithstanding that the consent of the patron was not given in the above creation.

Fiat ut petitur pro utroque. O.

Florence, Prid. Id. Feb., anno 3.

138, 283v [1<sup>3</sup>/<sub>4</sub> pp.]

1 Or ? Lery.

Creten.

#### Reformatio

GEORGE BORTVIK, that in his supplication about new provision to the parish church in LOCHQDOHORVARD 12 February. [Borthwick], St. Andrews diocese, it was negligently stated that he held it with the archdeaconry of Glasgow by apostolic dispensation. The said dispensation, however, is not legitimate, because it emanated from Peter de Luna after his deposition, Scotland being still in his obedience. George therefore supplicates that the Pope would dispense him to hold the said parish church for ten years together with the said archdeaconry, a dignity with cure, which he possesses, with power of exchange; and that he would habilitate him, if and as far as need be, because he possessed the said incompatible benefices for a year or thereabout, unlawfully, on the strength of the said dispensation, but taking up none of the fruits.

Fiat de novo ut petitur et habilitamus. O.

Florence, Prid. Id. Feb., anno 3.

# 138, 296 [% p.]

Astorien.

#### Nova provisio

Lately, on the voidance of the parish church of ST. 1420. MONEWEG, Argyle diocese, by death of the late Nigel Mach 12 February. Florence. Offye, last rector, no person was presented to the same by the patron within the canonical time: wherefore the chapter (the Church of Argyle being void) 1 by ordinary authority provided MARTIN MARTINI, clerk, Argyle diocese, B.A. On the strength of this provision Martin obtained possession, and held and possessed it thereafter, as he is believed to do at present ; but since for certain causes he doubts the validity of the above provision and assecution, he supplicates that the Pope would ratify the same and

<sup>&</sup>lt;sup>1</sup> Finlay de Albania was provided a month later, on II March. (Scottish Benefices, 2.) He was personally present in Florence, and one gathers from the inordinate number of Argyle petitions at the time that he had not come alone.

provide him anew to the said parish church (30 marks sterling), whether void as above, or in whatsoever way.

Fiat ut petitur pro omnibus quatuor. O. Florence, Prid. Id. Feb., anno 3. 138, 298 [# p.] [This is the first of the four supplications in the rotulus.]

Jo. Ixworth.

#### Reformatio

1420. Florence.

DUNCAN CANESH, that in his petition about the rectory 12 February. of the parish church of ST. MONEWEG, Argyle diocese, it was stated that the patronage of the said church was granted and donated to the Bishops of Argyle [see above, p. 1571: but it is asserted by some that the grant and donation had emanated from those not having power for the purpose (concessionem et donationem huiusmodi nondum eciam ab habentibus ad hoc potestatem emanasse); and since collation has legitimately devolved to the Roman See, he supplicates that letters may be expedited with the expression that the said church is of lay patronage.

> Fiat ut petitur pro omnibus tribus et sub prima data pro secundo, O.

Florence, Prid. Id. Feb., anno 3. 139, 8v [1 p.]

[This is the second of the three supplications.]

Michal.

## Dispensatio matrimonialis

1420. It is represented for the part of CELESTIN CAMBEL,1 13 February. doncel, and MARIOT DE INSALIS [Insulis], daughter of Florence. Donald Lord of the Isles and of Ross, knight, Argyle and Sodor dioceses, that recently James de Aldeston [Haldenston],2 canon of St. Andrews (having, as he said, special

<sup>&</sup>lt;sup>1</sup> Celestin, Archibald or Gillespie Campbell. This marriage is not mentioned in the Scots Peerage. The mandate for the dispensation was committed to the Bishop of Sodor. (C.P.R., vii. 151.)

<sup>&</sup>lt;sup>2</sup> As he was provided to the priory of St. Andrews on 17 February 1418, Benedict's dispensation to Celestin and Mariot must have borne an earlier date. (Copiale, 395.)

power for the purpose from Peter de Luna, Benedict XIII, in whose obedience Scotland then was, and before his deposition by the Council of Constance), dispensed them, who had become betrothed, to contract matrimony, notwithstanding that they were related in the third and third degrees of consanguinity. They supplicate that the Pope, confirming the above dispensation, would dispense them anew to contract, and remain in, matrimony.

Fiat ut petitur. 0.

Florence, Id. Feb., anno 3.

#### Michal.

#### Unio

It is represented for the part of GILBERT MACHPERSON [sic], priest, rector of the parish church of ST. COLUMBA IN GLASCOC [Glassary], Argyle diocese, B.Dec., that, according to the custom of Scotland, he is bound to give hospitality to all who come to the place of the said parish church, and freely to afford them the necessary food and drink. But since the fruits (£40 sterling) are scarcely sufficient to support these burdens, Gilbert supplicates that the Pope would incorporate, annex and unite the VICARAGE with cure of the said church (fruits, in absence, 15 marks, in residence, 20 marks sterling)-void by the non-promotion of a certain Martin Makillandis, formerly perpetual vicar, to the necessary orders, or when it becomes void by the peaceable assecution of the parish church of Kilmonenoch. said diocese, collated to Martin by ordinary authority, or void in whatsoever way-to the above parish church for his lifetime, or would provide him to the same and dispense him to hold the said vicarage (of which he is patron by reason of the church of St. Columba), along with the church of St. Columba in perpetuity : notwithstanding a canonry and prebend of Argyle.

Fiat ut petitur. 0.

Florence, Id. Feb., anno 3.

139, 12v [12 pp.]

Astoricen.

#### Reformatio

Recently the Pope dispensed ROBERT PENVEN, vicar of 1420. 14 February. the parish church of Malkarston, B.Dec., to hold two in-Florence.

compatible benefices for five years ; but, because through the inadvertence of the drafter of the supplication no mention was made of a dispensation about two incompatibles for three years, he fears that the said dispensation for five years may be deemed surreptitious, and he therefore supplicates that the apostolic letters thereanent may be expedited notwithstanding that special mention was not made of the dispensation for three years.

Fiat pro utroque et sub prima data pro primo. O.

Florence, 16 Kal. March, anno 3.

139, 17<sup>v</sup> [ 1 p.]

[This is the first supplication of the two.]

Florentin.

# [No rubric]

MAURICE JOHANNIS MACGILLEMICHEL, priest, Argvle 1420. 14 February. diocese, that the Pope would provide him to the perpetual Florence. vicarage of the parish church of ST. BEDAN IN BEANEDE-CALOCH<sup>1</sup> [Balliveodan in Benderloch], Argyle diocese (fruits, in residence 14 marks, in absence 10 marks of old sterling), void by the death, outwith the Roman Court, of Laurence Comedini, last legitimate possessor-although after his death a certain Eugenius, monk, professed of the monastery 2 of St. Mary in Ardkattan, said diocese, ruled it for some years contrary to the disposition of the founder (contra dispositionem ipsam instituentis) and the custom of the country, having no privilege or indult for the purpose,

<sup>1 &#</sup>x27; This church, dedicated to Modan the saint of Rosneth, belonged to the prior of Ardchattan, but its history previous to the Reformation seems entirely lost.' (Orig. Par. Scot., 11. i. 148.)

<sup>&</sup>lt;sup>2</sup> Rectius priory. It was founded in 1230 by ' Duncan Mackoule,' said to be the ancestor of the MacDougals of Lorne. (See E. C. Batten, History of the Priory of Beauly, 147-149.) But it is called 'monasterium' in Extracta ex Cronicis Scocie, the authority for the foundation (p. 93).

and after him followed certain others uncanonically, whereby it is seen to have been, and to be at present, void, and also to have devolved to the Apostolic See, since it was wont always to be ruled by seculars, but is now unlawfully occupied ; whether void as above, or in whatsoever way ; removing all who have intruded or will intrude themselves therein : notwithstanding the treasurership of Argyle, a dignity but not major post pontificalem, which he holds (18 marks of old sterling), and defect of birth as the son of a priest and an unmarried woman, for which he is dispensed ; and that the Pope would dispense him to hold the said parish church for life together with the treasurership, because although they are incompatible they have not great fruits, and because he has to maintain a certain poor's hospital and gratuitously to sustain all who serve therein, to support which burdens the revenues of the treasurership are scarcely sufficient.

Fiat ut petitur pro omnibus quatuor et dispensamus cum ultimo ad triennium. O.

Florence, 16 Kal. March, anno 3. 139, 56<sup>v</sup> [1<sup>1</sup>/<sub>5</sub> pp.] [This is the last of the four supplications.]

Astoricen.

#### Reformatio

JOHN ELWALD, that, as to the correction of his petition 1420. about holding the provostship of BOTHUL and a canony 16 February. and prebend of GLASCOW and the parish church of KIRK.<sup>Florence.</sup> MANCHQUO, said diocese, it is asserted by some that the third benefice does not come in the signature of his petition and the correction thereof. May the apostolic letters therefore be expedited to include the said third benefice.

# Fiat. O.

Item : that the apostolic letters may likewise be expedited with the expression : 'even if the canonry and prebend and provostship and parish church of Kirkmanchquo abovesaid be void by resignation of one or any

of them, fraudulently made in the Roman Curia, for the sake of exchange, or otherwise.'

Fiat ut petitur. 0.

Florence, 14 Kal. March, anno 3.

139, 86 [3 p.]

# Reformatio

JOHN MCKEALITH, clerk, Sodor diocese, that in his 1420 16 February. supplication about the parish church of ST. CUMYN (signed Florence. 5 Id. Feb. [9 February], anno 3) it was inadvertently expressed that, as far as obtaining the said church he was sufficiently dispensed by apostolic authority for defect of birth. In fact, however, he had not his dispensation, but it was only committed to his Ordinary while he, a native of the most remote parts of high Scotland, was present in Curia. Lest, therefore, he should lose the effect of the grace he supplicates that the apostolic letters thereanent may be expedited without the statement that he had been dispensed, but with the dispensation necessary as far as obtaining the said church.

> Fiat ut petitur eciam de dispensatione. O. Florence, 14 Kal. March, anno 3.

139, 181<sup>v</sup> [<sup>2</sup> p.]

#### Concessio

1420. Florence.

Moreover,1 since the above ABBOT AND CONVENT [OF 16 February. KELSO] desire and strive that religion and divine services may be held in greater reverence, and the devotion of the congregation (circumstancium et audiencium) be increased, they supplicate that, in the matutinal 2 mass (missa matu-

<sup>&</sup>lt;sup>1</sup> Sic incipit quod precedens supplicatio erat cassata in qua supplicaverunt Abbas et conventus monasterii Calkonien. O.S.B. Sanctiandree diocesis. [It thus begins because the preceding supplication of the Abbot and convent of Kelso was cancelled.]

<sup>&</sup>lt;sup>2</sup> The matutinal mass was an almost universal practice during the Middle Ages. It was a votive mass of the Blessed Virgin Mary, and was said (or sung) either at the High Altar or some other altar endowed for the purpose-sometimes at several altars in the same church-every day, except on the very greatest solemnities, after Prime. (See Cath. Encyclopaedia, xv. 464. col. I.)

# RELATING TO SCOTLAND

tinali) of those which are daily celebrated in honour of the Blessed Virgin Mary at the high altar in great solemnity and reverence, they may have faculty to (*possint et valeant*) confer the blessing of the chalice<sup>1</sup>; to last for all time.

Fiat de ornamentis. O.

# [No rubric]

Although the monastery of KELSO (Calconien.) has been most excellent from its earliest foundation and is still considered to be one of the most famous monasteries of the whole kingdom of Scotland, on the English borders of which it is situated, nevertheless on account of unhappy outbreaks of war between the two kingdoms, it is diminished more than half in its faculties and edifices, and is very often severely damaged by hostile incursions. Moreover, to the said monastery, which is founded under the name of St. John the Evangelist, a multitude of people, both English and Scots, flock on his feast day and also on that of the Assumption of the Blessed Virgin Mary. Therefore, that the devotion of the people may be increased, and the monastery more fittingly repaired in its buildings and ornaments, also that malefactors of both kingdoms may be more favourable to it in times of war, may the Pope grant an indulgence of seven years and as many quarantines of true indulgence to all Christ's faithful visiting and favouring the above monastery on the said feast days and others according to Chancery (aliis Cancel-

<sup>&</sup>lt;sup>1</sup> This still is a blessing reserved to bishops in the Catholic Church. Nowadays, by Canon Law, abbots and certain other prelates, not bishops, have this privilege as the ordinary thing, and possibly certain others have it as a personal privilege. Abbots are only simple priests (they were not originally always even that), and it is only little by little that they have obtained the use of pontificals and other prelatical privileges. Thus we have the medieval distinction between ' mitred' abbots and others—the not mitred. At the date of this supplication the blessing of chalices was not a regular privilege of abbots, and the Abbot and convent of Kelso sak for it as a local privilege for the abbots of Kelso, to be exercised only at the particular time stated. Chalices are normally blessed at the end of mass.

larie), or stretching out helping hands to its conservation and repair.

Fiat in forma. 0.

# Confessio in mortis articulo

The above Abbot supplicates that the Pope would give him faculty to choose a confessor who may grant him, truly penitent and confessed, plenary remission of all his sins, once in life and also in the hour of death.

# [No rubric]

ROBERT PENVEN, B.Dec., St. Andrews diocese, procurator of the above monastery, who has now frequented the Roman Court for about a year, supplicates for a grant of faculty, as above.

Fiat in forma pro utroque. O. Florence, 14 Kal. Mar., anno 3. 139, 95<sup>v</sup> [1<sup>1</sup>/<sub>4</sub> pp.]

Creten.

# Surrogatio

1420. Lately RICHARD CADY, priest, St. Andrews diocese, lef February: B.Dec., obtained from the Pope the commission of his cause Florence. and causes against a certain George Ker, alleged priest, said diocese, about the parish church of KYNGORN, said diocese, to a certain Auditor of the Sacred Apostolic Palace of Causes. When the Auditor had proceeded to some acts, George obtained possession of another incompatible benefice by virtue of an expectative grace, dimitting his right, if any, in the church of Kyngorn; therefore Richard supplicates that the Pope would surrogate him in and to all the right of George, if any, in the foresaid parish church.

> Fiat ut petitur pro omnibus quatuor. O. Florence, 14 Kal. Mar., anno 3. 139, 118 [½ p.] [This is the second supplication in the rotulus.]

#### Michal.

# Nova provisio

ROBERT DUKE OF ALBANY, Governor of Scotland, recently sent ANDREW DE HAWYKE, his chief secretary, to 19 February. France and other parts on his business; and, after the declaration of the obedience of Scotland to Pope Martin, Andrew (being overseas and utterly ignorant of this event) personally visited Peter de Luna (Benedict XIII) on business of the Governor : on account of which Edward de Lawedre impetrated from Pope Martin the parish church of LISTON, said diocese, which Andrew possessed. But Andrew, although absent and unaware, was elected one of the ambassadors sent to His Holiness, and visited the said Peter, not maliciously but as stated, and when he had been notified of the above declaration he withdrew from Peter without expediting any business or impetrations; and Edward, afterwards alarmed because of this, proposes to cede all right,1 if any, in or to the said church of Liston by reason of his impetration, and now resigns in the hands of the Pope. Therefore the Governor supplicates that the Pope would ratify the said cession or resignation, absolve and habilitate Andrew as far as need be, and provide him anew to the foresaid church (140 marks sterling), void as above, or in whatsoever way.

Fiat ut petitur pro omnibus tribus. O.

Florence, 11 Kal. Mar., anno 3.

139, 150 [1 p. +]

This is the first of the three supplications.]

Michal.

# Nova provisio

Lately, on the voidance of the deanery of Argyle 1420. (pertaining to lay patronage) by the promotion of Bean Florence.

179

1420.

<sup>&</sup>lt;sup>1</sup> Andrew paid Edward 'a sum of money' in order to induce him to 'give up the said grant.' (C.P.R., vii. 154; cf. below, p. 207.)

Makgillandris<sup>1</sup> to the Church of Argyle by apostolic authority, BEAN JOHANNIS obtained the same by ordinary authority and with consent of the patron, and thereafter held and possessed it peaceably for some years, as he does at present. But since for certain causes he doubts the validity of this collation and assecution, he supplicates that the Pope would provide him anew to the above deanery, a dignity with cure and major *post pontificalem* (£20 sterling), whether void as above, or in whatsoever way : notwithstanding that it is of lay patronage.

Fiat ut petitur pro utroque. O.

Florence, 9 Kal. Mar., anno 3.

[This is the second of the two supplications.]

D. Montegaud.

139, 92 [§ p.]

#### Reformatio

1420. 23 February-Florence. MANACH in the collegiate church of Abrinethy, said diocese, may be expedited with mention of a certain expectative grace, which was negligently omitted in the supplication.

Fiat. O.

Florence, 7 Kal. Mar., anno 3.

139, 207 [‡ p.]

Creten.

#### Reformatio

1420. JOHN ELWALD,—that it is asserted by some that the 23 February canonry and prebend of GLASGOW, the provostship of Forence. BOTHUIL and the parish church of KIRKMANCH [Kirk-

<sup>&</sup>lt;sup>1</sup> Bishop Bean, who was provided by Benedict XII. in 1397. His identity has given difficulty to historians. This supplication shows that Dowden (following Rev. John Anderson) is wrong in identifying him with Bean Johannis (p. 354). The mistake arose because they did not know the Bishor's surrame.

mahoe] were and are void, not through the Constitution *Execrabilis* (as was stated in the supplication), but because John de Mirton held them for more than a year when under excommunication. May the apostolic letters therefore be expedited with a statement of this manner of voidance.

Fiat. O.

Florence, 7 Kal. Mar., anno 3.

139, 285v [2 p.]

#### Creten.

# [No rubric]

A certain John de Busbi,1 committing simony, resigned 1420. in the hands of his Ordinary the canonry and prebend of 28 February. Florence. DUFFHOUS, in the Church of Moray, in favour of a certain Thomas de Grame, and for a long time Thomas detained them, unlawfully occupied. Therefore JOHN ELEVALD, priest, perpetual vicar of the parish church of Sekvik, Glasgow diocese, M.A., S.T.Lic., supplicates that the Pope would give mandate to some good man to inform himself about the foregoing and, if found to be true, to declare the collation and provision of Thomas to be null, and to provide John to the said canonry and prebend (fruits to a non-resident £40, and to one in residence and taking part in divine services, his daily distributions being counted. £50 of old sterling), whether void as above, or howsoever : notwithstanding that a certain William Goldsmyth, who bears himself as a priest, Moray diocese, detains them, unlawfully occupied : and notwithstanding the above vicarage (£20 of old sterling), and that he claims right in the canonry and prebend of Glasgow Primo, the provostship of Bothwil and the parish church of Kykmahou [Kirkmahoe], said diocese, and in the hospital of St.

<sup>&</sup>lt;sup>1</sup> He was a commissioner on an embassy to England between 1410 and 1412, and again in 1413, to treat for the liberation of the King and Murdach Stewart, the Governor's son. He was a chaplain of the Governor. (E.R., iv. 142, 163; Foedera, ix. 48).

Leonard, Glasgow and St. Andrews dioceses (total fruits £600 of old sterling), and a certain expectative grace.

Fiat ut petitur pro omnibus quatuor et ultimus se inscribat. O.

Florence, 3 Kal. Mar., anno 3. 139, 237 [11/2 pp.]

[This is the last of the four supplications.]

Michal.

#### Concessio

WILLIAM BISHOP OF GLASGOW, that the Pope would grant the following petitions.

Item: a faculty to exhume or transfer the bones or relies of the most holy Confessor Kyntigern, formerly Bishop, now Patron, of the Church of Glasgow, and to place them in a chest of gold or silver, that they may be the more devoutly honoured by Christ's faithful.<sup>1</sup>

Fiat si est canonizatus. O. [Granted, if he is canonised.]

#### In mortis articulo

Item : faculty to choose a confessor who may grant him by apostolic authority plenary remission of all his sins, once in life and in the hour of death.

Fiat in forma. O.

Item : that the Pope would grant to all Christ's faithful who give pious alms (*pia suffragia*) for the reparation of the bridge of the city of Glasgow,<sup>2</sup> which is evidently constructed for the public good (*pro re publica*), as often as they do so, six years and as many quarantines of indulgence.

Fiat in forma. O.

1420. 10 March Florence.

<sup>&</sup>lt;sup>1</sup> There is no record that this was done, but it is interesting that the Saint's tomb to-day is in the crypt which Bishop William Lauder began to build. (*Registrum Glasguense*, i. xlvi.)

<sup>&</sup>lt;sup>2</sup> Bishop Rae's Bridge. It was a 'stately Bridge of eight Arches,' built about 1345. (Glasgow Ancient and Modern, i. 59, edited by J. F. S. Gordon.)

# Similis

Item : for all Christ's faithful who, on [the feast of the] dedication of the Church of Glasgow and during the octave of the same, visit the said Church and give free caritative subsidies for its fabric, six years and as many quarantines of indulgence; not to expire with the lapse of time.

Fiat in forma. O.

#### Confessio

Item : faculty to the Bishop for life of choosing a fit confessor who [may grant remission] 1 as often as need be in all cases competent to minor Penitentiaries.

Fiat. O.

Florence, 6 Id. Mar., anno 3.

139, 163<sup>v</sup> [1 p. -]

1420.

JOHN DE HALYS, ABBOT of the monastery of Balmynach [Balmerino], Cistercian order, St. Andrews diocese in 10 March. Scotland, privy counsellor of Robert Duke of Albany, Florence. Governor of Scotland, that the Pope would grant him faculty for life of choosing some fit priest, secular or regular. as confessor to hear his confessions as often as need be, and grant absolution such as is competent to minor Penitentiaries in the Roman Curia and plenary absolution once in the hour of death.

Fiat de preteritis. O.

#### Simile

Item : A like indult for JOHN DE HALIS, priest, St. Andrews diocese, M.A., nephew of the above Abbot. present in Curia.

Fiat 0

Florence, 6 Id. Mar., anno 3.

139, 178 [1 p.]

<sup>1</sup> Omitted in text.

# Cappelanie

1420. 19 March. Florence. BIAN JOHANNIS, B.Dec., dean of Argyle, resident in the Roman Court, that the Pope would admit him, and cause him to be admitted, as a chaplain of honour of His Holiness and the Apostolic See, with all exemptions, immunities, liberties, prerogatives and franchises pertaining thereto.

Fiat. O.

Florence, 14 Kal. April, anno 3.

140, 43 [<sup>1</sup>/<sub>3</sub> p.]

Creten.

#### Dispensatio

1420. 20 March. Florence. Robert Duke of Albany, Governor of Scotland, in the person of NICHOLAS HUNTER, priest, rector of the parish churches of Fortevict and Mukyrsy, St. Andrews and Dunkeld dioceses, his secretary and continual familiar commensal, whom Peter de Luna (Benedict XIII) dispensed to hold two incompatible benefices for a certain time, not yet elapsed—that the Pope would dispense him to hold two incompatible ceclesiastical benefices together for life, even if they be parish churches or any others, or dignities, etc., with power of exchanging as often as he pleases, holding only two incompatibles : notwithstanding the said parish churches (total fruits, 60 marks of old sterling).

Fiat ad septennium. O.

Florence, 13 Kal. April, anno 3.

140, 49<sup>v</sup> [1 p.]

#### Commissio privationis

1420. 20 March. Florence. It is represented for the part of ANDREW DE CAMERA, clerk, Aberdeen diocesc, of noble race, that a certain Thomas de Grenlau, on the strength of an expectative grace granted to him ten years since by Benedict XIII, more than nine years ago accepted the canonry and prebend of BANCHORY in the Church of Aberdeen, and obtained provision and corporal and real possession. At length however a certain John Barber, alleging to have an expectative grace from the said Benedict, although of later date (sub minore data), intruded himself violently into the said canonry and prebend, expelling Thomas by the secular power and by simony, because for the violent removal of Thomas he promised and gave much money and not a few rewards to certain temporal lords, whereby he has inhabilitated himself for holding not only the above canonry and prebend but any ecclesiastical benefices. And since Thomas does not intend to prosecute his right, Andrew supplicates that the Pope would give mandate to some good man in partibus to inform himself diligently about the foregoing by apostolic authority, and if he find the canonry and prebend to be void by the acceptance and dimission of Thomas, or that John has incurred deprivation on account of simony or any other crime, to deprive and remove him from the same, and collate, provide and assign Andrew to the above canonry and prebend of Banchory (15 marks sterling), whether void as above, or howsoever.

Fiat. O.

Florence, 13 Kal. April, anno 3. 140, 53v [11/2 pp.]

[This is the first supplication in a rotulus of three.]

Michal.

#### [No rubric]

ADAM DE GORDON, perpetual vicar of the parish church 1420. of Craumond, Dunkeld diocese, B.Dec., that the Pope would <sup>25</sup> March. Florence. provide him to the deanery of DUNKELD, a dignity with eure and elective and major *post pontificalem* (fruits £140, but daily distributions £20, of old sterling), void by the death outwith the Roman Court of the late William Ramsay, last possessor, who was a chaplain of honour of the Apostolic See, or void in whatsoever way: notwithstanding the said perpetual vicarage which he holds (£20 of old sterling); and that the Pope would dispense him to hold the deanery together with the vicarage for five years

with power of exchange, holding together only two incompatibles.

Fiat ut petitur pro utroque et dispensamus ad annum. O. Florence, 8 Kal. April, anno 3. 140, 106<sup>v</sup> [1 p. +] [This is the second of the two supplications.]

# Michal.

### Indulgentia

186

1420. 30 March. Florence. Since the CHAPEL OF ST. CATHERINE, commonly called the Balm Well<sup>1</sup> (*capella beate Katerine de fonte olei vulgariter nucupata*), founded of old and devoutly resorted to by Christ's faithful on the feast of St. Catherine, for want of means cannot be completely constructed or fittingly ornamented, unless through papal succour,—may the Pope therefore grant to all Christ's faithful, giving free caritative subsidies to the construction of the said chapel, or visiting it on the feast of St. Catherine, as often as they do so, four years of indulgence and as many quarantines.

Fiat in forma. O.

Florence, 3 Kal. April, anno 3.

# 140, 135 [<sup>1</sup>/<sub>3</sub> p.] Florentin.

#### Commissio privationis

1420. 9 April. Florence. It is represented for the part of WILLIAM DE GUOAN, priest, Glasgow diocese, B.Dec., that a certain John de Irskin, alleged priest, said diocese, obtained possession of the parish church of EGILSAM, Glasgow diocese, through certain unlawful pacts involving simony, and detains it at present, unlawfully occupied. But since such pacts are prohibited and John has rendered himself unworthy of holding the said church, William supplicates that the Pope

<sup>&</sup>lt;sup>1</sup> St. Catherine's Balm Well in the parish of Liberton, near Edinburgh. 'According to a tradition mentioned by Boece, the well sprang from a drop of oil brought by angels to St. Margaret of Scotland from St. Catherine's Shrine on Mount Sinai, whence healing oil was said to flow.' The oil was petroleum. (See Mackinlay, Ancient Church Dedications, edit. 1914, p. 424.)

would give mandate to some good man in partibus to inform himself diligently about the foregoing, and if he find it or any of it to be true, or anything else sufficient for the deprivation of John, to deprive and remove him, and collate, assign and provide William by apostolic authority to the said parish church (40 marks sterling), of lay patronage, whether void as above, or in whatsoever way: notwithstanding a canonry and prebend of Glasgow which he holds (30 marks sterling), and an expectative grace if he have one.

Fiat ut petitur et inscribat se. O.

Florence, 5 Id. Feb., anno 3.

139, 42v [1 p.]

## [No rubric]

Recently the Pope signed a supplication about the exemp-1420. tion of the Abbot and monastery of St. Thomas the Martyr 15 April. Florence. of ABIRBROCHT, O.S.B., St. Andrews diocese. But the signature seems to be of little profit to them, for the Bishop [of St. Andrews] is a man of such character that he does not rule, but is ruled, and that by indiscreet and wicked men, as is manifestly evident by experience; and he unprofitably expends the goods of his own accord, and vexes his subjects with many burdens (gravaminibus), so that although litigation is concluded and a concord made between the said Bishop and Abbot, love and friendship are never likely to be perfected between them, but he will always seek ways and means of injuring the Abbot and convent. May the Pope therefore grant the exemption as petitioned in the first supplication, or at least for the lifetime of the Bishop, so that he may be punished in so far as he defaults, and serve as an example for others.

Fiat ad annum post finitam litem. O. [Granted for a year after the end of the suit.] <sup>1</sup> And under first date :--Fiat. O. Florence, 17 Kal. May, anno 3. 140, 286<sup>v</sup> [ $\frac{1}{2}$  p.] <sup>1</sup> Cf. p. 150.

# [No rubric]

1420. 15 April. Florence. CELESTINE MACGILLEMICHEIL, scholar, Argyle diocese, (who was lately dispensed, or had mandate of dispensation, by apostolic authority, to be promoted, etc., and hold a benefice with cure, notwithstanding defect of birth as the son of a priest and an unmarried woman), that the Pope would provide him, who is in his twenty-first year, to the vicarage of the parish church of Sr. BEDAN IN BEANEADENDALOCH [Balliveodan in Benderloch] (15 marks of old sterling), said diocese, void by the death of Cristin Micamanaig outwith the Roman Court, or in whatsoever way: with dispensation for defect of age.

Fiat ut petitur pro omnibus quatuor. O.

Florence, 17 Kal. May, anno 3. 141, 42 [1 p.]

[This is the second of the four supplications.]

Another copy, with spelling-

Celestine Macgillemicheyl, St. Bedan in Beanederaloch, Cristin Meicamanaig—

under date :---

Florence, 13 Kal. May [19 April], anno 3. f. 94 [1/2 p.] in a different *rotulus* of four.

#### Reformatio

1420. 19 April. Florence. GLIMERT MACHTERSON, about the vicanage with cure of the parish church of ST. COLUMBA IN GLASIOT [Glassary], Argyle diocese,—that the apostolic letters may be expedited with dispensation to hold both of the above<sup>1</sup> for life, as he has to maintain common hospitality and provide for two chaplains who have to be sustained from that benefice.

Fiat. O.

#### Reformatio

MAURICE JOHANNIS, priest, Argyle diocese, about the treasurership of Argyle,---that the apostolic letters may

<sup>&</sup>lt;sup>1</sup> The rectory and the vicarage of St. Columba, mentioned in the original supplication of 13 February. (See p. 173.)

# RELATING TO SCOTLAND

be expedited with the expression that the treasurership belongs to lay patronage, and is a dignity with cure, but not major *post pontificalem*; these statements having been omitted in his petition through inadvertence.

Fiat ut petitur si beneficium erat devolutum. O.

Florence, 13 Kal. May, anno 3.

Michal.

141, 40<sup>v</sup> [3 p.]

#### Reformatio

WALTER BOUMAKER,<sup>1</sup> that the apostolic letters about 1420. the abbacy of the monastery of INCHCOLM (Sancti Columbe <sup>20</sup> April. de Insulo, Dunkeld diocese, may be expedited on the <sup>Florence</sup>. strength of the signature of the supplication, upon which doubts have been cast, on account of restrictions of the rules of Chancery, and the value of the monastery that was expressed.

Fiat et sub prima data. O.

Florence, 12 Kal. May, anno 3.

#### Michael.

141,122 [§ p.]

# Dispensatio

ROBERT CLERICI, priest, Brechin diocese, M.A. of Paris, 1420. rector of the parish church of ENERARTE [Inverarity], <sup>20</sup> April. St. Andrews diocese, that the Pope would dispense him to hold for seven years together with the said parish church (48 marks sterling) another ecclesiastical benefice with cure or otherwise incompatible, even if a perpetual administration, etc., and with power of exchange in the meantime, holding only two incompatibles together : notwithstanding a perpetual chaplanicy at the altar of All

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<sup>&</sup>lt;sup>1</sup> This is Walter Bower the historian, compiler of the Scotichronicon in continuation of Fordun. According to the Scotichronicon, he was blessed on 77 April 1418 (ii. 458).

Saints in the parish church of Dunde, said diocese (10 marks sterling).

Fiat ad biennium. O.

Florence, 12 Kal. May, anno 3.

141, 176 [<sup>3</sup>/<sub>4</sub> p.]

# Indulgentia

1420. 1 May. Florence.

ANDREW DE HAWYK, rector of the parish church of LISTON, St. Andrews diocese, first secretary of Robert Duke of Albany, Governor of Scotland, and special Nuncio to the Pope, having compassion upon his fellow-countrymen and also for the public benefit of the kingdom, proposes and desires to build anew and have a bridge made over a certain river, commonly known as the AUMOND, flowing between two notable towns (notabiles villas) of the kingdom of Scotland (to be declared, if need be, in Chancery) 1 and near his said parish church, because in this river both in times of flood and at other times numerous (quamplurimi) merchants and others of the said kingdom are drowned, and otherwise have been and daily are exposed to many perils of life and goods. Since, however, such a bridge can not be built without great expense, considering the dangers of the river and other circumstances, and cannot be maintained unless by the alms of Christ's faithful, therefore the above Andrew supplicates that the Pope would grant relaxation in perpetuity to all and sundry Christ's faithful who stretch out helping hands to the building and maintenance of the bridge, as often as they do so, of three years and as many quarantines of imposed penances, and would depute him and his successors general and special receivers of the alms towards the bridge fund (ad huiusmodi suffragia per Cristi fideles largienda et in dicti pontis opere convertenda . . . receptores), and would grant them licence to ask alms themselves or by their procurators and special nuncios in the said parts of the kingdom of Scotland, and that he would receive them under his special protection

<sup>&</sup>lt;sup>1</sup> They are stated in the apostolic letters to be Edinburgh and Linlithgow. (C.P.R., vii. 152.)

and that of St. Peter, declaring that those who should rashly dare to hinder or molest them in their begging, should ipso facto incur excommunication, from which they might be absolved only by the Sovereign Pontiff, except once and only at the point of death.

Fiat in forma pro utroque. O.

Florence, Kal. May, anno 3.

141, 292<sup>v</sup> [1<sup>1</sup>/<sub>8</sub> p.]

[This is the second of the two supplications.]

# [No rubric]

It is represented for the part of WALTER MODIRVALE, clerk, Glasgow diocese, who has studied for four years and 3 May. Florence. more in the faculty of decreets, that lately, when the parish church of Lus, said diocese, which belongs to lay patronage, became void by the death of the late William Adeson, last rector, outwith the Roman Court, the lay patron presented to the Ordinary a certain John Makalpyne through simony, a certain sum of money having been promised and partly paid by some kinsmen of John, and presumably with his consent. And when the Ordinary, to whose ears the report of simony had come, would not admit John, the patron presented to him a certain John Nicolai, who was admitted, and obtained possession in favour of a third, as is presumed. Because, however, the patron by reason of the said simony was unable to present another for that turn, and because the church has been so long void that collation has devolved to the Apostolic See, therefore the said Walter supplicates that the Pope would give mandate to some good man in partibus or in the Roman Court, to inform himself diligently about the foregoing and, if found to be true, to declare that John Nicolai had no right in or to the said church, to remove him and collate, assign and provide Walter by apostolic authority to the same (£50 sterling), void by the death of William Adeson, or in whatsoever way : notwithstanding that a certain Angus de Lewyaxe, by pretext of the above crime, obtained the signature of a supplication

1420.

about the said church, and died before the bulls were expedited.

Fiat ut petitur pro omnibus tribus, et tertius se inscribat. O. Florence, 5 Non. May, anno 3.

[This is the third of the three supplications.]

Nova provisio

1420. 3 May. Florence.

Lately, on the voidance of the collegiate church 1 of Holy Trinity of the hospital of SOLTRE (collegiate ecclesia sancte Trinitatis domus hospitalitatis de Soltre), O.S.A., St. Andrews diocese, by the death of the late Brother Thomas dc Alton, last master and possessor of the same, STEPHEN FLEMYNG, his brother priest in the same church, was unanimously and canonically elected Master; and the Ordinary, according to law, examined and confirmed the election, promoted (preficiens) him by ordinary authority, and admitted him to the administration in spiritualities and temporalities. The above Stephen therefore supplicates that the Pope would ratify and confirm the foregoing, and provide him to the said church with its pertinents, which is regular and conventual, and a dignity with cure, and elective (£40 sterling, expenses deducted), whether void as above, or in whatsoever way.

Fiat ut petitur. O. Florence, 5 Non. May, anno 3. 141, 236<sup>v</sup> [1 p.]

1420. 5 May. Florence. Since the perpetual vicarage of KIRKURDE, Glasgow diocese (wont to be ruled by a brother of the hospital of Soltra, O.S.A., St. Andrews diocese) is void at present by the promotion of Brother Stephen Fleming, perpetual vicar of the same, to the ministry or mastership of the above hospital, the Earl of Douglas supplicates in the person of his familiar, ROBERT STORME, priest and dean

<sup>&</sup>lt;sup>1</sup> This is a mistake. Soltre (or Soutra) was never a collegiate church, but it was afterwards united by Mary of Gueldres to the collegiate church of Trinity, near Edinburgh. (See Collegiate Churches of Midlothian.)

of his chapel, that the Pope would provide him to the said vicarage (£10 sterling), whether void as above, or in whatsoever way; or would at least grant it in commend for ten years: notwithstanding that it is wont to be ruled by a regular as above, and that Robert holds the parish church of Colbanton [Covington] (£10 sterling), said diocese, of lav patronage.<sup>1</sup>

Fiat ut petitur. 0.

Florence, 3 Non. May, anno 3.

Recently the Pope granted confirmation of election and 1420. provision to STEPHEN FLEMTNG, elect of the hospital of 6 May. SOLTRE, O.S.A., St. Andrews diocese. Since, however, his supplication did not make express mention of the perpetual vicarage with cure of the parish church of Kyrkurd (E10 sterling), Clasgow diocese, which he held at the time of his election, may the apostolic letters thereanent be expedited with an expression of the foregoing and under the first date.

Fiat et sub prima data. O. Florence, Prid. Non. May, anno 3. 141, 297 [1 p.]

Michal.

# [No rubric]

Reformatio

Lately, on the voidance of the parish church of MUKKIRSI, 1420. Dunkeld diocese, by the collation made by Peter de Luna, 8<sup>Marc</sup>. Flormerly Benedict XIII, of the parish church of Abernyt, said diocese, to a certain Alexander Barberii, and his peaceable assecution thereof, the said Peter reserved the above church of Mukkirsi to a certain Nicholas Huntar, alleged priest, Brechin diocese, and then some time afterwards—since Nicholas did not trouble to expedite the

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142, 273 [<sup>3</sup>/<sub>5</sub> p.] Michal.

<sup>&</sup>lt;sup>1</sup> The patronage of Covington was confirmed to Sir Robert Keith, son and heir of the Marshal, by a charter of the Duke of Albany, 12 March 1406-1407. (R.M.S., i, no. 884.)

apostolic letters upon the said reservation, and because in the meantime he obtained possession of another benefice incompatible, namely, the perpetual vicarage with cure of the parish church of Forgund, St. Andrews diocese, without obtaining a dispensation, so far as was known (de qua saltem constabat)-he provided the said church of Mukkirsi (specially reserved, as above) to JOHN DE KEREMOR, priest, St. Andrews diocese, who expedited the letters within two months after the deposition of Peter and while the kingdom of Scotland was still in his obedience; and on the strength of these letters he obtained possession. Later, however, and also after the deposition of Peter, the foresaid Nicholas, possessing the vicarage of Forgund, expedited letters upon the said reservation and a certain dispensation to hold incompatibles, and intruded himself in the church of Mukkirsi. Thereupon John obtained commission of the cause to Frederick Devs. Auditor of the Sacred Apostolic Palace of Causes, who judicially proceeded to a decree of citation and the arrest of the apostolic letters containing the grace or justice for Nicholas.<sup>1</sup> But since by some it is doubted that neither John nor Nicholas has right in the said church, and since it is believed to be void at present, may the Pope give mandate to the above Auditor that, if by event of the suit he find that neither has right, he provide John by apostolic authority to the said church (12 marks sterling in absence, 10 in residence), whether void as above, or by the assecution of the parish church of Forteviot, St. Andrews diocese, by Nicholas, or void in whatsoever way : notwithstanding that the said Nicholas has unjustly detained the said church of Mukkirsi for more than two years, as he still does, and notwithstanding a certain surrogation in right to the same, and a certain expectative grace granted to John by the Pope.

Fiat ut petitur pro omnibus quatuor. O.

Florence, 8 Id. May, anno 3.

142, 41 [13 pp.]

<sup>&</sup>lt;sup>1</sup> in qua quidem causa per dictum Auditorem ad citationis decretum literarumque apostolicarum graciam seu justiciam pro dicto Nicolao continencium arestum iudicaliter est processum.

#### Confirmatio

Formerly, William erstwhile King of Scotland granted 1420. to the Abbot and convent of INCHCOLM (insule Sancti 8 May. Columbe de Imonia), O.S.A., Dunkeld diocese, the vicarage 1 Florence. of the parish church of DALGATY, said diocese, which has been wont to be governed beyond the memory of man by secular canons of the monastery, at the pleasure of the Abbot. But a certain John de Bullok, secular priest, foresaid diocese, has unlawfully occupied the church for the space of sixteen years, having been intruded by the power of the Bishop, to the no little loss and harm of the Abbot and convent, to whom the presentation rightly belonged. John, however, recognising that he had no right in the said vicarage, resigned purely and simply in the hands of the Pope : wherefore the above Abbot and convent supplicate that the Pope would ratify and confirm the above grant of the King and all the consequences, and also that, confirming the annexation of the ecclesiastical land and chapel of Bethe [Beath], he would provide them anew to the above vicarage of Dalgati (8 marks sterling), whether void by the way in which it was provided to them.2 or by the resignation of John, or howsoever.3

Fiat ut petitur pro omnibus quatuor. O.

Florence, 8 Id. May, anno 3.

142, 43v [1 p.]

[This is the last, and the previous supplication the first, of the four.]

de Montegaudio.

WILLIAM BROUNE, priest, St. Andrews diocese, that the 1420. Pope would provide him to the archdeaconry of ORKNEY, 10 May. a major dignity with cure (£8 of old sterling), void by the Florence.

<sup>&</sup>lt;sup>1</sup> oratoribus vestris Abbati et conventui . . . de vicaria . . . per suas litteras concessit.

<sup>&</sup>lt;sup>2</sup> sive eo modo quo ipsis provisum fuerit vacaverit.

<sup>8</sup> Cf. C.P.R., vii. 144.

free resignation of John Thome outwith the Roman Court, or in whatsoever way.

Fiat pro omnibus quatuor. O.

Florence, 6 Id. May, anno 3.

142, 12<sup>v</sup> [1/2 p.]

[This is the last of the four supplications.]

Creten.

#### Confirmatio

1420. 13 May. Florence.

Lately, Walter erstwhile Bishop of St. Andrews-considering that the monastery of DRYBURG, Premonstratensian order, St. Andrews diocese, had been devastated by hostile fire 1 (hostili incendio devastatum); that its fruits, rents and profits were so thin that they scarcely sufficed for the rebuilding of the monastery and the sustentation of the ministers : that the priory of nuns of SOUTKERWICK, Cistercian order, said diocese (£20 sterling), was so destroved and collapsed that scarcely any traces of the buildings remained, and that the only two nuns of the priory had flung continence aside, neglected divine worship, and had followed vanities and snares (vanis et lubricis se immiscebant negotiis), and that the priory had long lacked divine services-with the consent of the late Robert King of Scotland, patron and founder, transferred and by ordinary authority granted and united the priory with all and sundry its lands, possessions, rights and pertinents to the monastery of Dryburg,2 reserving suitable portions for the said nuns who were to be placed in other monasteries of the Cistercian order. The grant and union were confirmed by apostolic authority by Popes Clement VII and Benedict XIII (so-called in their obedience), as is more fully contained in the apostolic letters and in certain other

<sup>&</sup>lt;sup>1</sup> Probably in the Border wars of 1385. A French contingent was sent over to the help of the Scots. Richard II. himself invaded Scotland, and Dryburgh was burned about 10 August. (See the authorities quoted in Dunbar's Scotlish Kings, 163.)

<sup>&</sup>lt;sup>a</sup> 9 March 1390-1391. (*R.M.S.*, i., no. 832; cf. above, p. 150.) The union of the house of South Berwick to Dryburgh was confirmed by Bishop Wardlaw on 8 March 1410. (*Liber de Dryburgh*, xv.)

letters patent under the Bishop's seal; on the strength whereof the said Abbt and convent have held peaceable possession of the priory and its goods for several years, as they do at present. That they may live the more quietly and give acceptable service to the Most High, the Abbt and convent supplicate that the Pope would confirm by apostolic authority all the foregoing with the consequences.

# Confirmatio

Item: Lately, Archibald Earl of Douglas, Lord of Galloway and Annandale (dominus Calwedie et Vallis Anandie) and of Smalehame, St. Andrews diocese-considering the many and divers inconveniences which had often befallen the monastery of DRYBURG, its Abbot and conventpurely and freely, simply and absolutely gave and transferred to them the parish church of SMALEHAME, said diocese (of which the patronage belonged to the Earls of Douglas for the time being), together with all its rights, pertinents and ecclesiastical land.1 Henry Bishop of St. Andrews, with consent of the Chapter, by ordinary authority confirmed the said donation and transference, and annexed and united the said parish church (24 marks sterling) to the abbatial mensa (300 marks sterling), so that, on the cession or decease of the rector, the Abbot and convent might take possession and convert the fruits to the use of their mensa, reserving from the fruits a suitable portion for a perpetual vicar to be presented from among the canons of the monastery and instituted by the Bishop and his successors, as is more fully contained in certain letters patent thereanent. On the strength of the above donation, transference and confirmation the Abbot and convent subsequently obtained possession of the said parish church upon the frec resignation of John de Lunen, then rector, and have possessed it for several years, as they do at present, peaceably and quietly. They therefore supplicate (as in the fore-

<sup>&</sup>lt;sup>1</sup> This charter is not recorded in the Liber de Dryburgh,

going) that the Pope would ratify and confirm the above with the consequences, and incorporate, annex and unite anew (if and as far as need be) the said parish church with all its rights and pertinents to the above monastery and abbatial mensa.

Fiat de utroque et exhibeatur alias in forma. O.

Florence, 3 Id. May, anno 3. 142, 102 [3 pp. +]

Michal.

# [No rubric]

Since Nicholas Huntar, alleged priest, Brechin diocese, possesses the parish churches of Fortevyot, St. Andrews diocese, and Mukkyrsy, Dunkeld diocese, without legitimate dispensation to hold incompatibles, therefore JOHN DE KEREMOR, priest, St. Andrews diocese, B.Dec., abbreviator of apostolic letters, supplicates that the Pope would provide him to the said parish church of FORTEVYOT (50 marks in residence, 40 marks sterling in non-residence), whether void as above, or howsoever: notwithstanding the right which he has in the said church of Mukkirsi (12 marks sterling), about which he is litigating, and which he is ready to resign.

# [No rubric]

WALTER BLAR, clerk, St. Andrews diocese, M.A. of Paris,<sup>1</sup> and of noble race, that the Pope would provide him to the parish church of MUKKIRSY (14 marks sterling in residence or non-residence), void as in the foregoing.

Fiat ut petitur pro utroque. O.

Florence, 13 Kal. June, anno 3. 142, 283v [13 pp.]

# Commissio privationis

1420. 22 May. Florence. It is represented for the part of RICHARD DE BOTHUVI, monk expressed of DUNFERMLYN, O.S.B., St. Andrews

1420. 20 May. Florence.

<sup>&</sup>lt;sup>1</sup> His name appears in the records of 1415 and 1416. (Denifle and Chatelain, Actuarium Chart. Univ. Parisiensis, ii. 188, 209, 210.)

diocese, that a certain William de Restoun, monk, professed and sacrist of the monastery, dilapidated the goods of the sacristy, disponed them unprofitably (inutiliter), and shamefully (inhoneste) consumed them, and is also inhabilitated and a conspirator against William Abbot of the monastery. The above Richard (who has studied canon law for more than three years in universities (in generalibus studiis), as he is at present studying in the Papal Curia), supplicates that the Pope would give mandate to some good men in partibus to inform themselves diligently about the foregoing, and if they find it, or any of it, to be true, or that William has committed any other crime meriting deprivation, to remove and deprive him, and provide Richard by apostolic authority to the said office, which is wont to be assigned in title of a perpetual benefice to monks professed of the said monastery, and which has cure of souls (20 marks of old sterling), when it shall become void as above, or if void in any other way.

Fiat ut petitur pro utroque in forma juris. O. Florence, 11 Kal. June, anno 3. 142, 233 [1 p. -] [This is the first of the two supplications.]

Michal.

#### Confirmatio

Formerly Gregory IX, of happy memory,<sup>1</sup> took the 1420, church of Holy Trinity of the hospital of SoLTRE, O.S.A.,  $2^{27}$  May. St. Andrews diocese, under the protection of the Apostolic Florence. See, and willed that the order of St. Augustine should be observed therein for ever; he also liberated the Master and fathers [*sic*] in perpetuity from payment of tithes not formerly levied on the lands cultivated by their own labours and expense or for the nutriment of their animals; and also forbade those professed of that church to go over to a narrower rule, and chapels and oratories to be built

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<sup>&</sup>lt;sup>1</sup> 1227-1241. Pope Gregory's grant of privileges was made before October 1236, when William Bishop of St. Andrews caused a transcript to be made. (Collegiate Churches of Midlothian, 36-38).

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within the church, without common consent of the brothers; likewise he granted power in time of general interdict to celebrate divine offices behind closed doors, excluding the interdicted and the excommunicate, and without ringing of bells; also free sepulture for the said church; and likewise ordained that no one might be instituted as Master unless canonically elect (saving the authority of the Apostolic See).<sup>1</sup> Threafter other pontiffs, kings, and princes granted divers privileges and liberties to the foresaid house, and bestowed upon it lands, rents and possessions, tithes and parish churches, as is more fully contained in letters thereanent. Therefore Stephen, Master, and the brothers of the said house supplicate that the Pope would confirm all the foregoing.

Fiat in forma. 0.

Florence, 6 Kal. June, anno 3.

143, 14 [1 p.]

[No rubric]

JOHN DE KIRKMICHEL, Lic.D., B.L., studying at Orleans,<sup>2</sup> that the Pope would provide him to the perpetual vicarage of the parish church of CARRALE (\$45 of old sterling), St. Andrews diocese, void by the death outwith the Roman Court of the late Walter de Wardelau, last vicar, or in whatsoever way: notwithstanding the canonry and

1420. 29 May. Florence.

<sup>&</sup>lt;sup>1</sup> necono a colutione decimarum de novalibus propriis manibus vel sumplibus cultis et animalium nutrimentis decimari a bolim non consuttis magistrum et patres dicte domus in perpetuum liberavit, professos quoque eiutdom ecclesie ad arciorem regulam transire capellas et oratoria infra dicte ecclesie parrochiali edificari sine frahram communi consensu prohibuit, tempore vero generalis interdicte januis clausis interdictis et excommunicatis ecclesie liberam sepulturam concessit, nulturque dictis fratribus ac eidem ecclesie liberam sepulturam connecsi, nulturque in dicte ecclesie magistrum profetnisi de eadem canonice electem sedia sopositica eucordinate excepta ordinati.

<sup>&</sup>lt;sup>a</sup> He was a canon of Orleans in the following year, when, as the agent of Sir John Stewart of Darnley, Constable of the Scottish army in France, he handed over 1050 gold crowns for the endowment of a perpetual mass for the repose of the soul of himself and his wife and his relations and benefactors. ('The Scottish Nation in the University of Orleans,' *Miscellany of Scottish History Society*, ii: 74-78, 91-93.) He was Bishop of Orleans (1426-1435) in the time of Joan of Arc.

prebend of Alincoum [Ancrum] in the Church of Glasgow and the parish church, called the vicarage, of Lillisklef, Glasgow diocese, which he holds (all the fruits £44 of old sterling), dispensing him to hold the said vicarages together, with power of exchange as often as he pleases.

# [No rubric]

WILLIAM BRONE, priest, St. Andrews diocese, that the Pope would provide him to the perpetual vicarage of LILLISCLEF (£30 of old sterling), Glasgow diocese, void, or when it becomes void, by the peaceable assecution of the parish church of Carrale, St. Andrews diocese, by John de Krichmichel, last possessor, or void in any other way except by the death of John : notwithstanding the archdeaconry of Orkney, a major dignity with cure, of which he has not vet obtained possession (£8 of old sterling); and would dispense him to hold the vicarage for ten years together with the archdeaconry (if he obtain it), or with any other benefice if obtained on the strength of a certain expectative grace, with power of exchange, holding only two incompatibles together.

Fiat ut petitur pro omnibus quatuor. O. 142, 212 [11 pp.]

Florence, 4 Kal. June, anno 3.

[These are the two first supplications of the four.]

D. Monteg.

## [No rubric]

GEORGE DE BORTHWYK, priest, St. Andrews diocese, of 1420. noble race, B.Dec., that the Pope would provide him anew 31 May. to the parish church of LOCHQWOWART [Borthwick], St. Florence. Andrews diocese, which he holds at present (£30 of old sterling), void by the death outwith the Roman Court of the late Walter de Wardlaw who, as is asserted by some, had true right in and to the same, or void in whatsoever way: notwithstanding a canonry and prebend and the archdeaconry of Glasgow (which he holds), a dignity with cure, but not major post pontificalem (£160 sterling).

## [No rubric]

EDWARD DE LAWEDRE, priest, St. Andrews diocese (brother of Alexander de Lawedre, knight, lord of Haltoun), M.A. of Paris, who has studied theology (in sacra pagina) for six years, that the Pope would provide him to the parish church or vicarage of CARALE (£30 sterling), St. Andrews diocese, which is in the presentation of the Abbess and convent of the nuns of Hadynton,1 Cistercian order, said diocese, void by the death outwith the Roman Court of the late Walter de Wardlaw, last possessor, or void in whatsoever way : notwithstanding a canonry and the archdeaconry of Lothian (about which he is litigating) in the Church of St. Andrews, a dignity with cure, but not major post pontificalem (£120 sterling): and notwithstanding the provostship to be created in the church of St. Giles of Edinburch, of which the future provision is granted to him (de qua concessum est eidem Edwardo certo modo fore providendum); and notwithstanding a dispensation for defect of birth.

# [No rubric]

Since the perpetual vicarage with cure of the parish church of ST. CUTHERET under the Castle of EDINBURCH, St. Andrews diocese (wont to be ruled by canons regular of the monastery of Holyrood of Edynburgh, O.S.A.) is expected shortly to be void by the promotion of Henry de Dryden, perpetual vicar of the same, to the abbacy of Holyrood; therefore the community (universitas) and Bishop of St. Andrews supplicate in the person of JOHN DE INNYRKETHING, priest, canon regular of the foresaid monastery, order and diocese, B.Dec., present in Curia, that the Pope would provide him to the said vicarage

<sup>&</sup>lt;sup>1</sup> ' From an early period Crail was connected ecclesisatically with the Cistercian Priory of Haddington..., To the nuns of Haddington also belonged, with its teinds, the vicarage of St. Mary's parish church of Crail. (C. Rogers, *Register of the Collegiate Church of Crail*, 4.) In 1517 it was erected into a collegiate church.

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(£30 sterling), when it becomes, or if it already is, void as above, or in whatsoever way.

Fiat ut petitur pro omnibus tribus. O. Florence, Prid. Kal. June, anno 3. 143, 43 [2 pp.]

Creten.

#### Commissio

It is represented for the part of the nobles and 1420. parishioners of the perpetual vicarage of the parish 3 June. Florence. church of VARIE CAPELLE [Falkirk], St. Andrews diocese, that Peter de Luna (Benedict XIII), without reasonable or true cause, at the supplication or inopportune petition of Robert then King of Scots and of the Abbot and convent of HOLYROOD of Edinbourgh, O.S.A., St. Andrews diocese, incorporated, or gave mandate to incorporate, the said vicarage (wont to be ruled by a secular priest) to the above monastery, which, however, has many faculties and few burdens (dictumque monasterium plurimum ei incumbentibus circumscriptis omnibus in facultatibus habundat). The vicarage is now ruled and governed by a religious of the said monastery, having permission to live abroad for the purpose (extra dictum suum monasterium dissolutionis et vagationis materia preparata), but it is not befittingly enough served in spiritualities; therefore the abovesaid nobles and parishioners desire that the cure of souls may be committed as formerly to a secular priest, and that the religious go back to the monastery; and supplicate that the Pope would cancel and revoke, or would give mandate to cancel and revoke, the above incorporation, the letters thereanent and all the consequences.

Fiat et committatur. O.

Florence, 3 Non. June, anno 3.

143, 74 [# p.]

#### Nova provisio

Lately, on the voidance of the perpetual vicarage with 3 June. cure of the parish church of ST. BRIGID EN LORN [Kilbride], Florence.

Argyle diocese, the chapter of Argyle (during the vacancy of the see) by ordinary authority collated and provided the same to CRUSTIN TORLETI, clerk, said diocese. Since, however, for certain causes he doubts the validity of the foregoing, he supplicates that the Pope would provide him to the said vicearage (£10 of old sterling), whether void as above, or in whatsoever way : notwithstanding defect of birth as the son of an unmarried man and an unmarried woman, for which he is dispensed in a certain way.

Fiat ut petitur pro omnibus quatuor. O.

Florence, 3 Non. June, anno 3. 143, 157 [5 p.]

[This is the second of the four supplications.]

Creten.

# Dispensatio

1420. 3 June. Florence, DONALD MACHNATHAN [Macnaughton], dean of Dunkeld, M.A., Lic.Dec., of noble race (who has been dispensed by the Apostolic See, firstly that, notwithstanding defect of birth as the son of an unmarried man and an unmarried woman, he might be promoted to all sacred orders, even to priset's orders, and hold one ecclesiastical benefice with cure ; and then [secondly] that he might hold others, with cure or without cure, even if canonics, etc.], —that the Pope would dispense him to hold for life the above deanery (a principal dignity with cure) with one other incompatible benefice, even if a dignity, with power of exchange for others, like or unlike.

Fiat ut petitur ad septennium. O.

Florence, 3 Non. June, anno 3.

143, 221v [6 p.]

[No rubric]

1420. 4 June. Florence. Formerly on the voidance of the perpetual vicarage of the parish church of KIRHURD, Glasgow diocese, by the promotion of Brother Stephen Flemyng to the ministry of the hospital of Holy Trinity of Soltre, O.S.A., St. Andrews diocese, and his assecution of the same, JOHN CADAR, priest, and canon regular of the said hospital, was legitimately presented to the Ordinary to the said church (which has been wont to be ruled only by a brother of the said Order), was instituted and obtained possession. For certain causes, however, he doubts the validity of the said presentation, institution and assecution, and it is therefore supplicated that the Pope would provide him anew to the said perpetual vicarage, which has cure (20 marks sterling), whether void as above or in whatsoever way : notwithstanding that he is a canon of the said hospital.

Fiat ut petitur. O.

Florence, Prid. Non. June, anno 3.

[There is another copy (fo. 61<sup>v</sup>) signed in a rotulus of four, under date 18 Kal. July (14 June). This copy has the spelling Kyckhuide, and contains the clause : 'whether the church was void as above, or by the resignation of Robert. Storme, who had a commend of the said vicarage by the signature of a certain supplication (see above, p. 192), and who has renounced all his right simply and absolutely in the presence of a notary and witnesses, or void in whatsoever way.']

#### Creten.

144, 273v [3 p.]

#### Pensio

Since the Abbot and convent of Cambzkeneth, O.S.A., 1420. St. Andrews diocese, have been accustomed to maintain <sup>7</sup>June. Florence. Jone or two of their canons for a certain time in study and to give a pension for their maintenance during that time, and since JOIN DE GRENLAW, canon regular of that monastery and kinsman of the Bishop of ABERDEEN, Chamberlain [*rectius*, Chancellor] of Scotland, desires to follow up his studies (desideret studies insistendo virtuosus effici),—therefore the said Bishop and John supplicate that the Pope would reserve to him while studying in whatsoever university an annual pension of £10 of old sterling to be

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paid by the hands of the chamberlain or of the collector of the fruits of the monastery.

Fiat de consensu quorum interest. O. [Granted, with the consent of those whose interest it is.]

Florence, 7 Id. June, anno 3. 145, 45 [1 p.]

#### Michal.

## [No rubric]

Recently the Pope signed a supplication granting provision of the perpetual vicarage of LYLLISCHEF (£20 sterling, not £30, as therein stated), Glasgow diocese, to WILLIAM BROUNE, notwithstanding the archdeaconry of Orkney (£8 sterling). But the signature did not grant a dispensation sought for the incompatibility of these benefices. May the apostolic letters therefore be expedited with a grant of this dispensation and under the first date.

Fiat. O.

Florence, 7 Id. June, anno 3.

# 143, 125v [2 p.]

#### Reformatio

1420. 9 June. Florence. Abbot Walter and the convent of the monastery of ABBRBOTHOC, O.S.B., St. Andrews diocese, represent that it is alleged by some that through restrictions of the rules of Chancery the signature of their recent petition is of little benefit (modicum fructuosa); and, on account of the distance of the monastery from the city of St. Andrews and the frequent perils of the sea which have to be undergone in going thither, it is only with great difficulty and with much labour and expense that they can have the presence of the Bishop in the monastery or in their churches or chapels,—therefore they supplicate that, to obviate perils, and to spare labour and expense, and for the greater augmentation of divine worship, the apostolic letters about

1420. 7 June. Florence.

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their petition may be expedited with the grant of reconciling and of collating to minor orders, as petitioned.

Fiat ut petitur et sub prima data. O. Florence, 5 Id. June, anno 3. 143, 170 [<sup>1</sup>/<sub>4</sub> p.]

#### Concessio

Stephen, Master, and the brothers of the hospital of 1420. SOLTRE, O.S.A., St. Andrews diocese, that the Pope would 10 June. grant to them and their successors the right of wearing Florence. (deferre) rochets <sup>1</sup> within and without the said house, after the manner of other canons of the said order.

Fiat de consensu Abbatis. 0.2

Florence, 4 Id. June, anno 3.

143, 159v [1 p.]

#### Habilitatio

Lately EDWARD DE LAWEDRE, priest, St. Andrews 1420. diocese, M.A., obtained the signature of a certain commis- 10 June. Florence. sion, or supplication to obtain a commission, about the deprivation of a certain Andrew de Hawik from the parish church of LYSTON, St. Andrews diocese, and the provision of Edward thereto. He, not having lifted the letters thereanent (litteris super hoc non levatis), constituted his procurators purely and simply to resign in the hands of the Pope, as they did. But after the procurators had been constituted. Andrew paid a certain sum of money to Edward to continue friendship between them, which perhaps he would not have done if the procurators had not been constituted.3 Edward, fearing lest the foregoing might be evilly construed as simony and that he might be molested in future, supplicates that the Pope would rehabilitate him and restore him to his pristine state.

<sup>&</sup>lt;sup>1</sup> Rochet, 'a vestment of linen, of the nature of a surplice, usually worn by bishops and abbots.' (Oxford English Dictionary.) It was valued here for the sake of status.

<sup>&</sup>lt;sup>2</sup> Cf. p. 211.

<sup>&</sup>lt;sup>3</sup> Cf. p. 179.

notwithstanding the archdeaconry of Lothian, a dignity with eure in the Church of St. Andrews, about which he is litigating, and a certain grant of commission to be made about the provostship of the parish church of St. Giles of Edinburgh and its collation to him, and a grant of provision to be made of the perpetual vicearage of Carale, said diocese (total fruits £200 sterling), and notwithstanding defect of birth as the son of an unmarried man and an unmarried woman.

Fiat ut petitur et habilitamus. O.

Florence, 4 Id. June, anno 3.

143, 202v [1 p.]

#### Indulgentia

1420. 10 June. Florence. The monastery of CULROS, Cistercian order, Dunblane diocese, was founded of old by the kings of Scotland,<sup>1</sup> in honour of the most holy Confessor Servan, was copiously endowed by them, and up till the present day has been frequented by the faithful of that realm on the feast (solempnitute) of the said most glorious Servan. Unhappily in the not distant past it has been burned by the English enemies of the said realm,<sup>2</sup>—may the Pope therefore grant to all Christ's faithful visiting the monastery upon the 1st of July, the feast of the said Confessor, or giving pious alms for its restoration, an indulgence of six years (sex indulgentiarum annos) and as many quarantines, as often as they do so.

Fiat in forma. O. Florence, 4 Id. June, anno 3.

144, 84<sup>v</sup> [<sup>1</sup>/<sub>2</sub> p.]

Michael.

#### Dispensatio

1420. 11 June. Florence. WILLIAM BROUN, priest, St. Andrews diocese, to whom the Pope recently granted provision of the archdeaconry

<sup>&</sup>lt;sup>1</sup> Culross was founded by Malcolm, seventh Earl of Fife, about 1217, in honour of St. Serf. (Chronicle of Melrose, 129.)

<sup>\*</sup> Perhaps during the English invasions of 1384 and 1385.

of ORKNEY and the perpetual vicarage of LYLLISCHEF [cf. pp. 201, 206] and who has come from distant parts, not without great labours and expense and dangers by land and sea, to visit the Pope in Florence—that the Pope would dispense him to hold the said archdeaconry and vicarage together for life (if he obtain them on the strength of the above), with power of exchange for others, like or unlike, holding two only incompatible together.

Fiat ad quadriennium. O.

Florence, 3 Id. June, anno 3.

144, 206<sup>v</sup> [<sup>a</sup>/<sub>7</sub> p.]

#### Reformatio

Considering the magnitude and expense of the work 1420, required in building the bridge, of which mention was made, <sup>12</sup> June. near the church of Lysron, St. Andrews diocese, the bridge probably cannot be completed in ten years; and according to the rules of Chancery the indulgence thereanent was granted for ten years from the date of the supplication, a great part of which time will probably have elapsed (*forsitan et verisimiliter effluxerint*) before the above work is begun. May the indulgence therefore be granted for the duration of twenty years, and may it be sent by the quaestors <sup>1</sup> (quod possit mitti per questors).

Fiat de tribus annis alias in forma. O.

Florence, Prid. Id. June, anno 3. 143, 14v [1 p.]

#### [No rubric]

Formerly, at the instance of the parishioners of the 1420. parish church of VARIE CAPELLE [Falkirk], the Pope gave 12 Jane. mandate to revoke the union of this perpetual vicarage to the monastery of Holyrood of Edingbonich, O.S.A., St. Andrews diocese; therefore JOIN BOUMAKAR, rector of

<sup>&</sup>lt;sup>1</sup> For the different meanings of quaestor, see Du Cange Glossarium. The quaestor of a church was its advocatus or defensor.

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the parish church of Munyabroc, Glasgow diocese, (to whom the Pope gave mandate of provision to the same in a certain way, as is more fully contained in his petitions, signed by the Pope thereanent) supplicates that, if the above union happens to be revoked, the Pope would provide John to the said vicarage (£60 of old sterling), about which a suit between him and a certain John de Edingbonigh, monk of the above monastery, is hanging undecided in the Sacred Palace before a certain Auditor, whether void as above or in whatsoever way: notwithstanding the said parish church of Munyabroc, which he holds (£20 of old sterling), which he is ready to dimit, and which is of lay patronage.<sup>1</sup>

Fiat ut petitur. 0.

Florence, Prid. Id. June, anno 3. 143, 261 [1 pp.]

[The supplication of the parishioners is inserted verbally as above, p. 203.]

F. Aretin.

## Dispensatio

1420. 13 June. Florence. It is represented for the part of JOHN CAMBEL, rector of the parish church of ST. MEDAN [Kilmadan], Argyle diocese, U.J.B., of noble race, that lately he was dispensed by apostolic authority that, notwithstanding defect of birth as the son of an unmarried man and an unmarried woman, he might be promoted to all holy orders and hold a benefice with cure. By pretext of this dispensation he was promoted to minor and sub-deacon's orders, and obtained peaceable possession of the said parish church (£10 of old sterling), canonically collated to him. He supplicates that the Pope, granting him a richer grace, would dispense him to hold in perpetuity together with the said parish church, any ecclesiastical benefices whatsoever with cure or without cure, even if canonries and

<sup>&</sup>lt;sup>1</sup> The patronage of Muniabroc (modern Kilsyth) was granted by Maldouen, Earl of Lennox, to his sister Eva and her husband, the ancestors of the Callendar family. (*The Lennox*, 1: 215, 11, 407, 405-406.)

prebends, etc., with power of exchange as often as he pleases, holding two only incompatible together.

Fiat ut petitur pro utroque. O.

Florence, Id. June, anno 3.

143, 180 [1 p.]

[This is the first of the two supplications.]

# [No rubric]

JOHN GRAY, M.A., master in medicine, that the Pope 1420. would provide him to the perpetual vicarage of CARALE 14 June. Florence. (30 sterlings,)<sup>1</sup> St. Andrews diocese, void by the death outwith the Roman Court of the late Walter de Wardlaw, last possessor, or void in whatsoever way: notwithstanding that he holds the archdeaconry of Galloway (which is a dignity) and the canonry and prebend of Askirk in the Church of Glasgow (total fruits, 60 sterlings)<sup>1</sup>; dispensing him to hold the said vicarage with the archdeaconry, with power of exchange.

Fiat ut petitur pro omnibus quatuor et dispensamus cum ultimo. O.

Florence, 18 Kal. July, anno 3. 143, 218 [3 p.]

[This is the last of the four supplications.]

#### Reformatio

The Master and Brothers of the hospital of SOLTRE, 1420.0O.S.A., St. Andrews diocese, about the grant of wearing Florence. Florence. To hove, p. 2071—that recently the Pope granted their supplication by '*Fiat de consensu Abbatis*,' but they have no Abbot nor other superior of their own or of other profession, although in ordinary law they are under their diocesan bishop, who, however, is professed of no religious order. May the apostolic letters therefore be expeddited without the expression: '*consensu Abbatis*.'

Fiat de consensu Episcopi. O.

Florence, 15 Kal. July, anno 3.

144, 5 [1 p.]

<sup>1</sup> Above the word 'sterlingorum' there is a mark ÷ to denote error, presumably the omission of the coinage, librarum or marcarum.

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#### Commissio

1420. 19 June. Florence.

The parish church of CLACMANAN, St. Andrews diocese, by pretext of a union, annexation and incorporationmade (as is said) during the Schism by the late Clement VII (so-called in his obedience) without reasonable, or at least true, causes to the monastery of Camvskeneth, O.S.A., said diocese-is at present held in occupation by the said Abbot and convent who cause it to be served by a temporal vicar, or more truly a hireling (per temporalem vicarium sive verius mercenarium). But the monastery has abundant faculties for its sustentation and to support its burdens without the above union and incorporation, and the parishioners greatly desire that the cure of their souls should be entrusted to their own rector. They therefore supplicate that the Pope, adhering to the constitution of the Council of Constance thereanent (in hoc Constancie Sinodi de super tractanti inherentes constitutioni) would dissolve, revoke and cancel the foresaid union, annexation and incorporation, and would provide NICHOLAS DE ATHOLIA, canon of Dunkeld, B.Dec., to the above church (£40 of old sterling), whether void as upon the occasion when the union was effected, or howsoever void : notwithstanding that he holds a canonry and prebend and the precentorship of Dunkeld (a dignity with cure, £24 of old sterling), and that he is litigating in the Apostolic Palace about the vicarage of Stramiglo, said diocese, which he is ready to resign, etc.

Fiat ut petitur et committatur. O.

Florence, 13 Kal. July, anno 3.

144, 19v [13 pp.]

#### Reformatio

1420. 21 June. Florence. Correction made for the Abbot and convent of INCH-COLME (Sancti Columbe de Emonia), Dunkeld diocese, about the vicarage of the parish church of DALGATY, said diocese —that the apostolic letters may be expedited with the

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expression of the value of the monastery (£200 of old sterling); which was omitted in their petition.

Fiat. O.

Florence, 11 Kal. July, anno 3. 144, 74v [1 p.]

#### Michal.

#### Reformatio

Correction made for WILLIAM BROUNE about the arch- 1420.deaconry of ORKNEY. Since by error it was neglected to  $^3$  July. Forence. void before and also after the deposition of Peter de Luna (Benedict XIII) and at the time of the assumption of Pope Martin, may the apostolic letters therefore be expedited with the expression of the above and of all else necessary : notwithstanding that after the date of this grant the Pope granted him provision to the vicarage of the parish church of Lilsleve, Glasgow diocese (£20 of old sterling).

Fiat ut petitur. 0.

Florence, 5 Non. July, anno 3.

144, 137 [1 p.]

#### [No rubric]

MICHAEL DE STAYNTON, priest, St. Andrews diocese, 1420. that the Pope would provide him to the perpetual vicar.<sup>3</sup> July. age of the parish church of STRAMGLO (£16 in case of <sup>Florence</sup>, non-residence (*inportatorum*), but £24 of old sterling, by common estimation). Dunkeld diocese, when it becomes void by the assecution of another incompatible benefice by Nicholas de Atholia, present possessor, or in whatsoever way: notwithstanding the perpetual vicarage of the parish church of Aberledy, said diocese, which he is ready to resign.

# [No rubric]

PHILIP CLERICI, priest, St. Andrews diocese, that the Pope would provide him to the perpetual vicarage of ABERLEDY (£10 for a non-resident and £15 of old sterling,

according to common estimation), Dunkeld diocese, as soon as it becomes void by the assecution of another ecclesiastical benefice by Michael de Staynton, present possessor, or in whatsoever way: notwithstanding defect of birth as the son of an unmarried man and an unmarried woman, for which he has been dispensed by apostolic authority.

Fiat ut petitur pro omnibus quinque. O.

Florence, 5 Non. July, anno 3. 145, 7 [14 pp.]

[These are the second and third supplications in the rotulus.]

#### Mandatio

1420. 4 July. Florence. For CELESTINE MACGILLAMICHEYL about the vicarage of the parish church of Sr. BEDAN IN BEAN EDDER DALOCH [St. Modan in Benderloch], Argyle diocese. Since through inadvertence or error it was stated in his supplication that the vicarage was void by the death of Cristin, when in fact it was void by the death of the late Laurence Maccondyn, may the letters therefore be corrected in Chancery and expedited with the expression of voidance as above, and gratis at mandate because full payment was made for the first letters in all the papal offices ; and under the first date.

Fiat. O.

Florence, 4 Non. July, anno 3.

# 144, 200<sup>v</sup> [<sup>1</sup>/<sub>3</sub> p.]

#### Michal.

#### Nova provisio

1420. 10 July. Florence. Formerly ROBERT STEWART, student in arts, precentor of MORAY (who was dispensed by apostolic authority to hold ecclesiastical benefices notwithstanding defect of birth), obtained possession by ordinary authority of a canonry and prebend and the above precentorship of the said Church, void by the death outwith the Roman Court of the late John de Spinito, last possessor, and held and possessed them thereafter, as he does at present, peaceably and quietly. But for certain causes he doubts the validity of this assecution and the consequences, and therefore supplicates that the Pope would ratify and confirm the same and if need be provide him anew to the said canonry, prebend and precentorship (a non-major dignity with cure, £40 of old sterling), whether void as above, or by the free resignation of the said John, or even if he were a chaplain of the Apostolic See, or a scriptor of apostolic letters of the Sacred Penitentiary, or otherwise an official : notwithstanding the canonry and prebend of Thore [Turiff] in the Church of Aberdeen and of Retre in Dunkeld (total fruits £100 of old sterling).

Fiat ut petitur. O.

Florence, 6 Id. July, anno 3.

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145, 54 [11 pp.]

#### Commissio

The parish church of KYRKTON OF ST. NINIAN near Streveling, St. Andrews diocese, by pretext of a union, 15 July. Florence. etc., made during the Schism by Clement VII without reasonable, or at least true, causes to the monastery of CAMBUSKENETH, O.S.A., St. Andrews diocese, is ruled by a temporal vicar or hireling. Therefore [for the same reasons as Clackmannan, p. 212] the parishioners supplicate that the Pope would dissolve, revoke and cancel the foresaid union, etc., and would provide the said church (£70 of old sterling), whether void as on the occasion of effecting the union, or by the death of the last secular possessor, or howsoever, to ADAM CRISTINI, priest, Dunkeld diocese : notwithstanding that the said Adam is known to hold the vicarage of the parish church of Bonkil (20 marks sterling), Dunkeld diocese, which he is ready to dimit.

Fiat ut petitur pro omnibus quatuor, pro primo si ex falsis causis, et committatur. O.

145, 143 [14 pp.] Florence, Id. July, anno 3.

[This is the first of the four supplications.]

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#### Michal.

#### Confirmatio

1420. 16 July. Florence.

Of late on the voidance of the monastery of HOLYROOD of Edinburgh, O.S.A., St. Andrews diocese, by the free resignation of John de Leth, canon, formerly Abbot, in the hands of the Ordinary, HENRY DE DRYDEN, canon of the said monastery, Lic.Dec. and counsellor of the Governor of Scotland and of the Earl of Douglas, was unanimously (concorditer) elected Abbot by the Prior and convent, had confirmation by the Ordinary, had himself blessed and then, for the evident utility of the monastery and also considering that recourse was not wont to be had to the Apostolic See for provision to the said monastery, especially at a time of union in the Church (potissime in ecclesia Dei unionis tempore), he thenceforth ruled the monastery in spiritualities and temporalities as he rules it laudably at present. In order that the said election and confirmation should have greater strength the foresaid Ordinary, Governor and Earl supplicate that the Pope would ratify the foregoing with all the consequences, and would moreover provide Henry to the said monastery (£800 of old sterling), whether void as above or howsoever : notwithstanding defect of birth as the son of a married man and an unmarried woman, for which he has been sufficiently dispensed for the present purpose (quo ad hoc).

Fiat ut petitur. O.

Florence, 17 Kal. August, anno 3. 145, 147 [11 pp.]

#### [No rubric]

1420. 18 July. Florence. Since the perpetual vicarage of the parish church of Sr. CUTHEERT under the Castle (*de sub castro*) of Edinburgh, St. Andrews diocese, is wont to be ruled by canons regular of the Order of St. Augustine, and is void at present by the promotion of Henry de Dryden, perpetual vicar of the same, to the abbacy of Holyrood of Edinburgh, said order and diocese, and by his blessing, therefore JOHN DE INNYRKETHING, priest, canon regular of the foresaid monastery and diocese, B.Dec., present in Curia, supplicates that the Pope would provide him to the said parish church (£30 sterling), void by promotion, as above, especially because the Pope formerly granted him provision when this promotion should be made.

Fiat ut petitur. O.

Florence, 15 Kal. August, anno 8. 145, 167 [ p.]

Nova provisio

THOMAS DE PENIKUKE, priest, St. Andrews diocese, B.Dec., 1420. perpetual vicar of the parish church of Bathet, said diocese, Florence. had mandate of provision to the parish church of Kynel, said diocese, with dispensation to hold it together with the said vicarage for a year after obtaining peaceable possession, after which time the vicarage should become void. Thereafter, on the strength of this dispensation and for the sake of exchange, he resigned the said parish church of Kynel before the year had elapsed and before he had obtained peaceable possession, and obtained in exchange by ordinary collation the parish church of KEMBAKE. resigned by Master George de Neuthoun. And because for certain causes the validity of the foregoing is doubted by some, therefore Thomas supplicates that the Pope would ratify and confirm the exchanges, resignations, collation, assecution and consequences, and, so far as need be, provide him to the said parish church of Kenbake (£20 of old sterling), whether void as above or howsoever.

# [No rubric]

Recently, on the voidance of the parish church of ST. CUTHBERT under the Castle, St. Andrews diocese, by the election, etc., of Henry Abbot of Holyrood, JOHN BENYNG, canon expressed of the said monastery and in priest's orders, accepted the same by virtue of an expectative grace, had provision and obtained possession. But it is asserted by some that promotion (prefectionem) to the

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abbacy of the said monastery ought to be made by the Holy See, and that recently a certain petition was signed about the confirmation of the election, provision, etc., of Abbot Thomas; therefore John doubts the validity of his acceptance and provision, and lest he may in future be molested about the said church, it is supplicated that the Pope would provide him to the same (£30 of old sterling), whether void as above, or howsoever.

Fiat.

#### Nova provisio

Formerly, NICHOLAS DE STITHEL, priest, St. Andrews diocese, B.Dec., by ordinary collation obtained the parish church of DUNENATH [? Dunino], said diocese, void by the death outwith the Roman Court of the late John de Strevelyng, last rector, and possessed it thereafter, as he does at present. But since for certain causes there is some doubt as to the validity of this collation and the consequences, it is supplicated that the Pope would confirm the same, and so far as need be provide him anew to the said parish church (£10 Scots), whether void as above, or howsoever.

Fiat ut petitur pro omnibus tribus. O. Florence, 15 Kal. August, anno 3. 145, 174<sup>v</sup> [3 pp. -]

Michal.

#### [No rubric]

1420. 19 July. Florence. Since David de Lyndesay proposes and desires freely to resign the canonry and prebend of ABERDOUXR (which he holds peaceably in the Church of Aberdeen and which are in the patronage of the Earl of Buchan<sup>1</sup> by reason of his barony of Kynnedewart) in favour of JAMES LYNDESAX, of noble race, priest, rector of the parish church of Inchebrioch, St. Andrews diocese, M.A., B.Dec.—therefore it is supplicated for the part of David and James that the

<sup>&</sup>lt;sup>1</sup> John Stewart, son of the Duke of Albany, created Constable of France, and killed at Verneuil, 1424.

Pope would give mandate to someone resident in the Roman Court to admit the resignation, and, if he have proof (si sibi constitutive) of the consent of the patron, to collate and provide James to the said canonry and prebend ( $\pounds$ 20 sterling Scots), whether void as above, or howsoever : notwithstanding that he holds the said parish church ( $\pounds$ 40 Scots), and suffers defect of birth as the son of an unmarried noble and an unmarried woman, for which he is dispensed by the Apostolic See.

Fiat ut petitur. 0.

Florence, 14 Kal. August, anno 3. 145, 178 [1 p. -]

#### Michal.

#### Reformatio

WILLIAM BROUNE, priest, St. Andrews diocese, that 1420. formerly the Pope granted him, and provided him anew 19 July. to, the archdeaconry of ORKNEY (with an expression of the reservation of the same), along with the vicarage of LILLISCLEVE, Glasgow diocese; but the reservation under which the archdeaconry was comprehended was not clearly expressed in the original grant, and because this latest grant [i.e. of new provision] is posterior in date, it is feared (hesitetur) that the apostolic letters cannot be expedited and that the dispensation is surreptitious; therefore he, who in coming from remote parts to the Roman Court and in residing therein has been so greatly burdened with hardships and expense that he is unable to expedite other letters about the above dispensation, supplicates that the Pope would cancel the first dispensation, if and so far as opportune, and would give mandate to expedite the apostolic letters about the last grant with a new expression of dispensation to hold the archdeaconry for life together with the vicarage of Lilliseleve, Glasgow diocese, with power of exchange, under date of the said last grant.

Fiat quod littere predicte possint expediri sub data ultime concessionis. O.

Florence, 14 Kal. August, anno 3. 145, 195v [1 p. +]

Michal.

#### Dispensatio

1420. 19 July. Florence. Henry Bishop of St. Andrews, in the person of his counsellor, WILLIAM STEPHANI, rector of the parish church of LESTAKYK [Restahrig], St. Andrews diocese, that the Pope would dispense him to hold for life together with the said parish church, which is of lay patronage <sup>1</sup> and which he holds (£40 of old sterling), one other ecclesiastical benefice with cure or otherwise incompatible, even if a parish church, etc., with power of exchange for others like or unlike, holding two only incompatible together.

Fiat. O.

Florence, 14 Kal. August, anno 3. 145, 217 [3 p.]

Michal.

#### Dispensatio

1420. 23 July. Florence.

Lately, Peter de Luna (Benedict xIII) before his deposition dispensed GILBERT CAUEN, rector of the parish church of CARNEMOL [Kirkinner], Galloway diocese, to hold with it for three years the parish church of St. Andrew of PURTON, said diocese, which is of lay patronage.2 But the end of the three years is at hand, and Gilbert is clerk of Archibald Earl of Douglas and instructor of his eldest son, and is B.Dec., and formerly he was canonically elected to the Church of Galloway, void by the death of the late Bishop Helesius,3 and failed to obtain it not through his own demerits but because prevented by another 4 (suaque intencione non suis demeritis sed per alium preventus frustratus), and had been dispensed by the abovesaid Peter to hold for life the archdeaconry of Galloway, a dignity with cure, which he then held, together with the parish church of Carnemol. Therefore the above Archi-

<sup>1</sup> It was in the patronage of the Logans of Restalrig.

<sup>3</sup> Elisaeus Adougan.

<sup>&</sup>lt;sup>2</sup> The Glendinnings of Parton. (See M'Kerlie, Lands and their Owners in Galloway, v. 35.)

<sup>&</sup>lt;sup>4</sup> Thomas de Butil, who was provided by Benedict XIII. in 1414, while Caven was elect of the chapter. (See Dowden, 367.)

#### RELATING TO SCOTLAND

bald and Margaret Countess of Douglas, his wife, daughter of the late Robert King of Scotland, in the person of the said Gilbert, supplicate that the Pope would dispense him to hold for life the said parish churches which he possesses (total fruits £80 sterling), with power of exchange, etc., holding two only incompatible together.

#### Dispensatio

Lately, Peter de Luna (Benediet XIII) before his deposition, dispensed ALEXANDER DE CARNES, priest and provost of the collegiate church of LYNCUWDAN, Glasgow diocese, a non-elective principal dignity with eure, and in lay patronage,<sup>1</sup> to hold with it for seven years the parish church of VIGTON, Galloway diocese. But the end of the seven years is at hand, and Alexander is the intimate counsellor and kinsman of Archibald Earl of Douglas, and M.A. of Paris ; therefore the above Archibald in the person of Alexander supplicates that the Pope would dispense him to hold together for life the said benefices, which he possesses (total fruits £200 sterling), with power of exchange as above : notwithstanding the canory and prebend of Lyntoni in the collegiate church of Dunbar (£40 sterling), St. Andrews diocese, which he holds.

Fiat ad triennium pro utroque. O.

Florenee, 10 Kal. August, anno 3. 14

145, 218v [2 pp.]

Michal.

# Habilitatio cum nova provisione

Formerly John Dalchet, priest, then perpetual viear of 1420. the parish church of Lesewade, St. Andrews dioeese, and 23 Jure Patrick Stephani, then reetor of the parish church of Penikuke, said dioeese, resigned their benefices for the sake of exchange, but simony was committed in the resignation, wherefore the benefices are considered void and the parties to the exchange inhabilitated. Therefore PATRICK STEPHANI SUPPlicates that the Pope would habili-

<sup>&</sup>lt;sup>1</sup> Of the Earls of Douglas, the founders.

tate him and provide him to the foresaid vicarage of the parish church of LESEWADE (£40 sterling Scots), of which he has had peaceable possession for six months, taking up the fruits, albeit de facto, whether void by the above resignation or in whatsoever way.

Fiat ut petitur de novo, et absolvamus, O. Florence, 10 Kal. August. anno 3. 145, 262 [7 p.]

Creten.

## Commissio

Formerly after THOMAS PURIOK, canon regular, professed of the Cathedral Church of ST. ANDREWS in Scotland, O.S.A., with the will, licence and express consent of the Prior and convent and for the evident good and utility of the same, had caused certain coal seams (carbonaria) in the lands of the said Church to be prospected and mined (perquiri et effodi) at the substance (bonis) and expense of himself and his friends, even selling his own patrimony, and had found them and had built a house with a walled garden within the bounds of the said monastery (in circuitu infra dictum monasterium), the Prior and convent with the licence, will and authority of Henry Bishop of St. Andrews made an agreement with Thomas that he should recover his expenses from the fruits, rents and profits of the said coal seams as a first charge (primitus et ante omnia), and that if the coal seams should bring in to the conventual house £40 of current money, he should have £20, if 40 marks that he should have 20 marks, if £20, £10, if 20 marks, 10 marks, by way of pension for life-for eight years in schools where he wishes, and for the rest of the time residing in his monastery Church, and that he and Michael de Balcongy, perpetual vicar of the parish church of Luchris, St. Andrews diocese, might dwell for life in the house which he had built with the garden; and they dispensed him for the said period of eight years to dwell in the schools and to study in any lawful faculty (as is contained in the letters and instruments thereanent, which he is ready to show). But-since the said Thomas, who is

1420. 23 July. Florence.

moved by love of possessions, and who ought to have 18 marks of like money yearly from the convent for his sustentation in food and dress, seems likely to burden the convent if he should recover his expenses in this way and also if he receive half of the yearly revenues of the said coal seams,-he therefore supplicates that the Pope, in place of his expenses, pension and sustentation in food and clothing, would reserve to him for life a pension of 40 similar marks from the lands of new Grange of Drumcarow (in et super terris grangie nove de Drumcarow) which he now has to a certain term : which reservation being made, he offers to remit and renounce all the above expenses and other pensions; and also that the Pope would dispense him to remain for life in a university (in generali studio) or other honest place of the said order without requiring a licence of his superior, and to levy other possessions with what may remain of his pension and to make restitution to those who ought to succeed in his patrimony, which was sold as above, and that he and the said Michael and the longer liver of them may possess for life the above-specified house with its garden, as was granted by the said convent.

Fiat ad vitam suam de quadraginta libris si cedit in evidentem utilitatem ecclesie et committatur Ordinario. O. [Granted  $\pounds 40$  for life, if for the evident utility of the church; and let it be committed to the Ordinary.]

Florence, 10 Kal. August, anno 3. 145, 264 [14 pp.]

#### Michal.

#### [No rubric]

Since William de Oterburne, rector of the parish church 26 July. of DUNOTYR, St. Andrews diocese, proposes freely to Florence. resign the said parish church which he holds, JOIN DE BALMYLE, priest, said diocese, supplicates that the Pope would give mandate to some good man *in partibus* to admit the resignation and collate and assign him to the said church (£20 sterling), whether void as above or howsoever.

Item : since William [sic] de Balmyle, canon sacrist

of Glasgow, proposes freely to resign the canonry and prebend of IRSKYNE in the said Church, which he holds, the above WILLIAM DE OTERBURNE, M.A., B.L., supplicates that the Pope would give mandate as above to collate and assign to him the above said canonry and prebend, even if the office of sacristan is annexed (£20 sterling), whether void as above or howsoever.

Fiat ut petitur pro utroque. O. Florence, 7 Kal. August, anno 3.

145, 253 [1 p.-]

Michal.

#### Visitatio

1420. 26 July. Florence, Archibald Earl of Douglas, Lord of Galloway and Annandale, devoted and eldest son of the Pope in the realm of Scotland (devotus filus et primogenitus Sanctitatis Vestre in Regno Scocie), in the person of his counsellor GEORGE DE BORTHWIK, of noble race, B.Dec., archdeacon of Glasgow, —that the Pope would grant him licence, at least for ten years, to visit monasteries, parish churches and all the other places within his archdeaconry by a fit and sufficient procurator, and to take up the procurations in money : especially because he ought to assist the said Earl on public business (propter bonum reipublice), and could not visit personally without great personal danger.

Fiat in forma. 0.

# Commissio privationis

Formerly a certain Columba de Dunbar, alleged clerk, St. Andrews diocese, upon his promotion to the archdeaconry of Lothian in the Church of St. Andrews by ordinary authority, simply dimitted the parish church of LOCHORWART, said diocese, to which GEORGE DE BORTHWIK was provided, also by ordinary authority, and which he has now possessed for a year and more. Nevertheless George doubts that the provision of the archdeaconry and its consequences are not valid because collation did not pertain to the Ordinary, and also because, after it was shown to Columba that the Pope had provided another, namely Master Edward de Lawedr, to the said archdeaconry as to a reserved benefice, he by no means dimitted the same, but intruded himself therein, attacking the authority of his Holiness, saying that there was little holiness about him, and that if his Holiness had reserved the said archdeaconry for his daily sustenance he would not rejoice in it. And because he gave trouble about dimitting the said archdeaconry the faculty of returning to his former benefices is prohibited, especially considering (attente eciam) that he obtained his claim in and to the said church [of Lochorwart] by an exchange of the canonry and prebend of Duns in the collegiate church of Dunbar. St. Andrews diocese, which he violently detained together with the deanery of the said collegiate church for several years against canonical sanctions; whereby he has rendered himself unworthy of holding any of his benefices. Moreover he was a rebel against apostolic letters, especially those concerning the said archdeaconry, because the executor who was sent in the execution of his citation to the castle of his parents, in the presence of Columba was seized in the said castle by his mother and was violently dragged away as if he were a robber, and the letters of citation snatched from him with threats. This being a bad example and a scandal to the ecclesiastical state, he deserves to be deprived of all ecclesiastical honour : and the above Earl in the person of the said George therefore supplicates that the Pope would give mandate to some judge in the Roman Curia or in partibus to cite Columba and to inform himself summarily about the above, and if he find it or any of it to be true, to deprive Columba of the right which he had or alleged to have in or to the church of Lochorwart (£30 of old sterling), and to provide George to the same, whether void as above, or by the death of Walter de Vardlaw, late possessor, or void in whatsoever way : notwithstanding the archdeaconry of Glasgow, a dignity with cure (£200 sterling).

Fiat ut petitur. 0.

Florence, 7 Kal. August, anno 3.

145, 254 [24 pp.]

Ρ

[No rubric]

1420. 26 July. Florence. THOMAS DE PENIKUKE, priest, St. Andrews diocese, B.Dec., perpetual vicar of the parish church of BATHET, said diocese [recapitulating previous dispensations, as above, p. 24], supplicates that the Pope would provide him to the said vicarage, which would otherwise become void at the end of a year after obtaining peaceable possession of another benefice according to the decree thereanent; and would dispense him to hold the same (20 marks sterling Scots) for life together with the parish church of Kenbake (\$20 of like sterling), which he holds; with power of exchange.

Fiat ad annum. O.

Florence, 7 Kal. August, anno 3.

145, 258 [11 pp.]

## Indulgentia

1420. 21 August. Florence. That the Pope would grant relaxation of seven years and as many quarantines of imposed penance to all Christ's faithful who, penitent and confessed, annually on the usual feast days appointed by Chancery (in festicitatibus per Cancellariam Vestrac Sanctitatis dari consuetis) and on that of the Exaltation of the Holy Cross, will visit the perpetual chaplaincy founded at the altar of Holy Cross in the parish church of St. Mary of DINTONE [Dunoon] by John Cambell, inhabitant of the said place.

Fiat pro omnibus sex in forma. O.

Florence, 12 Kal. Sept., anno 3.

[This is the last of the six supplications. The diocese of the church of Dunoon is not mentioned in the text, but the initial L (for Lismore) is found in the margin.]

Michal.

146, 22 [ p.]

#### Reformatio

1420. 23 August. Florence.

Correction for ALEXANDER DE CARNIS about dispensation to hold incompatible benefices. That the apostolic

Michal.

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letters upon his supplication to hold two incompatibles (which was signed by the Pope, *Fiat ad triennium. 0.*') may be expedited with dispensation for life, or at least at the pleasure of the Apostolic See.

Fiat ad quinquennium. O.

Florence, 10 Kal. Sept., anno 3.

#### Michal.

147, 211 [3 p.]

#### Dispensatio

JOIN DE CAMERON, perpetual vicar of the parish church 1420. of LEVINSTON, St. Andrews diocese, nuncio of Robert <sup>25</sup>August. Duke of Albany, Governor of Scotland, to the Pope, Lic.Dec., official of Lothian in the Church of St. Andrews, that the Pope would dispense him to hold for life, together with the said parish church which he possesses (20 sterling), another ecclesiastical benefice with cure or otherwise incompatible, with power of exchange as often as he pleases, holding two only incompatible together.

Fiat ut petitur. O. Florence, 8 Kal. Sept., anno 3.

147, 180<sup>v</sup> [<sup>4</sup>/<sub>5</sub> p.] Deca. Seguntin.

## [No rubric]

Formerly Malcolm de But, rector of the parish church of 1420. Aqhyndor [Auchindoir], Aberdeen diocese, and John de <sup>26</sup> August. Fyffe, viera of the parish church of LOTHREISK, St. Andrews diocese, made an exchange before the Ordinary, on the strength of which Malcolm obtained the vierarge of Lothrersk and John the rectory of Aqhyndore, and held them for a considerable time. But Malcolm suffers defect of birth as the son of an unmarried man and an unmarried woman, and was not dispensed to hold an ecclesiastical benefice, wherefore the Pope provided the said vicarage to Walter Blare, elerk, St. Andrews diocese, who afterwards impetrated another benefice with cure and an incompatible, making no mention in his impetration of the vicarage of Lothreysk,

and so it is asserted by some that the vicarage is void at present on account of this impetration. Therefore Jorn DE ABIRDOUER, clerk, Dunkeld diocese, who with heavy labours and expenses has visited the Papal Court in the city of Florence, far distant from the parts of Scotland, supplicates that the Pope would provide him to the said vicarage of Lothreysk (£20 of old sterling), whether void by the above surreptitious impetration, or by the invalid dispensation or non-dispensation of Malcolm, or because Malcolm is known to hold the administration (*ministrationem*) of the goods of the hospital of St. John Ouctherogale [Ouchterogate] (£13 sterling), St. Andrews dioeese, without dispensation, or void in whatsoever way.

Fiat ut petitur. 0.

Florence, 7 Kal. Sept., anno 3.

146, 27 [14 pp.]

#### Michael.

#### Indulgentia

The bailies and whole community of the royal burgh of INVERKETHING (burgi devotissimi filii vestre Jacobi Regis Scocie), St. Andrews diocese, had an altar in honour of the Holv Cross and another in honour of St. Mary the Virgin constructed in the parish church of Inverkething, said dioeese, and partly founded and endowed a chaplaincy at each, and intend to endow them more fully. But on account of an outbreak of fire in the said town the rents of the altars are so greatly diminished that they cannot suffice for the sustentation of the chaplains unless through papal succour. May the Pope therefore grant to all who, truly penitent and confessed, shall visit the foresaid altars in any year on the feasts of Holy Cross and of the Assumption and Nativity of the Blessed Virgin,1 and who stretch out helping hands to the augmentation and endowment of the chaplaincies, as often as they do so, three years and as many guarantines of true indulgence, to last in per-

1420. 26 August. Florence.

<sup>&</sup>lt;sup>1</sup> Feast of the Assumption of the Blessed Virgin is 15 August, and of her Nativity, 8 September.

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petuity or at least until the rents of the said altars are raised to 20 marks sterling annually; 1 granting faculty to the priests ministering at the altars to give a simple blessing, and imposing excommunication upon all who alienate the lands or steal the possessions of the altars, etc.1

Fiat in forma. O.

Florence, 7 Kal. Sept., anno 3.

# Commissio

That the Pope by bull or otherwise (per litteram sub bulla clausam vel alias) would give mandate to the Bishop of 26 August. St. Andrews to confirm by apostolic authority an annual pension assigned to JOHN DE LETH. erstwhile Abbot of HOLYROOD, O.S.A., from the fruits of the monastery. which he resigned in the hands of the said Bishop his Ordinary on account of blindness and for other causes. provided that there be no fraud nor guile, simony nor illicit pact : the said pension being already confirmed by the Bishop by his ordinary authority, and John being at present in pcaceable possession of it.

Fiat et committatur non sibi. O.

Florence, 7 Kal. Sept., anno 3.

Michal

146, 95v [2 p.]

#### Concessio

THOMAS DE CLAPPYRION, canon professed of Holvrood 1420. of Edinburgh, O.S.A., St. Andrews diocese, who fervently 26 August. desires to prosecute the study of the seven liberal arts, Florence. supplicates that the Pope would grant him licence freely and lawfully to study the same outwith his monastery (the licence of his superior sought, albeit not obtained).2

146, 63 [1 p. -]

1420. Florence.

<sup>&</sup>lt;sup>1</sup> Cancelled. Marginal note : Ita cassatum in originali,

<sup>&</sup>lt;sup>2</sup> supplicat . . . quatenus de licentia sui superioris petita licet non obtenta ul in quocumque studio generali . . . studere dignemini eidem licenciam misericorditer impertiri.

with mandate to the Abbot, prior and chapter of the said monastery to give him £10 sterling as maintenance for five years in place of his conventual portion, while studying.

Fiat de consensu Abbatis. O.

Florence, 7 Kal. Sept., anno 3.

146, 122<sup>v</sup> [<sup>1</sup>/<sub>2</sub> p.]

## Michal.

# Reformatio

1420. 28 August. Florence.

Correction for ANDREW DE HAWICK about two incompatibles. In an expectative grace he was dispensed to hold for life (with power of exchange) the parish church of Liston, together with a dignity, personatus, etc., to be collated to him through the said expectative grace. But because Andrew hopes to be provided otherwise and perhaps more speedily to another ecclesiastical benefice, he therefore supplicates that the apostolic letters upon his dispensation may be expedited in such a form that he may hold any ecclesiastical benefice with cure or otherwise incompatible with the above parish church, and that the expectative comprised in his dispensation may not thereby expire, but that he may hold another incompatible benefice as well as the dignity to be collated through the expectative grace together with said church of Liston at least for one year, and that in the meantime he may exchange one of these two for another, compatible with the one retained ; and that he may hold two incompatibles for life, with power of exchange ; and under the first date.

Fiat. O.

Florence, 5 Kal. Sept., anno 3. 146, 8 [1 p.]

## Reformatio

1420. 28 August. Florence. Correction for the EARL OF DOUGLAS about the union of the vicarage of the parish church of VARIE CAPELLE, St. Andrews diocese, with the monastery of HOLYROOD of Edinburgh, O.S.A., said diocese.

In the supplication about the confirmation of the above union signed by the Pope 'Fiat in forma,' under date Prid. Non. Jan. [4 January], anno 3, by the negligence of the draftsman (supplicationem formantis) it was omitted to express that the value of the monastery is £700 of old sterling, and the vicarage £50 of old sterling. The Earl of Douglas therefore supplicates that the apostolic letters may be expedited with expression of the above, decreeing the supplication of the King to be reasonable cause for the union.

Fiat. O.

Florence, 5 Kal. Sept., anno 3.

146, 10 [3 p.]

#### Michael.

1420.

#### Si neutri

Formerly after JAMES LYNDESAY, M.A., B.Dec., of noble race, rector of the parish church of INCHEBRIOCH, St. 30 August. Florence. Andrews diocese, had possessed the said church peaceably for ten years and more, he perceived that a certain Alexander de Foularton, alleged clerk, said diocese, was attempting to disturb him in his peaceable possession, and he obtained a cause and causes which he was intending to move against Alexander to be committed to a certain Auditor of the Sacred Apostolic Palace of Causes, and citation with inhibition to the parties to be decreed, execution not yet having taken place (illa nondum executioni mandata). It is asserted by some that neither James nor Alexander has right in or to the said rectory ; therefore James supplicates that, if by the event of the suit it be found as asserted, the Pope would provide him to the said rectory (£45 sterling), void in whatsoever way : notwithstanding the canonry and prebend of Aberdouir which he holds in the Church of Aberdeen (£30 sterling), and defect of birth as the son of an unmarried noble and an unmarried woman.

Fiat ut petitur. O.

Florence, 3 Kal. Sept., anno 3.

147, 101 [<sup>4</sup> p.]

Si neutri

In a suit or cause which is hanging undecided in the Sacred Apostolic Palace of Causes before Geminiano de Pratis, Auditor of Causes, about the parish church of RATHOW, St. Andrews diocese, between Alexander de Lawedre, alleged clerk, said diocese, plaintiff (agentem) on the one side, and on the other INGERAM LYNDESAY, B.Dec., rector of the said parish church, defendant (reum) and possessor, it has been proceeded to some judicial acts short of conclusion. It is however asserted by some that neither of the litigants has right in the said church; therefore it is supplicated for the part of Ingeram that the Pope would give mandate to the said Auditor that, if by the event of the suit it be found as asserted, he collate, assign and provide Ingeram to the said church with all its rights and pertinents (£50 sterling), whether void by the assecution of the canonry, prebend and deanery of Glasgow by George de Hawden, or by the deprivation, dimission or resignation of Alexander in the presence of a notary public and witnesses, or void in whatsoever way : notwithstanding defect of birth which he suffers as the son of an unmarried baron, knight, and an unmarried woman, for which he is sufficiently dispensed by the Apostolic See : and notwithstanding the right which he alleges to have in the canonry and prebend of Castibearris [Castiltaris: Carstairs] in the Church of Glasgow (£10 sterling), also the vicarage of the parish church of Munkton (£10 sterling).

Glasgow diocese, which he holds and is ready to dimit.

Fiat ut petitur. 0.

Viterbo, 13 Kal. Oct., anno 3.

146, 128 [1] pp.]

# IV. MARTIN V

[No rubric]

WALTER BOUMAKER, Abbot of Incheolme (de Insula Sancti Columbi), O.S.A., Dunkeld diocese, S.T.B., B.Dec., that the Pope would provide him to the abbacy of HOLY-

1420. 19 Sept. Viterbo.

1420. 22 Nov. Rome, S. Peter's.

#### Creten.

ROOD of Edynburgh, said order, St. Andrews diocese, a dignity, with cure and elective, but not major post pontificalem (£80 [sic] of old sterling), void by the death outwith the Roman Court of Henry de Dryden, last Abbot and possessor, or in whatsoever way: notwithstanding the abbacy of Incheolme which he possesses and is ready to resign.

Fiat.

#### [No rubric]

WILLIAM BEL, priest, canon professed of the monastery of Scone, O.S.A., St. Andrews diocese,—that the Pope would reserve for collation to him the abbacy of HORITOLME, O.S.A., Dunkeld diocese, a dignity with cure and elective (£200 of old sterling) when it becomes void by the promotion of Walter Boumakar to the abbacy of Holyrood of Edynburgh or to any other abbatial dignity, or void in any other way except by the death of Walter : <sup>1</sup> notwithstanding an expectative grace to the monastery of Inchaffray, said order, Dunblane diocese, which he is ready to resign.<sup>1</sup>

Fiat ut petitur pro utroque. O.

Rome, S. Peter's, 10 Kal. Dec., anno 4.

148, 58v [1 p. +]

# [No rubric]

EDWARD DE LAWEDRE, priest, St. Andrews diocese (son 1420. of the late Alan de Lawedre, lord of Halton, uncle of the <sup>22</sup><sub>Rome</sub>, Rome, 'a. Bishop of Glasgow<sup>2</sup>), M.A. of Paris, who has studied S. Peters.

<sup>&</sup>lt;sup>1</sup> Non obstante commissione monasterio [or monasterii ?] Insule Missarum ejusdem ordinis Dunblanensis diocesis pro eodem Wilelmo per expectativam gratiam in Curia Romana misericorditer concessa cui paratus est cedere dum etc.

<sup>&</sup>lt;sup>8</sup> William Lauder, son of Robert de Lauder and Annabella his wife, was appointed Chancellor of Scotland before 8 January 1421-1422. (*Reg.* Glas, ii, 30-450; *R.M.S.*, ii. 169). Dowden (318 n) remarks that the arms on his seal 'show that he was of the ancient family of the Lauders of the Merse '; and this supplication confirms his conclusion. Hatton is in Ratho parish, hear Editburgh.

theology (in sacra pagina) for five years,—that the Pope, would provide him to the parish church of CARNEMAL, Galloway diocese, even if it pertains to the Prior and convent of Whithorne (Candide Case), Premonstratensian order, said diocese (£40 of old sterling), void by the death outwith the Roman Court of the late Gilbert Cawen, last possessor, even if he were a chaplain of honour, or void in whatsoever way : notwithstanding the archdeacomy of Lothian (about which he is litigating), the provostship to be created in the church of St. Giles of Edruburgh, and the perpetual vicarage of Carall (total fruits, £200 of old sterling); and notwithstanding defect of birth as the son of an unmarried man and an unmarried woman.

Fiat ut petitur pro omnibus sex. O.

Rome, S. Peter's, 10 Kal. Dec., anno 4. 148, 101<sup>v</sup> [1 p.] [This is the third of the six supplications in the *rotulus*.]

[No rubric]

1420. 25 Nov. Rome, S. Peter's. RIGHARD DE CRETH, U.J.D., erstwhile Auditor of the Apostolic Palace of Peter de Luna (Benedict XII),--that the Pope would provide him to the treasurership of DUNKELD (£30 Scots), which is a dignity with cure but not major *post pontificalem*, void by the death outwith the Roman Court of Master William Ramsay, last possessor, who was dispensed to hold it with the parish church of Methfen, or void in whatsoever way : notwithstanding the parish church of Kynkell (£100 Scots), Aberdeen diocese ; and that the Pope would dispense thim to hold the treasurership and the said parish church together for seven years : notwithstanding the right which he has in the precentorship of Moray (£50 Scots), which is unjustly occupied by another.<sup>1</sup>

Fiat ut petitur pro utroque. O.

Rome, S. Peter's, 7 Kal. Dec., anno 4. 148, 60<sup>v</sup> [<sup>3</sup>/<sub>4</sub> p.] [This is the second of the two supplications.]

<sup>1</sup> Probably William Croyser. (C.P.R., vii. 67, 92-93.)

Creten.

# [No rubric]

MICHAEL OUCHTRE, B.Dec., obtained the deanery of 1420. DUNBLANE (a non-elective major dignity with cure), 25 Nov. collated to him by ordinary authority on its voidance by S Peter's the death outwith the Roman Court of the late Donald de Vite,1 and then obtained a canonry and prebend of the above Church (which according to the statutes and customs of the Church cannot be held with the deanery), and also the parish church of STROGETH [Strageath], said diocese. He supplicates that the Pope would provide him to the said deanery (£26 of old sterling) and also to the parish church, void by assecution of the deanery (£10 of old sterling), and would dispense him to hold them together for life, especially because he was formerly dispensed by the Pope to hold incompatibles for five years ; and with power of exchange, as often as he pleases, of both of these and of any other incompatibles which he may obtain in future, holding two only incompatible together: notwithstanding defect of birth as the son of a priest and an unmarried woman, for which he is sufficiently dispensed by the Apostolic See.

Fiat ut petitur pro omnibus sex et de utroque pro primo et dispensamus. O.

Rome, S. Peter's, 7 Kal. Dec., anno 4.

148, 82v [11 pp.]

[This is the first of the six supplications in the rotulus.]

Deca. Seguntin.

#### Nova provisio

Formerly, before his deposition, Peter de Luna (Bene-1420. diet XIII) gave mandate of provision of the parish church <sup>2</sup> Dec. of RATHOW, St. Andrews diocese, to ALEXANDER DE Rome, AVEEDER, subdeacon, said diocese, brother german of the

<sup>&</sup>lt;sup>1</sup> Spelt de Victe at folio 237<sup>v</sup>, where the supplication is recapitulated. The person referred to is Donald de Bute.

Bishop of Glasgow, Lic.Dec. of Paris and archdeacon of DUNKELD, who obtained peaceable possession of the same. He also dispensed Alexander to hold for life two incompatible ecclesiastical benefices, even if major elective dignities with cure, with power of exchange as often as he pleased. But in the letters upon his provision and dispensation Alexander is alleged to be of knightly race, whereas, although he is a kinsman of sundry knights in the second and third degrees, yet neither his grandfather nor his great-grandfather was a knight. In his provision it was also negligently omitted to mention the value of the said archdeaconry, which he then possessed. He therefore doubts the validity of the foresaid provision and dispensation, and supplicates that the Pope would ratify and confirm the same, and, so far as need be, provide him anew to the said archdeaconry (even if a canonry and prebend are annexed) and to the above parish church of Rathow (total fruits, £80 of old sterling); and would also, so far as need be, dispense him anew.

Fiat ut petitur et dispensamus. O.

Rome, S. Peter's, 4 Non. Dec., anno 4.

148, 163v [12 pp.]

Cretcn.

### Dispensatio matrimonialis

1420. 9 Dec. Rome, S. Peter's. MARGARET DE BORTHWYK, widow of William de Abirnethy, St. Andrews diocese, and WILLIAM DE DOUGLAS, eldest son of James de Douglas, knight, of Dalkeith, supplicate that in order to put an end to discords among their friends, the Pope would dispense them to contract matrimony together, notwithstanding that the said William de Abirnethy and William de Douglas were related in the third degree of consanguinity.<sup>1</sup>

Fiat ut petitur. 0.

Rome, S. Peter's, 5 Id. Dec., anno 4. 148, 172v [1 p.]

<sup>&</sup>lt;sup>1</sup> Cf. C.P.R., vii. 170.

### RELATING TO SCOTLAND

# Reformatio

MICHAEL OUCHTRE, B.Dec., dean of DUNKELD [rectius 1420. Dunblanc],—that his supplication to hold the said deancry 13 Dec. Rome, and parish church of STRONGETH [Strageath] was signed S. Peter's. '*Fiat ut petitur et dispensamus.*' But because by the signature the dispensation was not granted for life, and because when all ordinary burdens are deducted the fruits are so seant that they are notoriously insufficient for the fitting sustentiation of the dean, Michael therefore supplicates that the apostolic letters may be expedited granting the dispensation for life, and that he may hold two incompatible benefices.

Fiat de dispensatione ad quinquennium. O.

Rome, S. Peter's, Id. Dec., anno 4. 148, 237 [11 pp.]

#### Reformatio

JOIN DE MERTOUN,—that the apostolic letters on his 1420. supplication about the vicarage of the parish church of 23 Dec. ENERLITLANE, signed 5 Kal. Aug., anno 2 [28 July 1419], Smer, may be expedited under this date, with a statement that the value of the benefices which he holds is £300 sterling, and that he was collated by ordinary authority.

Fiat. O.

Rome, S. Peter's, 10 Kal. Jan., anno 4. 150, 15v [2 p.]

#### Michal.

### Reformatio

THOMAS DE ARBROTH, canon regular of St. Andrews in 1420. Scotland, O.S.A.,—that the Pope formerly made him a <sup>23</sup> Dec. grace of the priory of INCHEMOQHOLMO [Inchmahome], S. Peter's. Dunblane diocese. In his supplication the priory was stated to be void by the death of the late William, last Prior, but the last Prior was called not William, but Patrick, de Cardros. Therefore, lest the grace be rendered useless, may the apostolic letters be expedited as if the

true name had been mentioned, and transferring the said Thomas from the monastery of St. Andrews to that of Inchemogholmo, same order and habit, Dunblane diocese.

Fiat. O.

### [No rubric]

HENRY GUDSWANE, monk of Dunfermlyn, O.S.B., St. Andrews diocese,—that the Pope would provide him to an ecclesiastical benefice, administration, etc., void or to be void, wont to be governed at present by monks of the said monastery and pertaining to the collation of the Abbot and convent of the same.

Fiat ut petitur. 0.

#### Concessio

For the part of JOHN DE OWTHTERGAWN, monk of DUNFERMLYN, as above, it is represented that he has wisely exercised the office of almoner of the said monastery for some twenty years (*a viginti annis ct citra*), has made houses and other reparations, and at great cost and expense is having rebuilt the chapel of St. Catherine Virgin,<sup>1</sup> which was destroyed and demolished, and has rendered an account of all the rents and fruits every year or at the will of the Abbot. May the Pope therefore give mandate by his letters that John may not be removed from that office by any authority until he has been able to carry out his plan for the rebuilding of the said chapel; or would at least grant him *commend* of the office (£20 sterling) for ten years.

Fiat quod non amoveatur sine causa. O. [Let him not be removed without cause.]

Rome, S. Peter's, 10 Kal. Jan., anno 4. 150, 83 [2 pp.]

<sup>&</sup>lt;sup>1</sup> The chapel of St. Catherine was in existence in 1327. (Registrum de Dunfermelyn, 253-254.)

Creten.

# [No rubric]

DAVID DE CRAGY, clerk, Orkney diocese, of noble race, 1420. that the Pope would provide him to the archdeaconry of <sup>30</sup> Dec. Rome, SHETLAND (Schellandie), in the Church of Orkney, province S. Peter's. of Trondjeim, a dignity with eure, but not elective, nor major post pontificalem (50 marks sterling), void by the death outwith the Roman Court of Walter de Buchania, last true archdeacon, and pertaining to apostolic disposition because no legitimate provision was made within lawful time; or void in whatsoever way : notwithstanding defect of age (being in his twenty-third year), for which he wishes dispensation.

Fiat ut petitur. 0.

Rome, S. Peter's, 3 Kal. Jan., anno 4. 150, 73v [2 p.]

# [No rubric]

Since the canonry and prebend of KYNCARDYN in the 1420. Church of Aberdeen (£100 sterling), void by the death  $^{30}$  Dec. contwith the Roman Court of the late Donald de Bute, S. Peter's. last canon and prebendary, belong to lay patronage,<sup>1</sup> therefore ANDEW DE HAWICK, priest, rector of the parish church of Liston, St. Andrews diocese, supplicates that, if the patron neglects to present someone within the lawful time, the Pope, reserving the canonry and prebend to apostolic disposition, would provide him to the same : notwithstanding the above parish church which he possesses (£100 sterling).

Fiat ut petitur pro omnibus quatuor. O.

Rome, S. Peter's, 3 Kal. Jan., anno 4. 150, 133<sup>v</sup> [<sup>3</sup>/<sub>4</sub> p.] [This is the last of the four supplications.]

<sup>&</sup>lt;sup>1</sup> The prebend of Kincardine-O'Neil was erected in the Church of Aberdeen in 1330. In the charter of erection the patronage was vested in Duncan Earl of File and his heirs. (*Registrum Aberdonense*, 1, 51, CI, *Collections for a History of the Shires of Aberdeen and Banff*, 158, 215, 213, which identify the prebend of Kincardine with Kincardine-O'Neil.)

# Commissio privationis

1421. 4 January. Rome, S. Peter's.

Some of the parishioners of the parish church of CRAW-MONDE, Dunkeld diocese, and JOHN FELDEW, priest, St. Andrews diocese, complain that Adam de Gordoun, priest, perpetual vicar of the said church, is not the guardian of their souls but is like a rapacious wolf, neglecting the cure, whereby some of the parishioners have ended their days without the sacraments ; and [likewise complain] that on account of his frequent absence and running about (discursus) divine worship and the cure of souls are utterly neglected ; and that to those whom he knew to be excommunicate and suspended he administered the sacraments; also that, laying violent hands upon a certain layman, he so flogged him that he was rendered sick and impotent and is said to have died within six months thereafter; also that he does not keep peace with his parishioners but is called among them a common brigand ; and that he has committed many other excesses and crimes, as is common fame in those parts. Therefore the above parishioners and John Feldew supplicate that the Pope would give mandate to the Ordinary or to some other priest that, if he find the above, or sufficient of it, to be true, he deprive and remove Adam, and collate and provide John to the said vicarage (£20 sterling), with all its rights and pertinents, whether thus void by deprivation or in whatsoever way: notwithstanding the perpetual vicarage of the parish church of Inverkelor (20 marks sterling), St. Andrews diocese.

Fiat ut petitur pro omnibus sex, pro primo et tercio in forma juris. O.

Rome, S. Peter's, Prid. Non. Jan., anno 4.

150, 231v [1<sup>2</sup>/<sub>5</sub> pp.]

[This is the first of the six supplications in the rotulus.]

#### Perinde valere

1421.

 7 January. Rome, S. Peter's.

 Under date 5 Kal. Feb., anno 1 [28 January 1418], the S. Peter's.

 Pope by apostolic letters provided JOHN FELDEW, priest,
 St. Andrews diocese, B.Dec., to a canonry with reservation of a prebend, a dignity, personatus, etc., in the Church of Aberdeen, also to a benefice in the collation of the Abbot and convent of the monastery in Dunfermlyn, O.S.B., St. Andrews diocese, and willed that as soon as he obtained the dignity, personatus, etc., he should dimit the vicarage of the parish church of Kylmany, said diocese, which he possessed. John by virtue of the above letters obtained legitimate possession of the vicarage of the parish church of Strevelin 1 (40 marks or thereabout). But afterwards, at the instance of the Governor of Scotland, and according to the Pope's decreet having first dimitted the parish church of Kylmanny (£10 2 . . .), he exchanged the said church of Strevelin with a chaplain of the Governor for the vicarage of the parish church of INVERKELOR, said diocese (20 marks). Therefore the Governor supplicates the Pope to grant that the above expectative grace and consequent processes (exinde confecti) may be valid in all respects as if he had obtained no ecclesiastical benefice on the strength of the same; and that he may accept, and be provided by the executors to, the benefices comprised therein, and hold them together for life or at least for five years, with power of exchanging one of the incompatibles for another compatible.

Fiat et sub prima data. O. Rome, S. Peter's, 7 Id. Jan., anno 4. 150, 80 [1<sup>1</sup>/<sub>2</sub> pp.]

#### H. Proc.

#### Perinde valere

Lately Pope Boniface IX<sup>3</sup> (so-called in his obedience), 1421. under date Non. Aug., anno 7 [5 August 1396], provided 7 January. ANGUS DE KIRLUES by apostolic letters to the archdeaconry S. Peter's. of SchETLAND in the Church of Orkney, void by the free

<sup>&</sup>lt;sup>1</sup> It was a benefice in the collation of Dunfermline, hence his 'legitimate possession ' by virtue of the above letters.

<sup>&</sup>lt;sup>2</sup> Doubtful reading.

<sup>&</sup>lt;sup>3</sup> 1389-1404. Clement VII. and Benedict XIII. were reigning successively as Anti-popes at Avignon.

resignation of the late Adam Cardinal Priest of St. Cecilia's,1 who held it by grant of the Apostolic See. But it is asserted by some that the above archdeaconry was and is void not as above, but by the death outwith the Roman Court of the late Walter de Buchania, clerk, and that in the above letters the value of the archdeaconry was not sufficiently expressed. Therefore Angus, who has peaceably possessed the said archdeaconry for twenty-three years less or more and who has recovered a canonry and prebend annexed thereto, supplicates that the Pope would declare the above letters and the processes and consequences whatsoever to be valid in all respects as if the archdeaconry (which is a non-major dignity with cure) had been and at present is void by the death of the said Walter or in whatsoever way, and as if the fruits, which have been increased by the recovery of the above canonry and prebend, had been sufficiently expressed as at 27 marks of pure silver.

Fiat ut petitur. O. Rome, S. Peter's, 7 Id. Jan., anno 4. 150, 181 [1 p.]

# [No rubric]

ALEXANDER BESET, clerk, St. Andrews diocese,—that the Pope would provide him to the viearage of the parish church of KYLKOWER [Kilgour] <sup>2</sup> (20 marks of old sterling), St. Andrews diocese, void by the death outwith the Roman Court of Master <sup>3</sup> Richard Cady, last possessor, or void in whatsoever way.

## [No rubric]

PHILIP RESTOUN, priest, St. Andrews diocese,—that the Pope would provide him to the vicarage of the parish church of BATHKAT (20 marks of old sterling), St. Andrews

1421. 10 January. Rome, S. Peter's.

<sup>&</sup>lt;sup>1</sup> Adam de Eston, an English Cardinal; died 1397. (Éubel, i. 23.)

<sup>&</sup>lt;sup>2</sup> Now united with the parish of Falkland.

<sup>&</sup>lt;sup>3</sup> i.e. he is Master of Arts. His name does not appear in the records of St. Andrews University, but he is styled B.Dec. on pp. 125, 178.

diocese, void by the death as above of Master Thomas de Penicok, last possessor, or void in whatsoever way.

Fiat ut petitur pro omnibus sex. O.

Rome, S. Peter's, 4 Id. Jan., anno 4. 150, 292 [2 p.]

[These are the last two supplications of the six in the rotulus.]

### Michal.

## [No rubric]

INGERAM LYNDESAY, priest, rector of the parish church 1421. of Rathow, St. Andrews diocese, B.Dec., of a race of barons, 11 January. Rome, 2010 and sufficiently dispensed for defect of birth (as in former S. Peter's, supplications), that the Pope would provide him to a canonry and prebend and the archdeaconry of DUNKELD, a non-major dignity, void by the promotion of Alexander de Lawedre to the canonry and prebend of Barlanarke in the Church of Glasgow and his dimission of this archdeaconry (£40 sterling), or void in whatsoever way : notwithstanding defect of birth, and notwithstanding the above parish church of Rathow (£40 sterling) about which he is litigating, and the vicarage of Monkton, Glasgow diocese, which formerly he offered to dimit if he obtained peaceable possession of Rathow, and the right which he alleges to have in the canonry and prebend of Castibrarius [Casteltaris, Carstairs] in the Church of Glasgow (£10 sterling); and would dispense him to hold for life together with the said archdeaconry the parish church of Rathow, if he obtain it, and if not, then the vicarage of Monkton. which has cure (£10 sterling); with power of exchange, holding two only incompatible together.

Fiat ut petitur. 0.

Rome, S. Peter's, 3 Id. Jan., anno 4. 150, 292 [11 pp.]

Michal.

#### Concessio

1421.

Henry Bishop of St. Andrews in the person of his Rome, familiar, brother WILLIAM DE DALKETH, monk professed S. Peter's.

of the monastery of Aberbrothock, O.S.B., S.T.B., of his diocese,-that the Pope would grant him a pension of 20 marks Scots from the fruits of the said monastery for seven years, so that he might repair to the University of Paris or to any other where there exists a faculty of theology, there to perfect his said study and obtain a higher degree (ibique in dicta studia perficere et gradum suscipere ampliorem); and that the Pope would appoint a certain executor to compel the Abbot and convent by ecclesiastical censures to pay the pension.

Fiat in forma extravagantis.<sup>1</sup> O.

Rome, S. Pcter's, 15 Kal. Feb., anno 4.

150, 300<sup>v</sup> [1 p.]

Michal. Jo. de Cervantes.

#### Surrogatio

1421.

Rome,

S. Peter's.

Formerly the Pope,-considering that by occasion of 25 February. certain controversies and suits about ecclesiastical benefices between WALTER STEUART, son (natum) of Robert King of Scotland,<sup>2</sup> and Alexander de Lawedre archdeacon of Dunkeld, and Thomas de Mirthon canon of Brechin, serious scandals might result among their kinsmen and friends, and desiring to allay (sopare, rectius soporare) these controversies by a mutual agreement of the parties,-with the will and consent of Alexander and Thomas (then in the Roman Curia) decreed and ordained that they should resign the benefices which they then held. Thomas, the deanery of GLASGOW (to which he had been provided by apostolic authority on the death outwith the Roman Court of George de Houden), Walter, the canonry and prebend

<sup>&</sup>lt;sup>1</sup> The Extravagants were declarations of canon law, published after the compilation of the decretals made by Gratian in the first half of the twelfth century. 'The numerous constitutions thus published by authority of the Holy See were described by mediaeval lawyers as "decretales extra Decretum Gratiani vagantes," or more shortly as "decretales extravagantes."' (R. S. Mylne, The Canon Law, 31.)

<sup>&</sup>lt;sup>2</sup> Probably the illegitimate son of Robert II mentioned in the Scols Peerage, i. 17. No facts concerning him are there stated.

of Barbanarchz [Barlanark] in the Church of Glasgow, and Alexander the archdeaconry of Dunkeld, and that they should cede the deanery to Walter, the canonry and prebend to Alexander, the archdeaconry to Thomas ; and further decreed that if Walter refused to consent to these statutes and ordinances, Thomas should proceed to carry out the exchange with Alexander of the deanery for the archdeaconry, and if he presumed to infringe or violate the foregoing, he should thereby lose all right in or to the said deanery and the provision of it made to him should be null and void (as is said to be more fully contained in apostolic letters thereanent). Afterwards, however, Thomas opposed the foregoing and obtained commission of a cause against Walter and Alexander about the deanery before a certain Auditor of the Apostolic Palace, and citation of Alexander to oppose the commission (ad dicendum contra commissionem),-thereby losing all right in or to the abovesaid deanery, about which also a suit pends undecided between Thomas and a certain David Hamilton, clerk, Glasgow diocese.1 Therefore Walter supplicates that the Pope would surrogate him to the right which Thomas had at the time when he forfeited it, and would provide him to the said deanery, a major dignity (£100 of old sterling), whether void by the death of George or in whatsoever way : notwithstanding that he possesses the above canonry and prebend (£50 of old sterling), which he is ready to dimit.

Concessum ut petitur.

Rome, S. Peter's, 5 Kal. Mar., anno 4.

149, 47v [15 pp.]

# Si neutri

Formerly on the voidance of the deanery of DUNELANE, 1421. MICHAEL OUCHERE, B.D.C., canon prebendary of the said 11 March. Church, was collated by ordinary authority by William <sup>Rome</sup>, S.Peter's. Bishop of Dunblane, to whom collation, provision and

<sup>1</sup> See C.P.R., vii. 258.

disposition fully pertained; and he obtained possession and holds it at present peaceably and quietly, or nearly so (seu quasi). 1 After he had obtained possession however, John Sen[escalli], alleged clerk, St. Andrews diocese, is said to have impetrated the said deanery ; and against him and all and sundry others claiming interest Michael obtained commission of a cause before a certain Auditor of the Sacred Apostolic Palace of Causes,1 who proceeded to some judicial acts, but short of conclusion. Furthermore, it is asserted by some that neither of the litigants has right in or to the said deanery. Therefore Michael supplicates that the Pope would give mandate to the said Auditor that. if by event of the suit or otherwise he find the above assertion to be true, he provide Michael by apostolic authority to the same with its rights and pertinents (£26 sterling), whether void by the resignation of the said John Senescalli, or by his assecution, made or to be made, of another benefice incompatible with the said deanery, or void in whatsoever way; and would also surrogate him in and to all right (if any) competent to John after such resignation or assecution : notwithstanding the parish church of Strangeth, Dunblane diocese, and a canonry and prebend of Dunblane (total fruits £18 of old sterling); and notwithstanding defect of birth, etc. [as above, p. 235].

Concessum ut petitur.

Rome, S. Peter's, 5 Id. Mar., anno 4.

149, 23v [13 pp.]

1421. 17 March. Rome, S. Peter's.

### Commissio privationis

According to canonical sanctions and the rules of the Order of St. Benedict, monasteries and priories and, above

<sup>&</sup>lt;sup>1</sup> The Latin text is clumny and curious : Est verum bealisime Pater quod pro parte Johannis Sentjescalli asserti clerici. Sanchandree duccesis postquan idem Michael eundem decanatum ut prefertur sibi collatum, fuit assecutus idem decanatum dicitur impetratus contra quem idem Michael ut lies in ejicdem absentia inter eosidem non orientur in vestro sacro palatio aposolilos causarum certo domino eiusidem palatii causarum Audilori causan quan versimiliter sibi moveri limebat inter ipsum et dicitum Johannem omnesque alios et singulos una interesse putantes committe oblimit aque feci.

all, conventual houses ought to be ruled by reverend men, fearing God, the Apostolic See and their other superiors, and living an honest and regular life, and who know how and are willing to rule wisely and well and themselves to set a good example to their subjects to observe canonical statutes and rules, to augment the goods of the monastery or preserve them from dilapidation. Moreover, in cases of prelacies reserved to apostolic disposition no one ought to enter upon the administration without the testimony of apostolic letters. Ecclesiastical persons, also, are bound to observe the statutes and customs of their churches and monasteries as they have sworn, and to live in chastity according to their vow. Nevertheless JOHN STELLE, who bears himself as Abbot of LUNDORIS, O.S.B., St. Andrews diocese, spurning the above and forgetful of his own weal. after provision to the monastery had been reserved to apostolic disposition by Peter de Luna (then Benedict XIII) alleging that he was elect by the convent (although the election was invalid on account of the reservation), entered upon the administration without apostolic letters or provision and detained it thereafter, as he does at present, unlawfully occupied, publicly keeping a concubine. Moreover, although in the statutes of the monastery, which he had sworn to observe, it is expressly forbidden to appoint bailies or intromitters with the goods and possessions of the monastery without seeking and obtaining the common advice of the convent, nevertheless John in violation of his oath appointed intromitters or bailies without common counsel and, when charitably warned and required, was unwilling to dismiss certain laymen, suspect to the convent; and otherwise he dilapidated and alienated the possessions and goods of the monastery to the peril of his soul and to the pernicious example and scandal of many. About these things matter of question has arisen between him and certain monks of the monastery who have appealed from him to the Apostolic See ; and John, casting some of them in prison, has persecuted them sorely (aliquos ex eis carceribus mancipando fuit graviter persecutus). Wherefore the greater and wiser part of the convent supplicates that the Pope would give mandate to the Abbots of Scone and Balmurinoc, foresaid diocese, and to the dean of Dunkeld, together and severally, that, if they find the foregoing, or sufficient of it, to be true, they remove John from the administration or rule of the monastery, and if need be deprive him, and by apostolic authority provide brother FINLAY IGYL, monk professed and formerly chamberlain of the monastery, priest, bachelor in theology.

Concessum quod committatur in forma juris.

Rome, S. Peter's, 16 Kal. Apr., anno 4.

149, 259 [11 pp.]

Registratum. H. Holet. J. Ost.

H. Proc.

### Surrogatio

In a suit pending in the Roman Curia between the late Alexander Barberii, priest, Aberdeen diocese, and Thomas de Grenlaw, deacon, St. Andrews diocese, about the archdeaconry of CAITHNESS, it was proceeded to some acts short of conclusion when the foresaid Alexander died outwith the Roman Court. Therefore NICHOLAS TUNNOK, priest, St. Andrews diocese, M.A. of Paris, supplicates that the Pope would give mandate to the Auditor of the cause to surrogate him in and to all the right (if any) of Alexander in the said archdeaconry and to admit him to the prosecution and defence of the suit in the state in which Alexander would have been admitted had he lived, and would provide him to the said archdeaconry with the canonry and prebend annexed (an office with cure, 40 marks sterling), whether void as above or in whatsoever way, even if specially or generally reserved to apostolic disposition because Alexander was a chaplain of the Apostolic See, or a familiar of Benedict XIII before his deposition : notwithstanding that he holds a canonry and prebend of Ross (12 marks sterling) and the parish church of Furvy [Forvie], Aberdeen diocese (16 marks sterling); dispensing him to hold the

1421. 7 April. Rome, S. Peter's. above archdeaconry and parish church together for seven years.

Fiat ut petitur et dispensamus. O. Rome, S. Peter's, 7 Id. Apr., anno 4.

151, 183 [1 p. +]

Jo. de Cervantes.

[No rubric]

JOHN DE SETHANE, priest, Glasgow diocese, that the 1421. Pope would provide him to the parish church of  $Q_{UWXK} \overset{9}{Rome}$ , [Cults] (220 of old sterling), St. Andrews diocese, void by S. Peter's. the death outwith the Roman Court of the late Robert de Monros, chaplain of honour of the Apostolic See, or by the free resignation of the said Robert, or howsoever.

Fiat ut petitur. 0.

Rome, S. Peter's, 5 Id. Apr., anno 4. 151, 211v [3 p.]

#### Dispensatio

JOHN FELDEW, priest, St. Andrews diocese, B.Dec., 1421. nuncio specially sent (destinatus) to the kingdom of Scot. <sup>13</sup> April. Rome, land and to the Collector General there,<sup>1</sup>—that the Pope S. Peter's. would dispense him to hold for life two ecclesiastical benefices with cure or without cure, even if dignities, etc., with power of exchange as often as he pleases : notwithstanding the perpetual vicarage of the parish church of Inverkeloris (£20 sterling), said diocese, which he holds at present; and his expectative graces, etc. [enumerated as in p. 241].

Fiat ut petitur ad triennium. O.

Rome, S. Peter's, Id. April, anno 4. 151, 216 [5 p.]

<sup>&</sup>lt;sup>1</sup> James de Haldenston, Prior of St. Andrews. (Copiale, 265, 368.) Master John de Opizis was appointed 'sole collector and nuncio in the realm of Scotland ' in September 1425. (C.P.R., vii. 4.)

Michal.

# Dispensatio matrimonialis

WALTER STEUART of Levenax,<sup>1</sup> Glasgow diocese, and JONETA DE ERSKYN, daughter of Robert de Erskyn, knight, St. Andrews diocese, —that the Pope would dispense them to contract and remain in matrimony, notwithstanding that they are related in the third and third degree of consanguinity.

Fiat ut petitur. 0.

Rome, S. Peter's, 6 Kal. May, anno 4. 151, 248 [2 p.]

### [No rubric]

1421. 26 April. Rome, S. Peter's.

1421.

26 April.

S. Peter's.

Rome.

JOHN DE KEEMOR, priest, St. Andrews diocese, B.Dec., abbreviator of apostolic letters,—that the Pope would provide him to the parish church of QWHYLITS [Cults] (£30 sterling), St. Andrews diocese, void by the death outwith the Roman Court of the late Robert de Monros, chaplain of the Apostolic See, and therefore reserved to apostolic disposition ; whether void as above or in whatsoever way : notwithstanding the right which he has in the parish church of Mukirsi (£14 of old sterling), Dunkeld diocese, about which he is litigating and which he does not possess; dispensing him to hold the above church for three years along with the right which he has in the church of Mukirsy.

Fiat ut petitur. O.

Rome, S. Peter's, 6 Kal. May, anno 4.

151, 252v [7 p.]

Jo. de Cervantes.

[No rubric]

DAVID DE HAMYLTON, M.A., B.Dec. of Paris, and for six years a student of theology there, of noble race, clerk,

1421. 6 May. Rome, S. Peter's.

<sup>&</sup>lt;sup>1</sup> Second son of Murdach Duke of Albany. This dispensation is printed by Andrew Stuart, *History of the Stewarts*, 451; and is calendared in *C.P.R.*, vii. 176.

Glasgow diocese, that the Pope would provide him to the parish church of QurwyLr (£20 of old sterling), St. Andrews diocese, void by the death of the late Robert de Monros, chaplain of honour of the Apostolic See, etc. [as above] : notwithstanding the parish church of Comnok and the chapel of St. Thomas the Martyr, Glasgow diocese,<sup>1</sup> which are of lay patronage and which he possesses, also the right which he alleges to have in the deanry of Glasgow, which he does not possess and about which he is litigating, etc. (total fruits, £200 sterling); dispensing him to hold for life the parish church of Quivylt (if collated to him by virtue of the presents) together with the above parish church of Comnok, with power of exchanging one of them for another incompatible benefice.

Fiat ut petitur et dispensamus ad biennium et permutet. O. [Granted, and we dispense him for two years, and he may exchange.]

Rome, S. Peter's, Prid. Non. May, anno 4. 151, 295<sup>v</sup> [1<sup>1</sup>/<sub>3</sub> pp.]

### H. Prot.

### Nova provisio

Although ALEXANDER DE LAWEDRE, archdeacon of Dunkeld, according to the will and decreet of Peter de Luna <sup>7</sup> May. (Benedict XII) in the letters by which he provided him to <sup>8</sup> Peter's. the parish church of RATHOW, St. Andrews diocese, was bound upon obtaining peaceable possession of the said church to dimit the canonry and prebend of Edilsten in the Church of Glasgow, and, although it was contained in the said provision that he had freely offered to do so, nevertheless—believing that this dimission had not been the intention of the said Peter de Luna, because if

<sup>&</sup>lt;sup>1</sup> St. Thomas's chapel was situated near St. Thenau's chapel, not far from the old mercat cross, and near the site of the modern St. Encod. Square, The chapel of St. Thomas of Canterbury, Archbishop and martyr, was still existing in 1593. [See Orig: Par. Scol, i. 5, ] The patronage belonged to the Hamiltons of Cadzow, ancestors of the Dukes of Hamilton. (Hist. MSS. Commission, vol. sit., Hamilton Refort, a.7)

he dimitted the above canonry and prebend and perpetual vicarage of Old Roxburg, Glasgow diocese, which he then held, he would obtain little or no grace, especially since at that time he had been unanimously (concorditer) elected to the deanery of Glasgow-he held and possessed the said canonry and prebend and parish church of Rathow for a year and more, taking up the fruits in good faith and with the intention of better ascertaining the mind of the said Peter upon the dimission of the canonry and prebend. When he was afterwards certified of his will and decreet, some years ago, he utterly dimitted them to the person to whom the said Peter had ordered (cosdem canonicatum et prebendam illi cui dictus Petrus ordinaverat . . . dimisit). Subsequently, after the deposition of Peter by the Council of Constance, on the representation of the above to him by Ingeram Lyndesay, alleged clerk, Peter gave mandate to certain alleged judges in partibus that, if on citing Alexander and others who ought to be called, they found the narrative of Ingeram to be true, they should deprive and remove Alexander and collate and assign the said parish church with all its rights and pertinents to Ingeram. These judges, as is asserted, proceeding as instructed, passed sentence of deprivation upon Alexander (although absent at the time in Paris for the sake of his studies) and provided Ingeram. Subsequently, in a suit pending in the Apostolic Palace about the above church between Alexander and Ingeram, two definitive sentences were promulgated for Alexander and against Ingeram, and appeal being made for the latter, the cause was committed to a certain Auditor in the Roman Curia, who is said to have proceeded to some acts but short of conclusion. Since it is asserted by some that on account of the occupation and detention of the above canonry and prebend with the parish church, the provision and assecution made in favour of the oftenmentioned Alexander and all the consequences lack validity, he therefore supplicates that the Pope would provide him to the same (£40 of old sterling), whether void by the occupation of the canonry and prebend, etc. against the decreet of Benedict, or void in whatsoever way, abolishing all inhability on account of the foregoing, and, if and as far as need be, habilitating him anew: notwithstanding the canonry and prebend and deanery of Glasgow, and the canonry and prebend of Barlanark (total fruits £150 of old sterling).

Fiat ut petitur et habilitamus. 0.

Rome, S. Peter's, Non. May, anno 4.

151, 296 [2<sup>1</sup>/<sub>2</sub> pp.]

#### H. Prot.

#### Reformatio

MICHAEL OUCHTRE, about the deanery of DUNBLANE. 1421. Since the things sought in his supplication were not  $\stackrel{9}{\text{May}}$ . Rome, granted in the signature, he supplicates that the Pope would S. Peter's, give mandate to the said Auditor, or to another by surrogation, to collate and provide him to the above deanery, if it becomes void by the promotion of John Senesealli to another church, or in whatsoever way, and to surrogate him in and to all the right of John in or to the same, and to expedite the apostolic letters thereanent : notwithstanding any dispensation granted or to be granted to John to hold incompatibles.

Fiat. O.

Rome, S. Peter's, 7 Id. May, anno 4.

151, 298 [11 pp.]

### Dispensatio

JOHN ELWALD, priest, Glasgow diocese, M.A. of Paris, 1421. etc.,—that the Pope lately dispensed him to hold the per <sup>19</sup> May. petual vicarage of the parish churches of SELKERK REGIS S. Peter's. and MARKINCHE (total fruits £40 sterling), Glasgow and St. Andrews dioceses, together for five years, and also to hold a dignity by virtue of an expectative grace with power of exchange, as is contained in the said dispensation. But it is asserted that the end of the five years is at hand, and

the expectative grace has not yet had full effect. May the Pope therefore prorogue the term to another five years.

Fiat ad triennium ultra et permutet. O. [Granted for three years longer, and that he may exchange.]

Rome, S. Peter's, 14 Kal. June, anno 4.

152, 153 [3 p.]

# Mandatio

INGERAM LYNDESAY,—that the Pope formerly made him a grace Si neutri about the parish church of RATHOW, St. Andrews diocese, as is contained in his supplication. But according to the rules of Chancery this grace is rendered null, because the apostolic letters thereanent were not expedited within six months from the date of the grace. He therefore supplicates that the Pope would give mandate to expedit the letters from the date of the grace.

Fiat ut petitur. 0.

Rome, S. Peter's, 10 Kal. June, anno 4.

152, 184 [1 p.]

Creten.

### Perinde valere

1421. 26 May. Rome, S. Peter's.

1421.

23 May.

S. Peter's.

Rome,

Lately, under date 6 Kal. Feb., anno 1 [27 January 1418], the Pope provided JoHN WERE, canon of Glasgow, etc., to a canonry of Glasgow with reservation of a prebend and to an ecclesiastical benefice in the collation of the Bishop of St. Andrews and the Prior and chapter of St. Andrews, as is contained in the letters. By virtue of the said letters and the processes arising therefrom, John accepted the parish church of FORTEVYOT, St. Andrews diocese, within the legitimate time, and obtained provision but not within the prescribed time, nor did he publish his acceptation and provision according to constitution ; and he procured a cause about the said church to be committed in the Apostolic Palace, with eitation of his adversary, then in *partibus*. He fears, however, that by reason of the foregoing his grace, letters and processes may be invalidated (de invalidatione redargui posse). He therefore supplicates that if it be found that he has no right in and to the said church, the Pope would decree the above grace, letters and processes to be valid from the date in all respects as if the acceptation and provision [of Forteviot] had never taken place, and would restore them and him to the state in which they were before the acceptation and provision, so that John may accept a canonry and prebend and dignity and an ecclesiastical benefice; and that the Pope would dispense him to hold for seven years a parish church or its perpetual vicarage along with the above parish church, which he possesses, with licence of exchange.

Fiat et sub prima data et dimittat quod habuit dum etc. O. [Granted as from the first date, and let him dimit what he held.]

Rome, S. Peter's, 7 Kal. June, anno 4.

152, 191 [11 pp.]

Creten.

### Dispensatio matrimonialis

Lately WALTEE SPREULE, Glasgow diocese, contracted 1421. espousals per verba de futuro with Mariota de Hamylton, a <sup>26</sup> May. Rome, said diocese, and, not having consummated the S. Peter's. same, knowingly contracted matrimony per verba de presenti with MARIOTA DE HAMYLTON, daughter of Thomas de Hamylton, St. Andrews diocese, related in the third degree of consanguinity to the maid Mariota. Walter and Mariota, daughter of Thomas, supplicate that the Pope would dispense them to remain in matrimony notwithstanding the above impediment, declaring legitimate their offspring born and to be born.

Fiat ut petitur si est <sup>1</sup>... [? committat]<sup>1</sup> ur Episcopee Sanctiandree. O.

<sup>1</sup> [Rome, S.] <sup>1</sup> Peter's, 7 Kal. June, anno 4.

152, 222 [<sup>2</sup>/<sub>5</sub> p.]

<sup>1</sup> Page eaten away by damp.

### Perinde valere

Under date 7 Kal. Feb., anno 1 [26 January 1418], the Pope gave mandate of provision to JOHN ELWALD, bachelor in theology, to one or two ecclesiastical benefice or benefices in the collation, etc., of the Bishop, dean and chapter of St. Andrews and of Glasgow and of the Prior of St. Andrews, and dispensed him to hold a dignity, etc., for five years, along with the perpetual vicarage of the parish church of Selkerk Regis, Glasgow diocese, which he then possessed, with licence of exchange ; and later by other letters he annulled the above so far as affected one of the benefices in the collation of the Bishop, dean and chapter of Glasgow, and provided him to a canonry with reservation of a prebend, etc., in the Church of Glasgow, commuting the dispensation to hold incompatibles according to the effect of this grace. But before the apostolic letters upon this latter grace were expedited, John by virtue of the first letters and the processes thereupon obtained possession of the perpetual vicarage of the parish church in [sic] MARKNIS [Markinch], St. Andrews diocese, then void and pertaining to the collation of the Prior and chapter of St. Andrews. But because of the above cancelling and annulling, etc., John doubts the validity of the processes upon the said first letters, and therefore supplicates that the Pope would declare all the letters, processes and consequences to be valid from the date in all respects as if the cancelling and annulling of the processes upon the first letters (as far as affected a part of them) had not taken place, and as if he had not obtained possession of the above vicarage before the expedition of the second letters; and would grant that, besides retaining the above vicarage, he might on the strength of the second letters accept a canonry, prebend and dignity in the Church of Glasgow when void.

Fiat ut petitur et dimittat secundam graciam. O.

Rome, S. Peter's, 7 Kal. June, anno 4.

152, 227v [1% pp.]

The tops of the pages are worn away and some words obliterated by damp.]

#### 256

1421.

26 May.

S. Peter's.

Rome,

Creten.

Michal.

# Dispensatio matrimonialis

To compose discords lately arisen between their kindred 1421. and friends ROBERT DE ERTH and MARIOT DE FYF, <sup>2</sup>Jane. Dunkeld diocese, desire to be united together in matri-s. Peter's. mony, but cannot fulfil their desire without apostolic dispensation because the father of Mariot was godfather of Robert. They therefore supplicate that, notwithstanding this impediment of spiritual kinship, the Pope would dispense them to contract and remain in matrimony, declaring legitimate the offspring to be born.

Fiat ut petitur. 0.

Rome, S. Peter's, 4 Non. June, anno 4. 153, 27 [1 p.]

De Montegaud.

### Nova provisio

Formerly THOMAS DE CAMERA, priest, canon of St. 1421. Andrews, O.S.A., and dispensed by apostolic authority for <sup>1</sup> July. defect of birth as the son of an unmarried man and an Trouli. unmarried woman, by virtue of an expectative grace accepted the priory of MAY, said order, St. Andrews diocese, then void by the death outwith the Roman Court of the late William Nory, and obtained provision. He supplicates that the Pope would provide him to the said priory (200 marks of old sterling), whether void as above or howsoever, and dispense him for the above defect as far as expedient for the effect of the presents.

### Nova provisio

Lately, on the voidance of the conventual priory of INCHMAHOME (Insule Sancti Colmoci), Dunblane diocese, by the death of the late Patrick, last prior, PATRICK DE PORTU, canon of the same, was elected by the convent and confirmed by the vicar general of Dunblane, during the vacancy of the see (*sede vacante*), and obtained peaceable possession and has possessed it peaceably from then till now. May the Pope therefore confirm the above and

provide Patrick to the said priory, which has cure (£300 of old sterling), void in whatsoever way.

Fiat ut petitur pro utroque, O.

Tivoli, Prid. Kal, July, anno 4.

153, 198v [11 pp.]

# Reformatio

1421. 14 August. Tivoli.

1421.

Rome.

S. Maria

Maggiore.

Lately, to WILLIAM DE SPALDING, clerk, Brechin diocese, M.A. and bachelor in theology of Paris, and procurator of the English nation in the University of Paris,1 the Pope granted an expectative grace in a roll of the said University. But because at the time of the said roll William was not bachelor in theology nor procurator of the English nation, although he afterwards became so, he supplicates that the apostolic letters about the said grace may be expedited without the statement that he was procurator and bachelor.

Concessum.

[Signed along with another supplication, following, and subscribed Fiat et sub prima data.

Tivoli, 19 Kal. Sept., anno 4.] 157, 340 [1 p.]

Creten.

# Nova provisio

Lately, on the voidance of the parish church of GLACESTRI 5 September. [Glassary]. Argyle diocese, by the death outwith the Roman Court of the late Gilbert [Macpherson], last possessor, JAMES SKRYMMEIOURE [Scrymgeour], M.A., B.L., and rector of the parish church of Dunnotyr, St. Andrews diocese, on both sides of a noble race of earls and barons, and also of royal stock, was presented to the said church by the true lay patron<sup>2</sup> (it being in lay patronage), was admitted by the Bishop of Argyle as Ordinary, was instituted, and at present holds and possesses the same by

<sup>&</sup>lt;sup>1</sup> He was unanimously elected procurator on 11 March 1414-1415. (Auctarium Chartularii Univ. Paris, ii. 191.)

<sup>&</sup>lt;sup>2</sup> The patronage apparently belonged to the Scrymgeours of Dundee. (See Orig. Par. Scot., II. i. 44.)

apostolic dispensation along with the foresaid parish church of Dunnoter. But for certain causes the validity of the above presentation, admission and institution is doubted by some. Therefore for the part of the said James it is supplicated that the Pope would ratify the same with the consequences and would provide him anew to the said parish church (£40 of old sterling), whether void by death as above, or in whatsoever way : notwithstanding the said parish church of Dunnotyr (£20 of old sterling), and that he is not learned (*eruditus*) in the language of the country of the said parish church; and may the Pope dispense him thereanent, considering that he has for a substitute a fit perpetual vicar well skilled in the language of that country.

Fiat ut petitur et dispensamus. O.

Rome, S. Maria Maggiore, Non. Sept., anno 4.

154, 78v [1 p. +]

#### Reformatio

Lately the Pope, by a correction granted respecting a 1421. roll (super rotulo) of the late Robert Duke of Albany and <sup>5</sup> September. Governor of Scotland, granted to ROGER DE BOSCO, French <sup>8</sup>, <sup>Maria</sup> man, Arles diocese, an expectative grace under the date Maggiore. granted to the Scots in the said roll. But because from the date of the obedience of Scotland to the Pope the foresaid Roger has been, as a Scot, in the Roman Curia, diligently and faithfully and continuously until now,<sup>1</sup> therefore on the part of the said Scots it is supplicated that the Pope would cause the letters about the said grace to be expedited for two collations.

Concessum.

[This supplication is followed by another under the same signature and date.

Fiat et sub prima data. O.

Rome, S. Maria Maggiore, Non. Sept., anno 4.]

157, 241v [1 p.]

<sup>&</sup>lt;sup>1</sup> a data vestre sanctitati Regni Scocie obedientia prefatus Rogerius Scotus in Curia Romana existens diligenter et fideliler ac usque nunc continue fuerit.

### Guzman.

#### Dispensatio

Lately to JOHN STEUART, of royal stock, M.A. of Paris, B.L., and rector of the parish church of Flysk, St. Andrews diocese, the Pope granted provision to the deanery of DUNBLANE, then void in a certain way. He has not yet expedited the letters thereanent, although he is litigating about the deanery in the Roman Curia. But because exalted and lettered persons ought to be honoured with greater benefices, and the said John is conspicuous for the foresaid merits,<sup>1</sup> may the Pope dispense him to hold the said deanery (which he does not possess, but if he obtain it), a major dignity with cure and elective (£26 sterling), for seven years along with the above parish church which he does possess and which is of lay patronage (£40 sterling), with power of exchange in the meantime as often as he pleases, holding only two incompatibles together.

Fiat ut petitur. 0.

Rome, S. Maria Maggiore, 10 Kal. Oct., anno 4.

155, 7v.

### [No rubric]

1421. 27 Sept. Rome, S. Maria Maggiore. WILLIAM STURY, priest, canon professed of the Church of St. Andrews, O.S.A., bachelor in theology,—that the Pope would provide him (with surrogation) to the priory of May, said order, St. Andrews diocese, a dignity with cure and elective (£100 sterling) but not major *post pontificalem*, void by the death outwith the Roman Court of the late William Nory, last prior and possessor, or in whatsoever way; even if a suit pend undecided thereanent between William and certain others (the names of whom and the state of the suit to be held as sufficiently expressed).

Fiat ut petitur. 0.

Rome, S. Maria Maggiore, 5 Kal. Oct., anno 4.

155, 223<sup>v</sup> [1 p. -]

1421. 22 Sept. Rome, S. Maria Maggiore.

<sup>&</sup>lt;sup>1</sup> Cum . . . sublimes et litterate personae maioribus beneficiis sint honorande dictusque Johannes meritis prefulgeat antedictis.

# G. Dornos Prothonot.

### Dispensatio

Lately the Pope surrogated NICHOLAS TUNNOK, priest, 1421. Aberdeen diocese, M.A. of Paris, in and to all the right  $\frac{29}{508}$  sept. competent to Alexander <sup>1</sup> Barberii, priest, said diocese, at S. Maria the time of his death, in the archdeaeonry of CATHINESS, Maggiore. about which a suit was pending in the Roman Curia, as is more fully contained in the letters of surrogation, and by the same letters dispensed him to hold the said archdeaeonry (£60 sterling) together with the parish church of FURBY <sup>2</sup> (£16 sterling) for seven years. Nicholas therefore supplicates that the Pope would dispense him to exchange the said archdeaeonry (if he obtain it), or his right therein, and the above parish church of Furby as often as he pleases within the said seven years, holding only two incompatibles : notwithstanding a canonry and prebend of Ross, which he possesses (£10 sterling).

Fiat ut petitur sine prejudicio si qui impetraverunt. O. [Granted without prejudice if any have impetrated.]

Rome, S. Maria Maggiore, 3 Kal. Oct., anno 4.

154, 276v [1 p. -]

#### Prot. de Brancaciis.

#### Concessio

Under date 7 Kal. Feb., anno 1 [26 January 1418], the 1421. Pope by apostolic letters provided ANDREW DE HAWYK, <sup>20 Sept.</sup> Rome, rector of the parish church of Lyston, St. Andrews diocese, S. Maria etc., to canonries of the Churches of GLASGOW and DUN-Maggiore. KELD, under expectation of prebends and dignities. Andrew afterwards obtained the degree of B.Dec., and therefore supplicates that in the assecution of the above canonries, prebends and dignities he may use and enjoy all and sundry the privilges, graces and preferences (antelacionibus) enjoyed by other bachelors in decrects with regard to the assecution of ceclesiastical benefices as if he had been B.Dec. at the date of the letters.

<sup>&</sup>lt;sup>1</sup> Quod quondam Alexandro . . . competebal.

<sup>&</sup>lt;sup>2</sup> Forvie, now united with the parish of Slains.

#### Concessio

Under date 6 Kal. Feb., anno 1 [27 January 1418], the Pope gave mandate of provision to JOHN WYNCESTRE, priest, St. Andrews diocese, to an ecclesiastical benefice in certain collations then expressed. He has since obtained the degree of B.Dec. and therefore supplicates as above.

Fiat pro utroque et sub prima data. O.

Rome, S. Maria Maggiore, 3 Kal. Oct., anno 4.

155, 38 [1 p.]

Creten.

### Si neutri

1421. 15 October. Rome, S. Maria Maggiore.

Formerly after a lawsuit about the deanery of GLASGOW had arisen both in the Sacred Apostolic Palace of Causes before dom. P[eter] Nardi, Auditor, and in the Roman Curia 1-first before the Cardinal of Pisa, then before the Cardinal of St. Mark's, and lastly before Jordan Cardinal Orsini-between THOMAS DE MIRTON, dean of Glasgow, possessor, on the one side, and on the other Walter Stewart. David de Hamilton (bearing themselves as clerks, Glasgow and St. Andrews dioceses), and some others; and, after it had been proceeded to some acts, it has been asserted by some that none of these litigants has right in or to the said deanery and that it is known to be void at present. Therefore the above Thomas de Mirton, B.Dec., supplicates that the Pope would give mandate to the foresaid Cardinal Orsini or to another by surrogation, that, if by the event of the suit he find it to be as asserted, he provide,

<sup>&</sup>lt;sup>1</sup> The function of an Auditor of the Sacred Apostolic Palace of Causes was analogous to that of Auditors in England and France. <sup>1</sup> An auditor, as may be seen from many types, is not a judge having in himself the power of decision, whether on the facts or the figures put before him. He reports to some higher or principal person or court. . . . In various forms at the papal court the auditor was (not *judz*, but *vice judicis*) the person before whom the hearing, though not the decision, of the case took place. (Nelison and Paton, Adts of the Lords of Council in Civil Causes, xxivii): Cash. Encyclop, s.v. 'Auditor.<sup>1</sup> Sometimes, however, he received delegated power to give a final decision. This supplication shows how the Curia also gave special commission to its own Cardinals in judicial matters.

collate and assign Thomas to the said deanery, a major dignity with cure and elective, also to a canonry and prebend of Glasgow, if annexed to the deanery (value of which, with annexes, £20 sterling), whether void by the death of the late George de Hauden, last possessor, on his way to the Roman Court, or by the deprivation of Thomas (if made by the Pope), or in whatsoever way : notwithstanding that he has a suit in the Apostolic Palace about the perpetual vicarage of Cupar, St. Andrews diocese, and that he holds the parish church of Tarwot, St. Andrews diocese, by apostolic dispensation together with the above deanery, also a canonry and prebend of Brechin (20 marks), -he being prepared to dimit the above parish church if he obtain the vicarage of Cupar (£40 sterling). And may the Pope dispense him to retain for life the said vicarage of Cupar (if he obtain it), or otherwise the parish church of Tarwet (£20 sterling), with power of exchange, holding only two incompatibles together.

Fiat ut petitur. 0.

Rome, S. Maria Maggiore, Id. Oct., anno 4.

155, 233 [2 pp. +]

# Reformatio

Under date 5 Kal. Feb. [28 January 1418] the Pope 1421. granted an expectative grace to JOHN DE KEREMOR, priest, Rome, St. Andrews diocese, as is more fully contained in the S. Maria supplication signed thereanent.<sup>1</sup> But the said John is a Maggiore. priest, in his forties (*quadragenarius*), a graduate and an abbreviator of apostolic letters, and from the date of the obedience of the kingdom of Scotland to the Pope has continuously followed the Curia until now, for the sake of obtaining some benefice, and hitherto has obtained none, although as often as benefices fell void in the Curia he did his due diligence to obtain them, but the Pope always provided them not to him but to his competitors. Because

<sup>&</sup>lt;sup>1</sup>... cuius copia superius scribitur. The copy has been omitted in this Reformatio, and the original is not on record.

he was entrusted with the foresaid messages<sup>1</sup> (nunciis fulcitus predictis) and holds no benchec,—although he ought to live upon Christ's patrimony (de patrimonio Crucifixi vivere debeat)—may the apostolie letters upon his said grace be expedited under date 6 Kal. Feb., anno 1 [27 January 1418].

Fiat de data. 0.

Rome, S. Maria Maggiore, 11 Kal. Nov., anno 4. 157, 294<sup>v</sup> [<sup>1</sup>/<sub>4</sub> p.]

[No rubric]

1421. 5 Nov. Rome, S. Peter's.

Lately on the voidance of the monastery of IONA (Sancti Columbe de Hy insula), O.S.B., Sodor diocese, by the death outwith the Roman Court of the late John Goffridi, last Abbot and possessor, since this monastery has not been accustomed to be provided by the Apostolic See in time of union 2 the prior and convent of the monastery, proceeding within canonical time to the election of a new Abbot, unanimously chose DOMINICUS KENYCHI, priest, monk professed of the said monastery. The election, having been duly examined, was confirmed by ordinary authority by Richard Bishop of Sodor, who imparted his blessing, as is more fully contained in the authentic letters upon the decreet of election and confirmation. The abovesaid Dominicus supplicates that the Pope would ratify the said election, confirmation and blessing, and would moreover provide him to the said monastery,3 which may not suffer a long voidance because it is situated in the Isles among the wild Scots (inter Scotos silvestres) and is almost destroyed in its buildings and rents by continuous wars, which

<sup>&</sup>lt;sup>1</sup> Not here stated. It was presumably mentioned in the copy of the original supplication, and not inserted in the *Reformatio*.

<sup>&</sup>lt;sup>2</sup> ' Time of union,' probably as opposed to ' time of schism.'

<sup>&</sup>lt;sup>3</sup> One result of this supplication was an inquisitorial commission anent the revenues of Iona. 'As the monastery is not found taxed in the extant books of the Camera, the Roman Curia requires to have full notice of the rents, profits and value for the purpose of fixing the taxation due on account of apostolic promotion.' (*The Apostolic Camera and Scottish Benefices*, 3.)

is moreover a dignity with cure, elective and abbatial (£60 of old sterling), whether void as above or in whatsoever way.

Fiat ut petitur. 0.

Rome, S. Peter's, Non. Nov., anno 4.

156, 96<sup>v</sup> [1 p. +]

Prot. de Branc.

[No rubric]

Since the monastery of Iona (de Hy insula), O.S.B., 1421. Sodor diocese, by the continual waging of dire wars by the  $^{10}$  Nov. Wild Scots in those parts, is so much collapsed, destroyed 8. Peter's, and impoverished in its buildings and fruits that its members cannot all be sustained together, therefore DOMINICUS DOMINIC, monk, professed of the said monastery, cannot be fittingly sustained in the said monastery and supplicates that the Pope would dispense him to rule and govern a parish church or its perpetual vicarage, with the consent of the Abbot and Ordinary, until such time as by the cessation of the wars he may be fittingly sustained from the fruits of the monastery.

Fiat ut petitur. O.

Rome, S. Peter's, 4 Id. Nov., anno 4. 156, 188v [2 pp.]

[Along with a marriage dispensation to WILLIAM DE LEVYNSTON and ELIZABETH DE COLDCOTIS, St. Andrews diocese (as in C.P.R., vii. 197)].

#### H. Prot.

# Dispensatio

Walter, Abbot of St. Thomas the Martyr of ABIR- 1421. BROTHOC, O.S.B., St. Andrews diocese,—that, having 10 Nov. before his eyes the good of religion, and wishing to take Rome, away from his monks all matter or occasion of wandering (evagandi), he gave mandate to certain of his friends and familiars to apprehend a certain apostate monk, WILLIAM DE DALLETH by name, wheresoever they should find him. Discovering him in the City or University of St. Andrews,

they apprehended him and took him to the said Abbot. without asking leave of the Ordinary (ordinario loci minime requisito), because he supported and defended the monk thus de facto and notoriously apostate. The abductors,perceiving the persecution by the citizens, and fearing the liberation of the apostate and also dreading personal violence to themselves, and 1 wishing to avoid the arrows shot by their pursuers within range of them, and to avoid the concourse and uproar of the multitude,1-defended themselves; and by the shooting of an arrow, one of their pursuers was wounded and is said to have died as a result. On account of this, pious minds may impute fault where there is no fault ; and although the said Abbot was not personally present at the incident and gave a lawful mandate against his vagabond and apostate monk and had and has the right of personal correction, he fears that he may unwittingly (negligenter) have incurred canonical pains through irregularity; and sentence of excommunication is said to have been pronounced against him by the Ordinary, albeit unjustly, since the Abbot was exempt from all ordinary jurisdiction and immediately subject to the Apostolic See. He therefore supplicates that the Pope would absolve and rehabilitate him and restore him to his pristine state before the giving of the mandate, even if a suit is pending undecided about the foregoing (the state of which to be had as sufficiently expressed).

Fiat ut petitur. 0.

Rome, S. Peter's, 4 Id. Nov., anno 4.

156, 189 [11 pp.]

### Dispensatio

1421. 12 Nov. Rome, S. Peter's. Lately ROBERT DE MALDOUEL, son of an unmarried nobleman and an unmarried woman, was dispensed by apostolic authority to be promoted to all sacred orders and to hold an ecelesiastical benefice with cure or without

<sup>&</sup>lt;sup>1</sup> periculososque arcume tractus ab eis insequentibus per sagittarum emissionem ut fertur usque ad eos appropinguantium ac eiusdem populi congregationem et rumorem vitare volentes.

eure, by virtue of which dispensation he had himself promoted to all sacred orders and obtained the perpetual vicarage of the parish church of KELTON, Galloway diocese. But, because he wishes to serve God in ecclesiastical offices and ought to live upon ecclesiastical benefices, he supplicates that the Pope would dispense him to hold whatsoever ecclesiastical benefices compatible together, even if canonries and prebends, etc., and to resign them and the above vicarage as often as he pleases simply or in exchange for other compatibles.

### Dispensatio.

PATRICK INGLIS, priest, and rector of the parish church of Aldkathy,<sup>1</sup> St. Andrews diocese, son of an unmarried knight and an unmarried woman, who was formerly dispensed to be promoted to all sacred orders and hold an ecclesiastical benefice, with eure or without eure,—that the Pope would dispense him to hold whatsoever ecclesiastical benefices, compatible together fetc., as in the preceding].

Fiat ut petitur pro utroque. O.

Rome, S. Peter's, Prid. Id. Nov., anno 4.

156, 220 [11 pp.]

Abb. S. Proculi.

# Dispensatio

DOMINICUS DOMINICI, priest, monk professed of Iona, 1421. O.S.B., Sodor diocese,—that the Pope would dispense him, 17 Nov. Rome, notwithstanding defect of birth as the son of a priest, S. Peter's. religious of the order of St. Benedict, and of an unmarried woman, to hold an ecclesiastical benefice, even if with eure, with the licence of his Abbot, and to be promoted to dignities, administrations and offices ;— 2 considering that

<sup>&</sup>lt;sup>1</sup> Aldcathie was united to the parish of Dalmeny in 1618.

<sup>&</sup>lt;sup>2</sup> consideratis quod monasterium predictum ubi est fine professus in choro campanili ac celeris edificiis circumstantibus tam in lignis quam parietibus omnino ad terram penilus est collapsum, necono terre et possessiones ipoixe monasterii in magna et méliori parte per malos et perversos nobiles sunt depredate parier et deusatas.

the timber work and walls of the choir, bell-tower and other surrounding buildings of the said monastery, where he is professed, are utterly fallen to the ground, and also that the great and better part of its lands and possessions are preyed upon and devastated by wicked and perverse nobles,<sup>1</sup> so that the monks are not able to complete (*perficere*) the fabric of the monastery and to live there suitably (*commode benevivere*), for they scarcely have bread, barley, or ale,<sup>2</sup> on account of the continual hospitality there maintained.

Fiat ut petitur et dispensamus. O. Rome, S. Peter's, 15 Kal. Dec., anno 4. 156, 219<sup>v</sup> [<sup>1</sup>/<sub>2</sub> p.]

Proth. de Brancatiis.

# Reformatio

Lately, under date 6 Kal. Feb., anno 1 [27 January 1418], the Pope granted an expectative grace to JOHN DE KEREMOR, priest, St. Andrews diocese, B. Dec. But since he is now in his old age (*in senio constitutus*), priest, graduate and abbreviator, and holds no benefice [etc., as in p. 268], may, therefore, the apostolic letters about the said grace be expedited for two collations, under the same date.

Fiat et sub prima data. O.

Rome, S. Peter's, 15 Kal. Dec., anno 4. 157, 375 [2 p.]

# V. MARTIN V

Abb. Sancti Proculi.

### Dispensatio

Since by reason of wars in the Western Islands of the kingdom of Scotland, ecclesiastical benefices are for the most part so poor and slender that a single priest can hardly be sustained respectably upon the fruits of any

1421. 17 Nov. Rome, S. Peter's.

1421. 24 Nov.

Rome.

S. Peter's.

<sup>&</sup>lt;sup>1</sup> See note 2 on previous page.

<sup>&</sup>lt;sup>a</sup> nam panem ordeicium et aliquin cerviciam vix possunt habere. There are correction marks above ordeicium and cerviciam. (See Du Cange, Hordeicium.) Cervicia denotes the grain from which ale is brewed.

one benefice, especially because it is the custom in those parts for every beneficiary continually to hold free hospitality for God's sake; —therefore Donald de Yle, Lord of the Isles and of the Earldom of Ross (*Rossic*), nephew<sup>1</sup> of the late Robert King of Scotland, supplicates in the person of his chaplain and familiar ADAM DOMINICI, priest, perpetual vicar of the parish church of St. Eugenius in Rossie [Kilviceuen].<sup>2</sup> Sodor diocese, that the Pope would dispense him to hold for life another ecclesiastical benefice together with the said parish church, which he possesses (£3 of old sterling), with power of exchange as often as he wishes, holding two only incompatible together : notwithstanding defect of birth as the son of a priest, a religious, and an unmarried woman, for which he is dispensed by apostolic authority.

Fiat ut petitur. O.

Rome, S. Peter's, 8 Kal. Dec., anno 5. 158, 24 [5 p.]

#### Visitatio

HENRY BISHOP OF Sr. ANDREWS,—that the Pope would 1421. grant him faculty of visiting by fit deputy or deputies of <sup>20</sup> Nov. his choice the churches, monasteries and other ecclesiastical S. Peter's. places in his city and diocese, and the persons therein, where the office of visitation is incumbent upon him by custom or law (*de consultatione vel de iure*),—visiting two or three on the same day up to ten,—and of receiving the procurations in money.

Fiat ad quinquennium ut petitur. O.

Rome, S. Peter's, 6 Kal. Dec., anno 5. 158, 64 [1 p.]

<sup>&</sup>lt;sup>1</sup> His mother was Margaret, daughter of Robert II. (S.P., v. 40.)

<sup>&</sup>lt;sup>6</sup> Cosmo Innes found 'no mention of this parish before the year 1561, when it appears in the rental of the bishoprick of the Isles as the parsonage of Kilviceowin in Rosse, of which the whole teinds belonged to the abbot of Iona': and of the church itself he wrote that it was 'apparently dedicated to some unknown saint.' (Orig. Par. Scot, II. i. 304.) This supplication therefore throws new light on these obscurities. See also note in *Highland Papers*, iv. 166, n. 3. The Latin text is there printed, pp. 105-167.

## H Prot.

#### Surrogatio

1421. Rome. S. Peter's.

In a suit pending in Curia between Walter, Abbot, and 1 December. the convent of the monastery of St. Thomas the Martyr of ABIRBROTHOC, O.S.B., St. Andrews diocese, plaintiffs (auctorum) on the one part, and Henry de Ogylyv, priest, bearing himself as perpetual vicar of the parish church of MONIFUTH,1 said diocese, defender (reum) and possessor, on the other part, about the said vicarage,-which along with other vicarages was united and incorporated by Peter de Luna (Benedict XIII) to the said monastery, although possession has not yet been obtained-for the sake of its restoration (reformationibus) and especially of the church and bell towers, burned by lightning, and for maintaining hospitality :-- it has been proceeded to the decreet and execution of citation against the said Henry, who, being personally cited in partibus, freely resigned the suit before a notary public and witnesses. The foresaid Abbot and convent therefore supplicate that the Pope would give mandate to the Auditor of the cause to surrogate them in and to all right (if any) of the said Henry in the above perpetual vicarage (£30 sterling), and that he would unite it anew to the said monastery (500 marks sterling, the conventual burdens being deducted).

Fiat ut petitur. 0.

Rome, S. Peter's, Kal. Dec., anno 5. 158, 124 [1 p. +]

G. Dornos Prot.

### [No rubric]

1421. Rome, S. Peter's.

Lately ALEXANDER DE CARYNCORS, priest, St. Andrews 1 December. diocese, obtained the perpetual vicarage of the parish church of LUNTRETHYN, said diocese, by virtue of an expectative grace, but it is asserted by some that for certain reasons his assecution is invalid. He therefore supplicates that the Pope would provide him to the said

<sup>&</sup>lt;sup>1</sup> Cf. p. 46.

vicarage (£20 of old sterling), whether void by the free resignation or death of the late David de Lautoun, chaplain of the Apostolic See, or howsoever void.

Fiat ut petitur eciam per obitum capellani. O. Fiat. Rome, S. Peter's, Kal. Dec., anno 5. 158, 130 [<sup>1</sup>/<sub>3</sub> p.]

#### Unio

By reason of the continual wars raging among the 1421. Western Islands of the kingdom of Scotland, the monastery 3 December. of IONA, O.S.B., Sodor diocese, is so collapsed and im- S. Peter's, poverished in its buildings and rents that it is sinking to irreparable ruin, unless the Pope in his clemency provide an opportune remedy, especially because the revenues of the monastery do not suffice for its reparation and the sustenance of the monks, and for the maintaining of hospitality, which according to the custom of the country they are bound, even unwillingly (eciam invite), to observe, But since the perpetual vicarages of the parish churches of ST. COLUMBA DE SORBY in Tyrgyd [Sorobie in Tiree].1 and of the HOLY MAIDENS (Sanctarum Puellarum) 2 and of ST. COLUMBA DE MULE [Kilcolmkill] are eminently suited for their relief, if united to the monastery, therefore DONALD DE YLE, Lord of the Isles and of the Earldom of Ross (Rossye), nephew of the late Robert King of Scotland, supplicates that, upon the death or resignation of the present vicars, the Pope would unite to the said monastery (£200 sterling) the above three perpetual vicarages (£15 of old sterling), which are in its patronage and to which it has the right of presenting vicars; and also grant that the said perpetual vicarages be not ruled by perpetual vicars but by chaplains, subordinate (conductiteos) 3 and temporal, but adequate and fit, to be

<sup>&</sup>lt;sup>1</sup> See Orig. Par. Scot., II. i. 327. The name of the patron saint is not there stated.

<sup>&</sup>lt;sup>2</sup> Kilfinichen. See note in Highland Papers, iv. 169 (Scot. Hist. Soc.).

<sup>&</sup>lt;sup>a</sup> Conductitius is defined by Du Cange as Procurator plebis vel Minister altaris, qui canonica portione minus accipiendo, subjectione indebita munus

appointed yearly by the Abbot and convent for the cure of souls and other spiritual needs.

Fiat ut petitur pro utroque et committatur. O.

Rome, S. Peter's, 3 Non. Dec., anno 5. 158, 94 [3 p.]

[This is the second of the two supplications.

The Latin text is printed in *Highland Papers*, iv. 168-171.]

Prot. de Branc.

#### Dispensatio

1421. 5 December. Rome, S. Peter's. Since the monastery of IONA, O.S.B., Sodor diocese, is so collapsed and impoverished [etc., as above, p. 271], therefore FYNGONIUS, priest, monk professed and claustral prior of the said monastery, supplicates that the Pope would dispense him to hold a parish church or perpetual vicarage with the licence of his Abbot, notwithstanding defect of birth as the son of a priest, a religious, and of an unmarried woman.

Fiat ut petitur de consensu et dispensamus. O. Rome, S. Peter's, Non. Dec., anno 5. 158, 126<sup>v</sup> [§ p.] [The Latin text is printed in Highland Papers, iv. 171.]

Prot. de Branc.

#### Nova provisio

1421. 5 December. Rome, S. Peter's.

Formerly ADAM CRISTINI, priest, Dunkeld diocese, by virtue of apostolic letters accepted the parish church of NEUETH [? Nevay], St. Andrews diocese, void by the death of the late Alexander de Casteltaris outwith the Roman Court, and obtained provision and possession of the same. Nevertheless for certain reasons he doubts the validity of the foregoing and the consequences, and therefore supplicates that the Pope would provide him anew to the said

ab obsequio suo Conductori persolvit : quam speciem simoniae beatus Papa Gregorius damnat aperte, simul cum ea quae fit per manus a manu, vel per munus a lingua.

parish church ( $\pounds$ 40 of old sterling), whether void as above or in whatsoever way: notwithstanding the perpetual vicerage of the church of St. Ninian, commonly called Kirkton ( $\pounds$ 60 of old sterling), to which he had a grant of provision by the Pope, and about which he has a cause in the Apostolic Palace of Causes against some adversaries.

Fiat ut petitur pro omnibus quatuor et dispensamus cum primo. 0.

Rome, S. Peter's, Non. Dec., anno 5. 158, 135 [3 p.]

[This is the last of the four supplications.]

[No rubric]

Since Andrew de Wyton [Winton], prior of LOCH LEVEN 1421. (*insule lacus de Lewyn*), O.S.A., St. Andrews diocese, for Rome, certain reasons proposes to resign, or now resigns, in the S. Peter's. hands of the Pope, JOIN DE CAMERON, priest, canon of the cathedral Church or monastery of St. Andrews, said order, supplicates that the Pope would provide him to the said priory (£40 of old sterling),—which has cure, and depends from the foresaid monastery and is wont to be ruled by canons thereof,—whether it is void by the said resignation, or from the person (*ex persona*) of Thomas Mason, formerly prior, or howsoever void.

Fiat ut petitur. O. Fiat.

Rome, S. Peter's, Prid. Id. Dec., anno 5.

158, 204v [3 p.]

[Another copy, with the spelling Andrew dc Wyntovin, and fruits valued at £40 sterling, under date 18 Kal. Jan. [15 December] 1421. It is here stated that Thomas Mason was prior of Lochleven and canon of Holyrood.]

161, 86 [§ p.]

Prot. de Branc.

[No rubric]

Formerly the Pope granted to ANDREW DE HAWYK, 12 Dec. rector of the parish church of Lyston, St. Andrews diocese, Rome, provision to the canonry and prebend of KYNCARDYN in S. Peter's.

the Church of Aberdeen, which are of lay patronage and were then void by the death of the late Donald de Bute. But a certain Thomas de Grynlaw, canon of Dunkeld, by virtue of an expectative grace accepted the said canonry and prebend, as having devolved to ordinary collation through lapse of the time canonically assigned (a jure prefinita) to lay patrons, and had himself provided, and afterwards died out with the Roman Court. Therefore the said Andrew, priest, B.Dec., supplicates that the Pope would provide him to the above canonry and prebend (£100 of old sterling), whether void as above or in whatsoever way, even if a suit thereanent is pending undecided in or outwith the Roman Curia (the state of which to be held as sufficiently expressed): [notwithstanding] the above parish church, which he holds (£100 of old sterling), an expectative grace, and a dispensation to hold incompatibles for life, with power of exchange.

JOIN WYNCESTRE, priest, St. Andrews diocese, B.Dec., —that the Pope would provide him to the canonry and prebend of RUFFIL, in the Church of Dunkeld (£10 of old stelling, together with the daily distributions), void by the death of the late Thomas de Grynlaw, last prebendary, outwith the Roman Court, or void in whatsoever way, even if a suit is pending [etc., as above]: notwithstanding an expectative grace, through which he has not yet obtained an ecclesiasteal benefice.

Fiat ut petitur pro omnibus octo. O.

Rome, S. Peter's, Prid. Id. Dec., anno 5.

159, 14 [13 pp.]

[These are the third and fourth supplications in the rotulus.]

## Reformatio

1421. 16 Dec. Rome, S. Peter's.

Correction about the perpetual vicarage of the parish church of MERINS, Glasgow diocese, and about dispensation for defect of age. NICHOLAS OTERBUNI, for whom Robert Duke of Albany, Governor of Scotland, supplicated the Pope, was only in the twentieth year of his age at the time, and by the signature of the supplication he was to be dispensed only after he was in his twenty-second year. Since he is now in his twenty-second year, may the Pope cause the apostolic letters to be expedited with this dispensation, already granted in the supplication.

Fiat ut petitur. O.

Rome, S. Peter's, 17 Kal. Jan., anno 5. 161, 273v [1 p.]

Abb. S. Proculi.

#### Reformatio

Lately the Pope dispensed ADAM DOMINICI, priest, per-1421. petual vicar of the parish church of St. Eugenius in Rossye Rome, (S3 of old sterling) to hold along with it another ecclesis. S. Peters. astical benefice for two years [cf. p. 269]. But the signature is of little benefit to Adam, because of the great expense of coming from those parts to the Roman Curia, and because the benefices in the said diocese are so poor (*exigua*) that one priest can searcely be respectably sustained upon the fruits of any one benefice. Therefore Donald de Yle, nephew of the late Robert King of Sectland, supplicates on behalf of the said Adam, his chaplain and familiar, that the Pope would cause the said dispensation and the letters thereanent to be expedited for life.

Fiat ad septennium. O.

Rome, S. Peter's, 16 Kal. Jan., anno 5.

158, 253v [3 p.]

[The Latin text is printed in *Highland Papers*, iv. 172-173.]

Abbas S. Proculi.

#### Dispensatio

It is represented on the part of Brother Dominicus 1421. DOMINICI, priest, professed of the monastery of St. Columba Romer, s. of Iona, O.S.B., Sodor diocese, that he was dispensed by 8. Peters

apostolic authority, first, to be promoted to all sacred orders and hold an ecclesiastical benefice, notwithstanding defect of birth as the son of a priest, a religious of the order of St. Benedict, and of an unmarried woman : and then to enter into the above monastery in which he is professed. But the parts of the Isles, in the ends of the habitable world, are lacking in collegiate churches, prebends, priorships and other ecclesiastical benefices, except for the foresaid monastery of St. Columba, certain modest (modica) and very poor offices therein, and parish churches wont to be ruled by seculars ; and the above monastery is most scantily erected and endowed (valde tenue constructum et dotatum existit) in its buildings, rents and possessions, so that the religious and other indwellers cannot live suitably and can scarcely obtain barley bread and such-like victuals 1 on account of the continual wars and the burdens of hospitality. Therefore the said Brother Dominicus (who, not without great labours, dangers and expense, has come from such far distant parts to the Roman Curia, and has remained there now for much time, awaiting a grace of the Pope, and has gone through almost all his money) supplicates that the Pope would dispense him to hold whatsoever ecclesiastical benefice, even with cure of souls and wont to be ruled by secular priests.

Fiat ut petitur si sine scandalo. O.

Rome, S. Peter's, 16 Kal. Jan., anno 5.

158, 254 [1 p. -]

[The Latin text is printed in *Highland Papers*, iv. 173-174.]

### Confirmatio

1421. 17 Dec. Rome, S. Peter's. On behalf of WALTER, ABBOT, and the convent of St. Thomas the Martyr of ABIRBOTHOC, O.S.B., St. Andrews diocese, it is represented that when a suit about procurations was pending undecided in the Roman Curia between

<sup>&</sup>lt;sup>1</sup> Cf. above, p. 268.

them and Henry Bishop of St. Andrews, by a common concord between the parties the foresaid Abbot (in his own name and that of the monastery) and Master Ingeram Lyndesay (procurator of the Bishop, having sufficient power for the purpose) made a compromise 1 before the Cardinal of Pisa,<sup>2</sup> who, having heard the rights of the parties and many times examined them with the help of experts and others, pronounced that the Abbot and convent should pay procurations to the Bishop or his vicar in victuals or in money according to the moderate disposition and tax of the Lateran Council and the Extravagant beginning Vas Electionis 3 (all the above to be had for sufficiently expressed); and both parties freely approved the said pronouncement. Therefore the said Abbot and convent supplicate that the Pope would motu proprio confirm and approve the said compromise and the pronouncement following thereupon, notwithstanding that the consent of a superior has not been procured.4 and that the foresaid Bishop has an indult from the Apostolic See to receive procurations in money.

Fiat ut petitur de consensu. O.

Rome, S. Peter's, 16 Kal. Jan., anno 5.

158, 267 [1 p.]

<sup>&</sup>lt;sup>1</sup> Compromise: a joint promise or agreement made by contending parties to abide by the decision of an arbiter or referee. (*New Eng. Dictionary*). See A.P., i. 241, App. (Reg. Maj., xxviii); ii. 14, c. 6.

<sup>&</sup>lt;sup>2</sup> compromiserunt in reverendissimum patrem ac dominum dominum A. Cardinalum Pisanum wlgariter nuncupatum dictas suas lites contraversias.

<sup>&</sup>lt;sup>9</sup> This is an Extravagant of Benedict XII. in 1336. [Extr. Comm., Lib. III. it. x. cap. unic.] It lays down scales, according to groups of countries, for the fees (taxes) to be paid to the ecclesiastical 'visitor' of every sort of ecclesiastical corporation. It is explicitly stated to be a maximum scale imposed because some 'visitors' have been extortionate in their fees. If by custom a lower scale has anywhere been in use, that lower scale is to be retained. If more than this scale is accepted, even if willingly offered, the acceptor incurs ecclesiastical process, since this Extravagant makes it law that the receiver is bound to restitution. [For this note our thanks are due to Rev. W. E. Brown, D.D.]

<sup>&</sup>lt;sup>4</sup> non obstante quod super dicto compromisso non internoneatur [sic] superioris auctoritas. Internoneatur should probably read interponeatur.

Creten.

## Nova provisio

1421. 20 Dec. Rome, S. Peter's.

Formerly the parish church of ST. MARY DE FORESTA 1 was held to be void (vacare sperabatur) by the deprivation or removal of the late Matthew de Gedes, priest, last possessor, on the ground that he was notoriously stricken with leprosy and utterly debarred from the society of men. To the church, thus void, Archibald Earl of Douglas, the true patron, presented JOHN DE BORTHWYK to the Bishop of Glasgow, the Ordinary, who provided him, and caused him to be inducted into real and corporal possession, or nearly so; and for many years he has peaceably and quietly possessed the same, as he does at present. But the said John, who is of noble race, M.A. of Paris,<sup>2</sup> priest, St. Andrews diocese, doubts the validity of the said removal, presentation, provision and induction, and supplicates that the Pope would confirm the same with all the consequences, and provide him anew to the said church (£100 of old sterling), which is of lay patronage and Glasgow diocese .- whether void as above, or by the death of Matthew, or howsoever; and would habilitate him and restore him to his pristine state, if he have incurred irregularity from the fact that he was besieged in the castle of Yliestis 3 by certain noble lords of the kingdom of Scotland, and, for the defence of his brother and of his right and of the said castle shed much blood, short, however, of death or mutilation.

Fiat ut petitur et habilitamus. O.

Rome, S. Peter's, 13 Kal. Jan., anno 5. 158, 258v [1 p. -]

<sup>&</sup>lt;sup>1</sup> St. Mary in the Forest of Selkirk.

<sup>\*</sup> There are references to him in the University of Paris, 1415-1417. (Auctarium Chart, Univ. Paris, ii. ad indices.)

<sup>&</sup>lt;sup>a</sup> This may be Yester. There were transactions about this time between the Hays and Borthwicks, involving Lockrevorth (modern Borthwick) and Yester. 'Sir William Hay, having changed his residence from Lockerworth to Yester, sold the greater part of his ancient manor, with the mansion, to Sir William de Borthwick.' (Caldeonia i, Ne 32; cl. S.P., vii, 424.) If the reference in our text is indeed to Yester, it would seem that the transaction was not effected without friction.

H. Proc.

Unio

On the part of WALTER, ABBOT, and the convent of St. Thomas the Martyr of ABIRBROTHOC, O.S.B., St. 20 Dec. Andrews diocese, it is represented that, although the S. Peter's, perpetual vicarage of MONYFUTH, said diocese, was united of old by the diocesan and of late by Peter de Luna (Benedict XIII) to the said monastery (etc. as above, p. 270), nevertheless they have not yet obtained peaceable possession because of various tribulations and impediments. But because Henry de Ogilby, moved by a good conscience, has freely resigned his suit (etc., as above, p. 270), the foresaid Abbot and convent supplicate that the Pope would give mandate to some good man in partibus to receive the said resignation of right (if any) from Henry or his procurator, and to admit the resignation of the said vicarage with all its rights and pertinents, if he will freely resign it (£30 sterling), and unite it anew to the above monastery (500 marks sterling, the conventual burdens being deducted) in augmentation of hospitality and reparation of the church and bell towers, reserving a sufficient portion from the fruits for a perpetual vicar pensionary, to be presented by the Abbot and convent and to be instituted and admitted by the judge for this turn, without requiring the licence of the diocesan or of any other.

Fiat ut petitur. 0.

Rome, S. Peter's, 13 Kal. Jan., anno 5.

158, 275 [1% pp.]

H. Prot. Abbas S. Proculi.

## Dispensatio

CRISTINA DOMINICI, nun, expressed of the monastery of 1422. St. Mary of Iona<sup>1</sup> (Sancte Marie de Hy Insula), O.S.A., Rome, S. Peter's.

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1421. Rome,

<sup>1 &#</sup>x27;The nunnery of Iona, an institution probably of the thirteenth century, is first mentioned by Fordun.' (Orig. Par. Scot., II. i. 295.) See note, Highland Papers, iv. 175.

Sodor diocese, that the Pope would dispense her that, notwithstanding defect of birth as the daughter of a priest, a religious of the order of St. Benedict, and of an unmarried woman, she might hold whatsoever offices, administrations, etc., short of abbatial, of her order.

Fiat. O.

Rome, S. Peter's, 7 Kal. Feb., anno 5. 101, 37 [<sup>1</sup>/<sub>3</sub> p.] [The Latin text is printed in *Highland Papers*, iv. 175-176.]

Creten.

#### Commissio

When a suit was pending undecided between JOHN 1422. 16 February. BOUMAKER, rector of the parish church of Munvabro, Rome, Glasgow diocese, on the one part, and a certain Brother S. Peter's. John de Edvnburg, alleged canon regular of the monastery of Holvrood in Edynburg, on the other part,1 before dom. John de Thomarijs, Auditor of the Sacred Apostolic Palace of Causes, about the perpetual vicarage of the parish church of VARIE CAPELLE [Falkirk], St. Andrews diocese,-the Pope, at the supplications of the foresaid John and of the parishioners, gave mandate to the said Auditor to summon the Abbot and convent of the said monastery of Holvrood, John de Edvnburg and others who ought to be summoned, and, if he should find the alleged union, annexation and incorporation of the said vicarage to the said monastery, made by Peter de Luna (Benedict XIII), to have proceeded upon untrue or unreasonable causes, to revoke the same by apostolic authority, and to collate the vicarage to the above John. Before these letters had been presented to him, the Auditor, proceeding in the cause, brought a definitive and adjudicatory sentence in favour of John Boumaker and against John de Edynburg; but he and the Abbot and convent of Holyrood appealed from this sentence, and the cause of the appeal was committed to dom. Nicholas de Portu

<sup>&</sup>lt;sup>1</sup> Cf. pp. 203, 210.

Gruario, Auditor, who, after he had proceeded therein to certain acts, but short of conclusion, for certain reasons absented himself from the Roman Curia. In his absence the cause was committed to another Auditor, dom, Capus de Laturee, who on certain alleged new evidence (ex quibusdam pretensis novis productis) revoked the sentence in favour of John Boumaker and absolved John de Edvnburg and the Abbot and convent of Holyrood from the pursuit (impetitione) of the said John, condemning him in expenses. The cause of the appeal from this alleged sentence, together with the principal business and the nullity of the sentence, was committed to William Maligeneri, Auditor, who proceeded therein to certain acts but short of conclusion. But because it is doubted that the said Auditor is not competent to proceed to making the said revocation, especially because in the said alleged union no cause-untrue, unreasonable or elsesoever-was expressed,1 therefore on the part of the foresaid parishioners and John Boumaker it is supplicated that the Pope (having all and sundry the foregoing as sufficiently expressed) would give mandate to the said Auditor that, if he find the alleged union to have been and to be made without any cause, and that the monastery of Holvrood can be suitably sustained without the union of the said vicarage and support all the accustomed burdens, he revoke the same and collate and provide John Boumaker to the said vicarage. [No expression of fruits.]

Fiat iuxta formam reformacionis in Concilio Constanciense. O.

Rome, S. Peter's, 14 Kal. Mar., anno 5.

160, 228 [12 pp.]

<sup>1...</sup> idem dominus Auditor non valeat ad dictam revocationem faciendam procedere maxime cum in dicta pretensa unione nulle cause neque minus vore neque non racionabiles vel queues ialte prober ques facta exitenti sint express sive adicete. The crucial point centres round a legal nicety, namely, that the supplication of the parisitioners and John Boumaker had stated that the union had been made by Benedict XIII. ex minus veris et non racionabilibus causis (without reasonable or true cause), whereas they ought to have stated that it had been made ex milla cause (from no cause). (Lf. p. 203).

### [No rubric]

1422. ANDREW STEWART, monk of the Cluniac monstery <sup>1</sup> 24 February. (monachus monasterii Clunicanse), of noble race, that the Rome, S. Peter's. Pope would provide him to the conventual priorship of the monastery of PAISLEY (de Passelleto), Cluniac order, Glasgow diocese (2 marks sterling), void by the death of Alan de Goven,<sup>2</sup> conventual prior, or howsoever void.

Fiat ut petitur. O. Fiat.

Rome, S. Peter's, 6 Kal. Mar., anno 5. 160, 289v [1 p.]

#### Concessio

1422. JOHN STEWART, LORD DERNELEY, of royal race, Con-26 February. stable of the Scots,—that the Pope would grant faculty to Rome, S. Peter's. his mother, Jonete de Keth,<sup>3</sup> wife of the late Alexander Stewart, to choose a fit confessor with power to absolve her once in life and at the point of death from all sins a pena et culpa,<sup>4</sup> even in cases reserved to the Apostolic See, with commutation of fasting.

Fiat ut petitur. O.

Rome, S. Peter's, 5 Kal. March, anno 5. 161, 7 [4 p.]

#### Concessio

1422. JOHN STEWART, LORD DERNELEY [etc. as above]—that 25 February. the Pope would grant indult to him and all in his train Rome, 8. Peter's. (de sua comitiva) to choose a fit confessor, of their tongue, with power to absolve them, each and every one, from all confessed sins, even in reserved cases.

Fiat ut petitur. 0.

<sup>1 ?</sup> of Paisley.

<sup>&</sup>lt;sup>2</sup> Whether in or outwith the Curia is not stated.

<sup>&</sup>lt;sup>3</sup> Daughter of Sir William Keith of Galstoun, and widow of Sir David Hamilton of Cadzow. (S.P., v. 345.)

<sup>\*</sup> i.e. from the fault and from the spiritual penalties incurred thereby.

## In mortis articulo.

Item : that the Pope would grant faculty to him, his wife<sup>1</sup> and children, to choose fit confessor or confessors who, having heard their confessions, might absolve them, once in life and at the point of death, from all their sins, a pena et culpa.

Fiat quotienscumque fuerint in periculo mortis. O. [Granted, as often as they shall be in danger of death.]

## Concessio

*Item*: that the Pope would grant him licence to choose a fit priest who, having heard his confession, might have power to absolve him *tociens quociens* from sins about which the Apostolic See ought to be consulted.

Fiat bis, alias in casibus minorum penitenciariorum. O. [Granted twice, even in cases pertaining to Minor Penitentiaries.]

## Concessio

Item: Since the foresaid nobleman proposes, for the augmentation of divine worship, to found and partly to endow a college of six priests with a church and offices in the domains (*territorio*) of DERNELEY,<sup>2</sup> Glasgow diocese, therefore in order that the foresaid foundation and endowment may the more satisfactorily take effect, and, when completed, be the more easily preserved, he supplicates that the Pope would incorporate, annex and perpetually unite the parish church of TORBOLTON,<sup>3</sup> Glasgow diocese, which is in his patronage (30 marks sterling), with all its rights and pertinents, to the said college, after its foundation, so that on the cession or decease of the rector the

<sup>&</sup>lt;sup>1</sup> Elizabeth, daughter of Duncan, eighth Earl of Lennox. (S.P., v. 347.)

<sup>&</sup>lt;sup>a</sup> The estate of Darnley is the modern parish of Eastwood or Pollok, near Glasgow. This purpose of founding a collegiate church was never effectuated.

<sup>&</sup>lt;sup>a</sup> The church of Tarbolton was erected into a prebend of Glasgow by Bishop Cameron, with the consent of Darnley. (*Reg. Glas.*, ii. 340.)

priests may take corporal possession of the said church, and convert the fruits to their own use, without requiring any licence thereanent.

Fiat. O.

## Indulgio

Item : Lately the foresaid nobleman, fired with the zeal of devotion, founded and endowed in the Church of ORLEANS a chapel in honour and to the name of the Glorious Virgin Mary,1 so that mass might be celebrated every day by one of the canons, with the singing of six choir boys. That, in the course of time and in the absence of the said nobleman, divine worship may not be neglected in the said chapel, but rather that it may be preserved there, and that the people, visiting it the more fervently, may become participant in the intercessions of the masses,2 he supplicates that the Pope would on each occasion (qualibet vice) grant relaxation of 100 days of enjoined penance to all Christ's faithful who should be present at the said masses; and of 200 days to all who should visit the said chapel for the sake of devotion on any of the feasts of the Virgin, and stretch out helping hands to its completion : and that the indulgence should not expire with the lapse of time.

## Fiat in forma. O.

#### Concessio

Item : the foresaid nobleman supplicates in the person of his beloved HENRY DE CONNYGHIN, of noble race, that the Pope would grant him faculty of choosing a fit confessor who, having heard his confessions, might absolve him once in life and at the point of death from all sins a pena et culpa, even in cases reserved to the Apostolic Sec.

## Fiat in forma. O.

<sup>&</sup>lt;sup>1</sup> See Miscellany of Scot. Hist. Soc., ii. ad indices.

<sup>&</sup>lt;sup>2</sup> et populus ferventius illam visitando missarum huiusmodi intercessionibus particeps efficiatur.

## In mortis articulo

Item: he supplicates that the Pope would grant faculty to his mother, JONETE DE KETH [etc., as in the preceding, p. 282].

Fiat in forma. 0.

Rome, S. Peter's, 5 Kal. March, anno 5.

161, 7 [13 pp.]

## Dispensatio matrimonialis

Lately WILLIAM DE HAMYLTON, knight, Glasgow diocese, 1422. and AGNES DE ERTH, matron, St. Andrews diocese, ignorant <sup>25</sup> February. Rome, that they were related in the fourth and fourth degrees of s. Peter's. consanguinity, contracted matrimony [*per verba*] *de present* and had offspring. For the sake of this offspring they desire to remain in matrimony, and deserve pity because they acted through ignorance; therefore they supplicate that the Pope would dispense them to remain in matrimony, notwithstanding the above consanguinity, and would declare legitimate the offspring, born and to be born.

Fiat ut petitur. 0. Rome, S. Peter's, 5 Kal. March, anno 5. 161, 37 [<sup>1</sup>/<sub>3</sub> p.]

## [No rubric, except the note non signata per se.]

Since the devout son of his Holiness and of holy Roman 1422. Church, MURDACH, DUKE OF ALBANY, Earl of Fife and of 25 February. Rome, Mentethe, Governor of the realm of Scotland, ardently S. Peter's. desires to promote divers graduates, even of his own stock, and other fit persons, his familiars or otherwise beloved by him and desirous of ecclesiastical stipends,—he supplicates that the Pope for their more speedy succour would reserve in every diocese of the realm four ceclesiastical benefices, with eure or without eure, even if canonries, etc., first void or to be void, for collation to persons to be nominated by the Duke.

### Concessio

Item: The Duke supplicates that the Pope would grant indult to him, his wife <sup>1</sup> and children, to choose fit confessors to absolve them from all their sins, once in life and once at the point of death.

Fiat pro omnibus. O.

## Concessio

Item: That the said Duke, his wife and children might confess their sins to any fit priests and receive absolution from them.

Fiat pro omnibus. O.

#### Altare portatile

Item : that the Pope would grant them a portable altar ut in forma.

Fiat. O.

#### Concessio

Item: the said Governor supplicates that the Pope would annul, revoke and decree to be invalid all and sundry the unions to whatsoever places of whatsoever religious order, made from the time of the Schism from unreasonable, unjust, fictitious, false, or null causes,—even if they have taken effect.

Fiat in forma ordinacionis in Concilio.<sup>2</sup> O.

Rome, S. Peter's, 5 Kal. Mar., anno 5.

161, 66 [11 pp.]

<sup>&</sup>lt;sup>1</sup> Isabella, daughter of Duncan, eighth Earl of Lennox. (S.P., i. 150.)

<sup>&</sup>lt;sup>a</sup> In 1418, in the 43rd session of the Council of Constance, Martin v. revoked unions and incorporations made from the death of Gregory XI. (1371-1378) 'si non ex rationabilibus causis & veris factae fuerint.' (Acta Conciliorum, viii. 874: Paris, 1719.)

# Dispensatio

John Steuuart, baron, and Constable of the Scots army <u>5</u> February, in France, in the person of JOHN DE CASTELTARRIS, his Rome, secretary, priest, Glasgow diocese, U.J.B., that the Pope S. Peter's. would dispense him to hold for life along with the right which he has in the perpetual vicarage of the parish church of Cupar, St. Andrews diocese (£55 sterling),—which he does not possess and about which he is litigating in Curia, one other benefice with cure or otherwise incompatible, even if a parish church, etc., with power of exchange as often as he pleases for others, like or unlike, holding two only incompatible together : notwithstanding a canonry and prebend of the church of Holy Cross, Orleans diocese, which he possesses, and his right in the foresaid vicarage (total fruits, <u>2</u>70 sterling).

Fiat ut petitur. 0.

Rome, S. Peter's, 5 Kal. March, anno 5.

161, 72v [1 p.]

#### Dispensatio

John Steuuart, baron, Lord de Rule<sup>1</sup> [etc., as above], in the person of his beloved kinsman and first secretary, JOHN DE KIRKTON, priest, perpetual vicar of the parish church of Kilmacolme, Glasgow diocese,—that the Pope would dispense him to hold for life together with the said vicarage, which he possesses (24 marks sterling), one other ecclesiastical benefice, with power of exchange [etc., as above.]

## Fiat ut petitur. 0.

Rome, S. Peter's, 5 Kal. March, anno 5. 161, 73 [5 p.]

Prot. de Brancatis.

## Licentia permutandi

RICHARD DE CREICH, U.J.D., chaplain of the Apostolic <sup>5</sup> March. See and late Auditor of the Sacred Apostolic Palace of <sup>Son</sup>, Peter's.

1 i.e. Dernle.

1422.

Causes, rector or *plebanus* of the parish church of KYNKEL, Aberdeen dioeese, that the Pope would grant him licence to resign the said parish church or *plebania*<sup>1</sup> with its annexes (which he holds), and any other ecclesiastical benefices which he may obtain in future, in the hands of the Ordinaries for exchange with any other ecclesiastical benefice or benefices, notwithstanding that by virtue of his chaplainey and office of Auditor the benefice or benefices, obtained or to be obtained by him, are reserved to the disposition of the Apostolic See.

Fiat. O.

Rome, S. Peter's, 3 Non. March, anno 5. 161, 60v [1 p.]

H. Prot.

## Dispensatio

1422. 6 March. Rome, S. Peter's.

Dispensations are narrated in some letters of the Pope, wherein it is said that EDWARD DE LAWEDRE, priest, St. Andrews diocese, M.A. of Paris and bachelor in theology, was dispensed that notwithstanding defect of birth as the son of an unmarried man and an unmarried woman he might be promoted to all orders and hold a benefice with cure, and then that he might hold two other compatibles, and, thirdly, that he might hold whatsoever ecclesiastical benefices. But the foresaid Edward fears that the original letters of these dispensations are lost, and the registers of the former Benedict, by whose authority he was thus dispensed, are not to be had in the present Curia. He fears that the said dispensations are invalid because they were expedited by the Penitentiary of Benedict, and he doubts other causes of surreption ; therefore he supplicates that the Pope would dispense him anew for the said defect of birth, according to the foregoing, ratifying all the consequences, as if he could sufficiently prove legitimate dispensations (perinde ac si de legittimis dispensationibus suffi-

<sup>&</sup>lt;sup>1</sup> Plebania, est aliud genus beneficii, et majus quam Rectoria, habet sub se capellas, et dignitalem esse putant Interpretes." (See Du Cange.) Similarly plebanus is defined as Paraecus, curio, Sacerdos, qui plebi praest.

center constarct): notwithstanding the archdeaconry of Lothian in the Church of St. Andrews, a dignity with cure to which a canonry and prebend are annexed, about which he is litigating in the second instance; also the provostship to be creeted in the church of St. Giles of Edinburgh, which will be a dignity with cure and principal therein; 1 also the perpetual vicarage of Caral, St. Andrews dioecse, about which he obtained the signature of a supplication (total fruits £200 of old sterling).

Fiat ut petitur.<sup>2</sup> O.

#### Concessio

Item : the aforesaid EDWARD formerly held and possessed the parish churches of Gogar and Suthak, of lay patronage,<sup>3</sup> and the perpetual viearage of Old Roxburgh (de Veteri Rozburgh), St. Andrews and Glasgow dioecses, by a dispensation granted by the former Benediet before his deposition, and when the kingdom of Scotland was in his obedience. But he fears that he cannot legitimately prove the original dispensation, and the registers of Benedict are not to be had in the present Curia ; and he also fears that the dispensation was insufficient or surreptitious. Moreover it is said that his procurators in his name (he himself dwelling at a distance) held and possessed de facto the said churches, or others, for some months before the grant of the said dispensation and also after the lapse

<sup>&</sup>lt;sup>1</sup> St. Giles was not erected into a collegiate church until 1466; and, even then, 'a delay of some years would seem to have occurred in carrying this intention into effect.' (*Charters of St. Giles*, xxix.; *C.P.R.*, xi. 296, 297.)

<sup>&</sup>lt;sup>2</sup> ut petitur. Ar. is added in the margin; also the note: Correctum de mandato Domini nostri, Ar. The correction is signed (Ar.) by the Magister Hebdomadarius, Arpinus de Collis de Alexandria.

<sup>&</sup>lt;sup>a</sup> The town and lands of Gogar belonged to Lander of Haltoun, and later fell to the Crown through the forfeiture of William de Lander of Haltoun. (*R.M.S.*, ii. 544). Southwick (modern Colvend) was in the patronage of the Crown when James IV, annexed it as a prebend to the Chapler Royal of Stirling. (Chalmers, Calchamers, 2014).

of the time within which he ought to have dimitted one of them.1 and took up the fruits. He doubts that by reason of the foregoing he may be molested in future and supplicates that, seeing he has now simply dimitted the foresaid parish churches and vicarage, the Pope would absolve him from all irregularity and dishability contracted by reason of the above, would ratify all his apostolic graces, habilitate him and restore him to his pristine state, and remit the fruits unlawfully taken up.

Fiat ut petitur. O.

Rome, S. Peter's, Prid. Non. March. anno 5.

101, 119v [13 pp.]

Proth de Branth.

## Surrogatio

1422. 19 March.

Rome.

S. Peter's.

In a suit pending in the Roman Court between ALEX-ANDER DE LAWEDRE, priest, St. Andrews diocese, Lic.Dec. of Paris, rector of the parish church of RATHOW, said diocese, plaintiff, and Ingeram Lindesay, alleged priest, Glasgow diocese, defendant, about the said parish church, it was proceeded to three conform sentences (ad tres sententias conformes) in favour of Alexander, and then Ingeram withdrew from the suit and freely renounced his right. May the Pope therefore give mandate to the said Auditor to surrogate Alexander in and to all the right, if any, competent to Ingeram in the said church at the time of his cession, and provide him anew to the same (£60 of old sterling), void in whatsoever way : notwithstanding a canonry and prebend and the archdeaconry of Dunkeld, which is a dignity with cure, and the canonry and prebend of Barlaneek, in the Church of Glasgow, to which he has a mandate of provision in a certain event (total fruits, £100 of old sterling).

Fiat.

<sup>1</sup> Six months.

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#### Si neutri

In a suit pending in the Apostolic Palace before a certain Auditor between EDWARD DE LAWEDRE, priest, St. Andrews diocese, M.A. of Paris and bachelor in theology, plaintiff, and Columba de Dunbar, alleged priest, said diocese, defender, about the archdeaconry of LOTHIAN in the Church of St. Andrews, void by the death outwith the Roman Court of the late Richard Cornel, and to which Edward obtained provision by apostolic authority,-it was proceeded to a certain alleged definitive sentence in favour of Columba and against Edward. The cause of the appeal from this was committed to dom. Geminianus de Prato, who proceeded to some acts but short of conclusion. But by some it is asserted that neither of the above litigants has right in or to the said archdeaconry, therefore Edward supplicates that the Pope would give mandate to the said Auditor, or to another by surrogation, that, if he find by the event of the suit that neither of the said litigants has right, he collate and provide Edward anew to the said archdeaconry (£120 of old sterling), void in whatsoever way; and, if Columba should withdraw his right to the same by resignation or by obtaining another benefice,1 that he surrogate Edward in the right of Columba : notwithstanding the provostship to be crected in the church of St. Giles of Edinburgh, and the signature of a supplication about the perpetual vicarage of Caral, St. Andrews diocese (total fruits, £120 of old sterling), and dispensation for defect of birth.

Fiat ut petitur pro omnibus quatuor. [O.] Rome, S. Peter's, 14 Kal. Apr., anno 5. 162, 63 [2 pp.] [These are the two last supplications of the four.]

## Licentia testandi

Creten.

1422.

Since ANDREW DE HAWYK, priest, rector of the parish 20 March. church of Lyston, St. Andrews diocese, B.Dec., has acquired S. Peter's.

<sup>1</sup> The text here is involved and imperfect, and there are errors and omissions throughout.

some possessions and goods in the faithful service (officies ... fideliter insistendo) of the Duke of Albany, Governor of Scotland, and otherwise through his own industry over the fruits of his ecclesiastical benefices, therefore he supplicates that the Pope would grant him licence of testing, and of disponing to pious and other uses in his last will the foresaid and all his other goods, even by reason of the benefices which he holds or may hereafter obtain.

Fiat in forma. 0.

Proth. de Brancatis.

#### Conservatoria

Item: the foresaid Andrew supplicates that, for the conservation and recovery of the goods pertaining to the above church [of LYSTON], the Pope would grant him conservatoriam<sup>1</sup> in forma militanti ecclesie, to last for ten years.

Fiat. O.

Rome, S. Peter's, 13 Kal. Apr., anno 5.

161, 279 [3 p.]

# Proth. de Castellan.

## [No rubric]

GILBERT ROBERTI, priest, Brechin diocese,—that the Pope would provide him to the perpetual vicarage pensionary of ELON, Aberdeen diocese (£10 Scots), void by the free resignation of Thomas de Tulo in the hands of the late Gilbert Bishop of Aberdeen.

Fiat ut petitur. O. Fiat.

Rome, S. Peter's, Kal. Apr., anno 5. 162, 131v [1 p.]

[No rubric]

1422. 5 April. Rome, S. Peter's.

1422. 1 April.

Rome.

S. Peter's.

DAVID DE HAMYLTON, clerk, Glasgow diocese, M.A., B.Dec. of Paris, and who has studied theology there for

<sup>1</sup> Conservatoria was a kind of papal rescript, granting powers of protection to the recipient. (See Du Cange.)

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six years, kinsman of the Duke of Albany, Governor of Scotland, and of John Earl of Bughan, Constable of France, —that the Pope would provide him to the hospital, or house of God, of ROTHAYS [Ruthven], Aberdeen diocese (£40 sterling), void or to be void by the promotion of Columba de Dumbar, administrator and possessor of the same, to the Church of Moray (*Murravien.*), or void in whatsoever way, except by the death of Columba : notwithstanding the parish church of Cunnok and the chapel of St. Thomas the Martyr, Glasgow diocese, of lay patronage (£40 sterling), and the right which he claims in or to the deanery of Glasgow, which he does not possess (£100 sterling).

Fiat.

### Surrogatio

While a suit about the archdeaconry of LOTHIAN was pending undecided in the second instance in the Sacred Apostolic Palace of Causes between EDWARD DE LAWEDRE and Columba de Dunbar before dom, Geminianus de Prato [etc., as above, p. 291], the Pope provided Columba to the Church of Moray, on account of which his right, if any, in the above archdeaconry is said to be void, or is expected soon to be void. Therefore Edward, who has had much labour and expense in prosecuting the suit, supplicates that, lest a new adversary should perhaps arise to take it up, the Pope would give mandate to the said Auditor, or to another by surrogation, to surrogate him in and to all the right, if any, of Columba, who had obtained a definitive sentence against Edward at the time of his promotion, and to provide him to the said archdeaconry (£120 sterling). to which a canonry and prebend are annexed, whether void as above, or howsoever : notwithstanding the provostship to be created in the church of St. Giles of Edinburch, which he is ready to resign, etc.; and the perpetual vicarage of the parish church of Caral, which is in the presentation of the Abbess or Prioress and convent of nuns

of Hadynton  $^1$  (total fruits,  $\pounds 120$  sterling), and notwithstanding defect of birth.

Fiat.

## Commenda

COLUMBA DE DUNBAR Elect of Moray,—that the Pope would grant him in commend, for one year, the deanery of the church of St. Baye of DUNBAB, St. Andrews diocese, which is of lay patronage and a principal dignity with cure (£50 sterling), and which he held at the time of his provision to the said Church; whether void by his said promotion or in whatsoever way.

Fiat.

# [No rubric]

INGERAM DE LYNDESAM, priest, Glasgow diocese, B.Dec., of noble race, supplicates that, since by reason of his straitened circumstances (iuxta sui status exigentiam) he can hardly support conveniently the burdens incumbent upon him, the Pope would reserve and assign to him an annual pension of £50 sterling upon the fruits of the episcopal table of MORAY, until he obtain a benefice of equal value :-to be paid by the said Bishop to Ingeram or his procurator in the Church of St. Andrews at the feasts of Pentecost and St. Martin in winter in equal portions ; and that the Pope would oblige the Bishop to pay the said pension, so that, if he deferred payment within the prescribed terms or within three months immediately thereafter, he should incur the sentence of excommunication, from which (if he sustained it with an obdurate spirit for more than a year, making default of payment) he might be absolved by none other than the Roman Pontiff, except at the point of death : notwithstanding the perpetual vicarage of the parish church of Monkton, Glasgow diocese, which he holds and is ready to dimit, etc.; and notwithstanding defect of birth.

Fiat.

<sup>&</sup>lt;sup>1</sup> Altered from Northberwyk.

## [No rubric]

PATRICK DE OELYN, priest, Dunkeld diocese,—that the Pope would provide him to the vicarage of the parish church of MONKTON, Glasgow diocese (£12 sterling), void because Ingeram Lyndesay, priest, said diocese, who possesses it, has obtained (*extiiti assecutus*) the deanery of the collegiate church of St. Baye of Dumbar, St. Andrews diocese, which is a major dignity; if void by the peaceable assecution of the above or in whatsoever way.

Fiat.

### [No rubric]

ROBERT DE STRABROKE, priest, St. Andrews diocese, M.A.,-that the Pope would provide him to the parish church of LOUCHAWART,<sup>1</sup> St. Andrews diocese (£40 sterling), void by the promotion of Columba de Dumbar, rector of the same, to the Church of Moray, or void in whatsoever way: notwithstanding the parish church of Gogar,<sup>2</sup> said diocese, which he holds and is ready to dimit, etc.

Fiat.

## [No rubric]

JOHN DE KYRYMOR, priest, St. Andrews diocese, B.Dec., —that the Pope would provide him to the parish church of GogAR (£10 sterling), void because Robert de Strabroke [as above] has obtained the parish church of Louchorwart; if void by peaceable assecution or in whatsoever way.

Fiat ut petitur pro omnibus septem. O. Fiat.

Rome, S. Peter's, Non. Apr., anno 5.

162, 246v [45 pp.]

## [No rubric]

1422, While a suit was pending before an Auditor of the 7 April. Apostolic Palace of Causes between Edward de Lawedre, Rome, 8, Peters,

<sup>&</sup>lt;sup>1</sup> Also spelt Lowchorwart.

<sup>&</sup>lt;sup>2</sup> Fruits not stated.

priest, and Columba Elect of Moray, then in lower rank (in minoribus constitutum), about the archdeaconry of Lothian in the Church of St. Andrews, the Pope provided Columba to the Church of Moray and surrogated, or gave mandate to surrogate, Edward in his right in the foresaid archdeaconry. By his assecution of the archdeaconry Edward's right in the provostship to be erected in the church of [ST. GILES] of Edinburgh 1 is expected to be void, or is void : therefore ANDREW DE HAWYK, rector of the parish church of Lyston, St. Andrews diocese, B.Dec., supplicates that the Pope would provide him to the same (£120 sterling), which is of lay patronage, or to Edward's right therein : notwithstanding the above parish church, which he holds (£100 sterling), and the prebend of Kyncardin in the Church of Aberdeen, of which he does not have possession, and which is of lav patronage (£100 sterling): and that the Pope would dispense him to hold the said provostship (if collated to him) together with the said parish church for five years, with power of exchange.

Fiat ut petitur. 0.

Rome, S. Peter's, 7 Id. April, anno 5.

162, 215v [1 p. +]

#### Dispensatio

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1422. 17 April. Rome, S. Peter's. Formerly the Pope dispensed ANDREW DE HAWYKE, rector of the parish church of Lyston, St. Andrews diocese, first scretary and counsellor of the late Governor of Scotland,<sup>2</sup> to hold for life another ceclesiastical benefice by virtue of an expectative grace along with the above church, with power of exchange, as is more fully contained in the apostolic letters thereanent. Therefore Murdach Duke of Albany, Earl of Fife and Mentethe, present Governor of Scotland, supplicates that the Pope would dispense the

<sup>&</sup>lt;sup>1</sup> There are many mistakes and omissions in the text, not all marked by the *Magister*. The structure is in places imperfect.

<sup>\*</sup> Robert Duke of Albany died 3 September 1420, and was succeeded as Governor by Murdach, his eldest son. (Scottish Kings, 166, 186.)

foresaid Andrew, B.Dec., his procurator and intimate counsellor, to hold for life together with the said parish church the foresaid other benefice, or any other incompatible ecclesiastical benefice, with power of exchange as often as he pleases for other incompatibles, his expectative grace and dispensation to hold incompatibles remaining inviolate.

Fiat ut petitur. 0.

Rome, S. Peter's, 15 Kal. May, anno 5. 163, 1v [ 5 p.]

#### Creten.

#### [No rubric]

DAVID DE HAWYLTON, of noble race, clerk, St. Andrews 1422, diocese, M.A., B.Dec. of Paris, kinsman of the Duke of 17 April. Albany, Governor of Scotland,—that the Pope would S. Peter's, provide him to the hospital of ROTHSEN [Ruthven], Aberdeen diocese, even if it has cure of souls or has a parish church or chaplaincy annexed, and is of the patronage of the Bishop of St. Andrews (£40 of old sterling), void by the promotion of Columba de Dunbar to the Church of Moray [etc., as above, p. 298].

Fiat.

Fiat ut petitur pro omnibus octo. O. Rome, S. Peter's, 15 Kal. May, anno 5. 163, 4 [1 p.] [This supplication is the first of the eight.]

## [No rubric]

INGERAM LYNDESAY, priest, St. Andrews diocese, of 1422. noble race, B.Dec.,—that the Pope would provide him to <sup>20</sup> April. the canonry and prebend which Michael Ouchtre holds in <sup>8</sup>S. Peter's. the Church of DUNBLANE (£8 sterling), void by the promotion of the said Michael to the Church of Sodor, lately made by the Pope.' or void in whatsoever way, save by

<sup>&</sup>lt;sup>1</sup> His provision seems never to have become effective. According to Eubel, Michael Anchire, priest, Dublin diocese, was provided on 20 April 1422 (i. 481). He was presumably in the English succession of Bishops of

the death of Maurice [sic]: notwithstanding the perpetual vicarage of the parish church of Monkton, Glasgow diocese (£10 sterling), and defect of birth, etc.

Fiat.

# [No rubric]

JOHN WYNCESTRE, priest, St. Andrews diocese, bachelor and student (*et actu studentis*) in decreets,—that the Pope would provide him to the perpetual vicarage of the parish church of STREGETHE, Dunblane diocese (£12 sterling), void by promotion as above : notwithstanding an expectative grace; and would dispense him to hold therewith another incompatible ecclesiastical benefice for seven years, with power of exchange.

Fiat ut petitur pro utroque. O. Fiat.

Rome, S. Peter's, 12 Kal. May, anno 5.

162, 200 [11 pp.]

## Surrogatio

1422. 20 April. Rome, S. Peter's. While a suit about the deanery of DUNBLANE was pending in Curia between John Steuart, of noble race, M.A., B.L., plaintiff, on the one part, and Michael de Ochtre, canon of Dunblane, defendant and possessor, on the other part, the said Michael was pronounced or elect confirmed by the Pope as Bishop of Sodor.<sup>1</sup> But since by his consecration, or lapse of time for consecration, etc., the said deanery is expected to be void, therefore JoHN DE KEREMOR, priest, St. Andrews diocese, B.Dec., and abbreviator of apostolie letters, a continual follower of the Curia since the obedience of Scotland, forty-four years of age and holding no benefice, supplicates that, seeing he has through no fault of his own been frustrated of all benefices

Sodor. (See Scottish Benefices, ad indices.) Bishop Michael was said to be dead on 16 June 1426. (C.P.R., vii. 478.) His surname is not stated, but the index, presumably following Eubel, gives him as Anchire. Michael Ouchtre, dean of Dunblane, was alive on 7 September 1427. ((*bid.*, 546.)

<sup>1</sup> idem Michael per eandem Sanctitatem est in episcopum Sodorensem misericorditer pronunciatus seu electus confirmatus.

hitherto void in Curia, the Pope would give mandate to the Auditor to surrogate him in and to the right, if any, of Michael in the said deanery at the time of his promotion, and that he would provide him to the same, which is a dignity with eure and elective and major *post pontificalem* in the Church of Dunblane (£30 sterling); whether void as above, or by the death of the late Donald de Bute, or by the free resignation of John Stevart, or void in whatsoever way.

Fiat ut petitur. O. Fiat.

Rome, S. Peter's, 12 Kal. May, anno 5.

163, 8 [1 p. +]

### Reformatio

Correction for ANDREW DE HAWYK about the provost-1422. ship in the church of Edinburgh. 21 April.

The dispensation sought by Andrew has not been Rome, granted in the signature of his petition; also, it was stated therein that the church of Sr. GILES (Sancti Egidii) is a parish church of lay patronage, although it is said by some to be in the patronage of the Abbot and convent of the monastery of Scone, O.S.A., St. Andrews diocese. Lest, therefore, he should be deprived of the effect of his petition, may the apostolic letters thereanent be expedited with the expression of the whole effect of the dispensation, even if the church of St. Giles is in the patronage of the said Abbot and convent.

Fiat ad triennium. O.

Et sub prima data. Fiat. O.

Rome, S. Peter's, 11 Kal. May, anno 5.

162, 290 [1 p.]

#### H. Prot.

#### Nova provisio

Lately THOMAS DE TYNYNGHAM, chaplain of the Apos-22 April. tolic See, rector of the parish church of Fethirtessow Rome, [Fetteresso], St. Andrews diocese, having licence of ex-S. Peter's.

changing his benefices in partibus, exchanged the said parish church with the late David de Fauconer,1 also chaplain of the Apostolic Sec. archdcacon of ABERDEEN. and having a similar licence : by virtue of which exchange he obtained possession of the said archdeaconry, and thereafter possessed it peaceably, as he does at present. But by some it is asserted that the said chaplains were not able to exchange their benefices by virtue of the above licence, inasmuch as certain rules of ordination of the former Benedict XIII, in whose obedience Scotland then was, and of other Roman Pontiffs, seem to prohibit (obstare videntur); and the said archdeaconry is said to be void at present by the resignation of the late David for the sake of exchange, or by his death. Therefore the above Thomas supplicates that the Pope would provide him anew to the same, which is a dignity with cure and elective in the Church of Aberdeen, and to which a canonry and prebend are annexed (£40 sterling), whether void as above, or by the death of the late John de Lichton, or in whatsoever way.

Fiat ut petitur. 0.

Rome, S. Peter's, 10 Kal. May, anno 5.

162, 239<sup>v</sup> [1 p. -]

Creten.

#### Pensio

1422. 22 April. Rome, S. Peter's. Since James King of Scots through the power of his enemies is deprived of his liberty,<sup>3</sup> whereby he has not sufficient of the revenues of his kingdom to maintain his fitting state and to discharge adequately the stipends of his servitors, and since ALEXANDER DE FOULERTOUN, of noble race, M.A. of Paris,<sup>3</sup> counsellor of the said King and

<sup>&</sup>lt;sup>1</sup> The name might be read here as Faucoun or Fauconer. Fauconer is the form given in C.P.R., vii, 234.

<sup>&</sup>lt;sup>2</sup> James was at this time in France, where he had been taken by Henry v.

<sup>&</sup>lt;sup>a</sup> He was also known as Alexander Major, and was elected procurator of the English nation in 1410. (Auctarium, ii. 96, 97, 98. Cf. Copiale, 244, 248.)

keeper of his privy scal .- who has long served him diligently and intends to serve him continually in future by special mandate,-cannot sustain himself in the King's service through his own resources (de propriis facultatibus). therefore the foresaid King in the person of Alexander supplicates that the Pope would grant him a pension of £70 Scots (of which each pound equals four gold crowns of France, or two gold nobles of England), from the fruits of the priory of St. Andrews, O.S.A., and of the monasteries of Dunfermelvn and Abirbrothoc, O.S.B., St. Andrews diocese, which were notably founded and endowed by the progenitors of the said King .- to be paid by the said Prior and Abbots to Alexander so long as he remains in the King's service, or until he be provided to benefices of equal value, under pain of excommunication, deprivation and interdict in case of non-payment : notwithstanding a canonry and prebend of Moray, which hc holds (£8 of old sterling), and his right in the parish church of Inchebriok. St. Andrews diocese, which he does not possess (£30 of old sterling).

Fiat de summa centum quinquaginta florenis ad beneplacitum nostrum eo permanente in servitio Regis. O. [Granted 150 florins at our pleasure while he remains in the King's service.]

Rome, S. Peter's, 10 Kal. May, anno 5.

162, 293v [1 p. +]

#### Nova provisio

A certain Richard de Cernen<sup>1</sup> freely resigned in 1422. the hands of the Ordinary the parish church of EcLIS-<sup>22</sup> April. MAQWHY [Ecclesmachan], St. Andrews diocese, in favour S. Peter's of JOHN DE HETON, priest, Aberdeen diocese, and the Ordinary, admitting the resignation, collated and provided John. By virtue of this provision he obtained possession of the said parish church, but he doubts the validity of the resignation, provision and possession, and

Creten.

<sup>&</sup>lt;sup>1</sup> Cornel in C.P.R., vii. 238, Scotichronicon, ii. 445; Cariel in Scot. Benefices, 86. Heton is probably Seton.

therefore supplicates that the Pope would ratify the same and all the consequences, and would provide him anew, if need be, to the said parish church (25 marks sterling), whether void as above or in whatsoever way.

Fiat ut petitur pro omnibus septem. O.

Rome, S. Peter's, 10 Kal. May, anno 5. 163, 89 [<sup>3</sup>/<sub>4</sub> p.] [This is the third supplication in the rotulus.]

### Nova provisio

1422. 22 April. Rome, S. Peter's.

While a suit about the archdeaconry of CAITHNESS was pending in Curia between Alexander Barberii, archdeacon of Caithness, and the late Thomas de Gerenlado [Greenlaw], canon of Dunkeld, Thomas [rectius Alexander] departed this life outwith the Roman Court. By his death his right, if any, in the said archdeaconry became void in Curia, and the Pope gave mandate to surrogate therein NICHOLAS TUNNOK, priest, M.A., who had himself surrogated by virtue of the letters thereanent, and it was proceeded in the cause to certain acts but short of conclusion. By some it is asserted, however, that neither Thomas nor Nicholas has right in the said archdeaconry and that it is void at present ; therefore Nicholas supplicates that the Pope would provide him to the same, which is a non-elective office or dignity with cure (40 marks sterling), whether void as above or in whatsoever way : notwithstanding the parish church of Furvy, Aberdeen diocese, and a canonry and prebend of Ross (total fruits, 20 marks sterling).

Fiat ut petitur. 0.

Rome, S. Petcr's, 10 Kal. May, anno 5.

163, 100 [1 p. --]

### Breilleti.

## Reformatio

1422. 23 April. Rome, S. Peter's. JOHN DE KEREMOR, priest, St. Andrews diocese, B.Dec., abbreviator of apostolic letters,—that in his original supplication for surrogation in the right of Michael de Ochtre in the deanery of DUNBLANE [see above, p. 298] all kinds of voidance were not expressed, inasmuch as it is asserted to be void by the cession or renunciation of John Steuart, or because he did not expedite the apostolic letters within the legitimate time, or because he took up the "fruits before the letters were expedited. May, therefore, the apostolic letters upon his supplication be expedited with the expression of the foregoing : notwithstanding his right in the parish church of Mucresy [as above, p. 250]

Fiat ut petitur, et habilitamus. O. Rome, S. Peter's, 9 Kal. May, anno 5. 163, 132 [<sup>2</sup>/<sub>3</sub> p.]

#### Si neutri

JOHN DE KEREMOR [after recapitulating his surrogation 1422. in the suit about the deancry of DUNBLANE, as above, <sup>27</sup> April. Rome, <sup>27</sup> April. Ritigants, John Steuart, Michael de Ochtre and John de Keremor, has right in the said deancry, and that it is void at present. Therefore he supplicates that the Pope would give mandate to the Auditor that, if by the event of the suit he find the assertion to be true, he provide John to the said deanery (£30 sterling); whether void as above, etc. [see above, p. 298]: notwithstanding his right in the parish church of Mukirsy, Dunkeld diocese, which he does not possess, and about which he is litigating (£10 sterling).

### Fiat.

Fiat ut petitur pro omnibus octo [rectius novem]. O. Rome, S. Peter's, 5 Kal. May, anno 5. 163, 113<sup>v</sup> [1 p.] [This is the seventh supplication in the rotulus.]

#### Reformatio

The Pope reserved to ANDREW DE HAWYK, rector of 29 April. the parish church of Lystoun, St. Andrews diocese, the Rome, canonry and prebend of KYNCARDIN, of lay patronage, in S. Peter's.

the Church of Aberdeen, if the patron should neglect to present within the canonical time. But it is asserted by some that the patron was not remiss or neglectful in presenting, although the person presented has not been admitted by the Bishop or instituted within the legitimate time. Lest, therefore, Andrew should lose the effect of his petition, may the apostolic letters thereanent be expedited under the first date with the expression : eciam si patronus ipse ad dictos canonicatum et prebendam infra tempore [sic] remissum presentaverit personam quam in illis canonicatu et prebenda institui eciam infra tempus dictum non contingeret [even if within the prescribed time the patron presented a person who, however, was not instituted within that period].

Fiat. O.

Rome, S. Peter's, 3 Kal. May, anno 5. 163, 68 [1 p.]

Another copy of the same tenor is found under date Prid. Non. May [6 May], anno 5, with the clause Et sub prima data. Fiat. O. 163, 139<sup>v</sup> [<sup>8</sup>/<sub>3</sub> p.]

Creten.

## Dispensatio matrimonialis

1422. 29 April. Rome, S. Peter's. ALEXANDER STEUART, donsel, and ECIDIA DE DUGLAS, widow of the late Henry Synelar, knight, cach of noble race on both sides, Glasgow and St. Andrews dioceses, in order to procure peace between their kinsmen and friends desire to contract matrimony together, but cannot fulfil their desire without dispensation from the Apostolic See, inasmuch as they are related within the second and third degrees of affinity from the common stock.<sup>1</sup> They therefore supplicate that, notwithstanding the above impediment, the Pope would dispense them to contract and remain in matrimony, decreeing legitimate the offspring to be born of the marriage.

Fiat ut petitur. 0.

Rome, S. Peter's, 3 Kal. May, anno 5. 163, 126 [<sup>2</sup>/<sub>5</sub> p.]

<sup>&</sup>lt;sup>1</sup> Cf. C.P.R., vii. 221.

Creten.

## Commissio

From of old time when the Catholic faith was planted 1422. From of old time when the catholic later was pludable 4 May. in the kingdom of Scotland there has been a laudable 4 May. custom, for the augmentation of divine worship and the S. Peter's. honour of cathedral Churches, to erect or create therein prebends, dignities or offices with cure (whereof the disposition sometimes pertains to ecclesiastics and sometimes to lay patrons), reserving fitting portions for the vicars who exercise the cure of souls and for the payment of episcopal burdens. Furthermore, in the diocese of Brechin there is a certain church, called GLEBERVY, in the presentation of lay patronage, and the EARL OF MAR, who as huarda 1 (as it is called in those parts) has the disposition, desires to erect it into a prebend of the Church of Brechin for the augmentation of divine worship.<sup>2</sup> He therefore supplicates that the Pope would crect the foresaid church (150 marks Scots) into a prebend of the said Church of Brechin, so that the rector might be erceted into a canon of Brechin, and from the fruits of the said parish church a canonry and prebend might be constituted in the Church of Brechin, the present rector and his successors for all time being canons prebendary, with a voice in chapter and a stall in the choir and with all the capitular attributes which other canons have 3 :- especially because the present rector proposes, for himself and his successors, to assign to a vicar 11 marks Scots and the ecclesiastical land of the said parish church from which to pay all the episcopal and archidiaconal rights and to sustain himself; and also to assign a pension of 40 shillings Scots to a

<sup>&</sup>lt;sup>1</sup> This may be a Gaelic word, latinised. In its present form it seems to be related to *huare*, *habere*; to possess. (See Du Cange.) Professor Watson suggests that it might be *huarla*, a corrupt form of the Gaelic *earlamh*, meaning the founder or patron of a church.

<sup>&</sup>lt;sup>a</sup> The circumstances of the erection of this prebend have been hitherto obscure. (See Mackinlay, Ancient Church Dedications in Scotland, 350, edit. 1910.)

<sup>&</sup>lt;sup>3</sup> ac singula acta capitularia gerentes et exercentes prout alii canonici habent et exercent.

ehorister, who shall be called an acolyte, to serve in the ehoir.

Fiat ut petitur et committatur. O.

### Nova provisio

Lately JAMES STEUAR<sup>1</sup> [Stewart], son of the Earl of Mar, Aberdeen diocese, by ordinary authority obtained the chancellorship of DUXKELD, which is a non-elective dignity with eure, to which a canonry and prebend are annexed, then void in a certain way,—and he possesses the same peaceably at present. But for certain reasons he doubts the validity of his assecution and possession, and therefore supplicates that the Pope would provide him anew to the above chancellorship, canonry and prebend (40 marks sterling), whether void as above or in whatsoever way : notwithstanding defect of birth as the son of a married earl and an unmarried woman, and notwithstanding defect of age, being in his sixteenth year.

Fiat ut petitur. 0.

#### Dispensatio

The above Earl, in the person of his kinsman, JOHN DE LICHTON,—that the Pope would dispense him that, notwithstanding defect of birth as the son of a priest and an unmarried woman, he might hold whatsoever compatible ecclesiastical benefices, even if canonries, etc.

Fiat. O.

## Dispensatio

Item : The above Earl, in the person of the said JOHN DE LICHTON,—that the Pope would dispense him to hold a benefice with cure, etc., notwithstanding defect of age, being in his eighteenth year.

Fiat de tribus annis. O.

<sup>&</sup>lt;sup>1</sup> This son is not known to the editor of the Scots Peerage; see v. 588-589.

#### Confessio

Item : the above Earl, in the person of his kinswoman, JONET DE CALABYR,—that the Pope would grant faculty of choosing a confessor [etc., as below, which comes second in the *rotulus*].

Fiat. O.

## Dispensatio

PATRICK DE WARDLAU, chaplain of the said Earl, perpetual vicar of the parish church of Wardlau, Moray diocese,—that the Pope would dispense him that, notwithstanding defect of birth as the son of a priest and an unmarried woman, he might hold whatsoever compatible ecclesiastical benefices.

Fiat. O.

## In mortis articulo

ALEXANDER EARL OF MAR and Garbeath (Garrioch), that the Pope would grant him faculty of choosing a confessor with power to hear his confessions in all, even reserved, cases and to absolve him, and once at the point of death to grant him plenary remission of all his sins.

Fiat ut petitur. 0.

Rome, S. Peter's, 4 Non. May, anno 5.

163, 76v [23 pp.]

## Dispensatio

JOIN BOUMAKAEE, B.Dec., rector of the parish church 1422. of Munyabro, Glasgow diocese, who has followed the Curia <sup>6</sup> May. for four years, not without the great expense of his friends <sup>5</sup>, Peter's, and himself,—that the Pope would dispense him for ten years to hold together with the said parish church, which he possesses peaceably (£20 sterling), the perpetual vicarage of VARE CAPELLE, St. Andrews diocese (£50 sterling), about which he has been litigating for four years in the Apostolic Palace, or some other incompatible ccelesiastical benefice,

even if a dignity, etc., with power of exchange as often as he pleases.

Fiat ut petitur. O.

Rome, S. Peter's, Prid. Non. May, anno 5.

163, 170<sup>v</sup> [<sup>3</sup>/<sub>4</sub> p.]

Creten.

[No rubric]

Since John de Inverkething, canon of Holyrood of Edinburgh, O.S.A., St. Andrews diocese, proposes to resign by William Croyser, archdeacon of Teviotdale, his procurator specially constituted, in the hands of the Pope, or of another having power for the purpose, the perpetual vicarage of the parish church of Sr. CUTHBERT under the Castle of Edinburgh, said diocese, and all his right therein, therefore may the Pope admit the resignation and provide JOHN DE BENYNG, canon professed of Holyrood, anew to the same (£30 of old sterling), when it becomes void by this resignation, or void in whatsoever way.

Fiat ut petitur. O. Fiat.

Rome, S. Peter's, 7 Id. May, anno 5. 169, 304 [3 p.]

### Concessio

1422. 11 May. Rome, S. Peter's. Since ANDREW DE HAWYK, rector of the parish church of Lystoun, B.Dec., is ready to make restitution for injuries, if he has occasioned any while he was in the service of the Governor of Scotland, and to restore other people's goods to those to whom they belong, therefore he supplicates that, since he is utterly ignorant as to whom he ought to make satisfaction or restitution, the Pope would allow him to pay out from his own goods to the poor in alms and in other works of piety in recompense of the above injuries and goods, and that this largesse may be as much a propitation for his soul's weal as if he had made personal satisfaction to the injured and had made

1422. 9 May. Rome, S. Peter's. restoration of goods to those to whom they ought to be restored.<sup>1</sup>

Fiat ut petitur. 0.

Rome, S. Peter's, 5 Id. May, anno 5. 163, 196<sup>v</sup> [<sup>1</sup>/<sub>3</sub> p.]

### Creten.

### Visitatio

Recently the Pope granted WILLIAM CROYSIER, arch-1422, deacon of TEVIOTALE [in the Church of Glasgow] the 11 May. right of visiting the churches, monasteries, etc., in his S., Peter's. archdeaconry for three years. But owing to his absence from the Roman Court this period has long elapsed, the letters not having been made out. He therefore supplicates that the Pope would grant him the right of visitation by fit person or persons of his choice for ten years, visiting one, two or three places on one day, and taking up the procurations.

Fiat ut petitur. 0.

### Conservatoria

*Item*: that the Pope would grant a *conservatoria* for the said archdeaconry for five years,

Fiat. O.

### Indulgentia

Since ABBOT DAVID DE BENIGNIT has rebuilt the monastery of MELROS, Cister. order, Glasgow diocese, which had been burned by the English, therefore he supplicates that whosoever for the weal of his soul and of the souls of the dead shall say the collect *Incline Domine aurem tuam*<sup>2</sup> as

<sup>&</sup>lt;sup>1</sup> ut de bonis proprisé pauperibus in alimatinarij et in alia opera pietatis in recompensationes inivitarium et boorsom predictorum tames negara valaat quantum fipitus sibi conscientita dijudited quadque huissmodi bonorum suorum elargacio sibi quo ad incrementum sue salatis anime perioda ac si lecis personalite satisfecisset ac bona huitsmodi illis quibas illorum restitutio facienda fuera texistituis de concedere digmentui.

<sup>&</sup>lt;sup>2</sup> This is the prayer *pro uno defuncto* which is among the seventeen special collects for use in the Mass for the Dead.

often as he does so, may have one hundred days of indulgence.

Fiat in forma. O.

Rome, S. Peter's, 5 Id. May, anno 5. 169, 303 [3 p.]

### Reformatio

1422. 13 May. Rome, S. Peter's. Correction for JOHN WYNCESTRE, priest, of his dispensation to hold two incompatible benefices.

In [the signature of] his petition on account of the restrictions of the Rules of Chancery, two parish churches are not said to be granted to John. May therefore the apostolic letters thereanent be expedited with the expression : eciam si incompatibilia ipsa due parrochiales ecclesie fuerint et ad huiusmodi triennium petitum [even if the two incompatibles be parish churches; and for the term of three years, as petitioned].

Fiat ad annum ut petitur. O.

And under the date of impetration of the first vicarage, since it prejudices no one.

Fiat. O.

Rome, S. Peter's, 3 Id. May, anno 5. 163, 215 [3 p.]

### Nova provisio

1422. 6 October. Rome, S. Maria Maggiore. Lately ANDREW DE MUNCO [Munro], canon of Moray, and John de Inchemartyn, archdeacon of Ross, resigned in the hands of the Ordinary for the sake of exchange, whereby Andrew obtained the said archdeaconry and John the canonry and prebend of Croy in the Church of Moray ; and they possess the same peaceably at present. But by some it is asserted that this exchange and assecution are not valid, inasmuch as John was not in sacred orders and detained the said archdeaconry for certain years without apostolic dispensation. Therefore Andrew, who is of noble race, priest, Ross diocese, B.Dec., supplicates that the Pope would provide him anew to the same (40 . . . sterling <sup>1</sup>), whether void as above or by the deprivation or resignation of David de Seton, formerly archdeacon, or void in whatsoever way; and would dispense him to hold the same notwithstanding defect of birth as the son of a priest and an unmarried woman (for which he was dispensed that he might be promoted to all sacred orders and hold an ecclesiastical benefice, etc.); and would habilitate him, as far as need be, inasmuch as he took up the fruits of the said archdeacorry without dispensation.

Fiat ut petitur, habilitamus, et dispensamus. O.

Rome, S. Maria Maggiore, Prid. Non. Oct., anno 5. 164, 14<sup>v</sup> [1 p.]

#### Breilleti.

# [No rubric]

SIMON DE GRENLAW, priest, St. Andrews diocese, of 1422. noble race, B.A.,-that the Pope would provide him to <sup>26</sup> October. the archdeaconry of ORKNEY, which is an office with eure, S. Maria to which a certain chapel (quedam capellina) is annexed Maggiore. (\$10 sterling), void by the free renunciation of Thomas de Grenlaw in Curia before a notary and witnesses, or void in whatsoever way.

Fiat ut petitur. O. Fiat. Rome, S. Maria Maggiore, 7 Kal. Nov., anno 5. 164, 170° [<sup>1</sup>/<sub>2</sub> p.]

### [No rubric]

EDWARD [LAUDER <sup>2</sup>],—that the Pope would provide 1422, him to the canonry and prebend of CRoy [in the Church <sup>26</sup> October, of Moray] <sup>2</sup> (£16 sterling), void by the free resignation of  $g_{\rm SMaria}$ . Thomas de Grenlaw, last possessor, in the Roman Curia Maggiore, in the presence of a notary and witnesses, or void in whatsoever way, even if it has the office of penitentiary

<sup>&</sup>lt;sup>1</sup> Quadrag . . . steriingorum. The rest is destroyed through the decay of the page. The top part of all the folios of this register has been eaten away by damp; and the volume has been repaired by the binder.

<sup>&</sup>lt;sup>2</sup> Page decayed.

of the Bishop<sup>1</sup>: notwithstanding the canonry and prebend of Lothian [*sic*], and the vicarage of Coral [etc., as in previous supplications], and a pension of £20 of old sterling.

Fiat ut petitur. O. Fiat.

Rome, S. Maria Maggiore, 7 Kal. Nov., anno 5.

164, 172 [<sup>3</sup>/<sub>4</sub> p.]

#### Si neutri

312

1422. 28 October. Rome, S. Maria Maggiore.

Formerly WILLIAM DE HAWICK, clerk, St. Andrews diocese, obtained provision to the canonry and prebend of GUITHRE in the Church of Brechin, void by the death outwith the Roman Court of the late Alexander Barberii, last possessor, and then obtained commission to Antonio Abbot of St. Lawrence outwith the walls of Rome of a cause which he intended to move against a certain Robert Clerici, alleged priest, Brechin diocese (the state of which cause to be had as sufficiently expressed). But by some it is asserted that neither of the litigants has right : therefore on the part of William it is supplicated that the Pope would give mandate to the said Auditor, or to another by surrogation, that, if by the event of the suit he find it to be as alleged, he provide William ancw to the said canonry and prebend (£12 sterling), whether void as above or in whatsoever way.

Fiat ut petitur. 0.

Rome, S. Maria Maggiore, 5 Kal. Nov., anno 5.

164, 209v [3 p.]

[This supplication appears again under date 3 Kal. Nov., anno 5; with the spelling Hawyek, Guichire, Barbarii.

164, 261v [2 p.]

Breilleti.

### Surrogatio

1422. 14 Nov. Rome, S. Maria Maggiore.

While a suit was pending undecided in the first instance in the Sacred Apostolic Palace of Causes before dom.

<sup>&</sup>lt;sup>1</sup> sui eisdem [can, et preb.] cura eminet animarum vel officium penitenciaris dicti [dicti cancelled] Episcopi.

William Maligeneri, Auditor, between Master Thomas de Grenlaw, priest, St. Andrews diocese, plaintiff, on the one part, and Walter Stewart, clerk, and Andrew de Hawyk, priest, said diocese, defendants, on the other part, about the canonry and prebend of KYNCARDYN in the Church of Aberdeen, the said Thomas freely resigned his right before a notary and witnesses. Therefore WILLIAM DE GRENLAW, clerk, said diocese, supplicates that the Pope would give mandate to the said Auditor, or to another by surrogation, to surrogate him in and to all the right competent to Thomas at the time of his resignation ; and that the Pope would [provide him]<sup>1</sup> to the said canonry and prebend (E100 sterling), if void as above, or in whatsoever way.

Fiat ut petitur pro omnibus sex. O. Fiat.

Rome, S. Maria Maggiore, 18 Kal. Dec., anno 5.

164, 313 [1 p. -]

[This is the first of the six supplications.]

<sup>1</sup> Decayed.



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# REPORT OF THE FORTY-SEVENTH ANNUAL MEETING OF THE SCOTTISH HISTORY SOCIETY

The FORTY-SEVENTH ANNUAL MEETING OF THE SOCIETY was held on Friday, 8th December 1933, in Dowell's Rooms, George Street, Edinburgh. The Hon. Lord Sands, Chairman of the Council, presided at the commencement of the Meeting.

The Report of the Council was as follows :----

The Society has lost 37 members by death or resignation in the past year, and 10 new members have joined. The net decrease of 27 leaves the total membership (including 132 libraries) at 579. As the number has now fallen for the fourth year in succession, the Council would remind members that, unless this process is stayed, the activities of the Society must soon be curtailed, and would urge them to co-operate in increasing the roll.

The Council desire to record their sense of the great loss which has been sustained by the Society in the death of Mr. J. R. N. Macphail, K.C., Sheriff of Stirling, Dumbarton and Clackmannan, which took place on 15th October. Mr. Macphail was a distinguished worker in the fields of Scottish history, heraldry, and genealogy. He joined the Society in 1893, and served for many years on the Council, and succeeded the late Sir James Balfour Paul as Chairman of the Council in 1922. He edited for the Society three important volumes of *Highland Papers*, issued in 1914, 1916, and 1920 respectively, and also the *Sclection from the Papers* of the late Sir William Fraser, K.C.B., which was presented to the Society by Sir William's Trustees in 1924.

Since the last report the *Flodden Papers*, edited by Dr. Marguerite Wood, have been issued as the second volume for 1931-2. The Council are confident that these are likely to prove one of the most valuable contributions of the Society to the study of Scottish diplomacy.

Of the two volumes for 1932-3, Miscellany Volume V. is in the press, and should be in the hands of members during December. It includes a further set of transcripts from the late Sir William Fraser's collection of charters, edited by Mr. W. Angus. Dr. Annie I. Cameron has contributed to 'it a portion of Bagimond's Roll, previously unknown, from the Vatican archives. Mr. H. M. Paton has edited some correspondence of John, Earl of Lauderdale, and Dr. W. K. Dickson the letters of Dr. Alexander Monro to John Mackenzie of Delvine. A contribution by Miss Henrietta Tayler throws light on the Jacobites at Avignon after the '15; the Hon. Grizel Hepburne-Scott has edited Marchmont Correspondence relating to the '45; and Professor J. Y. T. Greig has furnished Two Fragments of Autobiography of the 10th Earl Marischal Keith from the library of the Royal Society of Edinburgh.

Upon the second volume for the past year the editor, Sheriff Macphail, was engaged at the time of his death. It will be issued to members as soon as the necessary arrangements for its completion can be carried out.

The Council propose to publish for 1933-4 a volume of Early Correspondence of Robert Wodrow, to be edited by Dr. L. W. Sharp from a MS. letter-book in the library of Edinburgh University, which has not hitherto been used in the publication of Wodrow's works. As the second volume for 1933-4 the Council had arranged that a volume of Regesta Regum Scotorum should be edited by the late Mr. J. W. Hunter Marshall, of whose death they have since learned with deep regret. For this volume they now intend to substitute *Scottish Petitions to Rome*, 1419-21, to be edited by the Rev. and Hon. E. R. Lindsay and Dr. Annie I. Cameron.

To the list of publications which the Council hope to issue at some future date has been added A Commentary on the Rule of St. Augustine by Robertus Richardinus, written in the sixteenth century with special reference to conditions in Scotland. An abstract made by Miss Henrietta Tayler from Lord Pitsligo's Account of the Jacobite Court in 1719 will be included in a Miscellany volume.

The state of the Scottish records, to which attention was called in the last Report, formed the subject of Mr. Buchan's presidential address in December. The subsequent decision of the Secretary of State to add three members to the staff of the Record Office is so far satisfactory in view of the present financial stringency, but cannot be regarded by the Council as the adequate settlement of a long-standing grievance.

Mr. John Buchan, having held the presidency for four years, now retires from that office. The Council propose Sir Robert Rait, C.B.E., LL.D., Principal and Vice-Chancellor of the University of Glasgow, for election as President at the forthcoming Annual Meeting. For membership of the Council they recommend the re-election of Dr. James Curle, who retires by rotation at this time, and the election of Dr. W. C. Dickinson and Professor J. D. Mackie in place of Sir Robert Rait and the late Sheriff Macphail,

An abstract of the accounts is appended, showing a credit balance at the close of the year of  $\pounds$ 834, 1s. 1d.

The adoption of the Report, including the election of Principal Sir Robert Rait as President of the Society, was moved by Lord Sands and seconded by Professor R.K.Hannay. Sir Robert Rait then took the Chair and addressed the members as follows.

After expressing thanks for his election as President, he alluded to the losses sustained by the Society in the deaths of Sheriff Macphail and Professor Hunter Marshall, and then proceeded to refer to the works on Scottish History published during the year. Professor Hannay had produced in his College of Justice a constructive and convincing argument which placed the whole intricate story upon a new basis. Mr. H. M. Paton had written for the Historical Association a pamphlet on the Scottish Records which would be invaluable for young students. The fourteenth volume of the Third Series of the Register of the Privy Council, edited by Dr. Hannay and Mr. Paton, threw fresh light upon the eventful year 1689. Picturesque and romantic elements in our history had received fresh illustration from Mr. Linklater's Mary Queen of Scots, Mr. Compton Mackenzie's Bonnie Prince Charlie and Mr. John Buchan's Massacre of Glencoe. Mr. Cyril Matheson's excellent study of Henry Dundas, first Viscount Melville, had been written from careful examination of documents hitherto scarcely touched. He also referred to Miss I. F. Grant's Everyday Life in Scotland, Miss E. S. Haldane's The Scotland of our Fathers, Mr. D. A. Mackenzie's Scotland the Ancient Kingdom, and The Presbyterian Tradition by the Dean of the Thistle, and spoke of the volume on Fife, Kinross and Clackmannan, published by the Historical Monuments Commission, the Aberdeenshire Valuation Roll, edited for the New Spalding Club by Alistair and Henrietta Tayler, and the Index to the last thirteen volumes of the Scottish Historical Review, presented by subscribers to Dr. James MacLehose. The Society itself had published the second volume of Warrender Papers, where only those familiar with the documents could estimate the knowledge and skill of Dr. Cameron's editorial care, but any reader would recognise the deftness of her introductions and her happy gift of presenting in a page or two of admirably written exposition the salient features of an intricate situation. Miss Wood had dealt similarly with the diplomatic material embodied in *The Flodden Papers*, and had thrown fresh light upon the circumstances of perhaps the greatest and certainly the best remembered of our national disasters.

Turning to a theme relevant to the interests of the Society— • Some Scottish Lights on English History '—Sir Robert said that about 170 years ago Principal Robertson's *History of Scotland* aroused in English readers an interest in the past of their Northern neighbours. None of Dr. Robertson's successors had succeeded in achieving anything of the kind. Mr. Lang, who had special opportunities of access to English ears, used to say that his book had failed to impress even English historians with the fact that James I. of Scotland was not the first monarch of the House of Stuart.

The importance attached to the history of Scotland by English historians of the present day might be illustrated by the treatment of Scotland in the *Cambridge Mediaeval History*, which had devoted 18 pages of its seventh volume to a sketch of Scotlish history from the Roman Invasion to the Treaty of Northampton in 1328. What purpose, good, bad, or indifferent, any compilation on this scale could possibly serve it was beyond his wits to imagine. The inclusion of Scotland *pro forma* in mediaeval Europe was, however, as rich a debt of gratitude as they owed to recent English historians, with the great exception of Sir Charles Firth, and, in the last few months, of Mr. Trevelyan in his volume on *Ramillies and the Union with Scotland*.

His purpose was to illustrate his own belief that English historians lost something even in their study of English history by their contemptuous indifference to the history of Scotland. He could find some illustration in the development of the Scottish Parliament before the Union of the Crowns, but the details were technical, and would require tedious explanation. He could illustrate it from some incidents in the eighteenth century—for example, the Gordon Riots in London, which did not immediately follow the Act of 1778, removing some Roman Catholic disabilities, and were the direct result of the Edinburgh Riots of .1779, which prevented the proposed extension of the Savile Act to Scotland; but in this instance English historians, following an Irishman, Mr. Lecky, had not infrequently deigned to remember that England was not the only portion of a United Kingdom.

Sir Robert said he proposed to take his illustrations from the period in which the late Professor Gardiner and Sir Charles Firth had emphasised the importance of Scotland in English history, and to give some additional illustrations. They would come, not from the region of military or ecclesiastical history, in which no English historian, however arrogant, could ignore the existence of Scotland, but from that august domain of Parliamentary and constitutional history in which it was almost blasphemy to suggest that England had anything to learn from anybody. It was generally admitted that in the winter of 1640-41 the very existence of the Long Parliament (not vet Long) depended upon the presence of the Scottish army at Newcastle, but he did not think that it had been fully understood that the Scottish representatives in London deliberately delayed their agreement with King Charles in order to prevent his dissolving the Parliament to stop the impeachment of Strafford. The best instance occurred in a letter from Robert Baillie to the Presbytery of Irvine in February 1641, in which he told how Charles begged the Scots to make a complete statement of their demands, and

how they temporised because that procedure would not have been 'conducefull for the ends of the English, who required no such haste.' He did not say that Baillie and his friends were acting fairly either by the King or by Scotland, but the debt of the English Opposition to the Scots was even greater than had been generally recognised.

The inspiration of the English Triennial Act of 1641 was to be found not at Westminster, but in Edinburgh, the Opposition changing their earlier tactics and adopting a contemporary Scottish instead of a mediaeval English precedent. The Scottish Parliament in the summer of 1640, sitting in defiance of a Royal prorogation, had passed a Triennial Act. The Long Parliament's threat in the Grand Remonstrance that unless Charles chose such councillors and ministers as Parliament ' may have cause to confide in,' no supplies could be voted, and the demands of the Nineteen Propositions, followed a Scottish precedent. This was referred to by Baillie as follows : 'The tough dispute between the King and Parliament was about the election of the Officers of State, of the Counsell, and of the Session. Upon this povnt much dispute had been in the treatie at London. We alleadged it was our law, and old custome, to have all these elected by the advyce of Parliament : that the election of these by the King alone had been the fountain of our evills, and was lyke to be a constant root of corruption, both in Kirk and State, if not seen to. His Majestie took the nomination of these to be a speciall part of his prerogative, a great sinew of his government, the long possession of Kings in Scotland, the unquestionable right of the Kings in England.' The Scottish Parliament persisted in its demands, and the statute which incorporated these demands in 1641 contained even to details the conditions offered by the Long Parliament in the Nineteen Propositions in 1642.

His last illustration was a negative one, and related to the allegation that the execution of Laud was a device to pacify the Scots for the delay in carrying out the Solemn League and Covenant. The witness of Baillie was to the contrary, and Baillie not only represented Scottish feeling in London, but was himself, in 1641, the most prominent assailant of Laud. Writing in the beginning of 1644, he said : ' Canterbury every week is before the Lords for his tryall; but we have so much to doe, and he is a person now so contemptible, that we take no notice of his process.' Again, in July 1644, he remarked : 'Mr. Maxwell of Rosse (the former Bishop of Ross) has printed at Oxford so desperatlie malicious an invective against our Assemblies and Presbyteries that, however I could hardly consent to the hanging of Canterburry himselfe, or of any Jesuite, yet I could give my sentence freely against that unhappie lyer's life.' He considered that the responsibility for what was both a judicial murder and a cruel act of needless vengeance lay with the Long Parliament and the London populace rather than with their Scottish allies.

In conclusion, Sir Robert said that from these and other illustrations which he could give, it would appear that in the neglect with which English historians treated the history of Scotland they had lost opportunities of throwing light on the history of England itself.

Dr. W. C. Dickinson and Professor J. D. Mackie were elected to the Council in place of Sir Robert Rait and the late Sheriff Macphail. Dr. James Curle, who retired by rotation, and the Office-bearers were re-elected.

Mr. Evan Barron proposed a vote of thanks to Sir Robert Rait for his address and for presiding. ABSTRACT ACCOUNT of CHARGE and DISCHARGE of the INTROMISSIONS of the HONORARY TREASURER for the Period from 7th November 1932 to 1st November 1933.

#### CHARGE.

I. Funds as at close of last Account-

1. Sum on Deposit Receipt with the Bank of Scotland, 103 George Street, Edinburgh £985 12 4 2. Balance on Account Current with Do. . 193 19 3 £1.179 11 Less-Due to Messrs, T. & A. Constable 988 11 £891 0 II. Subscriptions received-1. Members £433 13 0 2. Libraries 144 18 0 578 11 0 III. Past Publications sold to Members 25 14 6 IV. Interest on Deposit Receipts 9 15 0 Sum of the Charge £1,505 1 1 DISCHARGE I. Cost of Publications £626 6 6 II. Miscellaneous Payments 40 3 6 Carry forward . . £666 10 0

Brought forward .	£666	10	0
III. Income Tax on Deposit Receipt Interest	4	10	0
IV. Funds as at close of this Account— 1. Sum on Deposit Receipt with			
the Bank of Scotland, 103 George Street, Edinburgh £995 7 4 2. Balance on Account Current			
with Do. do 41 17 3			
£1,037 4 7 Less—Due to Messrs. T. & A.			
Constable 203 3 6	834	1	1
Sum of the Discharge	£1,505	1	1

EDINRUGAR, 13th November 1933.—I have examined the Accounts of the Honorary Treasurer of the Scottish History Society for the period from 7th November 1932 to 1st November 1933, and I find the same to be correctly stated and sufficiently vouched, closing with a Balance on Deposit Receipt with the Balance Act Bocretit (George Street, Edinburgh, of  $g_{995}$ , 7s. 4d., and a Balance at the credit of the Society's Account Current with the Bank of  $f_{441}$ , 173. 3d.

WILLIAM K. DICKSON.

10

# Scottish History Society.

THE EXECUTIVE.

1933-1934.

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Chairman of Council. The Hon. LORD SANDS, D.D., LL.D.

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Hon. Secretary.

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# RULES

 The object of the Society is the discovery and printing, under selected editorship, of unpublished documents illustrative of the eivil, religious, and social history of Sochland. The Society will also undertake, in exceptional cases, to issue translations of printed works of a similar nature, which have not hitherto been accessible in English.

2. The affairs of the Society shall be managed by a Council, consisting of a Chairman, Treasurer, Secretary, and twelve elected Members, five to make a quorum. Three of the twelve elected Members shall retire annually by ballot, but they shall be eligible for re-election.

3. The Annual Subscription to the Society shall be One Guinea. The publications of the Society shall not be delivered to any Member whose Subscription is in arrear, and no Member shall be permitted to receive more than one copy of the Society's publications.

4. The Society will undertake the issue of its own publications, *i.e.* without the intervention of a publisher or any other paid agent.

5. The Society normally issues yearly two octavo volumes of about 320 pages each.

6. An Annual General Meeting of the Society shall be held at the end of October, or at an approximate date to be determined by the Council.

7. Two stated Meetings of the Council shall be held each year, one on the last Tuesday of May, the other on the Tuesday preceding the day upon which the Annual General Meeting shall be held. The Sceretary, on the request of three Members of the Council, shall call a special meeting of the Council.

8. Editors shall receive 20 copies of each volume they edit for the Society.

9. The owners of Manuscripts published by the Society will also be presented with a certain number of copies.

10. The Annual Balance-Sheet, Rules, and List of Members shall be printed.

11. No alteration shall be made in these Rules except at a General Meeting of the Society. A fortnight's notice of any alteration to be proposed shall be given to the Members of the Council.

#### OF THE

## SCOTTISH HISTORY SOCIETY

#### For the year 1886-1887.

- BISHOP POCOCKE'S TOURS IN SCOTLAND, 1747-1760. Edited by D. W. KEMP.
  - DIARY AND ACCOUNT BOOK OF WILLIAM CUNNINGHAM OF CRAIG-ENDS, 1673-1680. Edited by the Rev. James Dodds, D.D.

#### For the year 1887-1888.

- GRAMEIDOS LIBRI SEX: an heroic poem on the Campaign of 1689, by JAMES PHILIP of Almericelose. Translated and edited by the Rev. A. D. MURDOCH.
- THE REGISTER OF THE KIRK-SESSION OF ST. ANDREWS. Part I. 1559-1582. Edited by D. Hav Fleming.

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- DIARY OF THE REV. JOHN MILL, Minister in Shetland, 1740-1803. Edited by Gilbert Goudie.
- NARRATIVE OF MR. JAMES NIMMO, A COVENANTER, 1654-1709. Edited by W. G. Scott-Moncrieff.
- THE REGISTER OF THE KIRK-SESSION OF ST. ANDREWS. Part 11. 1583-1600. Edited by D. Hay FLEMING.

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8. A LIST OF PERSONS CONCERNED IN THE REBELLION (1745). With a Preface by the Earl of Rosebery.

#### Presented to the Society by the Earl of Rosebery.

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- THE RECORDS OF THE COMMISSIONS OF THE GENERAL ASSEMBLIES, 1646-47. Edited by the Rev. Professor MITCHELL, D.D., and the Rev. JAMES CHRISTIE, D.D.
- 12. COURT-BOOK OF THE BARONY OF URIE, 1604-1747. Edited by the Rev. D. G. BARRON.

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- 20, 21. THE LYON IN MOURNING, OR A COLLECTION OF SPEECHES, LETTERS, JOURNALS, ETC., RELATIVE TO THE AFFAIRS OF PRINCE CHARLES EDWARD STUART, by BISHOP FORBES. 1746-1775. Edited by HENRY PATON, VOIS. 1. and II.

### For the year 1895-1896.

- 22. THE LYON IN MOURNING. Vol. III.
- 23. ITINERARY OF PRINCE CHARLES EDWARD (Supplement to the Lyon in Mourning). Compiled by W. B. BLAIKIE.
- 24. EXTRACTS FROM THE PRESBYTERY RECORDS OF INVERNESS AND DINGWALL FROM 1638 TO 1688. Edited by William Mackay.
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 C. R. A. HOWDEN.— THE EARL OF MAR'S LEGACUS, 1722, 1736. HON. S. ERSKINE. —LETTERS BY MIS. GRANT OF LAGGAN. J. R. N. MACPHAIL.

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- 27. MEMORIALS OF JOHN MURRAY OF BROUGHTON, 1740-1747. Edited by R. Fitzroy Bell.
- THE COMPT BUIK OF DAVID WEDDERBURNE, MERCHANT OF DUNDEE, 1587-1630. Edited by A. H. MILLAR.

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29, 80. THE CORRESPONDENCE OF DE MONTEREUL AND THE BROTHERS DE BELLÉVRE, FRENCH AMBASSADORS IN ENGLAND AND SCOTLAND, 1645-1648. Edited, with Translation, by J. G. Fortheringham. 2 vols.

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- 33, 34. MACFARLANE'S GENEALOGICAL COLLECTIONS CONCERNING FAMILLES IN SCOTLAND ; Manuscripts in the Advocates' Library. 2 vols. Edited by J. T. CLARK, Keeper of the Library.

Presented to the Society by the Trustees of the late Sir William Fraser, K.C.B.

#### For the year 1899-1900.

- PAPERS ON THE SCOTS BRIGADE IN HOLLAND, 1572-1782. Edited by James Ferguson, Vol. n. 1698-1782.
- JOURNAL OF A FOREIGN TOUR IN 1665 AND 1666, ETC., BY SIR JOHN LAUDER, LORD FOUNTAINHALL. Edited by DONALD CRAWFORD.
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- 44. MISCELLANY OF THE SCOTTISH HISTORY SOCIETY. Vol. 11.
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#### For the year 1905-1906.

- 52, 53. MACFARLANE'S GEOGRAPHICAL COLLECTIONS. Vols. II. and III. Edited by Sir Arthur Mitchell, K.C.B.
- 54. STATUTA ECCLESIÆ SCOTICANÆ, 1225-1559. Translated and edited by DAVID PATRICK, LL.D.

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- 11. Letters of the Earl of Scafield and Others, illustrative of the History of Scotland during the Reign of Queen Anne. Edited by Professor Hume Brown.

#### For the year 1914-1915.

 HIGHLAND PAPERS. Vol. 11. Edited by J. R. N. MACPHAIL, K.C. (March 1916.)
 (Note.—Origins of the '45, issued for 1909-1910, is issued

also for 1914-1915.)

### For the year 1915-1916.

- Selections from the Records of the Regality of Melrose. Vol. III. Edited by C. S. Romanes, C.A. (February 1917.)
- A CONTRIBUTION TO THE BIBLIOGRAPHY OF SCOTTISH TOPOGRAPHY. Edited by the late Sir Arthur Mitchell and C. G. Cash. Vol. 1. (March 1917.)

### For the year 1916-1917.

- 15. BIBLIOGRAPHY OF SCOTTISH TOPOGRAPHY. Vol. II. (May 1917.)
- PAPERS RELATING TO THE ARMY OF THE SOLEMN LEAGUE AND COVENANT, 1643-1647. Vol. 1. Edited by Professor C. Sanford Terry. (October 1917.)

### For the year 1917-1918.

- PAPERS RELATING TO THE ARMY OF THE SOLEMN LEAGUE AND COVENANT, 1643-1647. Vol. II. (December 1917.)
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