

CHARTERS
OF THE
ABBNEY
OF
COUPAR
ANGUS
VOL. II

THIRD
SERIES

Scottish
History
Society



Ref 56
SCS. SHS. 122





PUBLICATIONS
OF THE
SCOTTISH HISTORY SOCIETY

THIRD SERIES
VOLUME
XLI



CHARTERS OF THE
ABBEY OF COUPAR ANGUS

VOL. II
CHARTERS CXIX TO CCCX
1389-1608

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ABBEY OF COUPAR ANGUS

VOL. II
CHARTERS CXIX to CCCX
1889-1608

Transcribed and Edited by
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EDINBURGH

Printed by T. and A. CONSTABLE LTD.
Printers to the University of Edinburgh
for the Scottish History Society

1947



Printed in Great Britain

ADDITIONAL NOTE
ON THE METHOD OF EDITING

IN some sixteenth-century charters, 'm̄' and 'n̄' in the middle or at the end of a word have been transcribed as 'm' and 'n.' Thus, 'peñ' has been rendered as 'pen' rather than 'penn' and 'sāmyn' as 'samyn' rather than 'sammyn.'

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THE CHARTERS OF THE ABBEY OF COUPAR ANGUS WITH NOTES

CXIX

26 July, 1389.

Ad perpetuam rei memoriam digna exaudicione uota personarum humilium maxime diuinis laudibus sacreque religionis obserua[n]cie deditarum apostolico nos conuenit fauore prosequi et ipsarum necessitatibus occurrere prouisionis gracia specialis Exhibita siquidem nobis pro parte dilectorum filiorum Abbatis et Conuentus Monasterii de Cupro Cisterciensis ordinis sanctiandree diocesis peticio continebat quod nonnulla edificia dicti monasterii propter guerras et alia disturbia que hactenus in illis partibus a longis retroactis temporibus uiguerunt et ad huc uigent sunt destructa penitus et collapsa et aliqua grauem minantur ruinam quodque redditus et facultates ipsius monasterii propter guerras huiusmodi necnon onerosas et sumptuosas hospitalitates quibus dictum monasterium ultra alia monasteria Regni Scocie in quo Monasterium ipsum consistit cotidie grauatur et alias adeo diminuti et exiles effecti existunt quod monachi dicti monasterii ex eis commode sustentari non possunt Quare pro parte dictorum Abbatis et Conuentus nobis fuit humiliter supplicatum ut parrochiam ecclesiam de Torref Aberdonensis diocesis que ut asserunt ad eorum presentacionem spectare dinoscitur et per secularem presbiterum est solita gubernari cuiusque fructus redditus et prouentus eorum supportatis oneribus Centum librarum sterlingorum secundum communem extimationem ualorem annum modernis temporibus non excedunt prefato Monasterio incorporare annectere et unire de benignitate apostolica dignaremur nos itaque huiusmodi supplicacionibus inclinati parrochiam ecclesiam predictam cum omnibus iuribus et per-

tinentiis suis prefato monasterio auctoritate apostolica imperpetuum incorporamus annectimus et unimus ita quod cedente uel decedente Rectore ipsius ecclesie qui nunc est aut ecclesiam ipsam alias quomodolibet dimittente liceat eisdem Abbati et Conuentui corporalem possessionem ecclesie iuriumque et pertinenciarum predictorum per se uel alium seu alios auctoritate propria apprehendere et nascisci ac eciam retinere fructusque redditus et prouentus ipsius ecclesie in suos et dicti monasterii usus conuertere diocesani loci uel alterius cuiuscumque licencia minime requisita reseruata tamen de ipsius ecclesie prouentibus pro perpetuo uicario inibi domino seruituro qui curam animarum parrochianorum dicte ecclesie gerere habeat congrua porcione per loci ordinarium assignanda ex qua idem uicarius ualeat commodè sustentari Episcopalia iura soluere et alia sibi incumbencia onera supportare Non obstante si aliqui super prouisionibus sibi faciendis de parrochialibus ecclesiis aut aliis beneficiis ecclesiasticis in illis partibus speciales uel generales apostolice sedis uel legatorum eius literas impetrarint eciam si per eas ad inhibitionem reseruacionem et decretum uel alias quomodolibet sit processum quasquidem literas et processus habitos per easdem ad prefatam ecclesiam uolumus non extendi sed nullum per hoc eis quoad assecutionem parrochialium ecclesiarum ac beneficiorum aliorum preiudicium generari seu quibuslibet priuilegiis indulgentiis et literis apostolicis generalibus uel specialibus quorumcumque tenorum existant per que presentibus non expresse uel totaliter non inserta effectus earum impediri ualeat quomodolibet uel differri et de quibus quorumque totis tenoribus habenda sit in nostris literis mencio specialis Nos enim exnunc irritum [decernimus] et inane si secus super hiis a quoquam quauis auctoritate scienter uel ignoranter contigerit attemptari: Nulli ergo etc. nostre incorporacionis annectionis unionis et constitutionis infringere etc. Datum Auinione vii Kal. Augusti Anno Undecimo.

G.R.H. Vatican Transcripts, I, 301 (from Reg. Aven. 259, fol. 457).

CXIX

Papal letter granting a petition of the abbot and convent of Coupar for the annexation of the church of Turriff to the monastery.

Parrochiam ecclesiam de Torref: Turriff is a parish in Aberdeenshire. Despite papal consent to the abbey's petition, Coupar did not succeed in appropriating this church. A charter of Gilbert, bishop of Aberdeen, erects it into a prebend of Aberdeen cathedral, 12 April, 1412 (*REA.*, i. p. 213).

Cuiusque fructus . . . Centum librarum . . . non excedunt: In a thirteenth-century *taxatio*, this benefice is valued at sixty marks (*ibid.*, ii. p. 53). By comparison with other churches entered in that list, it was one of the most valuable benefices in the diocese.

CXX

6 June, 1403.

Dilecto filio Daudi Abbati monasterii de Melros Cisterciensis ordinis Glasguensis diocesis Salutem etc. Sincere deuocionis affectus quem ad nos et Romanam geris ecclesiam promeretur ut illa tibi fauorabiliter concedamus per que presertim malignandi seu delinquendi materia euitari ualeat ac persone ecclesiastice in bono obediencie perseuerent et animarum periculis salubriter obuietur sane peticio pro parte tua nobis nuper exhibita continebat quod cum tu olim monasterium de Cupro Cisterciensis ordinis Sancti Andree diocesis tibi et monasterio tuo de Melros dicti ordinis Glasguensis diocesis subiectum uisitans reperisti quod monasterium ipsum de Cupro ob culpam et malum regimen dilecti filii Johannis abbatis eiusdem ualde depauperatum ac dilapidatum et destructum existebat et quod maior pars monachorum eiusdem per patriam uagabant idemque Johannes Abbas bona et possessiones ipsius Monasterii de Cupro alienauerat et erat publicus concubiniarius et male et inhoneste uite in magnum dedecus monasterii et ordinis predictorum ac scandalum plurimorum ac pretendens se sedis apostolice cappellanum existere ac occasione Cappellanie huiusmodi a tua Jurisdictione fore exemptum penitus et immunem ac bonum obediencie et correctionem tuam euitare satagens premissa et alia diuersa crimina et excessus comiserat et com-

Jo. de
Napoli.

mittere non formidat que omnino remanent impunita. Quare pro parte tua nobis extitit supplicatum ut providere super hoc de opportuno remedio de benignitate apostolica dignaremur. Nos igitur in premissis prout ex debito tenemur pastoralis officii paterna sollicitudine providere cupientes huiusmodi supplicationibus inclinati discretioni tue auctoritate apostolica tenore presencium concedimus ac statuimus et eciam ordinamus quod deinceps in dictum Johannem abbatem illam jurisdictionem habeas et exercere possis quam haberes et exercere posses in eum si dicte sedis capellanus non esset quodque tibi et tue Jurisdictioni in omnibus tam Ciuilibus quam eciam in criminalibus sit subiectus ac per te uel alium quem ad hoc deputaueris iuxta ipsius demerita iusticia exigente corrigi et puniri possit et debeat ac si dicte sedis cappellanus non esset non obstantibus quibuscumque exemptionibus priuilegiis indulgenciis et graciis ac litteris apostolicis generalibus uel specialibus cappellanis dicte sedis uel quibusuis aliis communiter uel diuisim sub quacumque forma uel expressione uerborum a dicta sede concessis etiam si de illis plena et expressa ac de uerbo ad uerbum presentibus mencio esset habenda que quoad hoc ei nolumus in aliquo suffragari Nulli ergo etc. nostre concessionis statuti et ordinationis infringere etc. Datum Carpentorate viii Idus Junij pontificatus nostri anno nono.

G.R.H. Vatican Transcripts, II, 65 (from Reg. Vat. 323, fol. 191).

CXX

Papal letter to David, abbot of Melrose, confirming his authority over the abbot of Coupar (which is a daughter-house of Melrose), although John, the abbot, who is accused of misrule and immorality, claims exemption as a papal chaplain from his jurisdiction.

On the relations of Coupar with its mother-house of Melrose, see Introduction, pp. xxvi-xxvii.

Davidi Abbati monasterii de Melros : David de Binning appears as abbot of Melrose, 8 Feb., 1397/8 (*Lib. S. Crucis*, 111) ; and, although he is called 'quondam' in a charter of Henry, bishop of St. Andrews, 19 April, 1413 (*ibid.*, 115), this is evidently an error. He appears in an indenture, 12 Feb., 1418/19 (*Melros*, 514), and, on 12 Jan., 1419/20, his petition to Martin V

for confirmation of his election, notwithstanding defect of birth, relates that he had been promoted by Clement VII and he had held the abbey for twenty-four years (*Supplics.*, p. 19). On 11 May, 1422, since he has rebuilt the abbey which had been burned by the English, he supplicates for an indulgence of one hundred days for those who pray for his and other souls (*ibid.*, 309).

Johannis abbatis eiusdem : See Appendix II.

CXXI

14 November, 1404.

In nomine domini amen : Pateat vniuersis per hoc presens publicum Instrumentum quod Anno . . . m^{mo} . cccc^{mo} . quarto indiccione xij^a mensis Nouembris die xiiii^{to} Pontificatus Benedicti . . . pape xiiij^{mi} anno undecimo In mei notarii publici et testium subscriptorum presencia personaliter constitutus . . . Magister Daud de Itvy Archidiaconus Brechinensis / in ecclesia Beate Johannis Baptiste burgi de perth coram altare beati martini hora quasi octaua * * * dici / fatendo fideliter fide media pronunciauit quod ecclesiam parochialem de Glenhila dicte diocesis Brechinensis . per sex annos ultimo preteritos [dat]ionem presentis instrumenti et amplius sui officij Archidiaconalis . auctoritate statutis temporibus visitauit Et quod fructus / prouentus et [ob]uentiones tot]ius parochie tam villis eiusdem . quam aliis examinatis per dictum tempus ad valorem viginti marcarum annuatim minime exten[dentem] * * * -iam presenti tantummodo excepto . quod dicti fructus prouentus et obuentiones ecclesie prenoinate summam creuerint antedictam . * * * -orum de sex annis prefatos fructus prouentus et obuentiones eiusdem aliquando ad valo[rem] * * * [q]uinque marcarum (?) * * * peruenerunt * * * sic quod propter exilitatem dictorum ecclesie fructuum vnam marcam quoque dim[idiam] * * * -atis debito nos eiusdem collegij canonici remisimus absque dolo . Super quibus omnibus [et singulis] . dompnus Willelmus de * * * [sub]prior monasterii de Cupro petiit a me publicu[m] [in]stru-mentum. . . . Acta fuerunt hec anno etc. . . . Presentibus . . . domino Abbate de lundoris . domino Patricio Gray

milite domino de langforgrund . Magistris Johanne de Glasgw canonico morauiensis Willelmo de Camera de Aberdene patre et multis aliis. . . .

Et ego Johannes Chien Clericus Sanctiandree diocesis publicus Imperiali auctoritate notarius etc.

(A note appended by the notary refers to a correction of the text of the charter. It is largely indecipherable.)

End. : Publicum instrumentum penes exilitatem fructuum Ecclesie de Glenyleff. This charter is torn and stained.

Moray Charters, Box 32, Div. V, Bundle II, No. 77.

CXXI

Notarial instrument recording a declaration by master David de Itvy, archdeacon of Brechin, regarding the fruits of the church of Glenisla.

Magister David de Itvy Archidiaconus Brechinensis : David de Edevy, archdeacon of Brechin, M.A., scholar of canon law, has a petition for the church of Inverarity, which was granted, 21 March, 1404/5 (*CPR.*, Pet., i. p. 625), and another, with the additional designation of kinsman of the earl of Crawford, for a canonry of Moray, granted, 20 Feb., 1406/7 (*ibid.*, i. p. 622). In a supplication, 2 June, 1419, it is stated that he had a mandate of provision but did not obtain possession and had resigned Inverarity (*Supplics.*, p. 66). There is a reference, probably retrospective over many years, in an entry, 31 July, 1462, to the vacancy in the archdeaconry of Brechin through the death of David Yduy (*CPR.*, xi. p. 456).

Glenhila : Glenisla. It appears that by this time the patronage of this church which the monks had obtained by agreement with Cambuskenneth (No. xcvi) had passed into possession. The state of the church of Glenisla may be guessed from the fact that it required rebuilding in 1469 (*Cupar*, i. p. 151). The responsibility for its renovation was placed upon Alexander Spalding of Auchinhary, to whom it was leased at that date (*ibid.*, i. p. 150).

*Dompnus Willelmus de * * ** [*sub*] *prior monasterii de Cupro* : There is apparently no other mention of this subprior from which his surname, indecipherable in the present writ, can be identified.

Abbate de lundoris : The succession of the abbots of Lindores in this period is obscure and this abbot cannot be identified. See *Lindores*, p. 309.

Domino Patricio Gray milite domino de langforgrund : Patrick Gray has a crown charter of the fee of part of the land of Longforgan, 11 Feb., 1373/4 (*RMS.*, i. 452), and appears as lord of the chief part of the barony of Longforgan in 1386 (*Yester Writs*, 35). At a later date, 12 Feb., 1406/7, he is mentioned as Sir Patrick Gray of Broxmouth (*RMS.*, i. 881) and his quitclaim to Robert Seres appears in a charter of Robert, duke of Albany, 22 June, 1408 (*ibid.*, i. 916).

(*Magistro*) *Johanne de Glasgo canonico moraviensi* : Not mentioned in *REM.* nor found elsewhere as canon of Moray. But, 24 May, 1405, a petition to the pope records that John de Glasgow has exchanged the canonry, prebend and chancellorship of Dunkeld for another benefice (*CPR.*, Pet., i. p. 631); and another petition, granted, 19 Aug., 1413, reveals that the exchange had been made twenty-six years before and that John had thus obtained the perpetual vicarage of Obney (*i.e.* Auchtergaven) (*ibid.*, Pet., i. p. 600). On 2 May, 1419, the canonry and prebend of Obney in Dunkeld are stated to be void by the death of John de Glasgu outwith the Curia (*Supplices.*, p. 39).

(*Magistro*) *Willelmo de Camera de Aberdene patre* : A layman frequently mentioned in writs relating to Aberdeen. As one of the bailies, he gives in an account at the Exchequer, 14 Feb., 1372/3 (*Exch. Rolls*, ii. p. 415), and figures in *REA.* from 14 Oct., 1374 (*ibid.*, i. p. 118). As a burgess of Aberdeen, he has a tack of the bishop's barony of Murtle, 6 April, 1388 (*ibid.*, i. p. 183), and is granted by Robert III an annualrent in Findoun, 28 March, 1391/2 (*RMS.*, i. 853). From 1 April, 1400, he is called 'Willelmus de Camera pater' (*REA.*, i. p. 202); his son, 'Willelmus de Camera filius,' who appears on 6 Nov. of the same year (*ibid.*, i. p. 205), is mentioned as a bailie of Aberdeen, 1390 (*Exch. Rolls*, iii. p. 233) and later. The present witness is an auditor of Exchequer, 7 March, 1406/7 (*ibid.*, iv. p. 1), and appears as such till 22 June, 1417 (*ibid.*, iv. p. 284). He is first called lord of Fyndoun, 7 July, 1410 (*ibid.*, iv. p. 104). He also appears as customar of Aberdeen from 14 March, 1406/7 (*ibid.*, iv. p. 13), to 8 July, 1422 (*ibid.*, iv. p. 358). His son, William, renders accounts as his depute, 21 June, 1415 (*ibid.*, iv. p. 225) and 24 July, 1420 (*ibid.*, iv. p. 304), and appears as customar, 14 May, 1425 (*ibid.*, iv. p. 388) and later. It is uncertain whether William de Camera of Fyndrome, burgess of Aberdeen, who founded the altar of St. Katherine in the parish church of that city, in 1360 (*Cart. S. Nich.*, i. pp. 17-18), is the present witness or his father. It is doubtless the present William de Camera who endows that altar, 29 Sept., 1417 (*ibid.*, i. xx1); and perhaps it is his son and namesake who founds St. Salvator's altar, 12 Sept., 1431 (*ibid.*, i. xx).

Johannes Chien . . . notarius : Not found elsewhere.

CXXII

16 September, 1405.

Pateat vniuersis per presentes quod nos Patricius . . . Abbas monasterii de Cambouskyneth et eiusdem loci Conuentus vota voce more solito capitulariter congregati sterilitate ac tenuitate parochialis ecclesie de Glenylef necnon quampluribus dampnorum detrimentis oppressionibus et dispendijs monasterii de Cupre pia ac debita

consideratione per nos perpensatis vnanimi consensu et assensu . omnia moda arreragia que Abbas et Conuentus monasterii de Cupre pro annua pensione ecclesie de Glenylef nostro monasterio annuatim debita et jam per multos annos minime soluta caritatis intuitu totaliter remittimus et usque ad festum sancti martini in yeme proximo post datam presentium exclusiue omnino relaxamus quadraginta libras monete Regni scocie quas Abbas et Conuentus de Cupre pro antedictis arreragiis nobis ad certos terminos soluere tenentur . termino duntaxat exceptis prout in suis litteris obligatorijs inde confectis plenius continetur Ita quod nec nos aut successores nostri qui fuimus vel qui pro tempore fuerint aliquam calumpniam pro antedictis arreragiis decetero in prefatos Abbatem et Conuentum de Cupre habere valeamus aut valeant quomodolibet infuturum In cuius rei testimonium sigillum Commune dicti monasterii nostri presentibus est appensum apud dictum nostrum monasterium . decimosexto die mensis Septembris Anno domini millesimo cccc^{mo} Quinto . hiis testibus . . . Dominis Daud flemyng domino de Bygar Willelmo de Dalzelle Johanne de Dalzelle Johanne de Cranystoun Johanne de chattoo militibus . Johanne de vchiltre armigero et multis aliis.

Seal attached. End. : Relaxacio arreragiorum pensionis ecclesie de Glenylefe per abbatem et Conuentum de Cambuskyneth.

Moray Charters, Box 32, Div. V, Bundle I, No. 34.

CXXII

Charter by Patrick, abbot of Cambuskenneth and the convent thereof, remitting to the abbot and convent of Coupar the arrears of an annual payment from the church of Glenisla.

The corresponding charter of William, abbot of Coupar and his convent, of the same date and with the same witnesses, appears, *Cambuskenneth*, 106. A quittance of Cambuskenneth to Coupar for an annual payment of the *pensio* from the church of Glenisla, 12 Feb., 1413/4, is given *ibid.*, 107.

Patricius . . . Abbas monasterii de Cambouskyneth : Patrick de Callendar, abbot of Cambuskenneth, c. 1400-a. 1440 (*Cambuskenneth*, pp. lix-lx). He appears as a witness, 17 March, 1415/6 (*REG.*, ii. 325), and 26 Jan., 1425/6 (*Ch. Chest of Earldom of Wigtown*, 714).

Annua pensione ecclesie de Glenylef nostro monasterio annuatim debita :
See No. xcvi.

(*Domino*) *David fleming domino de Bygar (milite)* : As son and heir of Sir Malcolm Fleming of Biggar, David Fleming appears in a charter of Robert III, 5 April, 1391 (*RMS.*, i. 807), and he is mentioned as lord of Biggar from at least 18 Feb., 1398/9 (*ibid.*, i. App. 1, 155). He is an auditor of Exchequer, 1403 (*Exch. Rolls*, iii. pp. 564, 583), and a commissioner to England on several occasions in 1404 (Bain, *Calendar*, iv. 1654, etc.). We find him as bailie of Holyrood's lands of Kerse, 16 Nov., 1399 (*Ch. Chest of Earldom of Wigtown*, 827), and mentioned retrospectively as bailie of Cambuskenneth in certain lands in Stirlingshire (*Cambuskenneth*, 88). He has a charter of the lands of Cavers and the office of sheriff of Roxburgh, 10 Aug., 1405 (*RMS.*, i. App. 1, 156—*HMC. Rep.*, vii. Pt. II, App., p. 727). Fleming was killed by James Douglas of Balveny, 14 Feb., 1405/6 (*Exch. Rolls*, iii. p. xciv), and is called 'quondam' in an account of 18 March, 1405/6 (*ibid.*, iii. p. 615). He was the recipient of many grants of land, including Barbeck and other lands in Carrick (*Ch. Chest of Earldom of Wigtown*, 18). Fleming granted the lands of Murtoone to Cambuskenneth, 8 Nov., 1399 (*Cambuskenneth*, 188), and mortified the lands of Drumtiebrae to the chapel of the B.V.M. in Kirkintilloch, 17 Aug., 1399 (*RMS.*, i. App. 2, 1895; cf. *Ch. Chest Earldom of Wigtown*, 12). For an account of him see *Exch. Rolls*, iii. pp. xciv-xcv, where he is called originally Sir David Fleming of Cumberland; see also *Scots Peerage*, viii. pp. 527-9.

(*Domino*) *Willelmo de Dalzelle (milite)* : It may be this witness who has a crown charter of the office of serjeant of the sheriffdom of Lanark, 13 Aug., 1365 (*RMS.*, i. 189; cf. *ibid.*, i. App. 2, 1508). He is mentioned in 1379 as holding the mill of Lanark (*Exch. Rolls*, iii. p. 20). In 1390, he figures in an incident with an English knight (*Scotichronicon*, ii. p. 422) and, on 25 May, 1390, has a grant from Richard II (Bain, *Calendar*, iv. 411). His son, George, appears in a charter regarding the lands of Dalziel, 5 June, 1397 (*Laing Chs.*, 83), his son, William, has with him a safe-conduct, July, 1419 (Bain, *Calendar*, iv. 890) and his son, Thomas, who petitions for a canonry of Glasgow, appears, 18 Aug., 1394 (*CPR.*, Pet., i. p. 578).

(*Domino*) *Johanne de Dalzelle (milite)* : Mentioned as brother to Sir William in his petition to the pope, 18 May, 1394 (*CPR.*, Pet., i. p. 578). He has an English safe-conduct, 30 May, 1390 (Bain, *Calendar*, iv. 412). He is granted a crown charter of St. Leonard's hospital, Lanark, 9 Nov., 1392 (*RMS.*, i. 864), appears as its guardian, 1393 (*Exch. Rolls*, iii. p. 333), and has a fresh grant of it, 3 June, 1400 (*RMS.*, ii. 527); his sons, Walter, Adam and Robert, are mentioned in this charter.

(*Domino*) *Johanne de Cranystoun (milite)* : Found only in the corresponding charter of William, abbot of Coupar (*Cambuskenneth*, 106).

(*Domino*) *Johanne de chattow (milite)* : Appears in the corresponding charter of William, abbot of Coupar. Robert III confirms to him lands which Richard * * * held of Melrose (*Melros*, 492)—but the date of this charter, as it stands, is impossible: 10 April of the sixteenth year of that

king's reign ; that regnal year began, 19 April, 1405, and ended, 4 April, 1406.

Johanne de vchiltre armigero : Appears in the corresponding charter of William, abbot of Coupar ; not found elsewhere.

CXXIII

17 July, 1408.

Nos frater Johannes Abbas Cistercii Notum facimus uniuersis quod cum venerabiles et in christo dilectissimi Coabbas noster et Conuentus monasterii de Cupro nostri Cisterciensis ordinis sanctiandree diocesis nobis nostroque Cisterciensi monasterio teneantur in viginti libras legalium sterlingorum annui et perpetui redditus in nundinis trecentibus in festo apostolorum petri et pauli vel in sequenti proximo nostri ordinis capitulo generali persoluendis de et pro quibus xx. libris annui redditus multa nobis debebantur arreragia . compassionis auribus audita predicti monasterii de Cupro lamentabili desolatione per venerabilem coabbatem nostrum de balmorynach seriatim et fideliter nobis exposita . quicquid ratione pretaeti redditus viginti librarum nobis et iamdicto nostro Cisterciensi monasterio de et pro quocunque lapso tempore debebatur usque ad datum presentium pietatis intuitu quietauimus et remissimus ac earundem presentium tenore quittamus et remittimus plenarie mediante tamen somma quadraginta francorum auri de cugno regis francie domini nostri . quam sommam xl francorum integraliter et in numerata pecunia recepimus ab eodem Coabbate nostro de balmorynach . Et de quibus xl francis ac pro dictis arreragiis quibuscunque predictos Cuprenses ac ipsum de balmorynach nostro nostrique conuentus et monasterii Cisterciensis nomine quittos teneri facere perpetuo promittimus per presentes. Nostram insuper ampliando gratiam eisdem Cuprensibus harum serie concedimus ut de predictis xx libris ut premittitur nobis annuatim per eos debitis . per immediate sequentes hanc diem viginti annos . quolibet dictorum viginti annorum decem libras legalium sterlingorum nobis tantum soluant. Reliquas decem libras anno quolibet dictorum viginti annorum durante termino dun-

taxat graciöse quo supra nomine et harundem tenore presentium remittentes. Datum diuione sub appensione sigilli nostri xvij^a die mensis Julii . Anno domini millesimo quadringentesimo octauo.

Seal missing. End.: Quitancia domini Cisterciensis per abbatem de balmorynach optenta et impetrata.

Moray Charters, Box 32, Div. IV, Bundle I, No. 41.

CXXIII

Charter by John, abbot of Citeaux, releasing Coupar from arrears of an annual payment of 20*l.* in consideration of a sum of forty gold francs received from the abbot of Balmerino, remitting also ten pounds of this payment annually for the next twenty years.

This charter is printed, *SHR.*, x. pp. 283-4. See Introduction, p. lii.

Johannes Abbas Cistercii: Mr. C. T. McInnes has given me the following note from Chevalier, *Répertoire des sources historiques du moyen âge*: Jean de Martigny, abbot of Morimond, 1393; of Clairvaux, 1402; of Citeaux, 1405; died, 21 Nov., 1428.

Coabbas noster et Conuentus monasterii de Cupro . . . nobis . . . teneantur in viginti libras: See No. LI.

Coabbatem nostrum de balmorynach: This was evidently John de Haylis who, 'about to return to France,' had a safe-conduct from Henry IV, 25 Oct., 1408 (Campbell, *Balmerino*, pp. 210-211). Campbell's statement (p. 211) that the abbot had gone to France on an embassy rather than to attend the chapter-general is, I think, controverted by the facts that the present charter shows him engaged in the business of his order and the period of his safe-conduct covers the date of the annual chapter-general—Holy Cross day (14 Sept.).

CXXIV

22 April, 1418.

In nomine domini amen per hoc presens publicum instrumentum cunctis pateat euidenter quod anno . . . millesimo quadringentesimo decimo octauo secundum cursum ecclesie Scoticane indictione vndecima ac mensis Aprilis die vicesima secunda pontificatus . . . Benedicti pape xiii anno vicesimoquarto In mei notarii publici et testium subscriptorum presencia personaliter constituti . . . domini Adam de Abirden prior claustralis monasterii de Scona et Henricus de aula canonicus et camerarius

dicti monasterii procuratores et procuratorio nomine . . . abbatis et conuentus monasterii de Seona ordinis sancti Augustini Sanctiandree diocesis ab vna parte et . . . domini Adam de Dufton et Willelmus bell monachi monasterii de Cupro procuratores et procuratio nomine . . . Abbatis et Conuentus dicti monasterii de Cupro ordinis Cisterciensis dicte Sanctiandree diocesis a parte altera comparuerunt coram . . . magistris Johanne de Scheues licentiato in decretis Rectore ecclesie de Aberbuthnot et officiali curie Sanctiandree et vniuersitatis eiusdem tunc temporis Rectore Patricio de Spaldyng legum professore decano Aberdonensi Ricardo de Cornel decretorum doctore archidiacono laudonie in ecclesia Sanctiandree et Johanne lauerok magistro in artibus et licentiato in decretis arbitris et compromissariis iudicibus per dictos abbates et monasteriorum conuentus concorditer electis in domo capitulari Cathedralis ecclesie Sanctiandree super interpretatione seu declaratione quorundam dubiorum sibi reseruatis in quadam sententia arbitrari per eosdem publice lata faciendis congregatis coram quibus dominis iudicibus compromissariis procuratores dicti monasterii de Cupro apparuerunt et proposuerunt quod per dictam sententiam arbitralem certificari non poterant ubi suam pensionem in predicta sententia arbitrari nominatam recipere debuerant benignam interpretationem siue declarationem super hoc fieri humiliter postulabant Insuper petebant predicti procuratores monasterii de Cupro per dictos iudices interpretari seu declarari utrum villa seu terre de persys in suis spiritualibus ad ipsos uel ad monasterium de Seona debeat pertinere procuratoribus aduerse partis respondentibus predictam sententiam arbitralem satis esse claram et nulla interpretatione seu declaratione amplius indigere / et auditis allegationibus et rationibus vtriusque partis remotisque eisdem partibus habita super premissis per eosdem iudices matura deliberatione et paulopost partis ipsis conuocatis / . . . magister patricius de Spaldyng unus dictorum compromissariorum nomine suo auctoritate ac mandatoque speciali dictorum consociorum suorum iudicum compromissariorum interpretando declarauit / pre-

dictos Abbatem et Conuentum monasterii de Scona annuam pensionem per eosdem debitam de terminis transactis virtute sue arbitralis sententie publice late predictis Abbati et Conuentui monasterii de Cupro infra octo dies datam presentis instrumenti proxime sequentes realiter persoluere apud monasterium de Cupro antedictum et quod perpetuis futuris temporibus predicti Abbas et conuentus monasterii de Scona de dicta annua pensione videlicet duabus marcis cum dimidia in dicta arbitrari sententia nominatis singulis annis ad terminos pentecostes et sancti martini in yeme proportionaliter videlicet sexdecim solidos et octo denarios ad quemlibet terminum uel infra octo dies dictos terminos et eorum quemlibet proxime et immediate sequentes predicto Abbati de Cupro qui pro tempore fuerit aut ipsius certis deputatis apud monasterium de Cupro suprascriptum per ipsos uel procuratores suos satisfaciant realiter et sine fraude competenter sub pena in sententia arbitrari contenta et si dictus Abbas de Cupro aut deputati ab eo apud dictum monasterium de Cupro in termino solucionis apprehendi non possint ad dictam pensionem recipiendam quod procurator Abbatis et conuentus de Scona huiusmodi pensionem differens ad monasterium antedictum habeat ipsam offerre coram certis testibus et si nulli sint presentes procuracionem habentes ad recipiendam huiusmodi pensionem illa vice duntaxat abbas et conuentus monasterii de Cupro venient per se vel procuratores suos ad monasterium de Scona pro huiusmodi pensione ibidem recipienda / Insuper quo ad petitionem dictorum procuratorum monasterii de Cupro de le persys prefatus magister patricius nomine suo et aliorum sociorum iudicum compromissariorum pronunciant eorum sententiam arbitralem antedictam in se claram et validam fore et ampliore declaratione super hoc nullatenus indigere Super quibus omnibus et singulis per eosdem iudices compromissarios et per prefatum magistrum patricium eorum nomine superius dictis factis et recitatis prefati procuratores et eorum quilibet pro se per me notarium publicum sibi fieri petierunt presens publicum instrumentum Acta fuerunt hec apud Sanctumandream in

domo capitulari cathedralis ecclesie eiusdem hora quasi decima ante meridiem anno indictione etc. . . . supradictis presentibus . . . Johanne de Myrtone et Johanne Stephani burgensibus burgi de Cupro Roberto byset et Henrico de Ramsay testibus ad premissa vocatis et rogatis.

Et ego Simon de Iystoun clericus Sanctiandree diocesis auctoritate Imperiali notarius etc. . . .

Three seals affixed. End.: Declaratio arbitrorum ubi et quando annuam pensionem viz. duarum marcarum cum dimidia pro minutis decimis de Banqwoy Crugwy et Clarwat Canonici de scona abbati et conuentui de Cupro sub cuncta pena in arbitrari sententia contenta annuatim persolvere deberent infra monasterium de cupro et non alibi infra octo dies ad festa pentecostes et sancti martini sub pena centum librarum.

Moray Charters, Box 32, Div. IV, Bundle I, No. 42.

CXXIV

Notarial instrument recording the finding of arbiters on a question raised by Coupar, viz. whether the township of Persys should belong, in spirituals, to them or Scone, to the effect that Scone should pay to Coupar within eight days the annual *pensio* due by them for the past terms, in accordance with this arbitral sentence, and that for the future Scone should pay this, viz. two and a half marks, yearly to Coupar.

The occasion of the arbitration revealed in the present writ was one of the frequent controversies between Coupar and Scone arising out of the fact that they held adjoining lands and often had interests in the same parish or territory (see Introduction, p. xxxvi). But the provenance of this particular charter is somewhat obscure. The lands of Persie (Parthesin) were confirmed to Coupar by Alexander II (No. xxv). How it came about that Scone was liable for a *pensio* to Coupar from them cannot be precisely ascertained from existing records. The endorsement of the present charter, however, speaks of the annual *pensio* as derived from the small teinds of Banchory, Crugwy and Clarwat, *i.e.* Banchory, to the W. of Coupar-Angus; Creuchies, N.E. of Blairgowrie; and Clayquhat, on the right bank of the Black Water, at the S. end of Glenshee. In 1225, Coupar and Scone made an agreement whereby the latter conceded to the former and their chaplain of Bendochy all the small teinds and offerings of the *villani* and servants 'de Benchori de Kynelatin et de Crochin' (*Scon*, 83). This may, in the intervening years, have been commuted to an annual payment from Persie. Further, a charter of Henry, bishop of St. Andrews, 1 July, 1429, contributes the information that Persie, originally in the parish of Blair, was

transferred to the parish of Bendochy by agreement between the abbots of Coupar and Scone (*ibid.*, 209). The church of Bendochy was held by Coupar from 1221 (see No. xxxiii); but, in 1356, William, bishop of St. Andrews, sanctioned the exchange by Scone of the church of Carrington for the more adjacent church of Blair (*ibid.*, 176); and it was in the interest of the latter abbey to secure that church's revenues. The previous agreement, according to bishop Henry's charter, was annulled (not earlier than Feb., 1390/1) after arbitration which established that Persie was in the parish of Blair. It is possible that the question of whose were the *spiritualia* arose out of this decision.

Adam de Abirden prior claustralis monasterii de Scona et Henricus de aula canonicus et camerarius dicti monasterii: Not found elsewhere.

Adam de Dufton et Willemus bell monachi monasterii de Cupro: Not mentioned elsewhere.

(*Magistro*) *Johanne de Scheues licentiate in decretis Rectore ecclesie de Aberbuthnot et officiali curie Sanctiandree et vniuersitatis . . . Rectore*: John Scheves is one of the 'scholars of Scotland' granted a safe-conduct to study at Oxford, 12 Sept., 1393 (Bain, *Calendar*, iv. 455), although his name has not been found in Oxford records. He was a prominent ecclesiastic of the period. He appears as official, 22 Dec., 1413 (*RPSA*, p. 18). His petition to the pope, as licentiate in canon law, official and rector of St. Andrews university and councillor of Robert, duke of Albany, for a canonry and prebend of Glasgow and the archdeaconry of Teviotdale, notwithstanding he holds Arbuthnot, is granted, 15 June, 1418 (*CPR.*, Pet., i. p. 609); and, on 26 Jan., 1418/19, he is provided to this canonry and another of Aberdeen (*ibid.*, Letters, vii. p. 102). On 7 Sept., 1419, he has provision of the canonry of Rhynie in Moray, although he has the church of Arbuthnot, St. Mary Magdalene's hospital at Musselburgh and provision of the vicarage of Innerleithen (*Supplices.*, p. 123). A supplication of the same date mentions that he has renounced possession of the archdeaconry of Teviotdale to which he had been provided by Benedict XIII (*ibid.*, p. 124); but, on 13 Sept., as doctor of decrees, he had rehabilitation in the benefices granted him by that anti-pope (*ibid.*, p. 126). As canon of Moray, he is a papal mandatory, 23 Aug., 1419 (*CPR.*, vii. p. 114). On 2 Aug., 1420, he was one of the three emissaries to intimate Scotland's adherence to Martin V (*Copiale*, pp. 24, 27). John de Scheves, clerk register, who witnesses a crown charter, 18 July, 1426 (*RMS.*, ii. 54), and appears frequently in that capacity, is regarded by the editor of *RMS.* as a different person; but this would seem to be an error. The present witness has a safe-conduct as one of the Scots ambassadors to Rome, 9 June, 1425 (Bain, *Calendar*, iv. 979), and also to come to Hawdenstank, 15 June, 1429 (*ibid.*, iv. 1029). Master John Scheves is auditor of Exchequer, 15 April, 1426 (*Exch. Rolls*, iv. p. 400), and—as canon of Glasgow and clerk register—on the following 2 May (*ibid.*, iv. p. 428). As official, he was collector, along with Walter Bower, of the tax imposed by the Crown, c. 1433 (*Extracta*, p. 228). Scheves was an envoy to Durham, 1 May, 1444 (Bain, *Calendar*, iv. 1162). We find him as official-general

witnessing an agreement between the university and the citizens of St. Andrews, 6 May, 1444 (*UCR.*, iii. p. 178), and in the same capacity, 6 May, 1448 (*REB.*, i. 62). As clerk register, doctor of decrees and canon of Glasgow and Aberdeen, he is auditor of Exchequer, 16 July, 1441 (*Exch. Rolls*, v. p. 108), and at intervals till 7 July, 1455 (*ibid.*, vi. p. 1). See further Copiale, pp. 378-9. A later John Scheves appears, *Benefices*, pp. 250, 290.

Patricio de Spaldyng legum professore decano Aberdonensi: On 28 May, 1387, the petition of Patrick de Spaldyng, student in arts at Paris, for a canonry of Brechin is granted (*CPR.*, Pet., i. p. 568). As M.A. and student of civil law (at Avignon) and subdeacon, he petitions for and is granted a canonry of Aberdeen, although he has the church of Lundy, canonries of Moray and Dunkeld and the prebend of Old Roxburgh in Glasgow, 9 Aug., 1394 (*ibid.*, Pet., i. p. 578). Likewise, on 29 Oct. of the same year, he petitions for and is granted a benefice in the gift of Lindores (*ibid.*, Pet., i. p. 593). On 15 Sept., 1402, he petitions for a canonry of Brechin, notwithstanding he has the precentorship of Dunkeld, and this benefice is granted him (*ibid.*, Pet., i. p. 618). As dean, he witnesses a charter, 16 May, 1406 (*Spalding Club Misc.*, v. p. 254); and, on 4 April, 1407, subscribes a charter as dean along with his chapter (*REA.*, i. p. 211). On 20 July, 1415, he is granted, on his petition, the perpetual vicarage of Ellon (*CPR.*, Pet., i. p. 603); and, on 14 Feb., 1415/16, is stated to have a dispensation to hold a canonry of Moray and the church of Lundy and seeks successfully confirmation of a canonry, prebend and the deanery of Brechin (*ibid.*, Pet., i. p. 602). A petition of James Lindsay seeks provision of the deanery of Aberdeen, said to be void through Spalding's holding it, undispensed, together with Ellon, 17 July, 1419 (*Supplices.*, p. 89). A papal letter, 30 Aug., 1422, refers to the canonry of Brechin void by the recent death of Spalding at Rome (*CPR.*, viii. p. 242), and the deanery of Aberdeen is said to be void for the same reason, 27 Oct., 1423 (*Benefices*, p. 87).

Ricardo de Cornel decretorum doctore archidiacono laudonie: The queen of Scotland's petition on behalf of her chaplain, Richard de Cornell, for a canonry of Dunkeld, despite his holding the vicarage of Musselburgh, is granted at Avignon, 28 March, 1385 (*CPR.*, Pet., i. p. 566). He appears, 19-23 Oct., 1394, as a petitioner for a benefice in the gift of the bishop, prior and chapter of St. Andrews (*ibid.*, Pet. i. p. 526); and, 25 July, 1404, as bachelor of canon law, lecturing at Avignon, he supplicates for the vicarage of Dundee (four miles from his birthplace), which is granted (*ibid.*, Pet., i. p. 627). Again, 6 April, 1405, as rector of Ecclesmachan and licentiate in civil law, he is, successfully, a petitioner for the rectory of St. Mary's, Arran (*ibid.*, Pet., i. p. 626). He is the subject of a petition, granted, 14 July, 1408, for the archdeaconry of Lothian, notwithstanding he has the archdeaconry of Dunkeld and the canonry of Erskine in Glasgow (*ibid.*, Pet., i. p. 638). On 22 March, 1419, the former archdeaconry and, on 1 May of that year, the canonry and prebend of Carstairs in Glasgow are said to be void by his death (*Supplices.*, pp. 26, 37).

Johanne lauerok magistro in artibus et licentiato in decretis: Laverock

determined at Paris, 1401 (*Auct. Chart. Univ. Paris.*, i. col. 840); incepted, 1403 (*ibid.*, i. col. 859); petitions, as on roll of that university, M.A., student of canon law, for a benefice in the gift of Dunfermline, which is granted, 18 Oct., 1403 (*CPR.*, Pet., i. p. 627); appears at congregations of the English nation, 22 Feb., 1405/6 (*Auct. Chart. Univ. Paris.*, i. col. 896), and 18 Nov., 1407 (*ibid.*, ii. col. 21); makes a supplication at a congregation of the university, 6 March, 1408/9 (*ibid.*, ii. col. 23); substitute for the procurator of the English nation, 9 March, 1408/9 (*ibid.*, ii. col. 23); surety for a debt at a congregation of that nation, 14 Jan., 1412/13 (*ibid.*, ii. col. 114); has a payment on his behalf recorded, 1417 (*ibid.*, ii. col. 216).

Persys : Persie. See *supra* and note to No. xxv.

Johanne de Myrtone et Johanne Stephani burgensibus burgi de Cupro : These witnesses are not found elsewhere. It is probable, as the instrument was signed at St. Andrews, that they were burgesses of Cupar-Fife.

Roberto byset : Robert Bisset of Kynneff is mentioned, 1 April, 1448 (*REB.*, i. 61, 83); but there is nothing that enables us to identify him with the present witness.

Henrico de Ramsay : Henry Ramsay, who witnesses an instrument of sasine in favour of Alexander Ramsay of Colluthie, 3 Dec., 1416 (*Carnegies*, ii. p. 508, No. 59), appears in a precept of sasine for infefting him, as son and heir of Alexander Ramsay of Colluthy, in the lands of Leuchars, 28 Aug., 1428 (*ibid.*, ii. p. 510, No. 61). Henry Ramsay of Culuthy appears till 6 Oct., 1457 (*Dunfermelyn*, 452). A somewhat later Henry Ramsay—of Newtibir—appears, 18 Dec., 1455 (*Aberbrothoc*, ii. 104), to 25 June, 1474 (*ibid.*, ii. 192). There was also a cleric of that name, deceased a. 8 Aug., 1418, who held the hospital of St. Germain's (*Supplices.*, p. 13, etc.). The first of these is probably the present witness.

Simon de lystoun . . . notarius : Witnesses transumps, 11 Feb., 1410/11, and 22 Dec., 1413 (*RPSA.*, pp. 14, 18); attests letters regarding the privileges of St. Andrews university, 27 Feb., 1411/12 (*RMS.*, ii. 200 = *UCR.*, iii. p. 174), and appears as a notary in a university transaction, 7 May, 1419 (*Copiale*, p. 456).

CXXV

6 May, 1428.

Written along top margin : In nomine patris et filii et spiritus sancti amen. Aue maria gratia plena dominus tecum benedicta tu in mulieribus et benedictus fructus ventris tui ihesus christus amen.

In nomine Domini Amen . Nouerint vniuersi hoc presens publicum instrumentum inspecturi quod Anno a natiuitate eiusdem domini millesimo quadringentesimo vicesimo-octauo mensis Maij die sexto / indictione sexta / pontificatus . . . Martini . . . pape quinti anno vndecimo / in mei notarii

publici et testium infrascriptorum ad hoc specialiter vocatorum et rogatorum presencia . personaliter constitutus . . . Patricius de Banffe presbiter in domo capitulari monasterii de Cupro . . . nouiter presentandus ad vicariam pensionariam ecclesie parochialis de Alueth Aberdonensis diocesis quandam obligacionem seu conuentionem . . . domino Thome . . . Abbati monasterij antedicti et eiusdem loci conuentus fecit / et cunctis diebus vite sue quamdiu dictam vicariam possidebit se seruaturum sub hiis uerbis fideliter promisit / Ego dominus Patricius de Banffe presbiter promitto vobis domine Abba huius monasterii de Cupro et conuentui vestro quamdiu contigerit me vicariam pensionariam ecclesie vestre de Alueth . congaudere . ero vobis ac monasterio vestro tam in uerbo quam in facto in omnibus et per omnia fidelis / nichil ultra consuetam pensionem decem librarum per me uel mediam personam clam uel palam aliquo tempore a vobis quouis modo procurabo / Insuper me obligo fideliter per presentes ad soluendum quolibet anno de antedictis decem librarum procuraciones domini Episcopi Abirdonensis et synodalia necnon omnia alia onera . ordinaria antedictae ecclesie de Alueth quamdiu vicariam pensionariam eiusdem me retinere contigerit / renunciando ex hoc pro me imperpetuum omni exceptioni doli uel fraudis omnique eciam iuris remedio tam canonis quam ciuili . quibus mihi prodesse poterit et vobis domine Abba et Conuentui vestro in aliquo obesse sic me deus adiuuet et hec sancta dei euangelia per me uestra presencia corporaliter tacta . / Super quibus omnibus et singulis predictus dominus Abbas per me notarium publicum subscriptum sibi fieri petiit publicum instrumentum / Acta fuerunt hec apud dictum monasterium de Cupro in domo Capitulari eiusdem . hora diei ante prandium quasi nona . Anno mense etc. . . . prescriptis / Presentibus ibidem . . . Fratre Johanne de Sancto-andrea rectore ecclesie parochialis de Ketnes prouinciali ordinis sancte trinitatis in regno scocie Fratre Willelmo de restone vicario perpetuo dicte ecclesie parochialis de ketnes ordinis supradiete ac honestis uiris Johanne de Moffet et Hugone de Hawden cum multis aliis testibus . . .

Et ego Johannes de Carnbe dictus Barry clericus Sancti-andree diocesis publicus imperiali auctoritate notarius etc. . . .

End. : Iuramentum vicarii de Alueth.

Moray Charters, Box 32, Div. V, Bundle II, No. 79.

CXXV

Notarial instrument recording the oath of fidelity to the abbot and convent of Coupar taken by Patrick de Banff, priest, newly presented to the vicarage-pensionary of the parish church of Alueth.

This charter is of interest as showing the conditions imposed by the abbey upon the vicar-pensioner of an appropriated church.

Patricius de Banffe presbiter : Not found elsewhere.

Thome . . . Abbati monasterii antedicti : See Appendix II.

Nichil ultra consuetam pensionem decem librarum . . . procurabo : Henry, bishop of Aberdeen, had stipulated (No. c1) for a *perpetual* vicar at this yearly remuneration. The revenue of the benefice is given as 56 mks. 10s. (*REA.*, ii. p. 53). That the payment to vicars-pensioner was generally inadequate is indicated by the statute of 1549 ordaining for them a yearly stipend of twenty marks (*Statutes*, p. 112).

Procuraciones . . . et synodalia necnon omnia alia onera antedictæ ecclesie : The incidence of these as a charge on the vicar's income is in accord with bishop Henry's charter (No. c1). This, however, does not mitigate the fact that the monks made a hard bargain with their hireling.

Fratre Johanne de Sanctoandrea rectore . . . de Ketnes prouinciali ord. s. trinitatis in regno socie ; *Fratre Willelmo de restone vicario perpetuo dicte ecclesie . . . ord. supradicte* : Friars John and William are not mentioned elsewhere. The church of Kettins, immediately S.E. of Coupar-Angus, is mentioned in a charter of William, bishop of St. Andrews, 1202-34, as granted to the hospital of the bridge of Berwick (*Yester Writs*, 9) ; charters of queen Ermengarde, 1214-34, and Henry, bishop of St. Andrews, 1225-34, confirm it to the hospital of St. Edward of S. Berwick (*ibid.*, 11, 12). An instrument of 1386 shows that in a dispute with Coupar abbey it was agreed that this church pertains, 'has pertained and ought to pertain to the order of the Holy Trinity . . .' which is governed by the master of the bridge of Berwick and the friars of that order (*ibid.*, 36). It is noteworthy that friars are found respectively as rector and vicar of this church. See *CPR.*, iv. p. 253, for the attempt of David de Strevelyne, canon of Glasgow, to obtain this church on the ground that the Trinitarians of the bridge of Berwick were adherents of Urban VI.

Johanne de Moffet et Hugone de Hawden : Not identified elsewhere.

Johannes de Carnbe dictus Barry . . . notarius : John de Barry, chaplain, of the duke of Albany's household, has a petition granted, 20 Feb., 1406/7

(*CPR.*, Pet., i. p. 622); while John de Barry, chaplain and notary, witnesses a charter of Patrick de Ogilvy, son and heir of Alexander de Ogilvy, sheriff of Angus, 14 Oct., 1413 (*RMS.*, ii. 109). This may be a different individual. The present witness (Carnbe dictus Barry) attests an instrument at Dundee, 21 May, 1437 (*Douglas Bk.*, iii. 72).

CXXVI

31 August, 1433.

In dei nomine amen Nouerint vniuersi Hoc presens publicum instrumentum inspecturi quod anno a natiuitate eiusdem millesimo quadringentesimo tricesimo tertio mensis vero augusti die penultima indictione xi pontificatus . . . Eugenii . . . pape quarti anno tertio In mci notarii publici et testium subscriptorum presentia personaliter constituti . . . dominus Johannes . . . Episcopus Brechnensis nomine et ex parte domini Johannis Vicarii ecclesie parochialis de glennylay ex una et venerabilis pater in Christo Willelmus abbas monasterii de Cupro nomine conuentus sui partibus ex altera / quo ad debata exorta inter dictos abbatem et dominum Johannem super terra ecclesiastica de glennylaye extitit concordatum in hunc modum / primo viz. quod blada tunc existencia supra dictam terram ponantur sub custodia ex parte et auctoritate dicti domini episcopi cuiusdam certe persone nulli parte suspecte donec constiterit cui dicta terra debeatur / et quod parti obtinenti dicta blada deliberentur / Item quod ad complacenciam dicti domini episcopi dictus Vicarius habeat pasturam dicte terre sine argumentacione seu vexacione dictorum Abbatis et conuentus usque ad festum purificationis beate marie proxime futurum et quod interim et in proximo consilio siue parlamento tenendo in hiis partibus dictus Abbas nomine conuentus et dictus vicarius comparebunt coram dicto domino episcopo / ipso in partibus existente et eius consilio / assistente sibi domino conseruatore si sibi placeat / et ibidem partium allegacionibus hinc inde auditis tam super petitorio quam super possessorio dictus dominus episcopus deliberabit et sentenciam feret a qua quidem sentenciam si aliquam partium duxerit appellandum placet et placebit dicto

domino episcopo et ad hoc expresse consentit / quo ab ipso ad dominum conseruatorem appelletur / et quod dominus conseruator procedat ut de iure Si autem dominus episcopus Brechnensis interim disponat se de partibus et ipse dominus episcopus citabit dictas partes ad comparandum coram ipso certis die et loco sibi limitandis pre-municione quatuordecim dierum precedente sibi assistentibus . . . abbate de Arbrothe . . . domino donaldo macnachtan decano dunkeldensi decretorum doctore / Magistris Dugallo Rectore de Lochow et Alexandro de Castarris / et ibidem allegacionibus partium antedictis dictus dominus episcopus intencionem suam deliberabit et sentenciam feret in dicta materia ut prefertur / a qua licitum erit parti volenti ad ipsum conseruatorem appellare ut presens Item placebit prefatis abbati et conuentui quod dictus vicarius prosequatur et defendat ius suum et hoc idem placebit domino Waltero de ogilbi tunc presenti / non obstantibus condicionibus seu permissionibus precedentibus quibuscunque De et super quibus omnibus et singulis superius dictis et recitatis prefati venerabilis in Christo pater et dominus Johannes vicarius de glennylaye ut prefertur / sibi fieri petierunt publicum seu publica instrumentum vel instrumenta Acta fuerunt hec apud Glennylaye / Anno / mense etc. . . . prescriptis presentibus ibidem . . . domino waltero de ogilbi milite domino de luntrethin / johanne de ogilbi de Balfoure / domino donaldo macnachtan decano dunkeldensi / patricio de Rettre domino eiusdem / waltero dempstere / et patricio de Blar armigeris testibus . . .

Et me andrea mauricii clerico sanctiandree dyocesis publico auctoritate apostolica notario qui premissis concordie ac omnibus aliis et singulis dum sic ut premittitur agerentur et fierent una cum prenominatis testibus presens interfui etc. . . . (*in communi forma*) . . .

End.: Instrumentum domini Episcopi Brechinensis super cunctis punctis inter ipsum et abbatem de Cupro prolocutis.

* Moray Charters, Box 32, Div. IV, Bundle I, No. 43.

CXXVI

Notarial instrument recording an agreement between John, bishop of Brechin, in name and on behalf of John, vicar of Glenisla and William, abbot of Coupar, in name of his convent, regarding the church land of Glenisla, in the following terms: the grain standing on that land shall be put in the custody, by the bishop's authority, of someone suspect to neither party, until it is agreed to whom the said land belongs and delivered to the party obtaining it; at the pleasure of the bishop, the vicar will have the pasture of the said land without controversy or disturbance by the said abbot and convent until next Candlemas, and at the next council or parliament the abbot and the vicar shall appear before the bishop and his council, the conservator being present if it so pleases him, and after hearing the parties, the bishop shall deliver sentence, with right of appeal by either party to the conservator. If, in the interval, the bishop of Brechin can deal with the parties, he shall cite them to appear and with certain assessors deliver sentence, with the same right of appeal to the conservator. Likewise, it will be agreeable to the abbot and convent, likewise to Sir Walter de Ogilvy, that the vicar prosecute and defend his right.

This charter, along with Nos. cxxi and cxxvii, seems to indicate that the monks were bent on deriving the maximum possible revenue from Glenisla and that friction with the vicar had ensued.

Johannes . . . Episcopus Brechnensis: John de Cranach, bishop of Brechin, 1426-c. 1451 (Dowden, *Bishops*, p. 185).

Johannes Vicarii . . . de glennylay: Not found elsewhere.

Willelmus abbas . . . de Cupro: William de Blare. See Appendix II.

Terra ecclesiastica de glennylaye: In the case of Alvah and (probably) Fossoway (Nos. xcv, lxxxv), the church lands were made over to the monastery.

Assistente sibi domino conservatore: This must be the conservator or presiding bishop of the Scottish episcopate.

Abbate de Arbrothe: The contemporary abbot of Arbroath was Walter Paniter. He appears as abbot, 11 Dec., 1411 (*Aberbrothoc*, ii. 50), and his surname is given, Nov., 1417 (*ibid.*, ii. 53), and Sept., 1433 (*ibid.*, ii. 67). On 11 Dec., 1424, he is held bound to pay the annates of the vicarage of Haddington (*Benefices*, p. 301) and, at various dates to 9 Jan., 1432/3, appears in connection with the annates of Fyvie (*ibid.*, pp. 301, 90, 103, 107, 230). On 18 May, 1423, he has a safe-conduct to Pontefract (Bain, *Calendar*, iv. 927) and, on 10 May, 1434, a safe-conduct to pass by Calais to the council of Basle (*ibid.*, iv. 1074). In his old age, he resigned in favour of Richard Guthrie, the prior, who was abbot by 2 Oct., 1450 (*Aberbrothoc*, ii. 90; cf. ii. 123). See also *ibid.*, ii. p. x.

Domino donaldo macnachtan decano dunkeldensi decretorum doctore: See note to No. lxxvii.

(Magistro) Dugallo Rectore de Lochow: Dugall de Llochaw, rector of Lochaw, pays annates on behalf of the provost and chaplains of the collegiate church of Kilmun, 5 Oct., 1441 (*Benefices*, p. 129). This parish

is now Kilchrenan. A later rector, Andrew Cunningham, appears, 20 Sept., 1494 (*Laing Chs.*, 219).

(*Magistro*) *Alexandro de Castarris* : There was evidently more than one contemporary churchman of this name. Alexander de Casteltaris petitions, in 1394, for a benefice in the gift of Kelso, although he has the perpetual vicarage of Auchtermuchty (*CPR.*, Pet., i. p. 613) ; and a man of this name, who held the church of Nevay, was dead, 5 Dec., 1421 (*Supplices.*, p. 272). Bulls are issued, perhaps to the present witness, anent the canonry of Inchimaranach in Dunkeld and another of Moy in Moray (*Benefices*, p. 99). He has annates paid for the church of Crail, 2 March, 1431 (*ibid.*, p. 103) ; has a bull regarding the perpetual vicarage of Forgan, 16 July, 1432 (*ibid.*, p. 106) ; has resigned the church of Kirkpatrick in the diocese of Glasgow, 22 June, 1439 (*ibid.*, p. 122). In the same year, on 13 Aug., a notary of this name appears in a papal letter (*CPR.*, ix. p. 49). A mandate to receive his resignation of a canonry of Aberdeen is given, 28 July, 1445 (*ibid.*, ix. p. 508).

Domino walteri de ogilbi milite domino de luntrethin : Second son of Sir Walter Ogilvy of Auchterhouse (*ob.* 1392) (*Scots Peerage*, i. p. 109). He became lord of Lintrathen through his marriage with Isobel Durward, c. 1401 (Wilson, *House of Airlie*, i. p. 49). He appears very frequently on record and held numerous offices. He is bailie of the regality of Arbroath, 24 Oct., 1409 (*Aberbrothoc*, ii. 49). Sir Walter appears as chamberlain, 13 Oct., 1427 (*RMS.*, ii. 102), and is mentioned as treasurer from 8 Jan., 1424/5 (*ibid.*, ii. 13), to 28 April, 1431 (*ibid.*, ii. 194). A reference to him, 11 July, 1435 (*Exch. Rolls*, iv. p. 644), indicates that he was then no longer treasurer, but he is mentioned again in that capacity, 1 June, 1437 (*Melville's*, iii. 31). We find him as master of the household from at least 6 July, 1430 (*RMS.*, ii. 160), to 18 April, 1432 (*Metros*, 521). He was auditor of Exchequer, 7 May, 1425 (*Exch. Rolls*, iv. p. 379). In Dec., 1430, Ogilvy is envoy to England (Bain, *Calendar*, iv. 1037, 1038). We find him as sheriff-depute of Forfar, 8 July, 1434 (*Carnegies*, ii. p. 511, No. 62). He died, according to *SP.*, i. p. 112, in 1440 ; in an account of 11 June, 1440, there is a reference to the late Sir Walter de Ogilvy, the king's secretary and constable of Dundee (*Exch. Rolls*, v. p. 84). He granted, 28 Jan., 1426/7, a charter of endowment to two chaplains celebrating in St. Mary's church, Auchterhouse, for (among others) the late Isabella, his spouse, and all who died in the battle of Harlaw (*RMS.*, ii. 81). There is a reference, 2 Jan., 1420/1 (*Spalding Club Misc.*, iv. p. 115), to his sons, Walter, David, Alexander, Patrick and George ; and his son, John, is mentioned, 3 June, 1420 (*RMS.*, ii. 1550). See further Wilson, *House of Airlie*, i. p. 47.

Johanne de ogilbi de Balfoure : Various men named John Ogilvy appear in contemporary records, e.g. as a member of an inquest along with John de Ogilvy, lord of that ilk, 24 April, 1409 (*Aberbrothoc*, ii. 49) ; as 'scutifer,' 22 May, 1429 (*REB.*, i. 30) ; as son and heir of David Ogilvy of Ogilvy, 1 Sept., 1432 (*Douglas Bk.*, iii. 394) ; in a retour at Forfar, 11 Jan., 1437/8 (*ibid.*, iii. 302). None designed of Balfour is found elsewhere.

Domino donaldo macnachtan decano dunkeldensi : See *supra*.

Patricio de Rettre domino eiusdem: Appears also in No. cxxviii. Appears in a retour at Perth, 29 April, 1432 (*Stirlings of Keir*, 14). As of that ilk, appears as a witness, 27 July, 1456 (*RMS.*, ii. 1681; *Aberbrothoc*, ii. 105), 15 and 20 July, 1459 (*Blackfriars of Perth*, xxix, xxx).

Waltero dempstere (armigero): Appears in No. cxxviii as 'de Ochtirles.' A witness to notarial instruments, 22 May, 1429 (*REB.*, i. 30), and 8 July and 24 Aug., 1434 (*ibid.*, i. 43; *HMC. Rep.*, vii. App., p. 719). There are records of payments to him from 1429 (*Exch. Rolls*, iv. p. 520) till 29 July, 1443 (*ibid.*, v. p. 141).

Patricio de Blar (armigero): Appears as 'scutifer' in No. cxxxiii. Member of an inquest at Forfar, 31 Oct., 1438 (*Aberbrothoc*, ii. p. 545); surety for fishings of Drimmie and Cally let to Thomas de Camera, Whitsunday, 1446 (*Cupar*, i. p. 125); appears in an instrument, 23 March, 1446/7 (*Carnegies*, ii. p. 515, No. 66); a fourth part of Petklochry let to him, Whitsunday, 1453 (*Cupar*, i. p. 129).

Andrea mauricii . . . notario: This notary, Andrew Morrison, attests a notarial transumpt, 6 May, 1433 (*REB.*, i. 38), and appears also 23 March, 1435/6 (*ibid.*, i. 39), 6 May, 1444 (*UCR.*, iii. p. 178), and 24 Dec., 1446 (*REB.*, i. 68). It may be a different individual of this name—master 'Andreas Mauricius,' licentiate in both laws, who attests an instrument, 30 April, 1465 (*Aberbrothoc*, ii. 161). Another Andrew Morison, notary, witnesses charters at Aberdeen, 11 Nov., 1406 (*REA.*, i. p. 210), and 26 Feb., 1449 (*ibid.*, i. p. 256); and perhaps yet another is priest of Aberdeen diocese and attests an instrument, 4 March, 1470/1 (*Yester Writs*, 161).

CXXVII

1219-46—29 October, 1433.

In dei nomine amen Per hoc presens instrumentum cunctis pateat euidenter quod anno a natiuitate domini millesimo quadringentesimo tricesimo tercio die uero mensis octobris vicesimo nono indictione duodecima pontificatus . . . Eugenii . . . pape quarti anno tercio. In mei notarii publici et testium subscriptorum presencia personalliter constitutus . . . Willelmus de Blare dei prouisione abbas monasterii de cwpro quamdam cartam confirmatoriam sigillo magno et autentico sigillata bone memorie gregorii . . . olim episcopi brechinensis super ecclesia et libertate illius de glenylif confectam per ipsum dominum episcopum deo et ecclesie sancte marie de striuelyn et canonicis ibidem deo seruientibus que quidem ecclesia nunc vocatur ecclesia sancte marie monasterii de Cambus-

kynneth in cera rubia infra cera alba impressa cum nomine predicti episcopi litteris legibilibus in circumferencia cum ymagine in medio sculpta sanam et integram etc. . . . ut prima facie eam intuente clare potuit apparere produxit adhibuit ac michi notario infrascripto presentauit ac perlegi petiit cum instantia qua per me ad instantiam predicti domini abbatis publice et intelligibili uoce de uerbo in uerbum perfecta petiit idem dominus cum instantia prenotata publicanda transcribenda et in forma publica redigenda ita ut predicta carta destructa amissa vel aliquibus casibus fortuitis consumptis huiusmodi transcripta sicut predictae cartae originali ubique terrarum tam in iudicio quam extra in omnibus et per omnia ubicunque plena fides uerisimiliter ualeat adhiberi cui supplicationi tanquam iuste rationabili et rationi consone adeo cuius tenor sequitur et est talis Vniuersis . . . Gregorius . . . brechinensis episcopus . . . salutem Nouerit uniuersitas uestra nos concessisse et hac carta nostra confirmasse deo et ecclesie sancte marie de Striuelin et canonicis ibidem deo seruientibus et seruituris in liberam et puram et perpetuam elemosinam Ecclesiam de Glenylif cum terris et decimis et oblacionibus et omnibus ad eandem ecclesiam iuste pertinentibus Concessimus etiam ut predictae ecclesie redditus et proventus uniuersos ad suam sustentacionem in usus proprios conuertant prefati canonici et ut liceat eiis capellanos et clericos idoneos in eadem ecclesia instituere Concessimus eciam illis pietatis intuitu pro illorum pauperitate quod cum nos et aliquis successorum nostrorum ecclesiam illam uisitare uenerimus non amplius quam xij equos apud illam hospitaturi duximus uolumus itaque ut iam dicti canonici prefatam ecclesiam cum omnibus ad illam iuste pertinentibus adeo libere et quiete plenarie et honorifice possideant sicut Radulfi et Hugonis pie recordationis predecessorum nostrorum cartae testantur Testibus magistro Henrico de Munros Willelmo capellano de brechin iohanne clerico malcolmo de dunkeldyn et multis aliis Quibus omnibus et singulis dum ut premittitur per me notarium publicum infrascriptum factis que presens transcriptum cum ipsa carta originali post dili-

gentem examinationem prehabitam concordare inueni exinde presens instrumentum requisitus confeci tota fuerunt hec in monasterio de Cambuskynneth predicto hora quasi secunda post meridiem sub anno die etc. . . . Presentibus . . . alexandro de fawkyrk willelmo de mclos alano scot canonicis monasterii supradicti roberto liuynstone iohanne esok iohanne de lesle scutiferis cum multis aliis ad premissa vocatis pariter et rogatis.

Et ego robertus de toulous presbiter sanctiandree dyocesis publicus auctoritate imperiali notarius etc. . . .

End.: Litera domini Gregorii Episcopi Brechenensis super visitacione ecclesie de glenylef.

Moray Charters, Box 32, Div. IV, Bundle I, No. 44.

CXXVII

Notarial instrument recording, at the request of William de Blar, abbot of Coupar, a charter of Gregory, bishop of Brechin, granting to the canons of Cambuskenneth the church of Glenisla and providing that the bishop shall not visit the church with more than twelve horses.

This charter, originally granted to Cambuskenneth, is cited as now applicable to Coupar (which had by now obtained possession of the church of Glenisla) to support the monks' policy of deriving as much revenue as possible from that church. Cf. Nos. cxxi, cxxvi. It does not appear in *Cambuskenneth*.

Willelmus de Blare . . . abbas . . . de cwpro: See Appendix II.

Gregorii . . . episcopi brechinensis: See note to No. xcvi.

Cum nos . . . ecclesiam illam uisitare uenerimus non amplius quam xij equos apud illam hospitaturi duximus: 'The Lateran council of 1179 had attempted to mitigate the burdensome character of this impost by limiting the bishop's retinue on his visitation to thirty horsemen' (Dowden, *Med. Church*, p. 118). This concession must have applied directly to the monastery; it is hardly conceivable that the parochial chaplain who served the cure could have entertained even this modified number of guests.

Radulfi et Hugonis . . . predecessorum nostrorum: Ralph was bishop of Brechin, 1198-9, consecrated, 1202; Hugh appears, 1214, and died, probably, 1218 (Dowden, *Bishops*, p. 174).

Magistro Henrico de Munros: As chaplain to Gregory, bishop of Brechin, master Henry of Montrose witnesses that bishop's charters, 1218-22 (*REB.*, ii. p. 256, 270, 271), and at uncertain dates (*Lundoris*, 15; *Douglas Bk.*, iii. 282). He also witnesses charters of William de Vaux, p. 1218 (*Aberbrothoc*, i. 116), and of Robert de Lundin, 1219 (*ibid.*, i. 256).

Willelmo capellano de brechin: Witnesses charters of bishops Ralph

(*REB.*, ii. p. 260), Hugh (*ibid.*, ii. pp. 256, 261, 270, 271) and Gregory (*ibid.*, ii. pp. 256, 262, 271).

Iohanne clerico : Not identified.

Malcolmo de dunkeldyn : Probably the same as Malcolm, son of Eugenius of Dunkeld, who is the granter of No. XL.

Alexandro de fawkyrk willelmo de melros alano scot canonicis monasterii supradicti : Alexander de Fawkyrk, chaplain, witnesses a notarial instrument relating to Cambuskenneth, 21 Jan., 1426/7 (*Cambuskenneth*, 87). William Melros attests, as one of the convent, an instrument, 28 Dec., 1445 (*ibid.*, 214). Alan Scot, canon of Cambuskenneth, is a witness, 30 Nov., 1407 (*RMS.*, i. 914), appears, 26 Jan., 1426/7 (*Cambuskenneth*, 88), and is called 'quondam,' 28 Dec., 1445 (*ibid.*, 214).

Roberto liuynstone (scutifero) : Probably a son of Robert Livingstone of Drumry. See *Inchcolm*, p. 168.

Iohanne esok iohanne de lesle scutiferis : Not found elsewhere.

Robertus de toulous . . . notarius : Sir Robert Toulouse, rector of Scraling, is a witness, 25 Jan., 1422/3 (*HMC. Rep.*, Var. Colls., v. p. 10), and, as B. Dec., judge-arbiter in a dispute, 20 April, 1433 (*ibid.*, Mar and Kellie MSS., i. p. 16). On the other hand, master Robert de Tulous, rector of Stirling, is a witness at Stirling, 8 Oct., 1436 (*Cambuskenneth*, 209). The names of his benefices are confusing but it is probable that he was rector of Skirling before becoming rector of Stirling.

CXXVIII

1 April, 1434.

Walterus Comes palatinus de Stratherne / Atholieque Cathanie Comes ac Iusticiarius domini nostri Regis ex parte boreali aque de Forth generaliter constitutus omnibus ad quorum noticiam presentes litere peruenerint salutem / Cum nobis incumbit ex nostro officio ad ea que coram nobis in iudicio tractantur testimonium fidele unicunque perhibere, hinc est quod vniuersitati vestre notum facimus quod in itinere nostro iusticiario regalitatis de Athale tento apud logyrate penultimo die mensis julii anno domini millesimo quadringentesimo trecesimo tertio comparuit venerabilis in christo pater Willelmus Abbas monasterii de Cupro nomine et ex parte sui conuentus sufficienti potestate dicti conuentus munitus ad prosequendum quoddam breue de dissasina alias per ipsum abbatem et suum conuentum de terris de Tulacht jacentibus infra Comitatum Atholie contra johannem laurentii le thayn de

glentelt impetratum, et peti[i]t dictum breue perlegi et ad assisam procedi et determinari / quo johanne vocato comparuit / deinde dicto breui perlecto dictus johannes contra allegationes et rationes dicti abbatis proposuit et allegauit ita quod ad assisam processit / quequidem assisa cum consensu partium predictarum deliberacionem dicti breuis continuauit et respectauit ad determinacionem cuiusdam assise electe ad determinandum breue de noua dissasina pendens inter Duncanum Roberti de Athale ex una et Patricium de Rettre et uxorem suam de terris de Raynacht ex altera apud Perth coram nobis certo die / quo die apud Perth coram nobis in pretorio eiusdem pro tribunali sedente comparuerunt dicte partes videlicet Abbas predictus et johannes, et assise subscriptorum ad determinandum dictam dissasinam se sponte submiserunt videlicet domini Walteri de ogilby domini de luntrethyn domini johannis de hawden domini de gleneges militum, johannis lindesay domini de Biris Roberti levynstone domini de drumry / Daudid de murrefe de tulybardy / Ricardi lufale de ballumby / johannis de Lummysden vicecomitis de fife johannis de Carmychale / Thome monypeny de petmuly / walteri dempstare de Ochtirles / magistri Alexandri de guthry / johannis de spensa de Bothquhopill Thome charteris andree merser Nigelli ramsay de Banff / Trestrami de gorty / Willelmi de Cardne / patricii buttyr et Ade fergussonne / Quiquidem viri dicte assise bene consulti et diurne auisati matura deliberacione coram nobis in iudicio determinauerunt et decreuerunt dictos abbatem et conuentum iniuste de et sine iudicio dissasitos per predictum johannem laurencii / et hoc datum fuit pro iudicio / et quod dicti abbas et conuentus resasinam terrarum de Tulacht haberent unacum firmis dictarum terrarum temporibus transactis sue dissasine videlicet septuaginta annorum adminus / In cuius rei testimonium sigillum meum una cum sigillis quorundam dicte assise existentium presentibus sunt appensa apud perth primo die mensis Aprilis Anno domini millesimo quadringentesimo tricesimo-quarto.

Seals missing. End. : Resasinacio habita terrarum de

tulath . per assisam plurimorum nobilium . contra thanny de glentelt . sententia lata.

Moray Charters, Box 32, Div. IV, Bundle I, No. 45.

CXXVIII

Charter of Walter, earl Palatine of Strathearn, earl of Athole and Caithness and justiciar on the north side of the water of Forth, making known that in his justice-ayre of the regality of Athole, held at Logyrate, 31 July, 1433, compeared William, abbot of Coupar, in name of his convent, to pursue a brieve of dissasine of the lands of Tulacht within the earldom of Athole against John Laurentii, thane of Glentilt, which he prayed might be read and put to an assise. John compeared and made counter-allegations. The assise by consent continued the decision to the determination of the assise elected to determine the brieve of novel dissasine pending between Duncan Roberti de Athale, on the one part, and Patrick de Rettre and his wife anent the lands of Raynacht, on the other, at Perth before them on a certain day. Which day at Perth in the tolbooth thereof, the parties submitted the decision to an assise, who gave for verdict that the abbot and convent had been unjustly disseised by the said John and ought to have resasine, with the fermes during the period of their dissasine, viz. seventy years at least.

Walterus Comes Palatinus de Stratherne Atholieque Cathanie Comes ac Iusticiarius : Walter, earl of Athole, second son of the second marriage of Robert II, was created earl of Caithness by James I and held that title till his death in 1437 (*Scots Peerage*, viii. pp. 260-1). He was granted the whole county of Strathearn by a charter under the great seal, 22 July, 1427 (*RMS.*, ii. 93); he had resigned Caithness, a. 15 May, 1430 (*ibid.*, ii. 152). We find him as Sir Walter Stewart, brother of Robert III, recipient of safe-conducts to England from 15 Nov., 1391 (Bain, *Calendar*, iv. 431); and, as earl of Athole and Caithness, he is on pilgrimage to Canterbury, 8 June, 1404 (*ibid.*, iv. 656). His son and heir, David, is a hostage in England for James I, 28 March, 1424 (*ibid.*, iv. 950). As lord of Brechin and Cortachy (as well as the designations *supra*), he grants the patronage of Cortachy to Brechin, 20 Oct. (*REB.*, i. 32), makes over an annualrent of 40*l.* from Cortachy for two chaplains and six boys in Brechin cathedral, 22 Oct. (*RMS.*, ii. 136), and grants land for a residence for a college of four priests and six boys lately founded by him and bishop John, 31 Oct., 1429 (*ibid.*—*REB.*, i. 34). He is posthumously mentioned as forfeited (*RMS.*, ii. 462; *Exch. Rolls.*, vii. p. 91).

Logyrate : Logierait in Strathtay.

Willelmus Abbas . . . de Cupro : See Appendix II.

Tulacht : S. of Blair Athole. Tholaw of No. XII.

Johannem laurentii le thayn de glentelt : Probably identical with John Tosschoch, thane of Glentilt, of the succeeding charter. On the thanes of Glentilt, see *REM.*, p. xxviii, n.; Robertson, *Earldom of Athole*, p. 80.

Duncanum Roberti de Athale : Duncan Robertson of Athole grants his

kinsman, Donald McNachtan (dean of Dunkeld), certain roods in Little Dunkeld, 20 Jan., 1438/9 (*HMC. Rep.*, vii. Pt. II. p. 707).

Patricium de Rettre : See note to No. cxxvi.

Raynacht : Probably Rannoch.

Domini Walteri de ogilby domini de luntrethyn (militis) : See note to No. cxxvi.

Domini johannis de hawden domini de gleneges (militis) : An inquest is held in Edinburgh tolbooth before John Hadene of Glenegass, 6 Oct., 1478 (*Yester Writs*, 186), and John Halden of Gleneges is a witness, 26 Nov., 1481 (*Laing Chs.*, 184). These references, however, are probably to a later member of the family of Haldane of Gleneagles.

Johannis lindsay domini de Biris : Second son of Sir William Lindsay of the Byres (*Scots Peerage*, v. p. 392). He witnesses a charter of duke Murdoch, 22 July, 1422 (*GRH. Chs.*, 254), and, on 3 Feb., 1423/4, has a safe-conduct to Durham as a hostage for James I (Bain, *Calendar*, iv. 942). He is called Sir John de Lindsay of Byres, kt., son and heir of Sir William de Lindsay, lately lord of Byres, kt., 23 Feb., 1439/40 (*RMS.*, ii. 240), and was created Lord Lindsay of the Byres in 1445 (*Scots Peerage*, v. p. 392). He also appears as baron of Erth, 10 Feb., 1440/1, and later (*Elphinstones*, ii. 12, 14), of Drem, 6 Nov., 1477 (*ibid.*, ii. 13), and of Chaumerlane and Newtoun, on the same date (*ibid.*, ii. p. 233). He was an envoy to England, 1451-2 (Bain, *Calendar*, iv. 1235, p. 407). On 5 Nov., 1457 (*GRH. Chs.*, 348), and 27 June, 1466 (*Dunfermelyn*, 458), he is called justiciar north of the Forth. He died, 6 Feb., 1482 (*Scots Peerage*, v. p. 393). David, his son and heir, appears, 3 Jan., 1446 (*Earls of Haddington*, ii. 298); and there is a reference to his son, William, 20 Feb., 1491/2 (*ibid.*, ii. 319).

Roberti levynstone domini de drumry : See *Inchcolm*, pp. 167-8.

David de murrefe de tulybardy : Appears as a witness, 9 March, 1419/20 (*HMC. Rep.*, vii. Pt. II. p. 706); served heir of the lands of Aldie, 19 May, 1432 (*Scots Peerage*, i. p. 455). His lands of Tullibardine, Gask-murray and others were erected into the barony of Tullibardine, 26 Jan. 1443/4 (*RMS.*, ii. 284). He witnesses numerous crown charters until 1 Sept., 1451 (*REB.*, ii. p. 91), and his death probably took place not long after this date. His son, Walter, is mentioned, 2 Dec., 1478 (*Oliphants*, 36). Sir David founded the church or chapel of Tullibardine.

Ricardi lufale de balhumbly : Appears, 24 April, 1409 (*Aberbrothoc*, ii. 49). Along with Elizabeth Douglas, his spouse, he has a grant of Murehouse in Inverarity, 24 Aug., 1438 (*RMS.*, ii. 768), and purchases Ledbothy in the same barony, 26 July, 1445 (*ibid.*, ii. 768). His latest appearance seems to be, 16 May, 1448 (*REB.*, i. 62).

Johannis de Lummysden vicecomitis de fife : See *Inchcolm*, p. 177.

Johannis de Carmychale : See *Copiale*, p. 451.

Thome monypeny de petmuly : On 11 Dec., 1413, Robert, duke of Albany, confirms a grant by John Monypeny of Petmoly to his son and heir, Thomas Monypeny (*RMS.*, i. 944). He appears until at least 14 May, 1448 (*REB.*, i. 62). See also *Copiale*, p. 468.

Walteri dempstare de Ochtirles : See note to No. cxxvi.

Magistri Alexandri de guthry : Alexander de Guthrie is a witness, 8 Dec., 1421 (*RMS.*, ii. 113), and, sometimes under the present designation, presents the accounts of the bailies of Forfar, 22 May, 1425 (*Exch. Rolls*, iv. p. 399), to 9 July, 1435 (*ibid.*, iv. p. 635). He also appears as king's receiver, 8 May, 1428 (*ibid.*, iv. p. 464). He witnesses charters, 28 April, 1426 (*RMS.*, ii. 111), 24 Aug., 1438 (*ibid.*, ii. 768), 1 Aug., 1442 (*ibid.*, ii. 278), and submits the accounts of the bailies of Banff, 19 July, 1449 (*Exch. Rolls*, v. p. 353).

Johannis de spensa de Bothquhopill : There are several men of this name within the period but none of this designation. This may be John de Spensa, burgess of Perth, who is granted the lands of Torry and Drumgy by a crown charter, 24 April, 1426 (*RMS.*, ii. 45), and who is sheriff-depute, 18 Nov., 1432 (*Wemyss*, ii. 49), and sheriff, 15 Jan., 1434/5 (*Douglas Bk.*, iii. 399), of Perth.

Thome charteris : Probably Thomas Charteris, who appears as of Cagnore in a decret of perambulation of marches between his land on the eastern side of Kinfauns and the lands of Clean, held by Scone, 10 March, 1421/2 (*Moray MS.*, f. 4). His son and heir, Robert, also appears in that charter. He is mentioned, 12 May, 1426 (*RMS.*, ii. 50), and appears as freeholder of the lands of Kinfauns, 13 May, 1426 (*Scon*, 207). A later Thomas Charteris had sasine of Cagnor with its loch and mill, 1480 (*Exch. Rolls*, ix. p. 680).

Andree merser : Probably Andrew Mersar of Inchbreky, who appears, 16 March, 1444/5 (*HMC. Rep.*, ii. p. 167), and is so designed till 20 April, 1455 (*ibid.*, vii. Pt. ii. p. 707). His daughter, Margaret, spouse of Morys of Drummond, appears in the latter charter. It may be he who is on record, 13 May, 1462 (*Grandtully*, i. 12), and he is evidently to be identified with Andrew Mersare, chamberlain of the county of Strathearn, whose account is rendered, 1 July, 1444 (*Exch. Rolls*, v. p. 170). There are others of the same name on record : Andrew Mercer, lord of Mekylhour, mentioned, 15 May, 1385 (*Grandtully*, i. 79*), and retrospectively (*Oliphants*, 22); while an earlier Andrew Mersar witnesses a crown charter at Rothesay, 1 June, 1384 (*Lennox*, ii. 31), and has grants from Robert II (Robertson, *Index*, p. 222, No. 110; p. 224, No. 7). Two men of this name are mentioned in a retour, 6 Oct., 1461 (*HMC. Rep.*, vii. Pt. ii. p. 708).

Nigelli ramsay de Banff : Does not appear in the text of the Bamff charters; but see for a probable reference to him, 20 Feb., 1417, *Bamff Chs.*, pp. 21, 24.

Trestrami de gorty : Witnesses a charter of Euphemia, countess of Strathearn, as 'scutifer,' 8 Oct., 1414 (*Stirlings of Keir*, 10); appears, 27 March, 1428 (*HMC. Rep.*, vii. Pt. ii. p. 707); and witnesses the foundation-charter of the collegiate church of Methven, 1 May, 1433 (*CPR.*, viii. p. 461). He is a witness, 24 and 25 June, 1454 (*Lib. Ins. Missarum*, p. 120; *Inchaffray*, cxlix). See also *Inchaffray*, p. 287. More than one Tristram de Gorty appears at earlier dates, e.g. 1208 (*Inchaffray*, xxvi); c. 1260 (*Grandtully*, 69).

Willelmi de Cardne : William of Cardny, son of Andrew of Cardny, appears, 24 Aug., 1420 (*HMC. Rep.*, vii. Pt. ii. p. 706), and, as of that ilk,

is a witness, 10 May, 1445 (*Grandtully*, ii. 8). It is probably a different individual who, as lord of Fosse, makes a grant to his son, Duncan de Cardny, 12 Nov., 1447 (*RMS.*, ii. 391=*Oliphants*, 19).

Patricii buttyr : It is impossible to say whether this is Patrick Buttir of Calandy (Cally) (see note to No. cxxxiv) or Patrick Buttir of Gormock, who grants a charter to Henry, his nephew and heir-apparent, 1 June, 1742 (*RMS.*, ii. 1063), and another charter, 20 April, 1486 (*ibid.*, ii. 1681).

Ade fergussonne : Not found elsewhere.

CXXIX

6 April, 1434.

f. 64.

Omnibus . . . Willelmus . . . Abbas Monasterij de Cupro et ejusdem loci conuentus Salutem in domino Noueritis nos unanimi consensu et assensu assedasse et ad feoda-firmam (*sic*) pro nobis et Successoribus nostris dimisisse Johanni Tosschoch Thayno de Glentelt totam terram nostram de Twlach infra comitatum Atholye prope Innerbak (*rectius* Innervak) jacentem Tenendam et habendam dicto Johanni et heredibus suis de nobis et nostris Successoribus in feodo et hereditate in perpetuum per omnes rectas metas et diuisas suas in boscis planis etc. . . . et in omnibus aliis justis pertinenciis quibuscunque ad dictam terram Spectantibus . . . Reddendo inde dictus Johannes et heredes sui nobis et Successoribus nostris quolibet anno tres libras usualis moneti (*sic*) Regni Scocie ad duos anni terminos videlicet Pentecostes et Sancti Martini in hyeme per equales porciones quocunque casu adveniente prospero siue aduerso Et quociemscunque (*sic*) contigerit aliquem heredem dicti Johannis ad dictam terram jure hereditario succedere tocians quilibet ipsorum Succedens firmam antedictae terre ad introitum suum semel duplicabit. Dictus uero Johannes et heredes sui unam Sectam ad curiam nostram et Successorum nostrorum quolibet anno facient dummodo ad hoc illos legitime nunciare atque premonere curabimus tantum pro omni alio seruicio et onere seculari, warda et releuio maritagio et actione seu demanda que de dicta terra per nos et Successores nostros exigi poterunt vel requiri Et si Alique impositiones seu onera a domino rege vel Comite Adholye in dicto comitatu imposita

f. 64 v.

fuerint idem Johannes et heredes sui quantum ad dictam terram de Twlach impositum fuerit totaliter inde respondebunt ita plane quod firma de dicta terra sine aliqua diminucione nobis et Successoribus nostris in suis terminis integraliter persoluetur Termino quidem introitus dicti Johannis in dictam terram incipiente ad festum pentecostes proximo sequens datam presentium Termino autem prime solucionis antedictae firme incipiente ad dictum terminum ut supra. In quorum fidem et fidele testimonium omnium premissorum huic scripto per modum indenture confecto Sigilla partium predictarum et Sigillum . . . domini Walteri Senescalli Comitis Palatini Atholye et Strathern ac Cathanie alternatim sunt appensa Apud Perth Sexto die mensis Aprilis Anno Domini Millesimo quadringentesimo tricesimo quarto. f. 65.

Hutton's Collections (National Library of Scotland), vol. 'Forfar'; 'from a copy by Mr Dillon.'

CXXIX

Charter by William, abbot of Coupar, and his convent leasing to John Tosschoch, thane of Glentilt, all their land of Tulach in the earldom of Athole beside Invervak, at a rent of three pounds yearly.

For the persons mentioned in this charter see notes to No. cxxviii, likewise for the places except Invervak, for which see note to No. xxxix.

CXXX

15 January, 1434/5.

This indenture made at perth the xv dai of Januare the yhere of oure lorde a thousand foure hunder thretti and foure propertis and beris witnes that it is accordit betuix the abbot and the conuent of Scone on the ta part and the abbot and the conuent of Coupre on the tother part in this maner folowande : that in sofar that the land of the biris debatabil betuix thaim and the corn the quhilk the abbot and conuent of coupe mad clame to / at that corn salbe prisit be trew and lele men and remayn stil witht the husband of the biris that sew it / and the land debatable forsaide sal ly stil unmanurde and nocht to be

occup[yit] uthirwiis than it was obefor that the said corn was sawin / and quhat tyme that the said land be deter-[m]nit quha is richtwise possessour of that grunde the price of the corn salbe restorit to thaim that the possessioun is made with and in the myd tyme the forsaid lande to be occupyit in pasturyng as befor was na the lying stil of it un[manu]erit sal gender na preiudice na mak rycht to nowthir of the partis quhat tyme that thai mak persewing to the rycht and the possessioun of the forsaid landis bot sal stand in force and effect as it stude the dai of the makking of thir indenturis and that the commandis leleli and trewli be kept in force and effect as is forsaid to the partis of thir indenturis baith the abbotis enterchangeably has gart set the selis of thair offices togedder witht the selis of Schir Walter of ogilby lord of Lintrethin / and of androw of ogilby of inchemartine bailzeis to the foirsaidis abbotis of Scone and of coupe / yheir dai place and moneth forsaide.

End. : Indentura inter nos et monasterium de scona de byris etc.

Moray Charters, Box 32, Div. IV, Bundle I, No. 46.

CXXX

Indenture between the abbot and convent of Scone and the abbot and convent of Coupar regarding the land of Biris and the corn thereon.

Biris : This land had been a source of controversy between the two abbeys much earlier. See No. xxiv and note.

Schir Walter of ogilby lord of Lintrethin : See note to No. cxxvi.

Androw of ogilby of inchemartine : Third son of Sir Alexander Ogilvy of Auchterhouse (*Scots Peerage*, i. p. 110) ; mentioned from about 18 Nov., 1432 (*Wemyss*, ii. 49). He had at first only part of the lands of Inchmartin as a precept is issued to the sheriff of Perth to infest him in the half of Inchmartin, formerly belonging to John de Wemyss, 15 Aug., 1451 (*Melvilles*, iii. 40). Ogilvy also held lands in Fife, e.g. he grants to David Boswell of Cragincaat a charter of his lands of Balmuto, 20 Feb., 1439/40 (*RMS.*, ii. 217). He appears till at least 16 April, 1461 (*Melvilles*, iii. 47), and is called 'late,' 3 July, 1464 (*Earls of Haddington*, ii. 305). His wife, Marjory, is mentioned, 20 Feb., 1439/40 (*RMS.*, ii. 217), while his son and heir, David, appears, 29 June, 1456 (*Wemyss*, ii. 169), and granted an annualrent to the Friars Minor of Dundee for the welfare of the souls of Andrew and Mariota Ogilvy, his father and mother, 30 April, 1492 (*RMS.*, ii. 2886). Sir Andrew

also had another son, Patrick, mentioned, 3 July, 1464 (*Earls of Haddington, loc. cit.*). He was a benefactor of the Blackfriars of Perth, 9 Oct., 1444 (*Blackfriars of Perth, xvii (3)*).

CXXXI

28 February, 1434/5.

Omnibus . . . Willelmus . . . Abbas monasterii de Cupro . . . et eiusdem loci conuentus Salutem in eo qui est omnium vera salus vestra nouerit vniuersitas nos ex unanimi consensu et assensu propter hoc capitulariter congregatos dedisse concessisse et tenore presentium resignasse Religiosis viris priori et conuentui domus vallis virtutis ordinis cartusiencis iuxta pertht omne jus et rectum iurisque et recti clameum que nos aut predecesores nostri abbas et conuentus dicti monasterii habuimus habemus uel aliquo iuris titulo habere poterimus infuturum in uel ad ecclesiam parochialem de Eroll sanctiandree diocesis seu patronatus eiusdem per donacionem quondam bone memorie domini gilberti de haya militis domini de Erolle seu per bullas papales aut confirmationem regiam ad instantiam excellentissimi principis ac domini nostri domini Jacobi dei gracia regis scotorum moderni ipsius domini nostri regis bene meritis dicto monasterio nostro factis et faciendis per nos consideratis Ita quod nos abbas et conuentus dicti monasterii et successores nostri ab omni jure et recto iurisque et recti clameo que habuimus habemus uel aliquo iuris titulo habere poterimus in uel ad dictam ecclesiam seu patronatum eiusdem sumus exclusi penitus et ymmunes imperpetuum presentium per tenorem renunciendo iure nostro dictis religiosis viris domus Cartusiencis predicte predicta ecclesia et patronatu eiusdem imperpetuum In cuius rei testimonium presentibus sigillum commune dicti monasterii nostri in capitulo nostro eiusdem presentibus apposuimus ultimo die mensis Februarii anno domini millesimo quadringentesimo trecesimo quarto.

Seal missing. End. : Resignatio omnis juris ecclesie de Erroll per abbatem et conuentum monasterii de Cowpro.

Charters in H.M. General Register House, No. 288.

CXXXI

Charter by William, abbot of Coupar and the convent thereof, resigning to the Charterhouse near Perth all their rights in the parish church of Errol.

See Introduction, p. xliv.

Willelmus . . . Abbas . . . de Cupro : See Appendix II.

Domus vallis virtutis ordinis cartusiensis iuxta perth : The Charterhouse at Perth was founded in 1429 (Fittis, *Ecll. Annals of Perth*, p. 217, *q.v.* for its history).

Patronatus eiusdem per donationem quondam . . . gilberti de haya militis : See No. cxliii for Sir Gilbert's charter.

Ad instantiam . . . Jacobi . . . regis scotorum : James I's charter of the patronage of the church of Errol (which had then a rector) to the Carthusians was dated, 2 Dec., 1429 (Fittis, *op. cit.*, p. 220). A considerable period thus elapsed before the monks of Coupar gave up their rights in this church to the new monastery.

CXXXII

17 August, 1442.

In dei nomine Amen. Anno . . . millesimo cccc^{mo} quadragesimo secundo mensis Augusti die decimaseptima indictione quinta pontificatus . . . Eugenii . . . pape quarti Anno duodecimo in mei notarii publici et testium subscriptorum presencia personaliter constituti . . . domini patricius lyown de kyngorn Johannes ogylby de luntrethyn Johannes Skrymgeour Constabillarius de Dundee milites Thomas abbircummy de eodem Johannes thornetoun de eodem magister Alexander guthre et Johannes de Haddyngetoun aldermannus de perth arbitri et iudices per . . . dominum Willelmum . . . Abbatem monasterii de Cupro et conuentum eiusdem . . . ex una et Alexandrum de oggystoun dominum eiusdem partibus ex altera / per utramque partem predictarum concorditer electi ad decidendum declarandum et finaliter determinandum controuersias discordias et debatas motas et exortas inter partes predictas super proprietate ac de et super ea pastura cum focali ville de litill perth infra magnam moram australem de mekil perth ac de uno annuo reddito viginti solidorum de terris de Westireglismalde et de piscaria aque de

northeske necnon de quadam pecia terre de commune (*sic*) mora iniuste aratra per tenentes de livil perth et per eosdem occupata ut dictus Alexander asseruit / qui quidem Abbas et Alexander in predictas personas corporale prestito juramento per fides suas se obligarunt stare decreto et determinationi iudicum predictorum / Dicti vero arbitri et iudices auditis rationibus allegacionibus huicinde productis ac visis et deligenter inspectis et consideratis Cartis evidenciis vtriusque partis predictae coram eisdem exhibitis . ad suum decretum et sententiam in premissis ferendam et promulgandam / dictum Abbatem pro se et suo conuentu alta et intelligebli voce ad hostium reuestiarii fratrum ville de Dundee In quo reuestiario dicti arbitri et iudices pro tribunali sedebant terna vice vocari fecerunt ad audiendum eorum decretum et sententiam in scriptis ferri et promulgari / Quo vero abbate comparente prefati arbitri et iudices dictum Alexandrum de ogistoun alta et intelligebli voce ad hostium reuestiarii predicti terna vice unicoque contextu consimiliter vocari fecerunt ad audiendum eorum decretum et sententiam in scriptis suis ferri et eiam promulgari / quo vero Alexandro pro se aut procuratore minime comparente prefati iudices eundem Alexandrum aliquantulum exspectantes licet non venientem seu tunc comparentem coram eisdem ad suum decretum et sententiam processerunt / eandemque sententiam seu decretum in scriptis tulerunt et promulgarunt prout et quemadmodum in quodam instrumento publico inde confecto signo nomine et subscriptione mei notarii publici subscripto et signato plenius continetur / Super quibus omnibus et singulis dictus dominus Abbas per me notarium publicum subscriptum sibi fieri peciit publicum instrumentum / Acta fuerunt hec in reuestiario predicto Anno die etc. . . . quibus supra Presentibus . . . patricio de ogilby Roberto de fowlartoun patricio de blar scutiferis magistro waltero de blar vicario ecclesie parochialis de Alytht Alexandro blar et Johanne Dawsoun cum multis aliis testibus . . .

Et ego Johannes Idill clericus Sanctiandree diocesis publicus auctoritate Imperiali notarius etc. . . .

End. : Instrumentum vocationis domini de ogistoun ad audiendum decretum qui non comparuit.

Moray Charters, Box 32, Div. IV, Bundle I, No. 49.

CXXXII

Notarial instrument recording the arbiters in a dispute between William, abbot of Coupar, and his convent, and Alexander de Oggistoun, lord of that ilk, regarding the ownership and pasture of little Perth within the great south muir of Mekil Perth and an annualrent of twenty shillings from the lands of Westereglismaldy and a certain piece of land of the common muir illegally ploughed and occupied by the tenants of Little Perth, as Alexander asserted; which arbiters, sitting in the revestry of the Friars of Dundee, the abbot compearing and Alexander not compearing, gave decret as in No. cxxxiii.

Patricius lyown de kyngorn (miles) : Patrick, son and heir of Sir John Lyon of Glammys, appears as a hostage for James I, 24 March, 1423/4 (Bain, *Calendar*, iv. 947), and was finally exchanged for David, lord of Lesly, 9 Nov., 1427 (*ibid.*, iv. 1010). The present is an earlier instance than that cited in *Scots Peerage*, viii. p. 271, of his designation as of Kinghorn. He was created Lord Glammys, 28 June, 1445, and died, 21 March, 1459 (*ibid.*).

Johannes ogylby de luntrethyn (miles) : Eldest son of Sir Walter Ogilvy of Lintrathen by his first marriage with Isabel Durward; born c. 1402 (Wilson, *House of Airlie*, p. 60). *Scots Peerage*, i. p. 112, says that he succeeded on his father's death in 1440; he appears as Sir John de Ogilvy of Lintrathen from 12 Nov. of that year (*RMS.*, ii. 247, 249). He is called sheriff-depute of Forfar, 21 July, 1450 (*ibid.*, ii. 494; *REB.*, ii. p. 79), and is bailie of Arbroath abbey, 26 Nov., 1485 (*Aberbrothoc*, ii. 281). Sir John had a crown charter of the lands of Lintrathen, Airlie, and other lands in Angus, Kincardine and Perthshire, which are incorporated in a free barony of Lintrathen, 28 Jan., 1482/3 (*RMS.*, ii. 1547). He died, June, 1489 (*Scots Peerage*, *loc. cit.*). His wife, Margaret, countess of Moray, appears, 27 June, 1447 (*Spalding Club Misc.*, iv. p. 117), and later. His son and heir, Sir James de Ogilvy of Airlie, is mentioned, 7 Oct., 1470 (*RMS.*, ii. 1004). Sir John is given custody of the bell of St. Meddan, 27 June, 1447 (*Spalding Club Misc.*, iv., *loc. cit.*).

Johannes Skrymgeour Constabillarius de Dunde (miles) : Eldest son of Sir James Scrymgeour, whom he succeeded in 1411 (*Scrymgeour Inventory*, Index); called lord of Glastre, 10 June, 1412 (*ibid.*, 308), and in 1445 (*ibid.*, 322). He was liberated from the Tower, 12 April, 1413 (Bain, *Calendar*, iv. 839). The present witness is said to have been knighted on the day of James I's coronation, 21 May, 1423 (*Extracta*, p. 227). He is mentioned as one of those arrested along with Murdoch, duke of Albany, March, 1424 (*Scotichronicon*, ii. p. 483). We find him as procurator for Lindores, 10 March, 1442/3 (*Chs. etc. of the Royal Burgh of Dundee*, p. 21),

and as that abbey's bailie, 4 July, 1443 (*REB.*, i. 53). He appears as one of the auditors of causes and complaints, 7 Feb., 1456/7 (*Scon*, 220, 221). This witness appears very frequently in the *Scrymgeour Inventory*, *q.v.* He is said to have died between Jan., 1459/60, and Aug., 1463 (*Scots Peerage*, iii. p. 306, *q.v.*, for an account of him).

Thomas abbircrumby de eodem: Thomas de Abercromby, otherwise undesigned, witnesses a charter of Sir William de Hay, lord of Errol and constable, 17 Feb., 1431/2 (*GRH. Chs.*, 284). He is called lord of Murthly (under which designation he appears in No. cxi) in an undated charter incorporated in a charter given under the Great Seal, 7 Jan., 1435/6 (*ibid.*, 291). As of that ilk, he has sasine of the land of Murthly and Nether Eskyndi, 2 April, 1438 (*Grandtully*, i. 8), and, 22 March 1445/6, Robert de Abercromby has a crown charter of the barony of Murthly, Eschindie and Abercromby which his father, Thomas, has resigned (*ibid.*, i. 9). Thomas de Abercromby of that ilk appears for the barons as one of the lords auditors of causes and complaints, 7 May, 1450 (*GRH. Chs.*, 324; *Scon*, 213). He also figures in a decret of perambulation, 27 June, 1466 (*Dunfermelyn*, 458).

Johannes thornetoun de eodem: Appears undesigned as a member of inquests, 8 and 31 Oct., 1438 (*Aberbrothoc*, ii. 83, p. 545). As of that ilk, he is a witness, 1 Aug., 1442 (*RMS.*, ii. 278), and 16 and 20 March, 1446/7 (*ibid.*, ii. 1038; *Carnegies*, ii. No. 65, p. 515).

Magister Alexander guthre: See note to No. cxxviii.

Johannes de Haddyngetoun aldermannus de perth: Appears as a burgess of Perth from 7 Oct., 1437 (*Spalding Club Misc.*, v. p. 260), and is mentioned as provost and sheriff, 3 Aug., 1443 (*Exch. Rolls*, v. p. 142), as commissary, 28 June, 1445 (*REB.*, i. 56), and as *pro tempore* one of the bailies of Perth, 22 Jan., 1477/8 (*RMS.*, ii. 1350). He died *a.* 13 Sept., 1493 (*ibid.*, ii. 2178). He made a donation to the Friars Preachers of Perth, 31 March, 1455 (*Blackfriars of Perth*, xxviii), and appears as their bailie, 24 April, 1470, and 7 May, 1477 (*ibid.*, xxxiii, xxxvi). Note that in the next charter, of the same date, he is called provost.

Willelmum . . . Abbatem . . . de Cupro: See Appendix II.

Alexandrum de oggistoun dominum eiusdem: Alexander Ogistoun has sasine of the three Creichis, 1456 (*Exch. Rolls*, ix. p. 664). John de Ogistoun, lord of that ilk, one of his predecessors, is a witness, 31 March, 1422 (*RMS.*, ii. 1428), and another John de Ogistoun renders the account of the sheriff of Aberdeen as his deputy, 5 July, 1471 (*Exch. Rolls*, viii. p. 30).

Litill perth . . . mekil perth . . . Westireglismalde . . . northeske: Perth, in this case, is Pert, W. of Montrose. See on these places notes to No. LXVII.

Hostium reuestiarii fratrum ville de Dundee: 'The door of the revestry of the friars of the town of Dundee,' as the next charter shows, refers to the church of the Friars Minor there; the Blackfriars monastery in Dundee was not founded till the sixteenth century.

Patricio de ogilby (scutifero): Probably son of Sir Walter Ogilvy of Lintrathen. See note to No. XLVII.

Roberto de fowlartoun (scutifero): Mentioned, 21 July, 1450 (*RMS.*, ii. 494). Robert Fowlartoun of Dunovn is a member of an assise, 6 Feb., 1457 (*Aberbrothoc*, ii. 112).

Patricio de blar (scutifero): See note to No. cxxxvi.

Magistro waltero de blar vicario . . . de Alytht: Determined at Paris 1415 (*Auct. Chart. Univ. Paris.*, ii. col. 188), licentiate, 1416 (*ibid.*, ii. col. 209), incepted, 1416 (*ibid.*, ii. col. 210); seeks provision of the church of Inchture, 11 Sept., 1419 (*Supplices.*, p. 126); petitions for possession of the church of Muckersie, 20 May, 1420 (*ibid.*, p. 198), and has had provision of the vicarage of Lathrisk, 26 Aug., 1420 (*ibid.*, p. 227); has collation and provision of the vicarage of Carnbee, although he holds the canonry of Innerleithen in Moray (*recte* Glasgow), 28 Nov., 1429 (*CPR.*, viii. p. 155). He paid annates, 24 Jan. and received quittance, 25 Jan., 1429/30, for Carnbee (*Benefices*, pp. 99, 227), but had resigned it *a.* 5 May, 1435 (*CPR.*, viii. p. 550). On 18 Jan., 1429/30, he paid common services as procurator of William, abbot of Coupar (*Benefices*, p. 11). It is probably a different master Walter Blare who is a licentiate of St. Andrews, 1438 (*St. AUR.*, p. 20). One or other of these men paid annates for the archdeaconry of Teviotdale, 5 Oct., 1441 (*Benefices*, p. 129); and while a papal letter, 28 June, 1446, cancels the provision of Walter Blar, M.A., to that benefice (*CPR.*, viii. p. 306), on 4 Jan., 1447/8, Walter Blar, M.A., has fresh provision of a canonry of Ross, notwithstanding he has the provision of the archdeaconry of Teviotdale, of which he is not in possession, and canonries of Dunkeld and Aberdeen (*CPR.*, x. p. 290).

Alexandro blar: Cannot be positively identified. It is possible but unlikely that he is Alexander Blair of Bothiok, who appears from 6 Nov., 1468 (*Oliphants*, 47), whose son and heir, Thomas Blair of Gothnys, is a witness, 29 Nov., 1490 (*RMS.*, ii. 2031), and who appears in an instrument, 21 April 1491 (*Scon*, 226).

Johanne Dausoun: See note to No. lxxvii.

Johannes Idill . . . notarius: See note to No. xli.

CXXXIII

17 August, 1442.

In dei nomine amen anno . . . millesimo quadringentesimo quadragésimo secundo, mensis Augusti die decimaseptima Indiccione quinta pontificatus . . . Eugenii . . . pape quinti anno duodecimo In mei notarii publici et testium subscriptorum presencia in ecclesiam fratrorum minorum de Dunde personaliter constituti . . . patricius lioun de kyngorn Johannes de ogiluy de luntrethyn Johannes Skrymgeour constabularius de Dunde milites, thomas de Abircrumby de eodem Johannes de thorntoun de eodem,

magister Alexander guthri et Johannes de hadyngtoun prepositus burgi de perth, quandam cedulam papiream formam que subsequitur in se continentem dicto magistro Alexandro de guthri nomine et ex parte eorundem omnium tradiderunt perlegendam et pronunciandam, huiusmodi sub tenore. Nos patricius Lovun de Kyngorn Johannes de ogilvy de luntrethyn Johannes Skrymgeour constabularius de Dundee milites Johannes de sancto michaele de quhytchestir / thomas de Abircrumby de eodem johannes de thortoun de eodem magistro alexandro guthri et johannes de hadyngtoun prepositus burgi de perth arbitri et iudices per . . . / dominum Willelmum . . . Abbatem monasterii de Cupro et conuentum eiusdem Sanctiandree diocesis ex vna et alexandrum de ogistoun dominum eiusdem partibus ex altera per dictos Abbatem et Alexandrum concorditer electi ad decidendum declarandum et finaliter determinandum controuersias discordias et debatas motas et exortas inter partes predictas de et super proprietate / ac de et super communi pastura cum focali uille de litalperth infra magnam moram australem de perth, ac de uno annuo reddito viginti solidorum de terris de Westereglismaldy et de piscaria aque de Northesk necnon de quadam pecia terre de communi mora iniuste aratra per tenentes de litalperth et per eosdem occupata ut idem alexander asseruit / que quidem partes predictae in nos tanquam arbitros et iudices et concorditer compromiserunt nostroque decreto declarationi determinacioni et sententie per fides suas corporaliter prestitas stare obligarunt ut per prius obligati et iurati fuerunt ut in indenturis submissionis inde confectis sigillis partium predictarum roboratis plenius continetur, dictumque nostrum decretum determinacionem et sentenciam fideliter obseruare et perimplere ac ratum gratum atque firmum habere et pro perpetuo habituros, Nos arbitri et iudices predicti magno interueniente iuramento iurati dictas controuersias discordias et debatas iuste equiter fideliter absque dolo vel fraude iuxta nostrum scire decernere et finaliter determinare, Et deinde auditis rationibus allegacionibus ex utraque parte prepositis et productis, necnon cartis et euidentiis utriusque partis

coram nobis exhibitis . diligenter inspectis et consideratis / nos arbitri et iudices predicti matura deliberacione auisati decreuimus determinauimus et ordinauimus ac per presentes decernimus determinamus et ordinamus ac sententialiter pronunciamus in hunc modum, videlicet quod dictus Abbas et conuentus ac sui tenentes qui pro tempore fuerint in dictis terris de litalperth habebunt et pro perpetuo libere gaudebunt et possidebunt communem pasturam cum focali tam de bruerio quam de turbariis infra dictam moram australem de perth, quantum pertinet ad tantam terram et proportionaliter pro quantitate dicte terre. Insuper decernimus et determinamus prefatum annum redditum viginti solidorum ad dictos Abbatem et conuentum pertinere, et quod eundem annum redditum libere habeant teneant et possideant pro perpetuo, preterea declaramus et determinamus prefatos Abbatem et conuentum ac suos tenentes in dictis terris de litalperth inhabitantes vel inposterum inhabitaturos ulterius in futurum non piscari vltra limites et diuisas dictarum terrarum de litalperth nisi tempore prohibito eis per recolende memorie Robertum olim Regem Scotorum concesso, Ceterum ordinamus et decernimus quod nos arbitri et iudices predicti ut saltem quisque nostrum dante domino personaliter accedemus seu accedent ad fundum communis more predictae et ibi videbimus et inspiciemus diligenter cum auisamento et deliberacione antiquorum virorum patrie, si quid de communi mora predicta redactum sit ad proprietatem et ad bladi culturam ville de litalperth. Et si quod sic inuentum fuerit restaurabitur in gradum pristinum ad commune more antedictae, quoquidem decreto perlecto prefatus dominus Abbas pro se et suo conuento per me notarium publicum subscriptum de eiusdem decreti copia et tenore sibi fieri petiit publicum instrumentum requiringo etiam dictos arbitros et iudices ut presenti instrumento in robur et firmitate premissorum sua propria apponerent sigilla Acta fuerunt hec in reuestiario fratrorum de dunde anno die etc. . . . quibus supra / presentibus . . . patricio de ogiluy Daudid lioun Roberto de foulertoun patricio de Blare Johanne de guthre scutiferis magistro

Waltero de Blare vicario ecclesie parochialis de Alytht Alexandro de Blare et Johanne dausoun cum multis aliis testibus. . . .

Et ego Johannes ydill clericus Sanctiandree diocesis publicus auctoritate Imperiali notarius etc. . . .

Seals missing. End.: Instrumentum publicum de libertatibus de litalperth et annuo reddito de Wester-eghismaldy per decretum arbitrorum ut patet infra sub sigillis multorum.

Moray Charters, Box 32, Div. IV, Bundle I, No. 50.

CXXXIII

Notarial instrument recording a decret arbitral (following on No. cxxxii), viz. that the abbot and convent and their tenants will have pasturage in the south muir of Perth in proportion to their land; that they are awarded the annualrent of twenty shillings; that they and their tenants shall not fish outside the bounds of the lands of Little Perth except in the prohibited season as granted them by Robert, king of Scots; and that it will be ascertained by the arbiters whether any of the common muir aforesaid has been taken into the possession and cultivation of the township of Little Perth, in which case it will be restored to its former state of commony of the muir.

For places mentioned in this charter see notes to No. cxxxii, likewise for persons except:

Johannes de sancto michael de quhytchestir: There are three men of this name successively on record. The late John de St. Michael is mentioned in a charter of Robert, duke of Albany, 20 July, 1408, as having sold his land of Murcrofte in Aberdeenshire (*RMS.*, i. 907). It is probably the present witness who appears in an account given in at Edinburgh, 18 July, 1438 (*Exch. Rolls*, v. p. 64); and he is mentioned *ut supra*, 26 Aug., 1447 (*RMS.*, ii. 301). James II confirms, 5 Aug., 1452, a charter of John de St. Michael, lord of Quhitchester, who grants and pledges his lands of Crechis and Bothelny in Aberdeenshire, 31 May, 1449 (*ibid.*, ii. 589). He must have been deceased shortly after this date. There is a reference, 7 June, 1453, to the croft of the late John de St. Michael in Edinburgh (*Laing Chs.*, 137), and he appears as deceased and forfeited in an account rendered at Aberdeen, 27 Sept., 1456 (*Exch. Rolls*, vi. p. 155). Meanwhile, attestations are recorded that John de St. Michael, son of the above, has been retoured heir to his father and infeft in Quhitchester, in the barony of Hawick, 5 Feb., 1455/6 (*Buccleuch*, ii. 58), and attestation of his sasine follows, 2 Nov., 1456 (*ibid.*, ii. 59). The lands of Whitchester are, however, among those resigned by Sir Walter Scott of Kirkurd to David, his son, 5 Dec., 1463 (*ibid.*, ii. 63).

Eis per . . . Robertum olim Regem Scotorum concessio : No charter making this concession has been traced.

The witnesses are also identical except :

David lioun (scutifero) : Probably David Lyon, second son of Sir John Lyon and brother of Patrick Lyon of Kinghorn (*Scots Peerage*, viii. p. 270). He appears as a witness, 10 March, 1438/9 (*RMS.*, ii. 220), and had a charter of lands in Berwickshire in 1449 (*SP.*, *loc. cit.*).

Patricio de Blare (scutifero) : See note to No. cxxvi.

Johanne de guthre (scutifero) : Perhaps John Guthrie of Essy who is a member of an inquest, 1 Feb., 1453/4 (*RMS.*, ii. 1038), who appears as a witness, 16 Oct., 1481 (*ibid.*, ii. 1493), and whose son and heir, David, is mentioned, 11 April, 1487 (*ibid.*, ii. 1674).

Johannes ydill . . . notarius : See note to No. xli.

CXXXIV

a. 17 April, 1445.

In dei nomine Amen Cum alias per . . . Donaldum de Malles de eodem contra et aduersus . . . Willelmum de Blare . . . Abbatem monasterii de Cupro in Anguse et conuentum eiusdem . . . orte fuerunt controuersia questio et debata penes quandam peciam nuncupatam Dalchdonache anglice Donaldishaulch jacentem in territorio de westirdromy ex parte boreali aque de Arycht et penes quandam piscariam cum pertinentiis in eadem aqua vocatam polstora / dictis Abbati et conuentui pertinentem / et directe in oppositum duarum peciarum terre nuncupatarum dalchrymore et dalchrybeg jacentum in territorio dicti Donaldi ex parte australi dicte aque et eidem Donaldio pertinentium / cuius quidem pecie terre de Daldonache penitus se extendit contigue usque ad piscariam predictam / tandem post diuersas altercationes et debatas super dictis pecia terre et piscaria inter partes predictas / ex consensu et assensu earundem partium per amicabiles compositores plenarie extitit concordatum modo et forma quibus sequitur videlicet quod dicti Abbas et conuentus facerent suam curiam per ballium eorundem super fundo de Westyrdromy prope dictam peciam terre de Dalchdonach et piscariam predictam die veneris decimo septimo die mensis Aprilis Anno domini millesimo cccc^{mo} quadragesimo quinto teneri et ad eandem curiam probos fideles

et antiquiores patrie premuniri et ibidem interesse quo die cum consensu utriusque partis predictae de eisdem probis fidelibus et antiquioribus patrie ibidem congregatis eligeretur quedam assisa ad decidendum declarandum et finaliter determinandum per sua magna iuramenta tactis sacrosanctis dei ewangelis an dicta pecia terre et piscaria pertinebant et spectabant jure possessorio dictis abbati et conuentui tanquam de territorio de Westirdromy / an dictae donaldo tanquam de territorio terrarum suarum de malles aut de aliquo alio dominio eidem Donaldo pertinente / quo die veneris adueniente curia congregata et affirmata ac iuxta modum et formam preactos tenta probis fidelibus et antiquioribus patrie ibidem congregatis et comparentibus dictisque partibus etiam conuenientibus de consensu et assensu earundem partium et in complementum concordie inter eosdem fiende et seruande electa fuit assisa proborum subscriptorum pro dictis discordiis controuersiis questionibus et debatibus inter easdem partes finaliter et pro perpetuo determinandis quorum nomina subsequuntur uidelicet dominus Johannes Steuart de cardne miles thomas blare de bothiok patricius buttyre de gormok Finlaus buttire de Calandy Willelmus blare de Ardblairyre Jacobus de tyre de drumkilbo thomas de camera de drumloquhy / donaldus finlai de Achnalesk Alexander grahame frater quondam domini Willelmi domini de grahame patricius buttyre filius et heres apparens dicti Finlai buttyre Johannes buttire frater eius patricius de blare Alexander de Ochtilrouny Johannes de Munkure Johannes de Ratre Johannes de fife et thomas scot scutiferi Qui vero viri prenominati de assisa magno interueniente sacramento iurati auditis rationibus et allegacionibus utriusque partis predictae una cum veredictis et recitationibus plurimorum antiquorum patrie per dictas partes predictorum et etiam juratorum pro veraci et fidei informacione assise predictae fienda / dicti viri de assisa extra curiam procedentes et inter se longo tempore auisati et consulti matura deliberacione prehabita et iterum ad curiam reuenientes in presencia balliui dictae curie pro tribunali sedentes / ambarumque partium et omnium aliorum in eadem curia

existencium plane et expresse per Alexandrum grahame prolocutorem dicte assise declarauerunt et determinarunt / dictam peciam terre cum piscaria aque predictae usque ad medium eiusdem ubi tunc aqua predicta decurrebat de jure possessorio ad dictos Abbatem et conuentum pertinuisse et spectasse / eisdemque et suis successoribus pro perpetuo pertinere et spectare / quod quidem decretum et determinacionem ante promulgacionem eiusdem ambe partes se obligarunt magno interueniente sacramento pro se et suis successoribus ac omnibus aliis quorum intersit aut nomine earundem partium interesse poterit in futurum fideliter firmiter inuiolabiliter et irreuocabiliter absque dolo vel fraude inperpetuum obseruare et eciam perimplere quibus ut premittitur factis dictus Abbas pro se et suo conuentu nos de assisa instanter requisiiuit ut super premissis sic factis et deliberatis ad perpetuam rei memoriam litteras nostras testimoniales sub sigillis quorundam nostrum de assisa sibi confici et deliberari faceremus / Cuius requisitioni tanquam iuste et rationi consone inclinati has litteras nostras testimoniales fieri fecimus sigillisque nostris easdem roborauimus anno die mense et loco supradictis.

Seven seals all missing. End. : Declaratio inter grangia (*sic*) de dromy et mallas de quadam particula terre et piscaria de Arycht.

Moray Charters, Box 32, Div. IV, Bundle I, No. 51.

CXXXIV

Notarial instrument containing the award of an assise in a dispute between Donald de Malles of that ilk and William de Blare, abbot, and the convent of Coupar regarding a certain piece (of land) called Donaldshaugh in the territory of Westerdrimmie.

Donaldum de Malles de eodem : Donald Malles of that ilk witnesses an instrument, 17 April, 1454 (*Scon*, 216).

Willelmum de Blare . . . Abbatem . . . de Cupro : See Appendix II.

Dalchdonache anglie Donaldishaulch . . . in territorio de Westirdromy : Drimmie is N. of Rattray. Donaldshauch has not been identified in this locality.

Aque de Arycht : The river Ericht. Polstora has not been found.

Dalchrymore et dalchrybeg : Not located.

Johannes Stewart de cardne miles : Illegitimate son of Robert II by Marion Cardny ; he had an elder brother, Alexander—of Inverlunan—and a younger brother, James (*RMS.*, i. 669). John Stewart, ' brother of the king,' has a grant by Robert III of the two Cardnys (*ibid.*, i. App. 2, 1893). He was knighted on the coronation-day of James I, 21 May, 1423 (*Extracta*, p. 227), and was one of the twenty-six arrested along with Murdoch, duke of Albany, March, 1424 (*Scotichronicon*, ii. p. 483). Sir John Stewart of Cardny is a witness, 7 April, 1454 (*Scon*, 216).

Thomas blare de bothiok : Has a charter of the lands of Ardblair, in the reign of Robert III (*RMS.*, i. App. 2, 1867). The lands of Quiltis are in ward by his death, according to an account for the county of Fife, 13 April, 1453 (*Exch. Rolls*, v. p. 531).

Patricius buttyre de gormok : See note to No. cxxviii.

Finlaus buttire de Calandy : Finlai Butyr, son of the late Patrick Butyr, appears at an inquest, 28 Oct., 1418, as heir of two carucates of Kyllachmond, called the lands of Ardlar, in the shire of Clat (*REA.*, i. p. 218). Finlay Butter appears in a retour at Perth, 20 April, 1432 (*Stirlings of Keir*, 14), and as a witness to an instrument at Perth, 18 Nov., 1432 (*Wemyss*, ii. 49). Calandy is Cally. It may be noted that an entry in *Cupar*, i. p. 131, draws a distinction between Easter Cally or Monks' Cally and Middle Cally or Butter's Cally.

Willelmus blare de Ardblairyre : William Blair has sasine of the lands of Wethirrishalch, 20 Dec., 1424 (*Douglas Bk.*, iii. 64) ; as of Ardblare, appears as patron of the chaplainry of St. Salvator in the parish church of Dundee, 12 Dec., 1428 (*ibid.*, iii. 67) ; is mentioned in a charter, 10 July, 1449 (*Grandtully*, ii. 11) ; is a witness, 7 April, 1454 (*Scon*, 216). He was dead a. 21 April, 1457, when William Blair of Ardblair had sasine of Wydderishaulch as heir of his father, the late William Blair of Ardblair (*Douglas Bk.*, iii. 91). See note to No. cxl.

Jacobus de tyre de drumkilbo : Not found elsewhere. Later members of this family appear, *Carnegies*, ii. p. 528, No. 82.

Thomas de camera de drumloquhy : Calady (Cally) is let to Thomas de Camera, Whitsunday, 1443, and Whitsunday, 1446 (*Cupar*, i. pp. 121, 124). He witnesses an instrument, 7 April, 1454 (*Scon*, 216) ; has a grant of a toft from Scone, 15 July, 1465 (*GRH. Chs.*, 383) ; and appears, 6 Nov., 1467 (*HMC. Rep.*, vii. Pt. II. 709). He appears also in No. cxl.

Donaldus finlai de Achnalesk : Found only in No. cxxxix.

Alexander grahame frater quondam domini Willelmi domini de grahame : Sir William de Graham appears, 7 Dec., 1391, and died in 1424 (*Scots Peerage*, vi. pp. 216-17). His brother, Alexander, a younger son of Patrick de Graham, witnesses a charter of William Hay of Erole, 14 March, 1415/16 (*RMS.*, ii. 158), and is on record till 23 Oct., 1460 (*SP.*, vi. p. 215). A later Alexander le Graham, ' scutifer,' is a witness, 5 Nov., 1448 (*RMS.*, i. 291), and 15 March, 1450/1 (*ibid.*, i. 496), and may be identified with Alexander de Graham, son and heir of Malise, earl of Menteith, who is substitute for his father as a hostage, 2 June, 1453 (*Bain, Calendar*, iv. 1259).

Patricius buttyre filius et heres apparens dicti Finlai buttyre : Probably

Patrick Butter who appears with Finlay Butter in a retour at Perth, 29 April, 1432 (*Stirlings of Keir*, 14).

Johannes buttire frater eius : Croftarthur is let to John Butir, Whitsunday, 1443 (*Cupar*, i. p. 120), Westerdromy to him and others, Whitsunday, 1450 (*ibid.*, i. p. 122), and a fourth part of Syokis to him, Whitsunday, 1463 (*ibid.*, i. p. 136).

Patricius de blare : See note to No. cxxvi.

Alexander de Ochtirlouny : The identity of this witness is doubtful. A man so named is a member of an inquest, 8 Oct., 1438 (*Aberbrothoc*, ii. 83). Alexander de Ochtirlouny of Kelly is a witness, 3 Sept., 1454 (*GRH. Chs.*, 335); while Alexander de Ochtirlouny, son and heir of William de Ochtirlouny of Kelly, is a witness, 17 Jan., 1461/2 (*Aberbrothoc*, ii. 138), and 12 April, 1466 (*ibid.*, ii. 168). Again, Alexander Ochtirlouny, son and heir of William de Vchtirlouny of that ilk, is a witness, 11 Jan., 1461/2 (*ibid.*, ii. 137), and is called later son and heir of the same, 14 June, 1466 (*RMS.*, ii. 835).

Johannes de Munkure : Probably John Moncur of Frelendis to whom James III granted part of Balleuny, 21 Jan., 1477/8 (*RMS.*, ii. 1349). Cf. No. lxxvii.

Johannes de Retre : Several men of this name are mentioned. John de Retre is a member of an inquest at Perth, 11 Jan., 1423/4 (*Stirlings of Keir*, 12). Between 1449 and 1474, John de Retre had tacks of various parts of the lands of Coupar abbey (*Cupar*, i. p. 127, etc.). We also find mentions of John Rettre of Leichill between 1 April, 1478 (*RMS.*, ii. 1378), and 10 Sept., 1498 (*ibid.*, ii. 2469). John Rettre appears again as a burgess, 3 April, 1467 (*ibid.*, ii. 910), and, later, as a bailie, 20 Feb., 1500/1 (*ibid.*, ii. 2568), of Perth.

Johannes de fife : Perhaps the tenant of Cotzards, 1444 and 1449 (*Cupar*, i. pp. 123, 122). Another John de Fife, burgess of Aberdeen, appears, 23 March, 1429 (*Exch. Rolls.*, iv. p. 511), 12 July, 1435 (as commissary of Aberdeen) (*ibid.*, iv. p. 657); has safe-conduct to England, 10 Dec., 1435 (*Bain, Calendar*, iv. 1088); and has leave to trade with his vessel, Nov., 1439, and May, 1453 (*ibid.* iv. 1134, 1253).

Thomas scot : Not found elsewhere.

CXXXV

14 September, 1448.

Nos frater Johannes Abbas Cistercii Ceterique diffinitores Capituli generalis Cisterciensis ordinis Notum facimus vniuersis quod Anno domini Millesimo CCCC^o . xlviiij . in eodem Capitulo die . xiiij . mensis septembris apud Cistercium celebrato facta fuit quedam diffinitio Cuius tenor subsequitur in hiis verbis / Presens generale capitulum

benigniter attendens pauperitatem monasterii de Cupro in scocia quantisque et crebris agittetur periculis . et perditionibus tam propter vndositates marinas quam propter insidias inimicorum interpositas summam siue redditum viginti librarum monete Scocie pro et de qua somma dictum monasterium tenebatur et inperpetuum obligabatur Capitulo generalo Remittit¹ et quittat ipsum Capitulum eidem monasterio ipsumque eximit a solutione dicti annui redditus viginti librarum pro futuris et perpetuis temporibus / ita tamen quod Abbas et Conuentus dicti monasterii de Cupro pro redemptione predicti redditus domino Cisterciensi seu procuratori aut certo mandato suo summam quadringentarum coronarum auri boni auri et legitimi ponderis infra festum Natiuitatis dominice proxime venturum fideliter et integraliter in villa Bruggensi persoluent et consignabunt / seu persolui facient et consignari Datum sub sigillo diffinitorum dicti Capituli Anno die mense et loco supradictis / Et ad maiorem premissorum firmitatem et securitatem Nos Abbas Cisterciensis antedictus sigillum nostrum maius vna cum predicto sigillo diffinitorum presentibus duximus apponendum Datum vt supra.

Frater Gullielmus
Abbas Igniaci.

Seals (broken) attached. End. : Littera perpetue quit-tancie Abbatis Cistercii et capituli generalis annue pensionis xx librarum.

Moray Charters, Box 32, Div. V, Bundle II, No. 78.

CXXXV

Charter of John, abbot of Citeaux and other *diffinitores* of the chapter-general of the Cistercian order, making known that in that chapter, on 14 Sept., 1448, it was found as follows : that the chapter-general, considering the poverty of the monastery of Coupar, gives it quittance and exempts it in all future time from the payment of an annualrent of 20*l.*, on condition that the abbot and convent of Coupar pay to the abbot of Citeaux or his procurator at Bruges by Christmas next a sum of four hundred gold crowns.

¹ SHR. : 'remittit.'

See Introduction, pp. xlii-xliii, lii-liii.

Johannes Abbas Cistercii : Jean Vion de Gevray, abbot of Citeaux, 1440 ; died, 25 Nov., 1458. I owe to Mr. C. T. McInnes this note from Chevalier, *Répertoire des sources historiques du moyen âge*.

Vndositates marinas, etc. : See Introduction, p. xlix, n.

Frater Gullielmus Abbas Igniaci : This was an abbot of Igny, in the diocese of Rheims. I am unable to identify him.

CXXXVI

28 February, 1452/3.

In dei nomine Amen ab incarnatione eiusdem millesimo quadringentesimo quinquagesimo secundo secundum computationem ecclesie Scoticane / mensis vero februarii die penultima / Indictione prima / pontificatus . . . Nicholai pape quinti anno sexto In mei notarii publici et testium subscriptorum personaliter constitutus presencia . . . dominus Willelmus . . . abbas monasterii de Cupro . . . quoddam publicum Instrumentum decretum et sententiam certorum iudicum arbitrorum subscriptorum in se continens super diuersis debatis controuersiis et discordiis motis inter dictum dominum abbatem et suum conuentum ex parte una / Et Alexandrum de Ogistoun dominum eiusdem ex parte altera / et per ipsos iudices determinatis deliberatis et finitis / sanum et integrum etc. . . . ut apparuit / sigillis eorum iudicum in cera rubea infra ceram albam . caudis dependentibus sigillatum . michi notario publico infrascripto exhibuit et tradidit perlegenda et publicanda / ac propter pericula et incommoda que forte in portatione principalis instrumenti . subscripte sententie . euenire possint in formam publicam redigendam Cuius vero principalis instrumenti Tenor sequitur et est talis . . . (*ut in no. CXXXIII*) . . . Post lecturam vero meam dicti Instrumenti prefatus dominus Abbas per me notarium publicum subscriptum de ipsius copia et tenore sibi fieri petiit vnum publicum instrumentum ad modum transumpti Acta fuerunt hec in capitulo dicti monasterii de Cupro hora decima ante meridiem / Anno die . . . supradictis / Presentibus ibidem . . . dominis thoma de Furde . priore . Johanne Hutoun suppriore / dauid Bane cellerario dicti monasterii / Johanne de Rettre vicario eiusdem /

Roberto Bane burgense de dunde et Johanne Dausoun cum diuersis aliis testibus

Et ego thomas de Johnstoun clericus sanctiandree diocesis publicus auctoritate Imperiali notarius etc. . . .

End. : Transsumptum publici instrumenti decretum et sententiam certorum iudicum arbitrorum in se continentes de libertatibus de lytylperth et annuo redditu xx solidorum de Westereglismaldy ut patet infra * * * .

Moray Charters, Box 32, Div. IV, Bundle I, No. 52.

CXXXVI

Notarial instrument containing a transumpt of No. cxxxiii.

Willelmus . . . abbas . . . de Cupro : See Appendix II.

Alexandrum de Ogistoun dominum eiusdem : See note to No. cxxxii.

Thoma de Furde priore Johanne Hutoun suppriore dauid bane cellerario : All these monks were aspirants to the abbotship. See Appendix II.

Johanne de Rettre vicario eiusdem : This vicar of Rattray witnesses a lease of Tullyfergus, Whitsunday, 1449 (*Cupar*, i. p. 127). The index to *Cupar* gives him, absurdly, as ' vicar of Tullifergus.'

Roberto Bane burgense de dunde : There is a reference to his tenement in Dundee, 4 July, 1443 (*REB.*, i. 53). Probably he was a relation of David Bane, the cellarer (*supra*), and, later, abbot.

Johanne dausoun : See note to No. lxxvii.

Thomas de Johnstoun . . . notarius : Perhaps the Thomas Johnson who has a lease of the revenues of the church of Bendochy in 1443 (*Cupar*, i. p. 121). See also note to No. xli.

CXXXVII

5 August, 1461.

Pius etc. Venerabili fratri Episcopo Sanctiandree Salutem etc. Solicite considerationis indagine prout officii pastoralis cura requirit circa statum ecclesiarum et Monasteriorum omnium cure nostre diuina disponente clemencia commissorum prospere dirigendum extenden. operose diligentie studium libenter impendimus ut ecclesiis et Monasteriis ipsis ne uacacionis incommoda sustineant de celeris prouisionis remedio salubriter succuratur. Dudum siquidem prouisiones ecclesiarum et monasteriorum omnium apud sedem apostolicam tunc uacantium et in antea uacaturorum ordinationi et dispositioni nostre reseruauimus decernentes ex tunc irritum et inane

si secus super hiis per quoscumque quauis auctoritate scienter uel ignoranter contigeret attemptari Cum itaque postmodum monasterium de Cupro Cisterciensis ordinis tue diocesis ex eo quod dilectus filius Johannes hudton nuper eiusdem Monasterii abbas regimini et administrationi ipsius Monasterii cui tunc preerat per dilectum filium Dauid hay rectorem parrochialis ecclesie de Eduy dicte diocesis decretorum doctorem procuratorem suum ad hoc ab eo specialiter constitutum in manibus nostris sponte et libere cesserit nosque cessionem huiusmodi duxerimus admittendam uacauerit et uacet ad presens Nos cupientes eidem Monasterio de cuius regimine et administratione nullus preter nos hac uice se intromittere potuit siue potest reseruacione et decreto obsistentibus supradictis ne longe uacationis exponatur incommodis de persona secundum cor nostrum utili et ydonea per quam circumspecte regi et salubriter dirigi ualeat prouidere de meritis quoque et ydoneitate dilecti filii Dauid Bane Monachi dicti Monasterii qui ut asserit ordinem ipsum expresse professus et in etate legitima quod hoc constitutus et in Theologia Bacallarius existit apud nos de religionis zelo uite mundicia honestate morum spiritualium prouidencia et temporalium circumspectione alijsque uirtutum donis multipliciter commendatum certam noticiam non habentes fraternitati tue per apostolica scripta mandamus quatenus de meritis et ydoneitate Dauid Bane predicti auctoritate nostra te diligenter informes et si per informationem huiusmodi prefatum Dauid Bane ad regimen ipsius Monasterii utilem et ydoneum esse reppereris super quo tuam conscientiam oneramus de persona dicti Dauid Bane eidem Monasterio cuius fructus redditus et prouentus Sexaginta librarum Sterlingorum quorum libra in Regno Scocie duos ducatus cum dimidio ualeat et ita in camera apostolica computari consueuit secundum communem extimationem ualorem annum ut ipse Dauid Bane etiam asserit non excedunt siue per cessionem huiusmodi tunc siue alias quouis modo aut ex alterius cuiuscumque persona uacet ejusque dispositio ex quauis causa ad sedem apostolicam specialiter uel alias generaliter pertineat dummodo

tempore date presentium ei de Abbate canonice prouisum non sit eadem auctoritate prouideas ipsumque illi preficias in Abbatem curam regimen et administrationem ipsius Monasterii dicto Daud Bane in spiritualibus et temporalibus plenarie committendo ac faciendo sibi a dilectis filiis conuentu obedienciam et reuerenciam debitas et deuotas necnon uasallis et alijs subditis eiusdem Monasterii consueta seruicia et alia iura ab eis debita integre exhiberi Contradictores per censuram ecclesiasticam etc. Non obstantibus constitutionibus et ordinationibus apostolicis necnon Monasterij et ordinis predictorum iuramento confirmatione apostolica uel quauis firmitate alia roboratis statutis et consuetudinibus contrariis quibuscumque Aut si conuentui uasallis et subditis prefatis uel quibusuis alijs communiter uel diuisim a dicta sede sit indultum quod interdicti suspendi uel excommunicari non possint per litteras apostolicas non facientes plenam et expressam ac de uerbo ad uerbum de indulto huiusmodi mentionem Et insuper eidem Daud Bane si de eius persona prefato Monasterio prouideris ut prefertur munus benedictionis dicta auctoritate impendas aut sibi per aliquem Catholicum Antistitem gratiam et communionem dicte sedis habentem impendi facias et procures uolumus autem quod tu uel idem Antistes qui predicto Daud Bane huiusmodi munus impenderis uel impendet ab eo nostro et Romane ecclesie nomine solitum fidelitatis debite recipias uel recipiat iuramentum iuxta formam quam sub bulla nostra mittimus introclusam ac formam iuramenti quod idem Daud Bane prestabit nobis de uerbo ad uerbum per suas patentes literas eius sigillo munitas per proprium nuncium quantoocius destinare procuret. Nos enim prout est irritum decernimus et inane si secus super hijs a quoquam quauis auctoritate scienter uel ignoranter attemptatum forsitan est hactenus uel imposterum contigerit attemptari. Datum Tibure Anno Incarnationis dominice Millesimo quadringentesimo sexagesimo primo Non. Augusti Anno Tertio.

P. L. de Varris.

G.R.H. Vatican Transcripts, III, 36 (from Reg. Lat. 562, fol. 25).

CXXXVII

Bull of provision of David Bane, monk of Coupar, as abbot of that monastery, in succession to John Hudton.

This record is summarised, *CPR.*, xii. p. 105.

Johannes hudton nuper . . . abbas : See Appendix II.

David hay rectorem parochialis ecclesie de Edvy . . . decretorum doctorem : The version of this charter abbreviated, *CPR.*, xii. p. 105, gives his name as 'Kay.' The same man appears under this surname and as rector of Edvy and doctor of decrees as receiving a dispensation to hold an additional benefice, 4 Sept., 1460 (*ibid.*, xi. p. 600) ; he is procurator for the abbot of Paisley, 22 Aug., 1461 (*Benefices*, p. 325) ; and has papal reservation of one or two benefices, 12 Sept., 1461 (*CPR.*, xi. pp. 601-2). It is uncertain whether he is identical with the man of this name who, as treasurer of Dunkeld, and principal official of St. Andrews, appears in an instrument, 8 June, 1470 (*Wemyss*, ii. 96). David de Kay, rector of Edvy, witnesses the confirmation-charter of the university's privileges by archbishop Scheves of St. Andrews, 2 June, 1479 (*UCR.*, iii. p. 179). On the other hand, David de Hay, of Dunkeld diocese, matriculated at Cologne in 1421 (Keussen, *Matrikel*, i. p. 226), and we find David de Hay, B.Dec., witnessing an instrument, 20 Feb., 1456 (*Cupar*, i. p. 80). Idvy is the present parish of Kirkden.

David Bane Monachi dicti Monasterii : See Appendix II.

CXXXVIII

7 June, 1464.

Pius etc. Dilecto filio David Abbati et Conuenti Monasterii sancte Marie de Cupro Cisterciensis ordinis Sancti Andree diocesis Salutem etc. Exposuit vestre devocionis sinceritas et religionis promeretur honestas ut tam vos quas speciali dilectione prosequimur quam Monasterium vestrum dignis honoribus attollamus. Hinc est quod nos vestris in hac parte supplicationibus inclinati ut tu David Abbas et successores tuj Abbates dicti Monasterii qui pro tempore fuerint mitra libere uti necnon dictum Monasterium et ecclesias ad vos pertinentes cum suis cimiterijs aqua prius per aliquem Antistitem benedicta totiens quotiens opus fuerit reconciliare ad vestimenta et alia ornamenta ad divinum cultum in Monasterio et ecclesijs predictis necessaria benedicere licite possitis vobis auctoritate apostolica tenore presentium indulgemus. Non obstantibus felicis recordationis Alexandri pape III

predecessoris nostri que incipit Abbates et aliis apostolicis constitutionibus ceterisque contrariis quibuscumque. Nulli ergo etc. nostre concessionis infringere etc. Si quis etc. Datum Rome apud sanctum Petrum Anno Incarnationis dominice Millesimo quadringentesimo sexagesimo quarto septimo Idus Iunii Anno Sexto. H. LV. Tolani.

G.R.H. Vatican Transcripts, III, 44 (from Reg. Lat., 597A, fol. 202).

CXXXVIII

Bull of Pius II granting David, abbot of Coupar, permission to use the mitre, to reconcile the monastery and its churches and graveyards and to bless vestments and other ornaments for use at divine service in the monastery and its churches.

This bull is noted, *Breviarium*, 26. The grant of these quasi-episcopal privileges to abbots is common in the period. But cf. the phrase Newman applied to the early Cistercians: 'The assumption of the mitre and sandals which was a scandal in Cistercian eyes' (*Life of Stephen Harding*, quoted Fowler, *Cist. Statutes*, p. 6).

David Abbati : See Appendix II.

CXXXIX

19 May, 1465.

Uniuersis pateat per presentes me donaldum fynlay quondam de auchnolesse pro me heredibus meis et assignatis exonerasse et quietos clamasse necnon per presentes litteras fide media exonerare et quietos clamare in perpetuum . . . dominum dauid bane . . . abbatem monasterii de cupro conuentum eiusdem omnesque et singulos successores eorundem de summa centum et vigente (*sic*) marcarum vsualis monete regni scoeie in qua quidem summa dicti dominus abbas et conuentus michi tenebantur ascritti pro duabus terciis de auchnalesse iacentibus in dominio de gleneylai infra vicecomitatum de angusse a me heredibus meis assignatis et successoribus quibuscumque alienatis et venditis dictis dominis abbati conuentui monasterio et eorum successoribus in perpetuum de qua quidem summa centum et vigente marcarum Ego dictus donaldus fateor et tenco me bene contentum satis-

factum et placatum singulis condicionibus contentis in quadam obligacione sub eorum communi sigillo capituli michi data completis et obseruatis secundum eiusdem obligacionis tenorem In quarum vero exoneracionis et quiete clamacionis testimonium et veritatem quia sigillum proprium non habui procurauit in instantia sigilla venerabilium virorum subscriptorum viz. venerabilis domini Jacobi ogylwy de Erolly militis et balliui dicti monasterii patricij ogylwy de estyr kelor wyllelmi kergyle de lasynstone dauid blayr de fordwe et roberti heryss de ouchtyrallyth istis meis exoneracioni et quiete clamacioni apponenda et appendenda decima nona die mensis mayi anno domini millesimo quadringentesimo sexagesimo quinto In loco capitulari dicti monasterii coram hiis testibus Johanne ogylwy fratre dicti domini Jacobi Johanne blayr filio dicti Dauid blayr Johanne daussone alexandro dausone et Johanne boyde cum diuersis aliis.

Four fine seals remain : one seal is missing. End. : Quittancia de summis datis pro auchnalesk.

Moray Charters, Box 32, Div. V, Bundle II, No. 80.

CXXXIX

Charter of Donald Fynlay, late of Auchnolesse, exonerating and quitclaiming David Bane, abbot of Coupar and the convent thereof, of a sum of 120 marks for which they were held liable in respect of two-thirds of Auchnolesse sold to the abbot and convent.

Donald fynlay quondam de auchnolesse : Appears in No. cxxxiv. Auchnolesse is Auchinleisk in Glenisla. Cf. No. lxxviii.

Dauid bane . . . abbatem . . . de cupro : See Appendix II.

Domini Jacobi ogylwy de Erolly militis et balliui dicti monasterii : Son of Sir John Ogilvy of Lintrathen, who died, June, 1489 (*Scots Peerage*, i. p. 113). He is the first of this house to be known as of Airlie. Sir James Ogilvy is a member of an assise, 15 Oct., 1464 (*HMC. Rep.*, iv. App., p. 507), and appears designed as above, 28 March, 1467 (*Aberbrothoc*, ii. 174). About May, 1471, James III granted him the lands of Campsy, in the barony of Lintrathen (*RMS.*, ii. 1023), and he appears as Sir James Ogilvy of Campsy, 10 Feb., 1479 (*ibid.*, ii. 1462). He is conservator of the three years' truce with England, 21 Sept., 1484 (Bain, *Calendar*, iv. 1505). On 28 March, 1467, he is bailie of Arbroath abbey (*Aberbrothoc*, ii. 174), and, 26 Nov., 1485, he and his son, John Ogilvy of Ballindalloch, are appointed justiciars, chamberlains and bailies of Arbroath after the death of Sir John Ogilvy of Lintrathen, the present bailie (*ibid.*, ii. 289). We

find Sir James and his son, John, nominated as procurators of Arbroath, 15 April, 1487 (*ibid.*, ii. 311). On 28 April, 1491, he was constituted Lord Ogilvy of Airlie (*Scots Peerage*, i. p. 114); and he appears as a lord of council, 5 Dec., 1492 (*Aberbrothoc*, ii. 339). He died a. 25 Sept., 1504 (*SP.*, i. p. 114).

Patricij ogylwy de estyr kelor: Not found with this designation. Sir Walter Ogilvy of Lintreathen (*ob.* 1440) had a son, Patrick, mentioned but not described, *Scots Peerage*, i. p. 112. Patrick Ogilvy, undesigned, has an eighth part of Persie, Whitsunday, 1443 (*Cupar*, i. p. 120), and holds a court as bailie-depute, 18 Jan., 1460/1 (*ibid.*, i. p. 130).

Wyllelmi kergyle de lasynstone: William de Cargyl, lord of Lasigiston, is a witness, 27 June, 1447 (*Spalding Club Misc.*, iv. p. 118). Lasynstone is Layston, in the parish of Cargill.

David blayr de fordwe: Not identified. For a reference to Fordwe or Fordowy, see *Rentale Dunkeldense*, p. 310.

Roberti heryss de ochtyralyth: Has a lease of the church of Glenisla, 3 May, 1467 (*Cupar*, i. p. 148).

Johanne ogylwy fratre dicti domini Jacobi: John Ogilvy, brother to the late James, Lord Ogilvy of Airlie, has a protest as to his right to the lands of Fornochty, 25 Sept., 1504 (*Scots Peerage*, i. p. 114). No other reference to him has been noted.

Johanne blayr filio dicti David blayr: Not identified unless he is the John Blair of Balgillo who appears in a transaction regarding Fordowy (*Rentale Dunkeldense*, p. 310).

Johanne daussone: See note to No. LXVII.

Alexandro dausone: Perhaps a son of the foregoing who, with his father, has a tack of Chapelton of Grange of Keithick, 10 May, 1474 (*Cupar*, i. p. 190). He had previously had a tack of an eighth of Keithick, Whitsunday, 1467 (*ibid.*, i. p. 147), and 10 Nov., 1473 (*ibid.*, i. p. 188); and he is mentioned, Whitsunday, 1479 (*ibid.*, i. p. 227).

Johanne boyde: A man of this name had a tack of part of the Grange of Balgerscho, Whitsunday, 1470 (*Cupar*, i. p. 150), and has tacks of part of Cowbyre and Keithick till 12 Sept., 1479 (*ibid.*, i. pp. 172, 188, 196, 230). He is a witness, 23 June, 1492 (*ibid.*, i. p. 254).

CXL

24 July, 1466.

Per Abbatem Johannem.

Processus diuisionis marchiarum terrarum de Parua blare kynnothtry et fothernys que sunt monasterii de Scona ex una Et terrarum de Coupirgrange Mylhorne kethek et balgirscho que sunt monasterii de Cupro ex altera.

Sciant cuncti presentes et futuri has litteras siue hec publica Instrumenta per modum Indenture ad perpetuam rei memoriam confecta inspecturi vel audituri quod die date presentium Nos Henricus de Douglas de louchlevine Miles Thomas de Abbircrumby de murthle Johannes de Moncrefe de eodem Robertus de Abbircrumby de eodem miles Alexander de Dundas baro de fingask Patricius bruss de pedenys Et gilbertus monorgound de eodem Judices ad infrascripta communiter ac Amicabiliter electi Per . . . Johannem . . . Abbatem monasterii de Scona et eiusdem loci Conuentum Ordinis Sancti Augustini sancti Andree diocesis ex parte vna Et dauid . . . Abbatem monasterii de Cupro et dicti loci Conuentum Cisterciensis ordinis dicteque Sancti Andree diocesis ex parte altera specialiterque ab vtraque parte constituti et ordinati ad perambulandum et diuidendum marchias metas et diuisas inter certas terras dictorum locorum et partium predictarum subscriptas secundum vim formam et tenorem compromissi inter dictas partes desuper Initi et confecti ac Sigillis communibus eorundem locorum attente roborati duximus procedendum et cum effectu processimus in hunc modum Et primo comparentibus coram nobis super solum dictarum terrarum subscriptarum prefatis venerabilibus patribus personaliter vna cum suis commissariis ad hoc sub dictis suis sigillis communibus in debita forma specialiter constitutis viz. fratribus Johanne de Caueris Priore claustrali de Scona et Henrico gulde dicti loci concanonico ex vna Necnon et fratribus Roberto de Mar Dauid pylmore et Johanne brovne monachis et commissariis de Cupro ex altera partibus Nobisque materiam dicte perambulationis ad acceptandum et in eadem Amicabiliter et diligenter procedendum cum Instantia . supplicanibus terrisque subscriptis per eosdem Dominos Abbates et dictos suos commissarios prius hinc inde perambulatis testibus vtriusque partis per nos receptis Iuratis et diligenter examinatis visisque auditis et intellectis suis cartis litteris Regestris Iuribus petitionibus Instructionibus et allegationibus . Tandem ad Diuidendum terras de parua blare que sunt dicti monasterii de Scona ex parte boriali Et terras de le

Coupirgrange et le mylhorn que sunt dicti Monasterii de Cupro ex parte Australi Incipiendo primo ad quemdam fontem dictum le blynd Well que diuidit dictas terras de Parua blare . Coupirgrange Covpirmakculty et banquhory Ac procedentes a dicto fonte per quamdam fossam ab antiquo ibidem factam In signum marchiarum vbi dicte partes unanimiter concordarunt Ac procedentes ex parte f. 13 v. australi de Parua blare versus Orientem subtus Clunim collis eiusdem Et quamdam partem terre de Cupro ex parte australi sicut fossa illa protenditur ad quoddam vadum nuncupatum le blakfurde In cuius Introitu ex parte boriali eiusdem vadi ab antiquo ponitur magnus lapis Etiam de Nouo ponuntur crux lapidea et congeries lapidum cum carbonibus Et tunc procedentes sicut Aqua illius vadi currit et descendit in flumen de Ariche dictas terras de Parua blare et le mylhorn finaliter diuidendo Et consequenter accedentes ad quamdam ripam nuncupatam le Redestane halche inter terras de kynnochtry que sunt monasterii de seona ex occidentali Et terras de kethek que sunt monasterii de Cupro ex Orientali vbi ponuntur crux lapidea et congeries lapidum cum carbonibus Et sic ascendendo versus austrum ad summitatem more ad locum dictum le Carle vbi erecti fuerunt et sunt lapides in Signum marchiarum et posita est crux vt supra Et deinde trans-euntes versus orientem linialiter vbi ponuntur Diuerse congeries lapidum inter dictas terras de kynnochtry ex Australi et prefatas terras de ketheke / ex boriali vsque ad quoddam vadum dictum le Murtone Nuke furde vbi ponuntur crux lapidea et congeries lapidum cum carbonibus Et consequenter procedentes etiam versus Orientem ad Aliud vadum prope viam publicam quod dicitur le fovle furde et ibi etiam posita est vna crux lapidea pariformiter Et ibidem finiuntur dicte marchie et Diuise inter dictas terras de kynnochtry et kethek Et tunc procedentes a dicto vado viz. le fovlefurde versus boream descendo sicut Aqua eiusdem vadi currit per vallem seu Riuulum dictum le qwhytle den diuidendo terras de Fothernys que sunt f. 14 r. de Seona ex orientali et dictas terras de kethek que sunt de Cupro ex parte occidentali et prout Riuulus illius vallis

seu Aquæ eiusdem descendit ad quoddam vadum dictum le Dundeisfurde vbi ponuntur crux lapidea et congeries lapidum cum carbonibus . Et ab hinc procedentes versus boream ad Orientem per quoddam mariscum inter dictas terras de Fothernys ex parte australi et terras de kethek dictas le kovtwarde ex parte boreali ad certum Angulum eiusdem marisci Et ibi etiam posita est crux lapidea vt supra Et deinde ascendentes per le Ruiche Reisk versus austrum ad communem viam vbi etiam posita alia crux lapidea vt supra Deinde ascendentes per eandem viam vsque ad quemdam fontem dictum le blakhyll well vbi etiam ponuntur crux lapidea et congeries lapidum cum carbonibus Et ab hinc ascendentes versus Orientem per quoddam mariscum vulgariter nuncupatum fetgarrache quod diuidit dictas terras de Fothernys ex parte australi dicti marisci et terras de balgirscho que sunt dicti monasterii de Cupro ex parte boreali eiusdem marisci circa cuius medium ponuntur una crux lapidea et diuerse congeries lapidum ex vtraque parte marisci antedicti Et sic finaliter procedentes sicut illud mariscum de fetgarrache antedictum protenditur in torrentem de Fothernys et balgirscho super cuius ripam ponuntur etiam ultima crux lapidea et congeries lapidum cum carbonibus prout in talibus fieri est consuetum Quas quidem marchias metas et diuisas inter omnes et singulas terras suprascriptas sit vt premittitur perambulatas et signatas per prefatas partes et earundem successores pro bono pacis et concordie secundum tenorem dicti compromissi volumus decernimus et precipimus in futurum inuiolabiliter obseruari sub penis et sentenciis in dicto compromisso contentis Ceterisque contrareis clameis aut questionibus quibuscumque occasione premissorum inter prefatos Venerabiles in cristo patres dictorum monasteriorum ac suos Conuentus et successores eorundem penitus et omnino seclusis in futurum Quibus etiam tenore presentium perpetuum imponimus silentium In quorum omnium et singulorum fidem et testimonium premissorum presentibus Sigilla nostra vna cum Sigillis communibus dictorum locorum ac signo et subscriptione Domini Notarii publici subscripti decernimus et Iussimus apponi Anno

domini millesimo quadringentesimo sexagesimo sexto indictione decima quarta mensis vero Julii die vicesima quarta ac pontificatus . . . Pauli . . . pape secundi Anno secundo Presentibus ibidem procuratoribus in diuersis locis suprascriptis . . . Siluestro de Rettre de eodem Alexandro blar de Bothiok Willelmo blare de Ardblare Thoma de camera de Drumloquhy donaldo mallar (*rectius* mallas) de eodem Johanne de Ouchtyrlovny Patricio buttir de callady Johanne de Ouchtirlovny Roberto Asoune David fothiringame de ballewny Patricio Ogiluy Roberto heriss de OuchtirAlithe Johanne davsone Alexandro davsoune Johanne boyde Petro de rothvane in Colane Johanne tyndall Thebeo grinlaw et Johanne Walwode scutiferis et Armigeris Necnon Magistris Nicholaio Nese ac Dominis Jacobo flemying vicario de Collass notariis publicis Johanne laurenty Johanne Cramby et Johanne Rannaldi presbiteris cum multis aliis testibus . . .

Sequitur subscriptio notarij.

Et ego Robertus tod clericus sancti Andree diocesis *f. 15 r.* publicus auctoritate imperiali notarius etc. . . .

Moray MS., ff. 12-15.

CXL

Letters or notarial instruments by way of an indenture in the name of arbiters appointed by John, abbot of Scone and the convent thereof, and David, abbot of Coupar and the convent thereof, to perambulate and determine the marches between the lands of Little Blare, held by Scone, and the lands of Coupirgrange and the Mylhorn, held by Coupar, containing their definition of the marches.

It is impossible to annotate all the place-names of this or any similar charter. Only those recognisable are the subject of notes.

Heading : *Per Abbatem Johannem* : This refers to John, abbot of Scone.

Henricus de Douglas de louchlevine Miles : Appears as a witness, 8 May, 1441 (*Melros*, 507) ; mentioned in a decret of perambulation, 6 Oct., 1457 (*Dunfermelyn*, 452) ; and, along with his wife, Elizabeth, has a crown charter of Kellore, 7 July, 1464 (*RMS.*, ii. 796). His son and heir, Robert, has a crown charter of the lands of the barony of Kinross, 16 Oct., 1463 (*ibid.*, ii. 763).

Thomas de Abbircrumby de murthle : Appears as 'de eodem' in No. cxxxii. See note to that charter.

Johannes de Moncrefe de eodem : Has a crown charter as eldest son and heir of Malcolm de Muncreif of that ilk, 18 Oct., 1464 (*RMS.*, ii. 813), and

appears as of that ilk, 4 March, 1466/7 (*ibid.*, ii. 910). John, his son and heir, has a crown charter of the lands and barony of Moncrief, 29 Aug., 1495 (*ibid.*, ii. 2272). He is mentioned as deceased in a charter referring to Hugh, his son, 28 Jan., 1506 (*ibid.*, ii. 3081).

Robertus de Abbircrumby de eodem miles: Son of Thomas de Abercromby *supra*. He appears in a retour, 13 May, 1462 (*Grandtully*, i. 12), and is called sheriff of Perth, 12 Aug., 1478 (*Bamff Chs.*, p. 26), 31 Oct., 1478 (*GRH. Chs.*, 477B), 29 Nov., 1479 (*ibid.*, 488B), and 30 April, 1481, when a crown grant to Alexander, his son, of the barony of Murthly, 5 March, 1480/1, is recorded (*Grandtully*, i. 20), although Robert de Abercrommy of Murthle appears in a charter, c. July, 1486 (*GRH. Chs.*, 519). On 7 Dec., 1492, he witnesses a charter of Alexander, who is designed of that ilk (*RMS.*, ii. 2135); and, on 20 Oct., 1493, he grants the lands of Balcormo to his son, William (*ibid.*, ii. 2182).

Alexander de Dundas baro de fingask: As baron of Fingask, he is a witness, 6 Nov., 1468 (*RMS.*, ii. 965=*Oliphants*, 47); and he appears in an instrument as of Fingask, 25 Feb., 1468/9 (*Laing Chs.*, 157). It may be a later Alexander de Dundas who had sasine of Fingask, 1493 (*Exch. Rolls*, x. p. 768), and witnesses a bond of manrent, 7 July, 1495 (*Oliphants*, 45).

Patricius bruss de pedenys: A letter of obligation to Sir Andrew Ogilvy of Inchmartin is sealed with the seal of Patrick Bruce, 16 April, 1461 (*Melvilles*, iii. 47); and a man of this name, undesignated, witnesses a charter at Inchmartin, 10 May, 1465 (*RMS.*, ii. 835). We find David Bruce of Pedenys, 28 April, 1478 (*HMC. Rep.*, v. App., p. 620).

Gilbertus monorgound de eodem: This Gilbert has not been found; but William, son and heir of Gilbert Monorgund of that ilk, is a witness, 29 Aug., 1475 (*RMS.*, ii. 1254). A later Gilbert grants a charter, 16 Sept., 1519 (*HMC. Rep.*, v. App., p. 621), and appears in a retour, 23 May, 1525 (*ibid.*, vii. Pt. II. p. 711).

Johannem . . . Abbatem . . . de Scona: Grants with his convent a toft in Scone to Thomas Chalmer of Drumloqwy, 15 July, 1465 (*GRH. Chs.*, 383), and appears till 21 April, 1491 (*Scon*, 226). See *Scon*, p. xiii.

David . . . Abbatem . . . de Cupro: David Bane. See Appendix II.

Johanne de Caveris Priore claustrali de Scona et Henrico gulde . . . concanonico: Cavers has not been found elsewhere. Henry Guld, canon of Scone, appears, 21 April, 1491 (*Scon*, 226).

Roberto de mar David pylmore et Johanne broene monachis . . . de Cupro: Robert de Mar appears in No. cxli as subprior and in No. cli (*i.e.* in 1486) as formerly cellarer. David Pylmore is not found elsewhere. John Brown appears in No. cxli and is mentioned in several charters till 1486 (No. cli).

Parua blare: Alexander II granted the canons of Scone the lands of Great and Little Blair in excambion for certain teinds, 1 June, 1235 (*Scon*, 67).

Coupirgrange; *Myllhorn*: Coupar Grange is N. of Coupar Angus. Millhorn is in the same vicinity, still further N. Cf. the reference under 'Milhorn' to the mill of Coupar Grange (*Cupar*, i. p. 208).

Covpirmakcully : Couttie, N.W. of Coupar Angus.

Banquhory : W. of Coupar Angus.

Kynnochtry : E. of Burrelton. This was among the earliest possessions of Scone. See *Scon*, 5, 18, etc.

Fothernys : Foddrens, S. of Coupar Angus, was also among the earliest possessions of Scone.

Kovtwarde : Coltward, S.E. of Keithick.

Siluestro de Rettre de eodem : Appears, 13 May, 1462 (*Grandtully*, i. 12), and is mentioned till at least 2 April, 1492 (*Wemyss*, ii. 180). His wife, Margaret Ogilvy, appears in a charter, 9 Aug., 1486, along with their sons, John, Thomas and Silvester (*Oliphants*, 40), and of these John is described as the elder Silvester's heir, 16 April, 1478 (*RMS.*, ii. 1427).

Alexandro blar de Bothiok : Witnesses a charter, 6 Nov., 1468 (*Oliphants*, 47), and is found thereafter till at least 21 April, 1491 (*Scon*, 226), when his son, Thomas Blair of Godynnis, also appears. He is called 'quondam,' 6 Aug., 1506 (*LTA.*, iii. p. 23).

Willelmo blare de Ardblare : This is William Blair (II) of Ardblair. For his father, see note to No. cxxxiv. He appears as heir to the late William Blare of Ardblare, 21 April, 1457 (*Douglas Bk.*, iii. 91), and is mentioned till at least 20 April, 1486 (*RMS.*, ii. 1681).

Thoma de camera de Drumloquhy : See note to No. cxxxiv.

Donaldo mallar de eodem : *Mallar* is the reading of the transumpt but he appears elsewhere as *Mallass* (f. 10) and *Malles* (No. cxxxiv).

Johanne de Ouchtyrlovny : Another witness of the same name attests this charter. It has not been found possible to identify them or distinguish them. A man of this name, undesigned, is a witness, 23 Jan., 1442/3 (*Panmure*, ii. p. 233).

Patricio buttir de callady : See notes to No. cxxxiv.

Johanne de Ouchtirlovny : See *supra*.

Roberto Asoune : A man of this name, undesigned, is a witness, 26 Jan., 1461/2 (*Inchaffray*, cl). Robert Aisoun of Tufimet appears in a crown charter as resigning Ardonaquhy, 15 July, 1478 (*RMS.*, ii. 1389); is a witness, 14 Jan., 1498/9 (*HMC. Rep.*, vii. Pt. ii. p. 710), and appears in a charter of sale, 20 March, 1508/9 (*RMS.*, ii. 3329).

David fotheringame de ballewny : Has sasine of Ballaveny (*sic*), 1447 (*Exch. Rolls*, ix. p. 660). As of Ballewny, he grants a charter of sale of the lands of Westir-ballewny, 13 June, 1468 (*RMS.*, ii. 1142). There is a reference to him (as still alive) in a charter of his son, Thomas Fotheringham of Balluny, 27 April, 1481 (*ibid.*, ii. 1474).

Patricio Ogiluy : The identity of this witness is uncertain. See note to No. cxxxix.

Roberto heriss de OuchtirAlithe : See note to No. cxxxix.

Johanne davsonne : See note to No. lxxvii.

Alexandro davsonne ; *Johanne boyde* : See notes to No. cxxxix.

Petro de rothvane in Colane ; *Johanne tyndall Thebeo grinlaw* : Rothvane (as burgess of Perth) and Tyndall appear, 8 Oct., 1463 (*Moray MS.*, ff. 8, 10).

Johanne Walwode : John Walwod in Touch appears 29 Oct., 1502 (*Melvilles*, iii. 55), and 8 Nov., 1512 (*Laing Chs.*, 289).

Magistris (sic) *Nicholaio Nese* (*notario*) : Not found elsewhere.

(*Domino*) *Jacobo flemyng vicario de Collass* (*notario*) : As priest of St. Andrews diocese and notary, he attests a transumpt at Perth, 28 June, 1461 (*Melvilles*, iii. 47). As vicar of Collace, he is a witness, 28 April, 1478 (*HMC. Rep.*, v. p. 620).

Johanne laurenty Johanne Cramby et Johanne Rannaldi presbiteris : Of these only the second has been found as a witness, 28 April, 1478 (*HMC. Rep.*, v. p. 620), and 4 Nov., 1491 (*Scon*, 227).

Robertus tod . . . notarius : Attests an instrument, 28 July, 1442 (*Douglas Bk.*, iii. 77). Master Robert Tod, rector of Luncarty—probably a different person—appears, 15 May, 1461 (*RMS.*, ii. 964) to 4 March, 1465/6 (*ibid.*, ii. 910).

CXLI

13 August, 1466.

Renouatio marchiarum de magna blare et banquhory ex parte vna Et le Murehousis ex parte alia ¹

Et Indentura ad perpetuam rei memoriam facta super solum terrarum subscriptarum decimo tercio die mensis Augusti Anno Domini millesimo quadringentesimo sexagesimo sexto Inter . . . Dominum Johannem . . . Abbatem Monasterii de Scona et Conuentum eiusdem per suos canonicos viz. fratres Johannem peblis cell[er]arium et Henricum gulde ad hoc speciale mandatum habentes Ordinis Sancti Augustini Sancti Andree diocesis ex vna Et Dominum Daud . . . Abbatem monasterii de Cupro et eiusdem loci Conuentum per suos monachos viz. fratres Robertum Mar dicti loci de Cupro Suppriorem et Johannem brovne Cellerarium consimile mandatum habentes Cisterciensis ordinis dicteque Sancti Andree diocesis ex altera partibus in se proportat continet et testatur quod prefati Venerabiles in cristo patres ibidem personaliter constituti una cum dictis duobus canonicis et duobus monachis suprascriptis nomine et ex parte dictorum locorum suorum vnanimi consensu et assensu affectantes pro bono pacis et concordie marchias metas et Diuisas inter dictas terras

¹ The opening words of the charter are written in large letters by way of heading.

suas subscriptas per predecessores suos bone memorie ex antiquo perambulas discussas determinatas et signatas Et iam propter diurnitatem temporis in certis suis locis quodammodo destructas nec ipsis partibus sufficienter cognitatas de nouo perambulare renouare et ad perpetuam rei memoriam vt prefertur secundum antiquam noticiam quorundam suorum husbandorum ex vtraque parte ad hoc Iuratorum concorditer determinare et signare processerunt et procedere decreuerunt in hunc modum viz. Incipientes primo ad finem occidentalem parui lacus de magna blare nuncupati le blak loveh et ad australem Angulum eiusdem lacus prope viam communem et vbi ex parte orientali eiusdem vie ponitur una crux lapidea iuxta magnum foramen ibidem in terra factum Et tunc transeuntes versus Orientem ex parte australi dicti parui lacus per congeries lapidum et certa foramina diuidendo dictas terras de magna blare que sunt dicti monasterii de Scona ex boriali et moram seu . . . (*cetera desunt*). . .

Moray MS., f. 15.

CXLI

Indenture (part missing) narrating that John, abbot of Scone, with two canons, mandatories of that monastery, and David, abbot of Coupar, with two monks, mandatories of his monastery, proceeded to perambulate anew the marches between Great Blare and Banquhory, on the one hand and Murehouse, on the other and containing their decret.

Heading :

Magna blare : See note to previous charter on Parva Blare.

Banquhory : W. of Coupar Angus, one of the earliest endowments of Scone. See *Scon*, 5, 18, etc.

Murehousis : The only recognisable place of this name is Muirhouses, S. of Carsegrange, in the Carse of Gowrie. The present decret perhaps covered the determination of marches in that locality as well as in the more immediate vicinity of Coupar Angus. Scone had possessions in the Carse. Cf. *Scon*, 221, etc. But there may have been a place so named in the neighbourhood of Coupar Angus.

Johannem . . . Abbatem . . . de Scona : See note to previous charter.

Suos concanonicos viz. fratres Johannem peblis cell[er]arium et Henricum gulde : Peblis appears, 8 Oct., 1465 (*Moray MS.*, f. 8). For Gulde see note to previous charter.

David . . . Abbatem . . . de Cupro : See Appendix II.

Robertum Mar . . . Suppriorem et Johannem brovne Cellerarium : See notes to previous charter.

CXLII

28 January, 1471/2.

In dei nomine Amen Anno Incarnacionis eiusdem Mille-
simo quadringentesimo septuagesimo primo secundum
cursum et computationem ecclesie Scoticane mensis
Januarii die vero xxviii Indictione quinta pontificatus . . .
Sixti . . . pape quarti Anno primo In mei notarii publici et
testium subscriptorum presentia personaliter constitutus
. . . frater Johannes brown monachus sallerarius mona-
sterii de cupro . . . procurator Abbatis et conuentus dicti
monasterii de Cupro prout de ipsius procuratoris mandato
luculenter constabat per litteras patentes in pergamino .
scriptas et sub eorum Communi Sigillo sigillatas / duas
litteras olim . . . patrum et dominorum Johannis et
Hugonis Dunkeldensium episcoporum et sub eorum sigillis
sigillatas sanas et integras etc. . . . mihi notario publico
subscripto tradidit perlegendas transsumendas et in
publicam formam redigendas quorum tenores de uerbo in
uerbum sequuntur et sunt tales . . . (*ut in Nos. VI et
XXIX*) . . . De et super quibus omnibus et singulis pre-
fatus procurator A me Notario publico subscripto sibi fieri
petiit publicum instrumentum Acta erant [hec in mona-
st]erio de Cupro predicto hora quasi secunda post meri-
diem sub Anno mense etc. . . . supradictis presentibus
Thoma * * * * * dauson et Roberto murray cum multis
aliis testibus . . .

Et ego Alexander forfar presbiter Sancti [andree dio-
cesis publi]cus Imperiali et Regali auctoritatibus Notarius
etc. . . .

End.: Transumptum confirmacionis episcopi super
compositionem factam inter cuprum et ecclesiam de retref.
Moray Charters, Box 32, Div. IV, Bundle I, No. 53.

CXLII

Notarial transumpt of letters of John and Hugh, bishops of Dunkeld.

Johannes brown monachus sallerarius . . . de cupro: See note to No.

CXXXIX.

*Thoma * * * * * dauson et Roberto murray*: No clue has been found
to the indecipherable surname of the first of these witnesses. The second

is probably John Dauson who appears in No. LXVII. Robert Murray has a tack of the abbey's church of Fossoway, 3 May, 1464 (*Cupar*, i. p. 136), and 3 May, 1469 (*ibid.*, i. p. 144).

Alexander forfar Notarius : See note to No. xciv.

CXLIII

18 July, 1474.

In dei nomine Amen. Per hoc presens publicum Instrumentum cunctis pateat euidenter quod Anno . . . millesimo quadringentesimo septuagesimo quarto mensis vero Julii die decimo octauo indiccione septima ac pontificatus . . . sexti . . . pape quarti anno tercio personaliter constituti venerabiles et discreti viri infrascripti In nostrorum notariorum publicorum et testium subscriptorum presencia quandam amicabilem conuentionem siue decretum inter partes infrascriptas prout sequitur legerentur et pronunciarentur Nos Johannes et Willelmus . . . abbates monasteriorum de Lundoris et balmorynocht magister Jacobus levyntoune decanus dunkeldensis dauid meldrum officialis eiusdem symon thomsoun vicarius de Kyrkcaldy henricus brown canonicus regularis Insule sancti columbe vicarius de lesly in sacra theologia licentiatus et Walterus bunche monachus professus de balmwrynocht bachalarius in sacra theologia formatus amicabiles compositores penes debatam exortam inter . . . Dauid abbatem de Cupro et conuentum eiusdem ex una parte et patricium priorem vallis virtutis ordinis cartusiensis prope pertht ex parte altera propter oblaciones capelle gloriose virginis marie de carsgrange infra parochiam de Erole cum consensu utriusque partis electi Decernimus et unanimi consensu ordinamus quod prefati oblaciones per certam personam fidelem per dictum venerabilem patrem de Cupro et suos successores eligendam ad constructionem edificationem et reformationem dicte capelle integre et fideliter colligantur et conseruentur / Qua vero capella in singulis necessariis sufficienter constructa ac in ornamentis interius prouisa oblaciones memorate ad sustentacionem sacerdotis seu sacerdotum pro bono statu utriusque collegii ac omnium fidelium viuorum et defunctorum diuina inibi pro perpetuo

celebratorum fideliter expendantur / Et ut ista ordinacio siue decretum salubrius conseruetur dictus dominus abbas deputabit aliquam personam fidedignam unam uel plures ad fideliter videndum cognoscendum et eidem intimandum quod oblaciones preexpresse fideliter colligantur et ut premittitur expendantur / Quod quidem decretum pro quinquennio firmiter et irreuocabiliter duraturum sigillis officiorum dictorum domini abbatis et prioris pro se et suis conuentibus ac suis successoribus est communitum et roboratum Et interim dictus prior pro se et suo conuentu penes suum superiorem viz. priorem magne Cartusie in sabaldia ad capitulum generale eiusdem firmiter et fideliter pro viribus laborabit pro perpetua continuacione dicti decreti / Insuper nos compositores supradicti munimentis vniuersis et singulis dictum decretum quouis modo contrauentibus Coram nobis ostensis lectis et intellectis sufficientia et valida ac firmi roboris ipsam fore scimus et decernimus prout coram summo iudice super hoc volumus respondere / Lecta et lata fuit hec nostra amicabile compositio seu decretum infra capellam beate Anne infra burgum de perth Decimo octauo Die mensis Iulii Anno Domini millesimo quadringentesimo septuagesimo quarto Super quibus omnibus et singulis dicti dominus abbas et prior pro se et suis successoribus a nobis notariis publicis suprascriptis sibi petierunt fieri publica instrumenta suis sigillis officii corroboranda Acta fuerunt hec ubi supra hora quasi quinta post meridiem uel eocirca Sub Anno Die etc. . . . quibus supra Presentibus ibidem . . . magistro Daud ramsay decano christianitatis de fyff et fothtryk Dominis hugone Duly et Johanne lam presbiteris necnon Daud rothtven alexandro couane willelmo brown et eugenio tailyhour burgensibus dicti burgi de perth cum multis aliis testibus . . .

Et ego Daud Donyng artium magister presbiter sanctiandree diocesis publicus auctoritatibus imperiali et regia notarius etc. . . .

Et ego Johannes Wyntone presbiter sanctiandree diocesis Bachallarius in decretis publicisque Imperiali et Regali Auctoritatibus Notarius etc. . . .

Seals missing. Note at tags : S. Daudid Abbatis de cupro ; S. officii prioratus cartusiens. End. : Compositio inter abbatem de cupro et priorem et conuentum domus vallis virtutis penes obligaciones de kers grange.

Charters in H.M. General Register House, 448.

CXLIII

Notarial instrument recording an agreement or decret made by John and William, abbots of Lindores and Balmerino, and others, arbiters in a controversy between David, abbot of Coupar and the convent thereof, and Patrick, prior of the Charterhouse at Perth, regarding the offerings of St. Mary's chapel of Carsegrange in the parish of Errol, whereby, with the consent of both parties, these offerings will be collected and kept by a certain trusty person, chosen by the abbot of Coupar, for the building and improvement of that chapel, which chapel being sufficiently constructed and supplied with ornaments within, the offerings will be paid for the upkeep of a priest or priests celebrating divine service therein ever for the good estate of both monasteries and all the faithful quick and dead. The decret is to hold good for five years and, in the interval, the prior is to do his utmost with his superior, the prior of Grande Chartreuse, for its perpetual continuance.

Johannes et Willelmus . . . abbates . . . de Lundoris et balmorynocht : John, abbot of Lindores, appears in a record of perambulation, 6 Feb., 1457/8 (*Aberbrothoc*, ii. 112) ; is a witness, 18 July, 1465 (*ibid.*, ii. 162), and 17 Feb., 1466/7 (*REB.*, i. 91) ; is executor of James, bishop of St. Andrews, 6 March, 1468/9 (*CPR.*, xii. p. 670), and has a papal indult, 31 March, 1470 (*ibid.*, xii. p. 739). He had died or demitted office by June, 1475 (*Lindores*, p. 310). According to Campbell, *Balmerino*, p. 220, James was abbot of that house, 1466-1507. But see supplement to *Balmerino*, p. 4, where he adds that Walter and James (II) come into this period. William is evidently an abbot unknown to Campbell.

Magister Jacobus levyntoune decanus dunkeldensis : Called by Myln (*Vitae*, p. 24) son of the laird of Salcotis. James Lewington, 'cujus bursa vij s. vi d.,' determined at St. Andrews, 1449 (*St. AUR.*, p. 27), and was a licentiate, 1451 (*ibid.*, p. 29). As M.A. and treasurer of Dunkeld, he had a papal dispensation to hold besides the vicarage of Lasswade other benefices, 16 Feb., 1457/8 (*CPR.*, xi. p. 180). He has an indult, as precentor of Dunkeld, 18 June, 1464 (*ibid.*, xi. p. 678). Mandatories are appointed to investigate a charge against him by an aspirant to the precentorship that he has celebrated mass though excommunicate, 19 Nov., 1466 (*ibid.*, xii. p. 354). As precentor, he is made a papal acolyte, 5 Nov., 1468 (*ibid.*, xii. p. 388 ; cf. *ibid.*, xii. p. 391 ; *Benefices*, p. 328). It is evidently this man who appears as canon of Glasgow, M.A., and rector of Forteviot, 19 Nov., 1468 (*CPR.*, xii. p. 310), for, 23 Dec., 1475, annates were paid for this rectory and the vicarage of Innerleithen, void by his promotion

(*Benefices*, p. 181). After being treasurer, precentor and dean, he became bishop of Dunkeld in 1475 (Dowden, *Bishops*, p. 77).

David meldrum officialis eiusdem : Appears as rector of Blair Athole, 17 Feb., 1466/7 (*REB.*, i. 91). We find him mentioned as official and canon of Dunkeld, 10 Oct., 1477 (*RMS.*, ii. 1328), and as official, 31 Oct., 1477 (*Reg. S. Egid.*, 37) and 12 Aug., 1478 (*HMC. Rep.*, vii. Pt. II. p. 709). He appears as canon of Dunkeld when he makes obligation on behalf of James, elect of Dunkeld, 6 Oct., 1475 (*Benefices*, p. 71), in bulls anent a pension from the perpetual vicarage of Strathmiglo, 6 March, 1477 (*ibid.*, p. 187), and anent a pension from a canonry of Aberdeen, 23 March, 1487 (*ibid.*, p. 218). As master David Meldrum, canon of Dunkeld and official-principal of St. Andrews, he is mentioned, 6 March, 1480/1 (*Frasers of Philorth*, ii. 14), to 1 July, 1500 (*Thanes of Cawdor*, p. 105). Myln gives an account of him as rector of Blair and official-principal of St. Andrews (*Vitae*, p. 61). A later David Meldrum appears as archdeacon of Dunkeld in 1540 (*Bamff Chs.*, 47) and 1550 (*GRH. Chs.*, 1479).

Symon thomson vicarius de Kyrkcaldy : Perhaps Simon Thomson, who determined at St. Andrews, 1450 (*St. AUR.*, p. 29). Master Simon Thomson (Thome) appears as vicar of Perth, 2 Dec., 1465 (*RMS.*, ii. 896). On 3 May, 1470, the church of Fossoway was leased to master Simon Thomson, vicar of Kirkcaldy and others (*Cupar*, i. p. 156).

Henricus brown canonicus regularis Insule s. columbe vicarius de lesly in sacra theologia licentiatu : See *Inchcolm*, p. 127. Perhaps Henry Bruen 'de Scotia' who matriculated at Cologne, 13 July, 1455 (Keussen, *Die Matrikel Univ. Köln*, i. p. 587). A footnote to Keussen refers to him as proceeding to the baccalaureate (in which faculty is not clear), 2 Nov., 1456, and likewise to him as a 'baccalaureus formatus' in theology of St. Andrews; he does not, however, appear in St. Andrews records so far printed.

Walterus bunche monachus professus de balmwyrnocht bachalarius in sacra theologia formatus : Not found elsewhere. A man of this name appears as a monk of Coupar, 10 May, 1473 (?), and 10 Nov., 1474 (*Cupar*, i. pp. 175, 200), and in the following charter. For an explanation of 'bachalarius . . . formatus,' see *St. AUR.*, p. xxxvi.

David abbatem de Cupro : See Appendix II.

Patricium priorem vallis virtutis ord. cartusiensis prope perth : Not found elsewhere.

Capelle gloriose virginis marie de carsgrange : This chapel is mentioned in the list of chapels belonging to Coupar abbey (*Cupar*, ii. p. 207). There are references to payments made upon the high altar of this chapel, 25 May, 1515 (*Yester Writs*, 372), 12 May, 1543 (*ibid.*, 611), 5 June, 1545 (*ibid.*, 621). See also *Cupar*, i. pp. 250, 276.

Oblaciones . . . ad sustentacionem sacerdotis seu sacerdotum pro bono statu utriusque collegii ac omnium fidelium . . . divina . . . celebratorum fideliter expendantur : The rival claims, that is, of the two houses to the offerings were to be settled by bestowing them upon the upkeep of a chantry chaplain celebrating for the weal of both. 'Collegium' here is used in

the not unusual sense of a monastic congregation or community. Cf. *Inchaffray*, LXV; *Copiale*, p. 16.

Sabalidia : Savoy.

Capellam b. Anne infra burgum de pertht : On the S. side of St. John's church. See Fittis, *Eccl. Annals of Perth*, p. 281, for an account of it.

Magistro David ramsay decano christianitatis de fyff et fothryk : There are two men of this name in *St. AUR.* : one who determined, 1450 (*op. cit.*, p. 28); another a determinant, 1472 (*ibid.*, p. 53), and a licentiate, 1474 (*ibid.*, p. 55). Neither can be identified with the present witness, who is likewise different from David Ramsay, rector of Carrington and, later, provost of Bothans, who died a. 7 Aug., 1455 (*Recs. Scottish Ch. Hist. Socy.*, vii. p. 197), and David Ramsay, prior of St. Andrews, who died a. 14 May, 1469 (*CPR.*, xii. p. 318).

Dominis hugone Duly et Johanne lam presbiteris : Duly has not been found elsewhere. There is a dominus John Lamb, who appears as chaplain and notary, 14 Oct., 1495 (*RMS.*, ii. 2274). Likewise, a man of this name has presentation of a chaplainry of St. Christopher in the 'chapell of the ald kirkyard of the kirk of Coupar (? Fife),' 12 April, 1498 (*RSS.*, i. 188), and held this along with the chapel of Boykin in Eskdale, since both were vacant by his death, a. 2 Dec., 1509 (*ibid.*, i. 1967).

David rothtven alexandro couane willelmo brown et eugenio tailyhour burgensibus . . . de pertht : Of these only the third named appears. William Brown has a charter from James III of a land in the south street of Perth, 4 Sept., 1467 (*RMS.*, ii. 929), and appears as holding land in Perth, 11 March, 1479 (*ibid.*, ii. 1435, n.), and in 1491 (*ibid.*, ii. 2041).

David Donyng artium magister . . . notarius : Appears in charters at Perth, 22 Jan., 1469/70 (*Blackfriars of Perth*, xxxi (4)), and 7 May, 1477 (*ibid.*, xxxvi); he is also mentioned, 29 Nov., 1479 (*GRH. Chs.*, 488B). For the Donyng family in Perth, see Fittis, *Eccl. Annals of Perth*, p. 281.

Johannes Wyntone . . . Bachallarius in decretis . . . notarius : Witnesses a charter at Dundee, 6 July, 1471 (*RMS.*, ii. 1279).

CXLIV

12 November, 1474.

In dei nomine amen Per hoc presens publicum Instrumentum cunctis pateat euidenter quod ab Anno . . . millesimo quadringentesimo septuagesimo quarto / mensis vero Nouembris duodecimo die Indictione septima pontificatus . . . Sexti pape quarti anno quarto. In mei notarii publici et testium subscriptorum presentia personaliter constitutus . . . Frater Walterus Bunche monachus monasterii de Cupro in Angusia nomine et ex parte Abbatis ac sui totius conuentus nomine procuratorio inquisiuit et petiit ac dili-

genter rogabat a discreto viro et prouido patre Roberto smawle habente in etate quasi octoginta annos comoranti tunc temporis in fodrynns ut reuelaret publicaret in iudicio anime sue ac indicaret si vmquam vidit sciuit aut audiuit vnam petram cere datam monasterio de cupro ex dominio de Cargill annuatim Et idem Robertus respondens se mansisse in eodem dominio ad aliquos annos proponit sic quod non est vi ductus metu coactus aut errore vel senectute lapsus deiectus vel aliqua affectione partibus vel muneribus illectus sed dumtaxat propter pium testimonium veritati prohibendum ne propter huiusmodi defectum veritatis oriantur lites vel discordie in futurum Dicendo quod umquam intret celum paradisim uel alium locum saluationis post mortem quin que secuntur (*sic*) secundum suum animum aut consensum et secundum omnia quod audiuit vidit oculis humanis fideliter et indubitanter declarabit in premissis. viz. sic quod duo tenentes dicti domini de Cargill Andreas hwym. vz. et Johannes Roberti tunc temporis officarius annuatim soluerunt supradicto monasterio libere unam petram cere Super quibus frater walterus bunche a me fieri peccit publicum instrumentum Acta fuerunt hec apud fodrynns post meridiem hora secunda vel eo circa Anno die etc. . . . quibus supra Presentibus ibidem domino Ricardo smawl capellano Willelmo adamsoun Donaldo Bridy et Donaldo Vizardsoun cum diuersis aliis.

Et ego Andreas Ranaldson presbiter dunkeldensis dioc. publ. auct. apost. et imp. notarius etc. . . .

No seal. End.: Testimoniale Roberti Small de petra cere annuatim soluenda de dominio de Kargyl.

Moray Charters, Box 32, Div. IV, Bundle I, No. 55.

CXLIV

Notarial instrument recording a declaration of Robert Smawle, about eighty years of age, who on being asked whether he ever saw, knew or heard of a stone of wax given to the monastery of Coupar yearly from the lordship of Cargill, declared that two tenants of that lordship, Andrew Hume and John Robertson, then officer, paid annually to the monastery a stone of wax.

Frater Walterus Bunche monachus . . . de Cupro : See note to previous charter.

Roberto smawle . . . commoranti . . . in fodrynnis : Robert Small in Foderrynnis is a witness, 4 April, 1492 (*RMS.*, ii. 2174=*HMC. Rep.*, v. App., p. 622). For Fodrynnis, see note to No. cxl.

Vnam petram cere datam monasterio de Cupro ex dominio de Cargill : See No. lvi for the origin of this payment.

Andreas hwym . . . et Johannes Roberti . . . officarius : These tenants of Cargill are not found mentioned elsewhere.

Domino Ricardo smawl capellano : Not found elsewhere.

Willelmo adamsoun : At Whitsunday, 1448, the Grange of Aberbothry is let to William Adamson and others (*Cupar*, i. p. 126).

Donaldo Bridy et Donaldo Vizardsoun : Not found elsewhere.

Andreas Ranaldson . . . notarius : Attests an instrument, 23 Oct., 1478 (*Grandtully*, i. 94); witnesses charters at Perth, 18 Oct., 1495 (*RMS.*, ii. 2293), and at Inchmartin, 23 (*sic*) Oct., 1495 (*ibid.*, ii. 2280).

CXLV

28 September, 1477.

Jacobus . . . Episcopus Dunkeldensis Vniuersis et singulis christifidelibus eternam in domino salutem Cum pium sit et meritorium fidele testimonium perhibere veritati et in illis presertim casibus quibus eiusdem occultatio preiudicium grauari poterit innocenti . Hinc est quod iuxta laudabilem et approbatam ecclesie Scoticane consuetudinem de vniuersis et singulis nostre diocesis beneficiatis ad nostra onera alleuianda certum subsidium iuxta suorum beneficiorum valores tempore nostre promotionis vt moris est leuare proponentes venerabiles et religiosos viros Abbatem et conuentum monasterii de Cupro ord. Cist. pro subsidio de ecclesia sua de Bendachty nostre diocesis debito pariformiter requisimus. Prefati vero Abbas et conuentus asserentes se non tantum per diuersorum romanorum pontificum indulta et exemptiones speciales verumetiam de consuetudine ad nullius subsidii solutionem eciam si a sui loci monasterialis ordinario exigatur fuisse uel esse astrictos huiusmodi subsidium persoluere recusarunt Nobis humiliter supplicantes quatenus sua indulta et preuilegia ac consuetudines ob amorem beate et gloriose virginis marie patrone ordinis et

loci ac suarum precum intuitu quantum in nobis fuerit illesa et inuiolata preseruare velimus Nos igitur Jacobus Episcopus prefatus dictorum religiosorum patrum ordinis et monasterii priuilegiis exemptionibus iuribus et consuetudinibus diligenter inspectis intellectis et discussis nichil ab eis in nostra promotione ratione subsidii exegimus aut requisuimus nisi quod nobis de eorum libera voluntate sponte et incoacte reddere et offerre voluerint. Pro quo etiam deo donante proponimus et intendimus pares vices refundere Et istud omnibus quorum interest aut interesse poterit notum facimus per presentes Sub testimonio Sigilli nostri Rotundi apud dunkelden vicesimo octauo mensis Septembris Anno domini millesimo quadringentesimo septuagesimo septimo Et consecrationis nostre Anno secundo.

Seal missing. End.: Testimoniale Jacobi episcopi dunkeldensis quod liberi sumus pro subsidio episcoporum . Benauchy.

Additional endorsement: Franciscus Ander[soun (?)]. Litera testimonialis *** Jacobi olim Episcopi Dunkeldensis executionis parochianis de Blendachy * * * (remainder illegible).

Note added to charter: Recognitum per Nicolaum Grinelau clericum Sanctiandree diocesis et dompnum Andream Ramesei religiosum monasterii de balmorinach ordinis Cisterciensis Sanctiandree diocesis.

Moray Charters, Box 32, Div. IV, Bundle I, No. 56.

CXLV

Charter of James, bishop of Dunkeld, declaring, in regard to his demand for a subsidy on his promotion from the monastery's church of Bendochy and the assertion of the abbot and convent of their exemption from such payments, that he has exacted from them nothing but what they freely desired to give.

This is the first of the series of charters which deal with the vexed question of episcopal subsidies. See Introduction, p. lviii.

Jacobus . . . Episcopus Dunkeldensis: James Livingstone, formerly dean of Dunkeld (cf. No. cxliii); provided, 2 Oct., 1475; died, 28 Aug., 1483 (Dowden, *Bishops*, pp. 77-8). *Benefices* has particulars of this bishop not in Dowden.

Of the persons named in the note to the charter only the following can be identified :

Nicolaum Grinelau clericum Sanctiandree diocesis : In a charter of 8 May, 1490 (*RMS.*, ii. 2005), he is mentioned as a son of Robert de Grenelaw, burgess of Haddington. He is a determinant at St. Andrews, 1475 (*St. AUR.*, p. 57), and a licentiate, 1477 (*ibid.*, p. 60). As M.A. and notary of St. Andrews diocese, he executes an instrument, 10 April, 1477 (*Benefices*, p. 224), and he also appears thus, 13 Sept., 1495 (*Lib. S. Crucis*, 25). As rector of Tynninghame, he pays partial annates, 30 July, 1485 (*Benefices*, p. 216), but these annates were not finally discharged till 20 April, 1500 (*ibid.*, p. 216), because he had not hitherto obtained possession of the benefice. Nevertheless, he is called rector of Tynninghame, 9 May, 1491 (*RMS.*, ii. 2039), and 6 May, 1498 (*RSS.*, i. 198). We find him paying annates for the chancellorship of Aberdeen, 31 Aug., 1487 (*Benefices*, p. 221), but he does not appear in the episcopal records of that diocese. It is probably a later Nicholas Grenlaw who was rector of Eddleston, 1512 (*LTA.*, iv. p. 362).

CXLVI

3 October, 1479.

[Among the Edinburgh University Laing Charters (Additional) is an incomplete and damaged writ dated at the monastery of Coupar as above. This charter has been cut across for use in bookbinding and only the latter part survives in a condition so much defaced and obliterated that its purport cannot be precisely ascertained. It is concerned, however, with the appointment of a large number of bailies or procurators of the abbey, whose names, so far as they can be deciphered, are these:]
 andream (?) cowtis (?) de Cuthilgurdy Willelmum clerk
 Symonum d- * * * -il willelmum puruess Johannem
 m^calam dauid roberti Willelmum berry Alexandrum barbur
 Johannem gryg burgenses burgorum de perth Edynburgh
 Dundee et Sanctiandree Johannem ogilby de [keil]lour
 dauid blare de bendachty Johannem currou (? de ban-
 chory (?) armigeros Religiosos viros fratres Johannem
 brone Johannem Schanuail Jacobum petlour Johannem
 * * * Willelmum (?) Arous Alexandrum bernardi dicti
 nostri monasterii monachos . dominum Robertum bryson
 capellanum Johannem boyd Richardum clerk Robertum
 * * * Johannem * * * Willelmum * * * Donaldum makgow

Walterum louas alexandrum watsone Walterum essy
 Alanum reoch gilbertum gillua Joh[annem] Walkar (?)
 * * * m^cportar Robertum portar Robertum pery [Da]uid
 gardner Johannem goury Willelmum donaldi Robertum
 makgov. Maknicol et Johannem thome * * *'

CXLVI

The following persons mentioned in this fragment can be annotated :

Willelmum clerk : Wil. Clerk, burgess of Edinburgh, witnesses charters, 9 Feb., 1484/5 (*Reg. S. Egid.*, 99), and 26 Aug., 1491 (*RMS.*, ii. 2058).

Willelmum berry : William Berry, co-burgess of Dundee, had a tack from Robert Graham of Fintry, provost of Dundee, 17 Feb., 1465/6 (*RMS.*, ii. 2395), and endows a chaplainry at St. Ninian's altar in Dundee parish church, 10 Sept., 1478 (*ibid.*, ii. 1456).

Johannem ogilby de [keil]our : A witness at Dundee, 10 Feb., 1479/80 (*RMS.*, ii. 1462). It is uncertain whether he can be identified with John Ogilvy, bailie-depute of Coupar, who held courts at Coupar Grange, 8 May, 1478 (not 1488 as in record) (*Frag. Scoto-Monastica*, xxvi), and 19 Jan., 1480/1 (*ibid.*, xxv).

David blare de bendachty : Appears on record, frequently in connection with his purchases of land, from 13 July, 1468 (*RMS.*, ii. 1142), to 3 Feb., 1489/90 (*ibid.*, ii. 1941), when he bought from Alexander Blair of Balthiok the lands of Balgilloquhy and their mill—later we find Blairs of Balgillo. Janet, his spouse, is also mentioned in the latter charter. His son, George, appears, 27 Sept., 1489 (*ibid.*, ii. 1898), and later.

Johannem brone : This monk of Coupar appears in No. cxl. See note to that charter.

Johannem Schanuail : Appears in No. xliii.

Jacobum petlour : Appears as one of the monks attesting an indenture, 6 May, 1500 (*REB.*, i. 110).

Willelmum Arous : Appears in 1500 *ut supra* ; also in No. clii.

Alexandrum bernardi : Appears in 1500 *ut supra*. This monk appears as cellarer of Coupar from 24 Dec., 1492 (*Cupar*, i. p. 304), till 3 May, 1512 (*ibid.*, i. p. 286), and is mentioned till 3 Sept., 1521 (*ibid.*, i. p. 97).

Dominum Robertum brysonne capellanum : Perhaps Sir Robert Bryson, vicar of Glenisla, who appears in 1501 and 1505 (*Cupar*, i. pp. 253, 260).

Johannem boyd : See note to No. cxxxix.

Richardum clerk : A man of this name is a witness to a charter of David, earl of Crawford, 2 Oct., 1470 (*RMS.*, ii. 3575). At Whitsunday, 1481, Fruquhy is set to (*inter alios*) Richard Clerk and his widow (*sic*) (*Cupar*, i. p. 233).

Donaldum makgow : At Whitsunday, 1464, two parts of Drumfolatyn are set to Donald makgow (*Cupar*, i. p. 134). At Whitsunday, 1472, this lease is renewed to Donald and Andrew, his brother (*ibid.*, i. p. 163) ; at Whitsunday, 1473, to Donald and Glaschen, his brother (*ibid.*, i. p. 205) ;

and at Whitsunday, 1494, the tenement formerly held by Donald is set to Alexander, his son (*ibid.*, i. p. 242).

Walterum louas : Has a tack of the Walk Mill of the Grange of Kyncrech, Whitsunday, 1465 (*Cupar*, i. p. 148) ; appears as a witness, Whitsunday, 1470 (*ibid.*, i. p. 156) ; and has a tack of two mills of the Grange of Kyncrech, 1473 (*ibid.*, i. p. 190).

Alexandrum watson : Has a tack of Glenboy, Whitsunday, 1466 and 1467 (*Cupar*, i. pp. 145, 146). At Whitsunday, 1497, half of Glenboy is set to Alexander, son of the deceased Alexander Watson (*ibid.*, i. p. 251).

Walterum essay : Has a tack of Souterhouse, etc., 5 July, 1476 (*Cupar*, i. p. 224), and of half of Coltward, Whitsunday, 1479 (*ibid.*, i. p. 228).

Alanum reoch : Has a tack of part of Persie, Whitsunday, 1463, and 10 May, 1473 (*Cupar*, i. pp. 136, 201).

Gilbertum gilhua : Gilbert Gillenye has a tack of Bogysde, 8 June, 1547 (*Cupar*, ii. p. 42), but this is probably a different individual.

Robertum portar : In 1482, part of Balgerscho is reserved to Robert Portar (*Cupar*, i. p. 232). There is a reference to his lands, Aug., 1505 (*ibid.*, i. p. 261) ; at Whitsunday, 1507, he received his tenement of 'Baichoun' (*ibid.*, i. p. 263). He was dead *a.* 1520 (*ibid.*, i. p. 301).

Robertum pery : The fuller's mill with Coltward is set to Robert Pery, Whitsunday, 1447 (*Cupar*, i. p. 126). He had with others a tack of part of Keithick, Whitsunday, 1457 (*ibid.*, i. p. 132), and is found thereafter in connection with this land until 16 Feb., 1475/6, when there is an arrangement with the abbot of Coupar for Pery's resignation of the tack of the Walkmill (*ibid.*, i. p. 204). It may be a later Robert Pery who is a witness, 23 June, 1493 (*ibid.*, i. p. 254) ; has a tack of part of Keithick, 12 May, 1495 (*ibid.*, i. p. 245), and is a witness, 30 April, 1501 (*RMS.*, ii. 3184).

Da[uid] gardner : Carsegrange is set to him and others, Whitsunday, 1471 (*Cupar*, i. p. 220), and he has a tack of the orchards of Carsegrange, 10 Jan., 1473 (*ibid.*, i. p. 189).

Johannem goury : Mentioned in a feu-charter, 8 April, 1478 (*Cupar*, i. p. 212).

Willelmum donaldi : Granted with others part of Cothil of Grange of Keithick, 10 May, 1474 (*Cupar*, i. p. 194).

Robertum makgow Maknicol : Part of Dunfoltyne (Dunfallandy) is set to Robert makgow, Whitsunday, 1501 (*Cupar*, i. p. 253), and again at Whitsunday, 1506 and 1512 (*ibid.*, i. pp. 257, 283).

Johannem thome : Perhaps Jok Thom who, with others, has a tack of part of Balgerscho, 10 Nov., 1473 (*Cupar*, i. p. 176).

CXLVII

22 November, 1480.

Omnibus . . . Daudid ogiluyll de Inchmertyne . . . salutem
Noueritis me pro salute anime mee et animarum uxoris

mee Jacobi filii mei et aliarum prolium mearum predecessorum et successorum meorum dedisse concessisse et hac presenti carta mea pro perpetuo confirmasse unire dare concedere et hac presenti carta mea pro perpetuo confirmare gloriose uirgini marie capelleque sue de le carsgrange ac dilecto capellano meo domino Johanni Symonni ad augmentacionem seruicij eiusdem gloriose uirginis marie et post dicti domini Johannis decessum cuicumque capellano in dicta capella apud altare dicte gloriose uirginis marie celebrante et in perpetuum celebraturo duas acras terrarum mearum de le lang langlandis de Inchmertyne cum pertinentiis jacentes in baronia eiusdem infra vicecomitatum de perth ex parte australi earundem terrarum iuxta terras de le carsgrange quas duas acras nunc ad firmam habent et occupant Johannes mordowsoun et thomas hany Tenendas et habendas totas et integras predictas duas acras terrarum de le lang langlandis cum pertinentiis dicte gloriose uirginis marie capelleque sue antedicte ac dicto domino Johanni symonni ad augmentacionem seruicij predicti et post dicti domini Johannis decessum cuicumque capellano in dicta capella apud altare supradictum celebranti et inperpetuum celebraturo a me et heredibus meis in puram et perpetuam elemosinam cum omnibus et singulis libertatibus . . . ad dictas duas acras terrarum cum pertinentiis spectantes . . . Et adeo lib[e]re . . . sicut aliqua elemosina infra regnum socie datur conceditur seu aliquid possidetur sine aliquo retinemento reuocatione aut contradictione inperpetuum / Et ego uero prefatus Daudid et heredes mei totas et integras predictas duas acras terrarum de le lang langlandis cum pertinentiis dicte gloriose uirginis marie capelleque sue predictae ac dicto domino Johanni ad augmentacionem seruicij predicti et post ipsiusque domini Johannis decessum cuicumque capellano in dicta capella et ad altare predictum celebranti et in perpetuum celebraturo in omnibus . . . varantizabimus In cuius rei restimonium sigillum meum huic presenti carte mee est appensum una cum subscriptione mea manuali Coram hiis testibus dicto Jacobo filio meo andrea perk johanne mordousoun dominis dauid perk et

andrea kuke presbiteris Roberto bardny et domino thoma andre presbitero ac notario publico Apud Inchmertyn vicesimo secundo die mensis nouembris anno domini millesimo quadringentesimo octuagesimo.

Seal missing. End. : Donatio D. de Inchmartin duarum acrarum Capelle de kersgrange.

Moray Charters, Box 32, Div. IV, Bundle I, No. 57.

CXLVII

Charter of David Ogilvy of Inchmartin granting to St. Mary's chapel of Carsegrange and his chaplain, Sir John Symonson and his successors, two acres of his land of the Lang Langlands of Inchmartin for the increase of divine worship.

This chapel of Carsegrange was the subject of an agreement between Coupar and the Charterhouse of Perth in 1474 (No. cXLIII) whereby the offerings were to go to the upkeep of a priest or priests celebrating for the good estate of both communities and all the faithful. Whether this arrangement matured seems doubtful. At all events, the present charter seems to suggest that the chapel had attracted the interest if not the patronage of the adjacent laird of Inchmartin, who provided an endowment for one chaplain. There is, however, no mention of masses for the founder's soul.

The present charter was confirmed under the Great Seal, 6 Dec., 1495 (RMS., ii. 2290).

David ogiluyl de Inchmertyne : Son of Sir Andrew Ogilvy of Inchmartin—so designed, 18 Nov., 1451 (RMS., ii. 561)—and ancestor of the earls of Findlater (*Scots Peerage*, i. p. 110). He appears as of Inchmartin, 10 May, 1465 (RMS., iii. 835). On 30 April, 1492, with the consent of Mariota Hay, his spouse, he grants for the souls of Andrew, his father, and Mariota, his mother, an annualrent to the Friars Minor of Dundee (*ibid.*, ii. 2886). For his son, James, see *infra*. He is found till at least 14 Feb., 1503/4, on which date decret was given in an action to which he was a party brought by the Dominicans of Perth before the Lords of Council (*Blackfriars of Perth*, xvii (4)).

Gloriose virgini marie capelleque sue de le carsgrange : See note to No. cXLIII.

Capellano meo domino Johanni Symonni : Not found elsewhere. There were Simonsons in Coupar Grange in 1471 (*Coupar*, i. pp. 159-160).

Johannes mordowsoun et thomas hany : The former witnesses a charter at Perth, 13 Sept., 1493 (RMS., ii. 2178).

Le lang langlandis de Inchemertyne : I am unable to locate these lands.

Jacobo filio meo : James Ogilvy of Balgavy witnesses his father's charter, 23 Oct., 1495 (RMS., ii. 2280), and has a grant from his father of the lands of Easter and Wester Inchmartin, 13 Aug., 1500 (*ibid.*, ii. 2537).

Andrea perk : Not found elsewhere.

Johanne mordousoun : See *supra*.

Dominis dauid perk et andrea kuke : Not found elsewhere.

Roberto bardny : Part of Keithick was set to Robert Barny, Whitsunday, 1513 (*Cupar*, i. p. 288), and there are later references to him. He was probably different from the present witness.

Domino thoma andre . . . notario : Witness at Petty, 22 June, 1496 (*RMS.*, ii. 2320); at Perth, 16 April, 1504 (*ibid.*, ii. 2949).

CXLVIII

28 November, 1481.

In dei nomine amen . per hoc presens publicum instrumentum Cunctis pateat euidenter quod Anno . . . Millesimo quadringentesimo octuagesimo primo . mensis vero nouembris die vicesimaoctaua Indiccione decima quinta pontificatus . . . Sexti . . . pape quarti anno vndecimo . In honorabilium virorum videlicet Malcomi (*sic*) guthre prepositi et Johannis fothringam vnus balliuorum burgi de Dundee in pretorio eiusdem pro complemento justicie consedentium meique Notarii publici et testium subscriptorum presencia personaliter constitutus honorabilis Scutifer Dauid ogilby de Tolmad vicecomes supremi domini regis nostri in hac parte specialiter constitutus vtpote per litteras regias publice per me perlectas satis constabat Quarum vero auctoritate nomine regio mandauit dictos prepositum et ballium ministrare justiciam religiosis viris videlicet . Abbati et Conuentui monasterii de Cupro penes iudicium proprietatis cuiusdam tenementi jacentis in dicto burgo alias recuperati per processus curiarum vt asseruit per dictos Abbatem et conuentum . Qui vero prepositus et ballius optulerunt se promptos perimplere humiliter mandata dicti domini nostri regis . Et asseruerunt quod tale iudicium iuridice nequiuisset iudicari siue adhiberi nisi in curia capitali / quamobrem et pro debilitate consilii eotempore duxerunt quod in proxima Curia capitali immediate post festum natiuitatis domini sequente in prefata causa penes predictum iudicium proprietatis iusticiam ministrarent et quod juris ordo postulat indilate perficerent Super quibus omnibus et singulis sepedictus Dauid ogilby

a me Notario publico subscripto sibi fieri pecijt publicum instrumentum seu publica instrumenta . Acta erant hec in pretorio dicti burgi hora vi^a post meridiem aut eocirca sub anno mense etc. . . . quibus supra Presentibus ibidem . . . Andrea gray de Scheves Roberto dugud de auchnahuf georgeo spalding et Daid moncur burgensibus testibus ad premissa vocatis pariter et rogatis.

Et ego Robertus Seres clericus Brechinensis diocesis publicus auctoritatibus Imperiali et Regia Notarius etc.

End. : Instrumentum qualiter dauid ogilvy procurato[r] monasterii de cupro auctoritate * * * petiit proprietatem (?) in dicta terra.

Moray Charters, Box 32, Div. V, Bundle II, No. 84.

CXLVIII

Notarial instrument recording that following on the proclamation of David Ogilvy of Tolmad, king's sheriff, of royal letters enjoining Malcolm Guthrie, provost, and John Fotheringham, bailie of Dundee, to afford justice to the abbot and convent of Coupar in respect of the ownership of a tenement in that burgh, the said provost and bailie undertook to do so at the next head court after Christmas.

Malcomi guthre prepositi Johannis fothringam vnius balliuorum burgi de Dundee : Guthrie is not found elsewhere as provost. A man so named is constituted procurator of William Strathechyn, burges of Dundee, in a charter dated at Dundee, 16 Aug., 1458 (*Aberbrothoc*, ii. 116). Malcolm Guthrie appears as custumar of Dundee from 6 July, 1480 (*Exch. Rolls*, ix. p. 74), till his death on 24 Nov., 1482 (*ibid.*, ix. p. 222). John Fotheringham, undesigned, witnesses a charter of Thomas Fotheringham of Balluny, 27 April, 1481 (*RMS.*, ii. 1474), and as ' of Powry ' has a precept of sasine of the lands of Murroes, 28 May, 1488 (*Scrymgeour Inv.*, 758). I have not succeeded in finding him mentioned as bailie of Dundee. *James Fotheringham*, who gives in the account of the bailies of the burgh, 8 Oct., 1463 (*Exch. Rolls*, vii. p. 222), to 2 July, 1466 (*ibid.*, vii. p. 435), is a bailie, 13 July, 1481 (*ibid.*, ix. p. 159), and custumar, 6 July, 1484 (*ibid.*, ix. p. 283), to 7 July, 1486 (*ibid.*, ix. p. 440).

David ogilvy de Tolmad : Witnesses charters from 13 Jan., 1475/6 (*Thanes of Cawdor*, p. 56), to 30 Jan., 1499/1500 (*RMS.*, ii. 2591).

Tenementi . . . in dicto burgo : There is a reference to the lease of the monks' tenement, house and garden in Dundee (*Cupar*, i. p. 313). I am unable to find what was the situation of this tenement or who was its donor.

Andrea gray de Scheves : Andrew Gray, undesigned, who appears in a charter, 28 June, 1499 (*RMS.*, ii. 3191), is identified in *RMS.*, ii. index, with the present witness. Thomas, son and heir of unquhile Andrew Gray of

Scheves, appears, 29 July, 1501 (*ADC.*, 1501-3, 348). A later Andrew Gray of Scheves had a precept of remission, 3 Feb., 1527/8 (*RSS.*, i. 3911).

Roberto dugud de auchnahuf: James III grants Robert Dugude, son and heir apparent of Elizabeth de Balcarne, the lands of Auchinhuffe, etc., in Aberdeenshire, 5 March, 1470/1 (*RMS.*, ii. 1012). It is perhaps a later Robert Dugud of Auchinhuf who enters into a bond of manrent with George, earl of Huntly, 1 Nov., 1536 (*Spalding Club Misc.*, iv. pp. 199-200).

Georgeo spalding et David moncur burgensibus: Spalding, as provost of Dundee, is a witness, 2 May, 1479 (*Panmure*, ii. p. 251). He appears as a proprietor of contiguous land in a charter of Robert Graham de Fyntre, granting an endowment for a chaplainry in the church of Strathdichtycomitis from lands in or near Dundee, 7 Jan., 1492/3 (*RMS.*, ii. 2130). George of Spalding, burgess of Dundee, is a party to an indenture whereby he makes donations for an obit in the Lady kirk of Dundee, 6 Sept., 1495 (*REB.*, ii. p. 316). Marion and Issobell Spalding, daughters and heiresses of George Spalding, burgess of Dundee, are mentioned, 24 April, 1572 (*Scrymgeour Inv.*, 486). David Moncur, burgess of Dundee, is a witness there, 24 Jan., 1479/80 (*RMS.*, ii. 1502), and 10 Jan., 1494/5 (*ibid.*, ii. 2218).

Robertus Seres . . . Notarius: See note to No. LXVII.

CXLIX

1 February, 1485/6.

Uniuersis . . . Johannes dei et apostolice sedis gratia Episcopus Brechinensis ceterique totius capituli nostri confratres capitulum pro tempore representantes Salutem et aurem pietatis veritati adhibere Quia vero oculata fide prothdolor nostris jam temporibus incalescente, ambitione inordinataque cupiditate ecclesiam christi quam sui preciosissimi sanguis effusione redemit Nouis ac diuersis insolitisque exactionibus non solum laicorum verumetiam et maxime quod importabilius fertur, eorum qui protectores et columpne eiusdem sua professione esse fatuntur Iniustis angariare pecuniariis impositionibus Nimieque grauare ac totidie onerare perspicimus experimentaliter conquestimus et in futurum nisi diuina succurrat pietas magis ac magis augmentare timemus Quod oculo prouidentiori attendentes pariterque et in eorum jam presenti tribulatione ut apparet experientia conquestentes . . . abbas et conuentus monasterii de Cupro . . . suarum ecclesiarum et terrarum incommoditatibus indebitis exactionibus inconsuetis et iniustis impositionibus occurrere volentes

nobis instantius cum humilitate supplicarunt quatenus per nostri prefati capituli declarationem autenticam innotesceremus ac notum faceremus et umquam per nos aut nostros predecessores de terris mortificatis et signanter suis infra nostram diocesem situatis nomine subsidii aut alicuius gratificationis in nostris primordialibus promotionibus aliquid exactum siue acceptum fuerit Aut si qua similiter taxatio ad tertium vel quartum denarium nunquam fuerit ecclesiarum pro huiusmodi subsidio caritativo infra predictam diocesim soluenda et precipue ecclesie sue de Glenylav in prefata diocesi nostra situate Nos igitur prefatus Johannes Episcopus cum ceteris nostris eiusdem capituli confratribus pro tempore idem representans precauens ne veritatis occultatione predictis religionis in prouidum iustum et rerum suarum dispendium nobis vero in animarum nostrarum non graue periculum verteretur, certo die et hora super premissorum declaratione eisdem prefixis habita super hiis prius matura discussione et diligenti scrutinio non solum in nostris Registris et annalibus verumetiam honorabilium et fidedignorum virorum clericorum et laicorum informacione et depositione nobis et nostris predecessoribus descriuentium notificamus et declaramus ac per presentes fidele et indubitatum fecimus testimonium nichil nos unquam ratione subsidii ut prefertur aut predecessores nostri quatinus nobis constare poterit suarum aut alioquin terrarum ecclesiasticarum in predicta nostra diocesi situatarum exegisse aut habuisse siue de jure vel consuetudine exigere seu habere potuisse Preterea nec eorum predictam ecclesiam siue quamcunque aliam in nostra diocesi situatam ad tertium vel quartum denarium aut simile quid per nos ut prefertur aut nostros predecessores taxasse imposuisse exegisse siue habuisse Onerauimus autem in nostra promotione ut moris est ecclesiam infra nostram diocesim sicut et predecessores nostri caritatiue tamen et quantum uniuscuiusque manus cum benedictione domini sufficere poterat sine sui incommodo aut dispendio Et hoc omnibus quorum interest aut interesse poterit declaramus manifestamus et per presentes innotescimus In quorum omnium et singulorum fidem et

testimonium premissorum presentes literas nostras testimoniales siue presens publicum instrumentum exinde fieri et per notarium publicum subscriptum subscribi et publicari mandaremus Nostrique sigilli rotundi unacum sigillo communi capituli nostri in euidentiis testimonium premissorum iussimus et fecimus appensione communiri. Datum et actum in domo capitulari nostre ecclesie cathedralis sub anno ab Incarnatione Domini millesimoquadringentesimo octuagesimoquinto Mensis vero februarii die primo Indictione quarta Pontificatus . . . Innocentii . . . pape octauo anno secundo Presentibus ibidem . . . dominis Georgeo Jaksoun Nicholao Johnne Johanne tod et donaldo Mainess Capellanis chori ecclesie nostre cathedralis preedite cum diuersis aliis testibus . . .

Et ego thomas mudy presbiter Sanctiand. dioc. publ. auct. Imp. et Reg. not. ac dicti Reuerendi patris in premissis scriba etc. . . .

Seals missing. End.: Testimoniale episcopi brechinensis et capituli eiusdem quod non soluimus subsidium de terris.

Moray Charters, Box 32, Div. IV, Bundle I, No. 58.

CXLIX

Letters by John, bishop of Brechin, and his chapter certifying, after diligent enquiry, in accordance with the request of the abbot and convent of Coupar, that neither he nor his predecessors had been wont to exact a subsidy from their or other church lands in his diocese nor on the third or fourth penny from the church of Glenisla or any other of his diocese and that he has assessed a church on his promotion as did his predecessors on a charitable footing and so far as would suffice without inconvenience or expense.

Johannes . . . Episcopus Brechinensis: John Balfour, bishop of Brechin, 1465-88 (Dowden, *Bishops*, pp. 187-8). *Benefices* gives particulars of him not found in Dowden.

Glentlaw: Glenisla.

Georgeo Jaksoun Nicholao Johnne Johanne tod et donaldo Mainess Capellanis chori ecclesie nostre cathedralis: The first named is probably dominus George Jaksoun, (later) rector of Finavon, who is a witness at Brechin, 16 June, 1490 (*RMS.*, ii. 3389). Dominus Nicholaius Johannis, chaplain, is a witness, 10 April, 1451 (*REB.*, ii. p. 88); appears as chaplain at the Holy Rood altar, 6 May, 1456 (*ibid.*, i. 87); is common procurator of the chaplains of the choir, 10 June, 1469 (*ibid.*, ii. p. 111); perpetual chaplain

of the college of Brechin, 15 June, 1482 (*ibid.*, ii. p. 115); and as chaplain of the Holyrood altar founds an anniversary, 8 June, 1493 (*ibid.*, ii. p. 137). Tod and Menzies have not been found elsewhere.

Thomas mudy . . . notarius : Not noticed elsewhere.

CL

18 June, 1486.

In dei nomine Amen Per hoc presens publicum instrumentum siue transsumptum cunctis pateat euidenter quod anno . . . millesimo quadringentesimo octuagesimo sexto mensis vero Junii die decima octaua Indictione quarta ac pontificatus . . . domini Innocentii . . . pape octauo anno secundo In nostrum notariorum publicorum testiumque subscriptorum presentia personaliter constitutus . . . Johannes . . . Abbas monast. de Cupro . . . Secunquē deferens quasdam literas testimoniales in pergameno scriptas sigillisque diuersorum episcoporum autenticis roboratis rubea cera alba impressa Integras sanas ab omni vicio et suspentione immunes prout inferius patebit nobis notariis publicis subscriptis tradidit perlegendas ac in publicam transcripti formam redigentes (*sic*) Quarum quidem literarum tenor primo sequitur in hac forma et est talis Jacobus . . . Episcopus Dunkeldensis Uniuersis . . . (*ut in no. CXLV*) . . . apud Dunkeldeñ vicesimo octauo die mensis Septembris Anno domini millesimo quadringentesimo septuagesimo septimo Et consecrationis nostre anno secundo /// Tenor vero secunde litere sequitur in hac forma Johannes . . . Episcopus Brechinensis Uniuersis . . . (*ut supra* de ecclesia Sancte marie de gleylef) . . . apud Brechyn xxi^o die mensis Februarii Anno domini quadringentesimo septuagesimo septimo Et consecrationis nostre Anno secundo // Tenor vero tertie litere sequitur Sub hac forma et est talis Johannes . . . Episcopus Dunblanensis Uniuersis . . . (*ut supra* de ecclesia Sancte Brigide de fossoquhy) . . . apud Dunblaneñ xxi^o mensis Junii Anno domini m^o iiii^o septuagesimo nono et consecrationis nostre anno secundo // Tenor vero quarte litere est talis Willelmus . . . Archiepiscopus Sanctiandree Uniuersis . . . (*ut supra*

28 Sept.,
1477.

21 Feb.,
1477/8.

21 June,
1479.

de ecclesiis Mathy viz. et Erole) . . . apud Edenburghe Anno domini millesimo quadringentesimo septuagesimo nono et consecrationis nostre Anno primo // Igitur post dictarum literarum transsumptionem lecturam et examinationem inuenimus hoc presens transsumptum cum originalibus de uerbo in uerbum fideliter concordare Ideoque in hanc publicam formam instrumenti redigimus Ita quod merito debeat fides huic transumpto in iudicio uel extra adhiberi ac si ipsa originalia adessent / Super quibus omnibus et singulis dictus venerabilis pater a nobis notariis publicis infrascriptis sibi fieri peccit unum seu plura publicum seu publica instrumentum seu instrumenta Acta erant hec in domo capitulari sepedicti monasterii hora quasi prima post meridiem Sub anno mense etc. . . . quibus supra Presentibus ibidem . . . Johanne boyd Johannes bancanquhail et Johanne hudsone cum multis aliis testibus . . .

Et ego magister Willelmus Simonis presb. Dunk. dioc. publ. auctoritatibus Imp. et Reg. notarius etc. . . .

Et ego henricus brois prsbiter Sanctiand. dioc. ac not. publ. Imp. et Reg. Auctoritatibus etc. . . .

End. : Testimoniale quatuor episcoporum super admissione et approbatione priuilegiorum et exemptionis nostre per duos notarios comprobatum ut patet infra.

Moray Charters, Box 32, Div. IV, Bundle I, No. 59.

CL

Notarial transumpt of charters recognising the exemption of the abbot and convent of Coupar from the payment of episcopal subsidies in respect of their churches as follows : (1) charter of James, bishop of Dunkeld, in regard to the church of Bendochy ; (2) of John, bishop of Brechin, in regard to the church of St. Mary of Glenisla ; (3) of John, bishop of Dunblane, in regard to the church of St. Bride of Fossoway ; (4) of William, archbishop of St. Andrews, in regard to the churches of Mathie and Airlie.

See Introduction, p. lix.

Johannes . . . Abbas . . . de Cupro : See Appendix II.

Jacobus . . . Episcopus Dunkeldensis : See note to No. cXLV.

Johannes . . . Episcopus Brechinensis : See note to No. cXLIX.

Et consecrationis nostre Anno secundo : This is an error, induced by the

previous date of consecration of James, bishop of Dunkeld. John Balfour was consecrated, 8 Dec., 1465 (Dowden, *Bishops*, p. 187).

Johannes . . . Episcopus Dunblanensis : John Hepburn, provided 12 Sept., 1466 (Dowden, *Bishops*, p. 206).

Et consecrationis nostre anno secundo : Also an error. John Hepburn was provided *ut supra*. The date of his consecration is not given. A footnote to Dowden seems to suggest that the date here should be 21 July, 1469.

Willelmus . . . Archiepiscopus Sanctiandree : William Scheves, appointed archbishop of St. Andrews, 11 Feb., 1477/8 (Dowden, *Bishops*, p. 33 *seq.*).

Johanne boyd : Perhaps John Boyd who is a witness, Whitsunday, 1470 (*Cupar*, i. p. 155), has various tacks from Coupar, 10 June, 1473 (*ibid.*, i. p. 172), to 12 Sept., 1479 (*ibid.*, i. p. 230), and is again a witness, 23 June, 1492 (*ibid.*, i. p. 254).

Johanne bancanquhail : Not found

Johanne hudson : At Whitsunday, 1508, part of Coupargrange and the care of the fishery of the same are set to John Hudson (*Cupar*, i. pp. 270-1). He appears in a feu-charter, 6 Nov., 1516 (*ibid.*, i. p. 291).

Magister Willelmus Simonis . . . notarius : A man of this name was vicar of Bendochy and in this capacity is mentioned, 13 Aug., 1494 (*Panmure*, ii. p. 258). Perhaps he is William 'de Scocia' who matriculated as a student in arts at Cologne, 11 Aug., 1475 (Keussen, *Matrikel*, i. p. 376), for a footnote refers to this man, who, in 1480, seems to have been a licentiate in arts, as master 'W. Simonis de Scocia.'

Henricus brois . . . notarius : As chaplain and notary, he witnesses charters at Airlie and elsewhere, 12 March, 1479/80 (*RMS.*, ii. 1490), to 29 Oct., 1505 (*Laing Chs.*, 379 (6)); also as vicar of Airlie and notary, 20 Nov., 1506 (*ibid.*, 261).

CLI

17 July, 1486.

In dei nomine amen Per hoc presens publicum instrumentum cunctis pateat euidenter quod Anno . . . millesimo quadringentesimo octuagesimo sexto mensis vero Julij die decimaseptima Indictione quarta Ac pontificatus . . . Innocencij . . . pape octauj anno secundo In mei notarij publici testiumque subscriptorum presencia personaliter constitutus . . . Johannes . . . monasterii de cupro Abbas . . . comparens in dicti monasterii capitulo ceterisque eiusdem fratribus ad infrascripta specialiter ab eodem conuocatis interrogauit Dominum Daud moncur etatis quasi sexaginta nouem in ordine quinquaginta duorum annorum tunc tempore senioem dicte congregationis quid ipse sciuerit et per suos seniores audiuerit et signanter per

dominum Robertum mar deponi et ceteris fratribus in dicto capitulo et alibi sepius per eundem declarari penes videlicet . caritativum subsidium ecclesie de Bendachty per sedis dunkeldensis episcopos tempore quo dictus dominus Robertus mar in eodem loco regulariter stetit petatum et exactum Qui dictus pater ad sui abbatis imperium pectore et sanctis dei ewangeliis solemniter tactis deposuit ac declaravit quod prefatus dominus robertus etatis ad minus octoginta sex . in ordine autem sexaginta nouem quando obiit ipsum ac suos reliquos confratres capitulariter congregatos fidelissime instruxit ac in iudicio anime sue suscepit vt futuris temporibus memorialiter retinerent quod Idem Georgius dominus modernus dunkeldensis est quartus eiusdem sedis episcopus qui pro ecclesia de bendachty subsidium aut aliquod aliud nomine subsidij aliquo modo exegit aut requisivit Et intulit quod dominus robertus predictus quampluries affirmabat octo illius sedis episcopos predecessores domini moderni se vidisse et personaliter cognouisse postquam habitum susceperat in prefato monasterio quorum ista fuerunt nomina Episcopum Robertum cardne . Episcopum Jacobum kenethy . Episcopum Johannem Turnbule . Episcopum Johannem lawder . Episcopum Jacobum broiss . Episcopum Thomam railstoune . Episcopum Thomam lawater et episcopum Jacobum lewyntoune et dicto domino thome railstoune episcopo qui quartus predecessor domini moderni est . ipso domino roberto tunc temporis existente prefati monasterii cellerario decem marcas in suo primo introitu pro dicta ecclesia deliberavit et amplius non requisivit et hoc non ex debito aliquo sed gratia idem dominus petiit et accepit deinde suo immediato successori domino thome lawater episcopo in suo similiter primo introitu vigente (*sic*) marce pro dicta ecclesia deliberate fuerant nec amplius Ac domino Jacobo lewyntoune dicti domini thome immediato successori vigente (*sic*) libre date fuerant pro dicta ecclesia in ipsius introitu . et postea personaliter monasterium visitavit et mutuo xl^s libras habuit quas liberali fide fideliter refundere promisit Quam depositionem octodecem fratres dicti monasterii in sacerdocij ordine constituti presens

pectore et sanctis dei ewangeliis tactis verificabant et se audiuisse ab eodem quampluries attestabantur Insuper affirmabant hocipsum procuratoribus domini moderni dunkeldensis viz. constabulario de dunde magistro Daud browne et michi notario publico quod et in hiis scriptis attestor sepefatum dominum robertum declarasse et deposuisse Interea sepedictus dominus Daud asseruit se octo prefate sedis antedictos episcopos personaliter cognouisse postquam habitum susceperat ac verissime sciuit et in fide sua deposuit nunquam illorum aliquem aliquid exigisse aut requisisse pro subsidio dicte ecclesie aut quecunque alia gratificatione demptis Georgio moderno domino et suis tribus immediatis predecessoribus Preterea dominus Walterus bunche sepedicti monasterii monachus qui sexagenarius coram me notario publico infrascripto solemniter patefecit modo quosupra iuramento se interfuisse predictae prime summe decem marcarum petitioni necnon et eiusdem solutioni ac illam fuisse primam a patribus suis pro dicte ecclesie quacunque gratificatione a quibuscunque episcopis sedem dunkeldensem regentibus verissime sciuit et audiuit petitam et exactam. Addendo insuper deposuit dominus Johannes browne supradicti monasterii monachus quasi sexagenarius solemniter presens ut supra prestito sacramento quod dominus Jacobus predecessor domini moderni episcopi dunkeldensis immediatus obligauit se fide media et solemniter iuramento in palacio dunkeldensi monasterio satisfacere et fideliter persolvere predictam summam quam in suo introitu primo ad dictam sedem dunkeldensem graciosè receperat Et dictus dominus Johannes declarauit se nunquam cognouisse aut a patribus suis audiuisse quamquam plures vidisset in prefato loco satis annos nisi quod predictus Episcopus dominus thomas railstoune primus fuerat episcopus qui nomine subsidii et gratificationis cuiuscunque aliquid pro dicta ecclesia de bendachty exegit aut requisiiit Super quibus omnibus et singulis predictus venerabilis pater a me notario publico subscripto sibi fieri petiit vnum seu plura publicum seu publica instrumentum seu instrumenta Acta erant hec in domo capitulari antedicti monasterii hora quasi decima ante

meridiem Sub anno etc. . . . quibus supra Presentibus ibidem . . . Johanne boyd Johanne ragow Johanne bel et Andrea hugonis cum diuersis aliis testibus . . .

Et ego magister Willelmus simonis presbiter dunkeldensis diocesis publicus auctoritatibus Imperiali et Regia notarius etc.

End.: Instrumentum de depositione fratrum contra episcopum Dunkeldensem penes subsidium ecclesie De bennachdy.

Moray Charters, Box 32, Div. V, Bundle II, No. 86.

CLI

Notarial instrument setting forth that dom David Moncur, aged about sixty-nine, fifty-two years a monk and at that time senior member of the convent, on being interrogated by the abbot as to what he knew and what he had heard others, especially dom Robert Mar, declare about the charitable subsidy of the church of Bendochy sought by the bishops of Dunkeld, deponed that dom Robert, aged eighty-six and sixty-nine years a monk when he died, informed him and the other brethren chapterly convened that George, the present bishop of Dunkeld, is the fourth of that see to exact a subsidy for the church of Bendochy, and the said Robert stated again and again that he had seen and known eight bishops, viz. bishops Robert Cardny, James Kennedy, John Turnbull, John Lauder, James Bruce, Thomas Railston, Thomas Lauder and James Livingstone; and, in the case of bishop Thomas Railston, who was the fourth predecessor of the present bishop, he assigned to Robert, then cellarer of the monastery, ten marks at his first entry for the said church and asked no more and not as a due but as an act of grace. Dom (Robert) also sought and received for his immediate successor, bishop Thomas Lauder, on his first entry twenty marks for that church and no more. To Thomas's immediate successor, James Livingstone, twenty pounds were given for that church on his entry, and he afterwards visited the monastery and had by agreement forty pounds which he faithfully promised to refund. This disposition was vouched by eighteen brothers of the monastery. Likewise they affirmed the same to procurators of the present bishop of Dunkeld, viz. the constable of Dundee, master David Brown and the notary, as being Robert's deposition. Dom David declared he had personally known eight of the foresaid bishops of the said see after taking the habit and knew that none of them had exacted a subsidy from that church or any other favour save George, the present bishop and his three immediate predecessors. Dom Walter Bunche, monk of the monastery, sixty years old, testified that he was concerned with the seeking and payment of the first sum of ten marks and that he knew and heard it was the first sought or exacted by the bishops of Dunkeld for that church. Dom John Brown,

a monk about sixty, also deposed that James, the immediate predecessor of the present bishop, obliged himself to pay (back) that sum which he had received as an act of grace on his first entry to the see of Dunkeld; and the said John declared that he had never known nor heard from his fathers but that bishop Thomas Railston has been the first bishop to exact anything in the name of subsidy in respect of the church of Bendochy.

Johannes . . . de cupro Abbas : See Appendix II.

Dominum Daud moncur : Appears as one of the monks who attest an indenture, 6 May, 1500 (*REB.*, i. 110).

Dominum Robertum mar : See note to No. cxl.

Georgius dominus modernus dunkeldensis : George Brown, provided to Dunkeld, 22 Oct., 1483; *ob.* 14 Jan., 1514/15 (Dowden, *Bishops*, pp. 80-1). He may have been the George Brown who determined at St. Andrews, 1460 (*St. AUR.*, p. 38).

The list of bishops does not give them in their proper succession and has several errors in their Christian names. For particulars of them not found in Dowden, see *Benefices*, *passim*.

Episcopum Robertum cardne : Provided, 27 Nov., 1398; *ob.* 16 or 17 Jan., 1436/7 (Dowden, *Bishops*, pp. 70-1).

Episcopum Jacobum kenethy : Kennedy was provided to Dunkeld, 1 July, 1437; translated to St. Andrews, 28 May, 1440 (Dowden, *Bishops*, p. 72).

Episcopum Johannem Turnbule : Turnbull was not the immediate successor of Kennedy and his Christian name was William not John. He was provided to Dunkeld, 10 Feb., 1446/7, and translated to Glasgow before the end of the year (Dowden, *Bishops*, p. 74). Probably a determinant at St. Andrews, 1418; a licentiate and master, 1420 (*St. AUR.*, pp. 5, 6).

Episcopum Johannem lawder : This was evidently Alexander (not John) Lawder who succeeded Kennedy and was provided, 6 June, 1440, but died unconsecrated, 11 Oct., 1440 (Dowden, *Bishops*, p. 73).

Episcopum Jacobum broiss : James Bruce determined at St. Andrews, 1424 (*St. AUR.*, p. 8), and was a licentiate, 1427 (*ibid.*, p. 9). He was provided, 29 Aug., 1437, and died in 1447 (Dowden, *Bishops*, p. 73).

Episcopum Thomam railstoune : John (not Thomas) Railston was provided, 27 Oct., 1447, and died, *c.* 1452 (Dowden, *Bishops*, pp. 74-5).

Episcopum Thomam lawater : Provided, 28 April, 1452; *ob.* 4 Nov., 1481 (Dowden, *Bishops*, pp. 75-6).

Episcopum Jacobum lewyntoune : See note to No. cxlv.

Constabulario de dunde : James Scrymgeour, who succeeded his father, James (who died, *a.* 31 Dec., 1478 (*Scots Peerage*, iii. p. 307)). He has a precept of *clare constat* as son and heir of the late James Scrymgeour, constable of Dundee, of the lands of Benvie and Baluthrie (*Panmure*, ii. p. 250). His retour of the lands of Newton of Ballegarno, Haltoun and Balfour, as heir of his father, is dated, 9 Jan., 1480/1 (*Scrymgeour Inv.*, 106; cf. *ibid.*, 120, 184). On 12 April, 1482, he is called constable and provost of Dundee (*ibid.*, 214). On 27 April, 1495, he obtains by a charter of sale from Andrew, Lord Gray (whose daughter, Isabel, he married), a

third of the lands of Dudhope (*RMS.*, ii. 2257) and there are many references in *Scrymgeour Inv.* and elsewhere to his acquisition of other lands in or near Dundee. Scrymgeour died c. 1503 (*Scots Peerage*, iii. p. 308). His son and heir, James, is mentioned, 9 March, 1507/8 (*RMS.*, iii. 3205), and he had also a daughter, Elizabeth (*ibid.*, iii. 2004).

Magistro David browne : David Brown determined at St. Andrews, 1470 (*St. AUR.*, p. 50) and was a licentiate, 1472 (*ibid.*, p. 52). He appears as rector of Fearn, 1505 and later (*Rentale Dunkeldense*, p. 18 etc.), and as canon of Dunkeld, 22 May, 1506 (*Laing Chs.*, 260). He was a cousin of bishop George Brown (*Rentale Dunkeldense*, p. 338).

Dominus Walterus bunche . . . monachus : See note to No. cxliii.

Johanne boyd : See note to No. cxxxix.

Johanne ragow : Not found elsewhere.

Johanne bel : Perhaps the man of that name who has a lease of part of Camsy, Whitsunday, 1477 (*Cupar*, i. p. 221), and has this lease renewed till 1508 (*ibid.*, i. p. 274).

Andrea hugonis : Andrew Hewison ; not found elsewhere.

Magister Willelmus simonis . . . notarius : See note to No. cl.

CLII

12 June, 1489.

In dei Nomine Amen. Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno . . . millesimo quadringentesimo octuagesimo nono mensis vero Junii die decimosecundo Indictione septima Pontificatus . . . Innocentii . . . pape octauj anno quinto In mei notarii publici testiumque subscriptorum presencia personaliter Constitutus Walterus findelay dominus tertie partis terrarum de auchinleich non coactus non seductus nec errore lapsus sed sua mera et spontanea voluntate vtilitate sua vndique prouisa pure et simpliciter resignauit totam et integram prefatam terciam partem terrarum de auchinleich cum pertinentiis Jacentem in baronia eiusdem et infra vicecomitatum de forfar in manibus venerabilis patris Johannis . . . Abbatis de Cupro que quidem terre tenentur in capite de prefato venerabili patre et suis successoribus per fustis et baculi traditionem vt moris est sine reuocatione demanda seu reuersione quibuscunque per eum aut alios quoscunque quomodolibet in futurum pro quibus vero terris cum pertinentiis prefatus Walterus recepit quandam certam summam pecunie de qua quidem summa tenuit se bene con-

tentum et plenarie persolutum Dictumque Abbatem ac suos successores de eadem quietclamavit imperpetuum . Super quibus omnibus et singulis Frater Willelmus arrous monachus de Cupro expresse professus nomine et ex parte sepedicti venerabilis patris totiusque conuentus sibi fieri peciit publicum instrumentum Acta erant hec / in domo capitulari de Cupro hora secunda post meridiem uel eocirca Presentibus ibidem honorabilibus et discretis viris Archibaldo Ogylwy Johanne Rettry in Dalrilzane / Domino thoma Rogersone Vicario de Outerhous et Waltero Irland cum multis aliis . . . sub anno etc. . . . quibus supra.

Et ego Willelmus simonis clericus Dunkeldensis diocesis auctoritatibus Imperiali et Regia notarius etc.

End. : Instrumentum resignacionis tertie partis terre de achinleche in manibus abbatis et conuentus de cupro per valterum findelay sub sigillo eiusdem.

Moray Charters, Box 32, Div. V, Bundle I, No. 36.

CLII

Notarial instrument recording the resignation by Walter Findelay, laird of the third part of the lands of Auchinleich, of this land in the hands of John, abbot of Coupar.

Walterus findelay dominus tertie partis terrarum de auchinleich : As appears from the next charter, son of Finlay Donald of Auchinleisk (in Glensla), who is mentioned in No. cxxxix.

Johannis . . . Abbatis de Cupro : See Appendix II.

Frater Willelmus arrous monachus de Cupro : See note to No. cxlvii.

Archibaldo Ogylwy : Probably Archibald, second son of Sir James Ogilvy, who with his brothers, John and Thomas, appears in an instrument of sasine, 8 July, 1483 (*Bamff Chs.*, 15), and is mentioned, 9 Feb., 1496/7 (*RSS.*, i. 72), and 28 Feb., 1498 (*Aberbrothoc*, ii. 394).

Johanne Rettry in Dalrilzane : John Rettray in Dalrilzeane and his son, John, appear, 15 July, 1497 (*HMC. Rep.*, vii. Pt. II. p. 710). Dalrilzeane, in the barony of Strathardle (*RMS.*, ii. 3682, 3769), was granted to John Ferguson of Douny, 20 Jan., 1511/12 (*ibid.*, ii. 3682); but a later John Rattray, feuar of Dalrilziane, appears in 1564 (*Rentale Dunkeldense*, p. 347). Dalrilzion (according to the map in Robertson, *Earldom of Athole*) is situated on the W. side of Glenshee.

Domino thoma Rogersone Vicario de Outerhous : On 1 April, 1471, Thomas Rogerson, priest of Dunkeld diocese, pays annates for fruits unlawfully taken up by him for four years from the perpetual vicarage of Auchterhouse (*Benefices*, p. 167; cf. *ibid.*, p. 287).

Waltero Irland : According to *RMS.* ii. index, there were two contemporaries of that name : Walter Ireland of Burnhame, witness to charters at Perth from 11 Dec., 1487 (*RMS.*, ii. 1695), to 10 Sept., 1498 (*ibid.*, ii. 2469) ; and Walter Ireland, bailie and latterly provost and sheriff of Perth, who is a witness at Perth, 20 May, 1485 (*ibid.*, ii. 1771), to 5 May, 1494 (*ibid.*, ii. 2217). These references, however, may apply to the same individual.

Willelmus simonis . . . notarius : See note to No. CL.

CLIII

15 June, 1489.

In dei nomine Amen. Per hoc presens instrumentum cunctis pateat euidenter et sit notum quod anno . . . millesimo quadringentesimo octuagesimo nono mensis vero Junii die quinto Indictione septima Pontificatus . . . Innocentii . . . pape octauo anno quinto In mei notarii publici testiumque subscriptorum presencia personaliter constitutus Venerabilis vir Archibaldus Ogylwy filius domini Jacobi Ogylwy de Erole militis balliuus venerabilis in christo patris Johannis . . . abbatis monasterii de cupro tocusque conuentus eiusdem in hac parte specialiter deputatus secumque deferens quandam literam balliuatus sigillo communi dicti monasterii Roboratam et secundum formam et tenorem eisdem dedit et tradidit saisinam et statum hereditarium tercię partis terrarum de Auchinleicht cum pertinentiis Waltero findelay tanquam vero et legitimo herede dicte tercię partis per terre et lapidis traditionem ut moris est / facta quod prius pure et simpliciter resignatione prenominata tercię partis dictarum terrarum per quandam Elizabeth Roger Relictam quondam findelay donald patris prefati Walteri in manibus Venerabilis patris tanquam domini superioris sepedicte tercię partis . et in signum huiusmodi sasine siue status antedictus balliuus appriuare fecit quemdam bouem nigri coloris pretii xxv solidorum Super quibus omnibus et singulis prefatus Walterus a me notario publico subscripto sibi fieri petiit publicum instrumentum Acta erant hec super solum dictarum terrarum hora vndecima ante meridiem uel eocirca sub anno etc. . . . quibus supra Presentibus ibidem . . . Johanne maknicol

Johanne ker patricio tandow Willelmo Roberti et Willelmo findelay cum multis aliis testibus . . .

Et ego Willelmus simonis clericus Dunkeldensis dioc. publ. auctoritatibus Imperiali et Regia notarius . . . etc.

End. : Instrumentum perhibens testimonium quod archibaldus ogilby specialiter balliuus in hac parte abbatis et conuentus de cupro tradidit sasinam et statum hereditarium valtero findelai tercię partis terre de achinlethe.

Moray Charters, Box 32, Div. IV, Bundle I, No. 60.

CLIII

Notarial instrument recording that Archibald Ogilvy, son of Sir James Ogilvy of Airlie, bailie of Coupar, gave sasine to Walter Findelay of the third part of Auchinleicht, resigned by Elizabeth Roger, relict of Finlay Donald, father of the said Walter, in the hands of the abbot.

Archibaldus Ogylwy filius . . . Jacobi Ogylwy de Erole militis balliuus . . . Johannis . . . abbatis . . . de Cupro : For Archibald Ogilvy see note to preceding charter. For Sir James Ogilvy of Airlie see note to No. cxxxix. For John, abbot of Coupar, see Appendix II.

Waltero findelay : Appears in No. cli.

Elizabeth Roger Relicta quondam findelay donald patris prefati Walteri : Neither is found elsewhere.

Johanne maknicol : Perhaps the 'Maknychol' to whom, with another, part of Forter is set, Whitsunday, 1470 (*Cupar*, i. p. 157). At Whitsunday, 1508, part of Fortour is again set to John Maknicoll (*ibid.*, i. p. 275) and he appears in a charter, 16 April, 1516 (*RSS.*, i. 2752).

Johanne ker : At Whitsunday, 1495, part of Carsegrange is set to John Keir (*Cupar*, i. p. 241) and he has leases till Whitsunday, 1518-24 (*ibid.*, i. p. 299). At an unspecified date, Janet Gowry, his spouse, and Andrew, his son, are mentioned (*ibid.*, i. p. 311).

Patricio tandow : Sir Patrick Tendell appears in a charter regarding Lytilperth, 17 Sept., 1511 (*Cupar*, i. p. 283).

Willelmo Roberti : A man of this name (Robertson) has a tack of part of Persie, Whitsunday, 1443 (*Cupar*, i. p. 120), and again, Whitsunday, 1446 (*ibid.*, i. p. 128).

Willelmo findelay : Not found elsewhere.

Willelmus simonis . . . notarius : See note to No. cl.

CLIV

15 July, 1490.

The Inventory of the Moray Charters describes a now indecipherable writ, which it attributes to this date, as a

precept of sasine by Alexander Lindesay, master of Crawford, in favour of Andrew Curroure, for his infeftment in the lands of Logiemegill.

Moray Charters, Box 32, Div. IV, Bundle I, No. 61.

CLIV

This charter is given, *RMS.*, ii. 1966.

Alexander Lindesay, master of Crawford: Eldest son of David, fifth earl of Crawford; he predeceased his father, a. 4 Feb., 1491/2 (*Scots Peerage*, iii. p. 23). We find him mentioned, 6 Dec., 1474 (*RMS.*, ii. 1191). He is called Alexander, Lord Lindsay and master of Crawford, 4 April and 15 July, 1490 (*ibid.*, ii. 1943, 1966).

Andrew Curroure: The man of this name who appears as a witness at Coupar, 4 Nov., 1475 (*RMS.*, ii. 1230), may be father of the present Andrew. It is probable that Andrew Curroure, burgess of Perth, who, with his spouse, Elizabeth, appears, 23 June, 1492 (*Cupar*, i. p. 252), is different from either. On 4 March, 1513/14, Andrew Curroure and Mariota Blare, his spouse, have a crown charter of Logymeigill (*RMS.*, iii. 8). We find him granting part of Logymeigle Wester to his natural son, George, 26 June, 1516 (*ibid.*, iii. 80). A younger Andrew appears in No. CLV, *q.v.* and note.

CLV

28 October, 1492.

Jacobus . . . Rex Scotorum Omnibus . . . Salutem Sciatis quod pro singulari deuocione quam gerimus Beatissime gloriosissimeque virgini et matri patrone monasterii nostri de Cupro Et pro singularibus fauore zelo et dilectione quos habemus erga Venerabilem in cristo patrem et deuotos oratores nostros Johannem Abbatem dicti nostri monasterii et conuentum eiusdem Ac pro utilitate et commodo Ipsius locj et hospitacione ligeorum nostrorum eidem confluencium Infeodauimus Creauimus et fecimus Ac tenore presentis carte nostre infeodamus creamus et facimus villam de kethik Jacentem infra vicecomitatum nostrum de Perth dicto nostro monasterio pertinentem liberum burgum in baronia pro perpetuo Concessimus eciam tenoreque presentis carte nostre concedimus Inhabitantibus dictum burgum et imposterum Inhabituris plenam potestatem et liberam facultatem emendi et vendendi in Ipso

burgo vina ceram panim laneum et lineum latum et artum /
 / aliaque mercimonia quecumque Cum potestate et liber-
 tate habendi et tenendi pistores et brasiatores carnifices /
 et tam carniū quam pisciū macellarios aliosque artium
 operarios ad libertatem burgi in baronia qualitercumque
 spectantes et pertinentes Concessimus etiam Ac tenere
 presentis Carte nostre concedimus ut in dicto burgo sint
 burgenses Et quod ijdem potestatem habeant futuris
 temporibus eligendi balliuos et alios officarios pro guber-
 natione eiusdem burgj tam dietj nostri monasterij crucem /
 et forum die veneris singulis Ebdomadis Et nundinas
 publicas singulis annis In die siue festo Cene Dominj et per
 octauas eiusdem Cum theoloneis et omnibus libertatibus
 ad huiusmodi nundinas spectantibus seu spectare valent-
 tibus in futurum Tenend. et habend. predictam villam de
 Kethik perpetuis futuris temporibus in merum et liberum
 burgum in baronia cum suprascriptis priuilegiis libertatibus
 et concessionibus Ac uniuersis alijs libertatibus proficuis
 commoditatibus et asiamentis Ac Iustis pertinentiis quibus-
 cunque Tam non nominatis quam nominatis Ad burgum
 in baronia spectantibus seu iuste spectare valentibus
 quomodolibet in futurum Et adeo libere quiete plenarie
 integre honorifice bene et in pace In omnibus et per omnia
 Sicut aliquis burgus in baronia infra Regnum nostrum
 quibuscumque temporibus Retroactis infeodatur seu
 tenetur Sine Reuocacione quacumque futuris temporibus
 inde facienda Strictius inhibentes ne quis Incontrarium
 premissorum aliqualiter deuenire presumat Sub omni pena
 que competere poterit in hac parte In cuius Rei testi-
 monium Presenti carte nostre Magnum Sigillum nostrum
 apponi precepimus Testibus . . . Willelmo Episcopo Aber-
 donensi nostri Secreti Sigilli custode Andrea Episcopo
 morauisiensi . . . Archibaldo Comite Angusie domino dowglas
 Cancellario nostro Patricio Comite de boithuile domino
 halis et Alexandro Domino Hume magno Camerario nostro
 Johanne Domino glammys Roberto Domino lile Justi-
 ciarijs nostris Andrea domino gray magistro hospicij nostri
 . . . Henrico Abbate de Cambuskynneth Thesaurario nostro
 Jacobo Abbate de Scona Ac . . . magistris Archibaldo

quhitelaw Subdecano glasguensi Secretario nostro Et Johanne fresale Decano de lestalrig Rotulorum nostrorum et Registri ac consilii Clerico Apud dictum monasterium nostrum de Cupro Vicesimooctauo die mensis Octobris Anno domini Millesimo quadringentesimo Nonagesimo-seculo Et Regni nostri quinto.

Seal and tag gone. End.: Donacio regis Jacobi 4th super facultate burgum infra limites de kethik in priuilegiis et libertatibus pertinentibus burgo in baronia.

Moray Charters, Box 32, Div. IV, Bundle II, No. 1.

CLV

Charter of James IV creating the township of Keithick, belonging to the monastery of Coupar, a free burgh of barony.

There are numerous instances within this period of the erection, at the instance of abbeys, of townships into burghs of barony. This charter is abstracted, *RMS.*, ii. 2115. It may be noted that David II issued a precept to his justiciars, etc., to the effect that whenever required by the burgesses of Dundee, they are to go personally to the monastery of Coupar, the town of Kettins, the church of Alyth and the town of Kirriemuir and there to make proclamation that no one may hold markets of things for sale in these places or have access to them for buying and selling under penalty of escheat and warning barons and freeholders against supporting, approaching, maintaining or carrying on these unlawful markets, under the same penalty. This precept was confirmed by James II, 2 Sept., 1458 (*RMS.*, ii. 614).

Kethik: See note to No. vii.

Witnesses:

Willelmo Episcopo Aberdonensi nostri Secreti Sigilli custode: William Elphinstone, the celebrated bishop of Aberdeen, 1484-1514 (Dowden, *Bishops*, p. 129 sqq.). This reference to him as keeper of the Privy Seal gives an earlier date than that cited by Dowden.

Andrea Episcopo Moraviensi: Andrew Stewart, provided to the see of Moray, 7 Aug., 1482; ob. 29 Sept., 1501 (Dowden, *Bishops*, pp. 163, 165).

Archibaldo Comite Angusie domino douglas Cancellario nostro: 'Bell-the-Cat'; eldest son of George, fourth earl of Angus. Appears, 27 Jan., 1471/2 (*RMS.*, ii. 1081), and as guardian of the king, 28 June, 1488 (*ibid.*, ii. 1745) onwards. Designed chancellor from 12 Aug., 1492 (*ibid.*, ii. 2111), having succeeded the earl of Argyle (mentioned as chancellor, 4 March, 1491/2 (*Inventaire Chronologique*, p. 53)). Angus appears as envoy to England, 12 June, 1482 (Bain, *Calendar*, iv. 1486); goes on pilgrimage to Amiens, 12 Feb., 1488/9 (*ibid.*, iv. 1547); as ambassador receives presents from Henry VII, Michaelmas, 1492 (*ibid.*, iv. 1584); and is desired by

Henry VII to be sent as envoy, 5 July, 1497 (*ibid.*, iv. 1635). He appears as admiral general of the king's fleet, 1513 (*RSS.*, i. 2550), and died about the end of November in that year (*Scots Peerage*, iii. p. 182). See *SP.*, iii. p. 178, for an account of him.

Patricio Comite de bothuile domino halis: Sir Patrick Hepburn of Dunsyre who was sheriff of Berwick, 15 June, 1480 (*RMS.*, ii. 1440, n.), and succeeded his grandfather as second Lord Hailes, p. 6 Dec., 1482 (*Scots Peerage*, ii. p. 151). Created earl of Bothwell, 17 Oct., 1488 (*ibid.*), on which date also he was constituted great admiral of the realm (*RMS.*, ii. 1774). He is found, e.g. 4 March, 1491/2 (*Inv. Chron.*, p. 53), and later as guardian of the marches and from 2 Oct., 1488 (*Reg. S. Egid.*, 101), as master of the household. He appears, 28 June, 1499, as ambassador for the marriage treaty (Bain, *Calendar*, iv. 1653) and is mentioned frequently in English sources. Bothwell died, 18 Oct., 1508 (*Scots Peerage*, ii. pp. 151-2, *q.v.* for an account of him).

Alexandro Domino Hume magno Camerario nostro: Second Lord Hume; served heir to his grandfather, 1492 (*Scots Peerage*, iv. p. 451). As master of Hume, has safe-conduct as envoy to England, May, 1488 (Bain, *Calendar*, iv. 1539). *SP.*, iv. p. 452, states he was constituted great chamberlain for life, 7 Oct., 1488; but we find him so designed two days earlier, when he concludes a treaty at Coldstream with English envoys (Bain, *Calendar*, iv. 1545). He was envoy, 1497 and 1502 (*ibid.*, iv. 1635, 1696). Hume died, 9 Sept., 1506 (*SP.*, iv. p. 453, *q.v.*).

Johanne Domino glammys (Justiciario): Third Lord Glamis, whose father, Alexander, died in 1486 (*Scots Peerage*, viii. p. 273). Witnesses crown charters as justiciar from 28 June, 1488 (*RMS.*, ii. 1745). As ambassador to France and Spain, he has an English safe-conduct for a year, 14 June, 1491 (Bain, *Calendar*, iv. 1574). His wife, Elizabeth Scrimgeour, is mentioned, 19 April, 1479 (*RMS.*, ii. 1505). On 20 Oct., 1487, he founded a chaplainry at the altar of St. Thomas the Martyr in the parish church of Glamis (*ibid.*, ii. 2223); and, on 20 Oct., 1492, with the consent of John, his eldest son and heir, he endowed a chaplainry in the chapel of the Blessed Trinity on the S. side of Glamis parish church for the soul's weal of Elizabeth Scrimgeour, his wife (*ibid.*, ii. 2158). He died, 1 April, 1497 (*SP.*, viii. p. 276).

Roberto Domino lile (Justiciario): Second Lord Lyle. His father, the first lord, died shortly after 20 Feb., 1468/9 (*Scots Peerage*, v. p. 553). He witnesses crown charters as justiciar from 25 June, 1488 (*RMS.*, ii. 1739), except for a period when he is called 'olim dom. Lile'—his forfeiture is mentioned, 27 June, 1489 (*ibid.*, ii. 1857), and till 11 Aug., 1489 (*ibid.*, ii. 1887). He again witnesses royal charters from 20 Jan., 1490/1 (*ibid.*, ii. 2005). His spouse, Margaret Houston, and his son and heir, Robert, with his sons, George, Nicholas and John, are all mentioned, 6 May, 1495 (*ibid.*, ii. 2252). He appears as envoy to England, 30 Aug., 1484 (Bain, *Calendar*, iv. 1501, 1502), and later and, as ambassador to Spain, has an English safe-conduct, 26 Feb., 1490/1 (*ibid.*, iv. 1569). A respite is given him to go on pilgrimage, 17 Dec., 1499 (*RSS.*, i. 437); the date of his

death, which is not given in *SP.*, must lie between this and 11 March, 1501/2 (*RSS.*, i. 782), when he is called 'umquhile.'

Andrea domino gray magistro hospicij nostri: Second Lord Gray; succeeded his grandfather who died towards the end of 1469 (*Scots Peerage*, iv. p. 274). He must have succeeded in office Patrick, earl of Bothwell, who is mentioned as master of the household, 2 Oct., 1488 (*Reg. S. Egid.*, 101), and is so designed from 12 Aug., 1492 (*RMS.*, ii. 2111). He appears as sheriff of Forfar, 27 April, 1495 (*ibid.*, ii. 2257), till at least 24 Sept., 1508 (*HMC. Rep.*, v. App., p. 622). As justiciar he is found from 26 Nov., 1497 (*RMS.*, ii. 2384). Gray is mentioned as envoy to England, 12 Jan., 1482/3 (Bain, *Calendar*, iv. 1486). He is said to have died in February, 1513/14 (*SP.*, iv. p. 276, *q.v.*).

Henrico Abbate de Cambuskynneth Thesaurario nostro: Henry Arnot, abbot of Cambuskenneth, 1473-a. 1505 (*Cambuskenneth*, pp. lxiv-lxx, *q.v.* for a detailed account of him). He succeeded William Knollis, preceptor of Torphichen, as treasurer and is mentioned as holding that office from 12 Aug., 1492 (*RMS.*, ii. 2111). His acquittance on his resignation of the treasurership is given, 16 Aug., 1495 (*Cambuskenneth*, 20).

Jacobo Abbate de Scona: Not in *Scon.* He appears in many crown charters from 12 Aug., 1492 (*RMS.*, ii. 2111), and is found till 24 Aug., 1514 (*GRH. Chs.*, 823).

(Magistro) Archibaldo quhitelaw Subdecano glasguensi Secretario nostro: Prominent and frequently mentioned as an official of state rather than as a churchman, Whitelaw was a determinant at St. Andrews, 1437 (*St. AUR.*, p. 20), and a licentiate, 1439 (*ibid.*, p. 22); he also matriculated at Cologne as a student of theology, 11 June, 1440 (Keussen, *Matrikel*, i. p. 424). As servant of the Scots ambassadors, he has an English safe-conduct, 27 May, 1450 (Bain, *Calendar*, iv. 1280); and it is probably he who appears as a notary and clerk of St. Andrews diocese, 10 June, 1457 (*ibid.*, iv. 1281), and 30 May, 1459 (*RMS.*, ii. 993). We find him as clerk-register, 28 March, 1461 (*Exch. Rolls*, vii. p. 44), and 6 June, 1462 (*ibid.*, vii. p. 107), when he was also auditor of exchequer and he is mentioned as king's receiver, 13 July, 1462 (*ibid.*, vii. p. 118). He appears as the king's secretary, 27 Aug., 1462 (*Yester Writs*, 124A), and is very often mentioned in this capacity. About this time Whitelaw began to acquire the series of benefices which he held: he is called canon of Moray, 7 Dec., 1463 (*RMS.*, ii. 1463), and, 5 Dec., 1463, he appears as archdeacon of Moray (*Buccleuch*, ii. 63)—he is also called rector of Forres, 16 Aug., 1464 (*RMS.*, ii. 803)—and, 26 June, 1465, annates are paid in his name for the archdeaconry to which he is said to have been provided on the previous 7 Feb. (*Benefices*, p. 149; cf. *ibid.*, p. 243). On 31 Jan., 1466/7, he is dean of Dunbar (*RMS.*, ii. 900), and he seems to have held this benefice till at least 20 June, 1477 (*Exch. Rolls*, viii. p. 401), although he had obtained the archdeaconry of Lothian by 20 June, 1470 (*Ch. Chest of Earidom of Wigtown*, 417). Whitelaw had provision of the subdeanery of Glasgow, 12 Aug., and annates were paid for it in his name, 30 Aug., 1483 (*Benefices*, p. 208; cf. *ibid.*, pp. 296, 308); and in that capacity appears with other

members of the chapter, 13 July, 1485 (*REG.*, ii. 440) ; he continued to be archdeacon of Lothian and is mentioned in that capacity as endowing a chaplainry in the church of St. Kentigern, Currie, belonging to his archdeaconry, 1 June, 1493 (*GRH. Chs.*, 577) ; and in both capacities when he founds a chaplainry in Glasgow cathedral, 31 May, 1494 (*REG.*, ii. 468). Whitelaw was frequently an envoy to England from 1464 (*Exch. Rolls.*, vii. p. 284) onwards and, 26 Feb., 1490/1, had a safe-conduct both to England and Spain (Bain, *Calendar*, iv., 1568, 1569). His obit is recorded in the Glasgow cathedral martyrology, 23 Oct., 1498 (*REG.*, ii. 545), and three days later a presentation was made to the archdeaconry of Lothian, vacant by his decease (*RSS.*, i. 278). He was succeeded in the secretaryship by Richard Muirhead (see note to next charter).

(*Magistro*) *Johanne fresale Decano de restalrig Rotulorum . . . Clerico* : There was more than one contemporary churchman of this name and it is uncertain whether the present witness is John Fresell, who determined at St. Andrews, 1466 (*St. AUR.*, p. 44), and was a licentiate, 1469 (*ibid.*, p. 48) ; or the determinant of the same name, 1472 (*ibid.*, p. 53) ; there was yet another John Fresel incorporated, 1488 (*ibid.*, p. 185). Again, we find John Fresel, of St. Andrews diocese, matriculating as a student of canon law at Louvain, 25 Nov., 1464 (Baxter, 'Scottish Students at Louvain,' *SHR.*, xxv. p. 332). Likewise, John Fressele appears as rector of 'Dovdone,' 27 Jan., 1471/2 (*HMC. Rep.*, Var. Colls., v. p. 198), and both 'dominus' John Frissele, provost of Abernethy, and 'magister' John Frissele, rector of Douglas, are witnesses, 9 March, 1482/3 (*RMS.*, ii. 1558). That the latter is the present witness is shown by the fact that he appears as dean of Restalrig, 12 Aug., 1492 (*RMS.*, ii. 2111), and rector of Douglas, 8 Oct., 1492 (*ibid.*, ii. 2113), and on both occasions is called clerk-register, an office which he held from about this date. John Fresel, canon of Glasgow, pays annates on the annual pensions of the elect of Aberdeen and also on his own behalf, as M.A. and priest of St. Andrews diocese, for the archdeaconry of Aberdeen (to which he was provided on 14 July) early in August, 1480 (*Benefices*, pp. 198-9). As canon of Glasgow and licentiate in decrees, he pays annates for the church of Forteviot (*ibid.*, p. 208) and, 6 May, 1484, obliges himself for annates of the canonry of Lasswade in St. Salvator's church, St. Andrews (*ibid.*, p. 211 ; cf. *ibid.*, p. 333). The petition of John Frisell, M.A., gives rise to a bull of Innocent VIII regarding the first erection of Restalrig into a collegiate church, 13 Nov., 1487 (*CCM.*, p. 273). Frisel was provided to the see of Ross, 14 March, 1497/8 (Dowden, *Bishops*, p. 223).

CLVI

17 April, 1501.

Jacobus . . . Rex Scotorum Omnibus . . . salutem Sciatis
Nos quoddam actum siue decretum per dominos nostri
concilij inferius discriptos (*sic*) datum et promulgatum



vtique intellexisse sub hac forma At Edinburgh the last day of march The zere of god and ane thousand five hundreith and ane zere The lordis of Consale undirwritin that is to say . . . george Erle of huntlye etc. Chancellor of Scotland Mathow erle of levenax lorde dernlie andro lord gray alexander lord gordoun Wilzeame lord of Sanet Jhone patrik lord lindesay of the byris . . . george abbot of halyrudehouss beside Edinburgh henry abbot of cambuskynneth Maister Richard murehede dene of glasgw secretar tilloure souerane lord Maister gawane of dunbar dene of murray Wilzeame scot of balwery knight and Walter ogilby of Boyne / In the actioun and causs persewit be . . . Johne abbot of coupair and Conuent of the samyn / aganis Johne lord drummond for the wranguss stopping and impediment making to thame thar tennandis and seruandis in the peceable broiking vsing and having of pasture for thre score and ten beistis in the haile mure of Cargill and laisingtoun like as is at mare lennth contenit in the summondis tharuppoun / The said . . . Johne abbot of coupair being personalye present for him selff and Johne ogilby of fingask knight comperand as procurature for the said Conuent and the said Johne lord Drummond being personalye present / Thare Richtis Ressonis allegacionis and witnes herd sene and vndirstandin and tharewith being ripelye avisit The lordis of counsale decretis and deliueris that the said Johne lord Drummond did wrang in the stopping and impediment making to thame thare tennandis and seruandis in the peceable broiking vsing and having of pasture of thre score and ten beistis in the hail mure of cargill and laisingtoun With thre score of fudderis of turffis to thare fewall zeirlie in the said mure / And tharfor ordanis him till deceist and ceiss thairfra / To be broikit and joisit be the said venerabill fader his conuent tennandis and seruandis in tyme tocum efter the forme and tenour of thair charteris and evidentis maid thairuppoun and als as was sufficientlye provit befor the saidis lordis / And als decretis and deliueris that the said Johne lord Drummond did wrang in the poynding of the said venerable fader his Conuent and tennandis beistis and compelling of thame

to pay poyndlyngis within the said mvre of cargill and laisingtoun extending to the nowmer of the said bestis contenit in thare said charter as was sufficientlye previt befor the saidis lordis / And als decretis and deliueris that the said Johne Lord Drummond has done na wrang in the teling and breking of the mvre as zit and als lang as the said Johne lord Drummond leissis and lattis samekill land of the said mure vnmanuryt in gude and sufficient placis quhare the said fewale may be led be ald wsit wayis ewest and nerest till the said abbay of coupare / And als decretis and deliueris that the said Johne lord Drummond did wrang in the stopping and impediment making till the saidis abbot and Conuent and thare seruandis in vsing and broiking of thare commone gaitis passage and repassage throw the said mure fra thar place of coupare till thare place and forest of campseye as war sufficientlye previt befor the saidis lordis And tharefor ordanis him till deceist and ceiss tharefra / To be broikit and joisit be the said venerabil fader his Conuent and seruandis in tyme tocum eftir the forme of thare saidis evidentis made tharuppoun schawn and producit befor the saidis lordis And ordanisoure souerane lordis lettres be direct tharuppoun And as for the wranguss stopping and impediment making till the saidis abbot and Conuent and thare tennandis of thare landis of kethik The lordis contenewis the remanand of the punctis of the summondis till the x day of Julij next tocum with continuation of dayis in the samyn forme force and effect as it is now but preiudice of parti / and ordanis thame to haif lettres to call ma witnes giff thai pleiss and that the depositionis of the witnes now takin in this mater be closit quhill the said day and the partiis and thare procuratoris ar warnit heiroy apud acta Extracta de libro actorum per me thomam Butlare deputatum . . . magistri Walteri Drummond Decani Dunblanensis clericj Rotulorum et Registri ac consilii supremi domini nostri Regis sub meis signo et subscriptione manualibus Quodquidem actum siue decretum ac omnia et singula in eodem contenta in omnibus suis punctis et articulis approbamus ratificamus et per presentes ut premissum est confirmamus Datum sub

testimonio magni sigilli nostri Apud Edinburgh decimo septimo die mensis aprilis Anno domini millesimo quingentesimo primo Et Regni decimotercio.

Small seal missing. On a large tag (inscribed 'Confirmacio acti etc.') is a fragment of the Great Seal. End.: The decreit giffin for the fewall pastour and gattis in the moyr of the hail more of Cargyl and lisstone / of the quhilk the decreit subserwyt witht the clerk Regysteris handis is witht the chansalry quhair the copy may be had quhen it is neidful.

Moray Charters, Box 32, Div. V, Bundle II, No. 89.

CLVI

Charter of James IV under the Great Seal containing a decret of the Lords of Council in an action by John, abbot of Coupar and the convent thereof, against John, Lord Drummond, who has impeded their tenants and servants in the use of the pasture of the muir of Cargill and Layston.

George Erle of huntlye, etc., Chancellor of Scotland: Second earl of Huntly; succeeded c. 15 July, 1470; originally called Seton (*Scots Peerage*, iv. p. 526). He was made justiciar, 10 Oct., 1479 (*ibid.*, iv. p. 527). He is found as chancellor, 1 June, 1495 (*Laing Chs.*, 236). (Cf. *SP.*, iv. p. 527, which speaks of him as chancellor c. 1498.) He is said to have died c. 8 June, 1501 (*ibid.*, iv. p. 527). On 14 June of that year there is a reference to him as deceased (*RSS.*, i. 702).

Mathow erle of levenax lorde dernlie: Second earl of Lennox in succession to his father, John, who died in 1495 (*Scots Peerage*, v. p. 351). He was killed at Flodden (*ibid.*, v. p. 351; cf. *RSS.*, i. 3963).

Andro lord gray: See note to previous charter.

Alexander lord gordoun: Mentioned from 16 Dec., 1482, when he appears as son and apparent heir of George, earl of Huntly, along with his spouse, Johanna Stewart, daughter of John, earl of Athole (*RMS.*, ii. 1532). He succeeded to the earldom of Huntly on the death of his father (*supra*). See further *Scots Peerage*, iv. p. 532.

Wilzeame lord of Sanct Jhone: William Knollis, kt., preceptor of the order and religion of the house of St. John of Jerusalem and the preceptory of Torphichen, grants a charter, 8 Sept., 1468 (*Stirlings of Keir*, 44). He is mentioned as treasurer, 24 Jan., 1468/9 (*RMS.*, ii. 975); as treasurer and auditor of Exchequer, 26 June, 1469 (*Exch. Rolls*, vii. p. 599); as treasurer, 20 June and 5 July, 1470 (*Ch. Chest of Earldom of Wigtown*, 417; *Grandtully*, i. 17). As preceptor of Torphichen, he has custody of Blackness castle and the office of sheriff of Linlithgow, 1488 (*RMS.*, ii. 1737), and appears as chamberlain of Linlithgowshire from 30 Aug., 1489 (*Exch. Rolls*, x. p. 88), to 14 Aug., 1495 (*ibid.*, x. p. 492). He was again treasurer, 11 June, 1488, and is found in that capacity till 31 July-12 Aug., 1492,

being succeeded by Henry Arnot, abbot of Cambuskenneth (*LTA.*, i. p. xxxii). He is also found as master of the household, 14 Feb., 1489/90 (*RMS.*, ii. 1932), and till at least 4 July, 1492 (*Douglas Bk.*, iii. 129). He is designed William, Lord St. John, from at least 17 Jan., 1488/9 (*RMS.*, ii. 1813). St. John is mentioned, 4 Feb., 1506/7 (*ibid.*, ii. 3050), and is said to have been preceptor of Torphichen (presumably up to his death) till 1508 (*Prot. Bk. of Thos. Johnstoun*, 22, n.). Robert Knollis, his son, appears, 16 Aug., 1531 (*ibid.*, 22). George Dundas is called Lord of St. John and preceptor of Torphichen, 5 Aug., 1526 (*Earls of Haddington*, ii. 342).

Patrick lord lindsay of the byris : Patrick Lindsay of Kirkforther, fourth son of Sir John Lindsay of the Byres (*Scots Peerage*, v. p. 396) ; mentioned under that designation, 10 Nov., 1478 (*RMS.*, ii. 1580). But he is called brother of John, Lord Lindsay of Biris, 20 May, 1492 (*ibid.*, ii. 2303), and when he has a crown grant of the lordship of Biris, 28 Oct., 1497 (*ibid.*, ii. 2376). He appears as Patrick, Lord Lindsay of Byris, 5 Nov., 1497 (*ibid.*, ii. 2380). His wife, Isobel, is mentioned, 29 Sept., 1497 (*ibid.*, ii. 3274). With Sir John Lindsay of Peteruvy, his son, he has a royal protection when going on pilgrimage, 30 May, 1508 (*RSS.*, i. 1684). This son and his grandson, John Lindsay, are mentioned, 30 March, 1524 (*Earls of Haddington*, ii. 339) ; a retour, 8 March, 1525/6, shows that John Lindsay (II) died before his father (*ibid.*, ii. 341). Patrick, Lord Lindsay, appears as sheriff of Fife, 9 Jan., 1514/15 (*SCB. Fife*, p. 1), and later. He grants a precept of sasine to his chaplain, celebrating in Lord Lindsay's aisle of the parish church of St. Andrews, of an annualrent in Kirkcaldy, 17 June, 1517 (*Earls of Haddington*, ii. 332). He died in 1526 (*Scots Peerage*, v. p. 396).

George abbot of halyrudehouss beside Edinburgh : George Crichton. He appears very frequently as a witness to crown charters from 12 Jan., 1500/1 (*RMS.*, ii. 2564). Crichton was appointed keeper of the Privy Seal, 8 June, 1515 (*RSS.*, i. 2251, n.). He was provided to the see of Dunkeld, 25 June, 1526 (*Dowden, Bishops*, p. 87, *q.v.* for further account of him).

Henry abbot of cambuskynneth : See note to previous charter.

Maister Richard murehede dene of glasgw secretar : Like Whitelaw (of the previous charter) prominent as an officer of state rather than a churchman. As master Richard Muirhead of Scotland, of the diocese of Candida Casa, he matriculated as a student of canon law at Louvain, 7 Feb., 1476/7 (Baxter, 'Scottish Students at Louvain,' *SHR.*, xxv. p. 334). On 5 Jan., 1484/5, annates are paid in his name for the vicarage of the parish church of Aberdeen (*Benefices*, p. 212) and, 23 Feb., 1484/5, when he is called clerk of the diocese of Galloway, for the archdeaconry of Ross, to which he had been provided on the previous 15 Sept. (*ibid.*, p. 213). As archdeacon of Ross, he witnesses the foundation charter of the collegiate church of Tain, 12 Sept., 1487 (*RMS.*, ii. 1694). We find him as dean of Glasgow and archdeacon and canon of Ross, 22 April, 1488 (*Benefices*, p. 222), and he usually appears thereafter with the former designation. From 29 May, 1489 (*RMS.*, ii. 1848), he is mentioned as clerk-register. Muirhead has an English safe-conduct as an ambassador, 8 Feb., 1489/90 (Bain, *Calendar*, iv. 1553) ; and, again, as ambassador to France and Spain, 14 June, 1491

(*ibid.*, iv. 1574). He appears as the king's secretary, 4 Jan., 1493/4 (*Grants*, ii. 49)—John Fresale had succeeded him as clerk-register—and is very frequently mentioned in that capacity. As dean of Glasgow, he witnesses a charter along with other members of the chapter, 13 May, 1497 (*REG.*, ii. 476). He died at some date between 4 March, 1505/6, and 4 Feb., 1506/7 (*RMS.*, ii. 2944, 3050), or earlier since he is called 'umquhile' (perhaps mistakenly) in a record, 4 June, 1504 (*Stirling Burgh Chs.*, xxxv).

Maister gawane of dunbar dene of murray: Gavin Dunbar was a determinant at St. Andrews, 1473 (*St. AUR.*, p. 54), and a licentiate, 1475 (*ibid.*, p. 56). As clerk of the diocese of Moray, he was commended to Pluscarden, 19 Oct., and obliged himself for annates, 12 Nov., 1479 (*Benefices*, p. 197). On 13 March, 1486/7, he paid part annates for the deanery of Moray (*ibid.*, p. 217; cf. *ibid.*, p. 222) and is noted as absent from the general convocation of the canons of Moray, 24 Oct., 1487 (*REM.*, 207). He appears as clerk-register from 8 July, 1501 (*RMS.*, ii. 2589). Before 3 Feb., 1500/1, he had held and resigned the canonry of Crimond in Aberdeen (*RSS.*, i. 633). On 10 Feb., 1503/4, a presentation is directed to the vicar-general of St. Andrews to give Dunbar collation to the archdeaconry of that diocese (*ibid.*, i. 1019). He was provided to the see of Aberdeen, 5 Nov., 1518 (Dowden, *Bishops*, p. 137, *q.v.* for further account of him).

Wilzeame scot of balwery knight: William Scot of Flowerag appears, 26 July, 1493 (*RMS.*, ii. 2171), and with his spouse, Janet Lundy, has a royal confirmation of the lands of Kilgour, 28 Oct., 1496 (*ibid.*, ii. 2332). He is mentioned as Sir William Scot of Balwery, 7 Dec., 1497 (*ibid.*, ii. 2385), and as such is frequently on record. We find him as sheriff of Elgin, 10 May, 1501 (*Exch. Rolls*, xi. p. 333*), chamberlain of Fife, 22 Nov., 1504 (*RMS.*, ii. 2806), and constable of Kinghorn, 17 July, 1508 (*Exch. Rolls*, xiii. p. 112) and later. He appears as baron of Strathmiglo, 7 April, 1512 (*Pitfirrane Writs*, 56), and, 11 Sept., 1514, sells to St. Salvator's College, St. Andrews, lands in Strathmiglo for a sum paid for his redemption from captivity in England (*RMS.*, iii. 43). In 1508, he had had the fruits of Strathmiglo church assigned to him (*Rentale Dunkeldense*, p. 208); and this may have been in view of a project to erect there the collegiate church which is mentioned, 31 March, 1527 (*ADC.*, xxx. f. 71). The date of his death seems to have been *a.* 7 May, 1535 (*RMS.*, iii. 1472). There is a reference in a letter of Magnus to Wolsey to 'myne old acquaintance Sir William Scotte of Bawery,' 31 May, 1525 (*Henry VIII.*, *State Papers*, iv. p. 374), and he appears very frequently in that source. Balwery's sons, William, who as Sir William Scott had a grant of Inverteil, 4 March, 1528/9 (*RMS.*, iii. 760), and Thomas, who is found *e.g.* 17 Aug., 1510 (*Exch. Rolls*, xiii. p. 284), are frequently mentioned.

Walter ogilby of Boyne: Second son of Sir Walter Ogilby of Boyne, according to *Scots Peerage*, ii. p. 1; but he may have been son of George Ogilby, 'lord of the fee of Boyne' (see *RMS.*, iii. 166), who, as son and heir of Sir Walter Ogilby of Boyne, had a grant of the lands of Boyne, 27 March, 1490/1 (*ibid.*, ii. 2023). It is difficult to distinguish his earlier appearances on record from those of the elder Sir Walter. He appears as chamberlain of Moray, 20 Oct., 1500 (*RSS.*, i. 578), and as sheriff of Inver-

ness, 19 July, 1501 (*Exch. Rolls*, xi. p. 315). Sir Walter witnesses the foundation-charter of King's College, Aberdeen, 17 Sept., 1505 (*UCR.*, iv. p. 139). He died *a.* 7 Aug., 1508 (*RMS.*, ii. 3272). His son, William, appears, 20 Jan., 1505/6 (*ibid.*, ii. 2912), and as of Geddes, 20 April, 1507 (*ibid.*, ii. 3091). His son, John, renders account for his father as chamberlain of Petty Brauchlie, 14 July, 1508 (*Exch. Rolls*, xiii. p. 19).

Johne abbot of coupur : See Appendix II.

Johne ogilby of fingask knight : See additional note on p. 252.

The actioun and causs persewit . . . aganis Johne lord drummond : That there had been previous friction between the abbey and Drummond appears, 17 Nov., 1500 (*ADC.*, ii. 1496-1501, p. 438). This was Sir John Drummond of Cargill and Stobhall who succeeded his father in 1470 (*Scots Peerage*, vii. p. 40). He was created Lord Drummond, 29 Jan., 1487/8. He appears as justiciar, 4 Jan., 1489/90 (*REG.*, ii. 456), to 21 Aug., 1498 (*REA.*, ii. p. 306). Drummond had a safe-conduct as ambassador 'beyond seas,' 8 Feb., 1489/90 (Bain, *Calendar*, iv. 1553), and to England, 22 May, 1495 (*ibid.*, iv. 1612). He died *a.* 18 Dec., 1519 (*RSS.*, i. 3059).

Laisingtoun : Layston, in the parish of Cargill.

Fudderis : Fudder=futhyr, a load (*Cupar*, ii. p. 308).

Campseye : See note to No. 11.

Thomam Butlare deputatum . . . magistri Walteri Drummond Decani Dunblanensis clericj Rotulorum, etc. : Probably Thomas Butler who witnesses an instrument made in Parliament, 23 June, 1496 (*Cambuskenneth*, 131), has a crown grant of a tenement in Edinburgh, 24 March, 1500/1 (*RMS.*, ii. 2579), and appears as of Rungally, 15 Feb., 1501/2 (*Wemyss*, ii. 77), to 16 July, 1512 (*Melvilles*, iii. 60). Walter Drummond may be the man of that name who was a determinant at St. Andrews, 1467 (*St. AUR.*, p. 46), and a licentiate, 1469 (*ibid.*, p. 47). He was a brother of Lord Drummond (*RMS.*, ii. 3398). Walter Drummond paid annates by proxy for the priory of Inchmahome, 2 Jan., 1477/8 (*Benefices*, p. 190), for the church of Fettercairn, 7 March, 1484/5 (*ibid.*, p. 214), and for the perpetual vicarage of Aberdeen, 4 Jan., 1482/3 (*ibid.*, p. 293). Master Walter Drummond, otherwise undesigned, is a witness, 13 March, 1480/1 (*RMS.*, ii. 1469). He appears as chancellor of Dunkeld, 31 Jan., 1493/4 (*ibid.*, ii. 2354), and as dean of Dunblane, 11 July, 1497 (*ibid.*, ii. 2367). He is also rector of Forteviot and Kinnoul, 5 Aug., 1513 (*Lennox*, ii. 125). We find him as clerk-register from 11 Dec., 1495 (*RMS.*, ii. 2292), to 1 Dec., 1508 (*ibid.*, ii. 3274). On 22 Sept., 1509, he endowed a chaplainry in Dunblane cathedral for the souls of John, Lord Drummond and others (*ibid.*, ii. 3398). We find him attesting a charter with the chapter of Dunblane, 29 March, 1511/12 (*Cambuskenneth*, 130).

CLVII

16 January, 1501/2.

In dei nomine Amen . Per hoc presens publicum Instrumentum Cunctis pateat euidenter quod Anno Incarna-

tionis dominice Millesimo qui[n]gentesimo primo mensis vero Januarij die decimasexta Indictione quinta Pontificatus . . . Alexandri . . . pape sexti . Anno decimo In mei Notarii publici et testium subscriptorum presentia personaliter Conuocatus et constitutus Honorabilis vir georgius Currou firmarius ecclesie parochialis de Aluetht Alberdenensis (*sic*) diocesis Coram venerabili in christo patre et domino Johanne Abbate Monasterii de Cupro / non vi aut metu ductus sed ex suo proprio motu concessit et publice confessus est suam assedationem sibi factam per prefatos Abbatem et Conuentum de Cupro de et super fructibus dicte ecclesie de Aluetht / et firmis quarumdem terrarum inibi adiacentium esse invalidam cassatam et expiratam et nullius esse roboris vel momenti ex et pro eo quod non soluit firmas prefate ecclesie et terrarum prenominatarum extendentium ad summam sexaginta septem librarum usualis monete Regni Scocie de terminis elapsis Concessit etiam quod prefati Abbas et Conuentus libere disponant de fructibus et firmis predictae ecclesie et terrarum ad suam liberam voluntatem in futurum De et super quibus omnibus et singulis frater Alexander Spens Cellerarius prefati monasterii de Cupro nomine et ex parte predictorum Abbatis et Conuentus a me Notario publico subscripto fieri petiit publicum instrumentum / Acta erant hec Apud prefatum monasterium de Cupro hora prima post meridiem // Sub anno etc. . . . quibus supra Presentibus ibidem . . . Fratribus Roberto burt Johanne barbour monachis prefati monasterii expresse professis et magistro Roberto Schanwell vicario de Kyrcauld Testibus ad premissa . . .

Et ego magister Willelmus simonis . . . (*ut in no. CLI*) . . .

End. : Instrumentum georgii Courrou de renunciatione sue assedationis.

Moray Charters, Box 32, Div. V, Bundle II, No. 88.

CLVII

Notarial instrument recording the renunciation by George Currou of his tack of the fruits of the church of Alvah and the fermes of certain adjoining lands in regard he has not paid the fermes of the church and lands extending to the sum of £77 for the terms bypast.

Georgius Curroure firmarius ecclesie parochialis de Aluetht: This is perhaps George Curroure who had taken sasine of Mekill Geddes on behalf of George Ogilvy, son and heir of Walter Ogilvy of Boyne, 29 May, 1501 (*Thanes of Cawdor*, p. 111). He appears as custumar of Banff, 17 July, 1508 (*Exch. Rolls*, xiii. p. 93), and 17 July, 1509 (*ibid.*, xiii. p. 238); and, on 20 Feb., 1508/9—despite the present charter—John Curroure of Dwrn and George, his son, have a tack of the kirk of Alvah from Coupar (*Cupar*, ii. p. 277). George Curroure has a precept of remission, 20 July, 1510 (*RSS.*, i. 2102); and his arrears as custumar of Banff are mentioned (after his decease), 6 Aug., 1526 (*Exch. Rolls*, xv. p. 274). The custom of farming parish churches to laymen grew up despite the thirteenth-century prohibition which appears, *Statutes*, p. 13: 'Since it is quite unseemly that churches should be granted in farm to laymen . . . we . . . ordain that grants in farm shall never be made to laymen . . .'.

Johanne Abbate . . . de Cupro: See Appendix II.

Frater Alexander Spens Cellerarius . . . de Cupro: See Appendix II.

Fratribus Roberto burt Johanne barbour monachis: Burt is one of the monks who attest an indenture, 6 May, 1500 (*REB.*, i. 110). He also subscribes a feu-charter as one of the convent, 3 Sept., 1521 (*Spalding Club Misc.*, v. p. 294). John Barbour witnesses the ratification of a tack, Whitsunday, 1507 (*Cupar*, i. p. 262).

Magistro Roberto Schanwell vicario de Kyrcauld: Brother of abbot John Schanwell (*Myln, Vitae*, p. 39). Incorporated at St. Andrews, 1488; determinant, 1490; licentiate, 1492 (*St. AUR.*, pp. 186, 77, 79). Master Robert Schanwell, commissary-general and vicar of Kirkcaldy, appears in a definitive sentence of the official-principal of St. Andrews, 8 Aug., 1520 (*Cambuskenneth*, 195). He figures as a notary, 26 Feb., 1524/5 (*RMS.*, iii. 1119); and has founded chaplainries in the church of Kirkcaldy according to a charter, 31 March, 1541 (*ibid.*, iii. 2321)—he is still alive at this date as annualrents are reserved to him. *Myln* speaks of him as alive at the time of writing of *Vitae* (*ibid.*, p. 41).

CLVIII

17 July, 1502.

Omnibus . . . Johannes . . . Abbas monasterii de Cupro et eiusdem loci conuentus salutem . . . / Noueritis nos unanimi consensu et assensu assedasse et ad feodamfirmam pro nobis et successoribus nostris dimisisse honorabili viro Johanni Stewart magistro Atholie totam terram nostram de tulacht infra comitatum Atholie prope Innerrak jacentem que quidem terra fuit fyndelay tossohoch thanj de glentilt et in manibus nostris per fustem et baculum pure et simpliciter resignaret per procuratorem suum

legittimum ad hoc specialiter constitutum Tenendam et habendam dicto Johanni et heredibus suis quibuscunque de nobis et nostris successoribus in feodo et hereditate imperpetuum per omnes rectas metas et diuisas suas in boscis etc. . . . Reddentes inde dictus Johannes et heredes sui nobis et successoribus nostris quolibet anno tres libras usualis monete Regni Scocie ad duos anni terminos viz. pentecostes et sancti martini in yeme per equales portiones quocunque casu adueniente prospero siue aduerso / Et quotienscunque contigeret aliquem heredem dicti Johannis ad dictam terram jure hereditario succedere totiens quilibet ipsorum succedens firmam antedictæ terre ad introitum suum semel duplicabit / Dictus vero Johannes et heredes sui unam sectam ad curiam nostram et successorum nostrorum quolibet anno facient dummodo illos legitime nuntiare atque premonere curabimus tantum pro omni alio seruicio et onere seculari warda et releuio maritagio et actione seu demanda que de dicta terra per nos et successores nostros exigi poterunt vel requiri Et si alique impositiones seu onera a domino Rege seu quocunque alio in dicto comitatu imposterum fuerint Idem Johannes et sui heredes quantum ad dictam terram de tulacht impositi fuerint totaliter inde reddebunt Ita plane quod firma de ter dicta terra sine aliqua diminutione nobis et successoribus nostris in suis terminis integraliter persoluetur / termino quidem introitus dicti Johannis in dicta terra incipiente ad festum sancti martini in yeme / proxime sequentem datam presentium / Termino autem prime solutionis antedictæ firme incipiente ad dictum terminum sui introitus In cuius Rei testimonium omnium premisorum huic presenti scripto per modum indenture confecto sigilla partium predictarum sunt appensa Apud monasterium de Cupro Coram hiis testibus magistris vz. Waltero lesley Willelmo symonis Antonio duly georgio blair et Johanne duly die decima septima Julij Anno domini millesimo quingentesimo secundo.

Seals wanting. End.: Assedatio terrarum de Tholaw (*sic*) Johannie (*sic*) Stewart magistro atholie et suis heredibus.

Moray Charters, Box 32, Div. IV, Bundle I, No. 62.

CLVIII

Tack by way of indenture by the abbot and convent of Coupar to John Stewart, master of Athole, of their whole land of Tulacht, resigned by Fyndelay Tossohoch, thane of Glentilt.

Johannes . . . Abbas . . . de Cupro : See Appendix II.

Johanni stewart magistro Atholie : Appears as son and heir of John, earl of Athole, 12 Feb., 1498/9 (*RSS.*, i. 340). He is called master of Athole, 30 May, 1502 (*RMS.*, ii. 1502); and with his spouse, Eleanor Sinclair, appears, 5 June, 1506 (*ibid.*, ii. 2968). A letter of bailiary of the lands of the late Alexander Robertson of Struan is granted him, 31 May, 1507 (*RSS.*, i. 1482). He succeeded his father, who died in 1512, as third earl (*Scots Peerage*, i. p. 443).

Tulacht . . . prope Innerrak : See notes to No. xxii and xxxix.

Que quidem terra fuit fyndelay tossohoch thanj de glentilt : Fynlaw, thane of Glentilt, has a tack of the lands of Enirvak in Athole, 1480 (*Cupar*, i. p. 231). On 2 July, 1502, James IV confirms a charter of John, earl of Athole (dated, 30 May, 1502), whereby he (Athole) grants to his son, John Stewart, master of Athole, the lands of the thanage of Glentelt which 'Finlayus Toschoch thanus de Glentelt' has resigned (*RMS.*, ii. 2655). On the thanes of Glentilt, ancestors of the McIntoshes, see *REM.*, p. xxviii, n.; Robertson, *Earldom of Athole*, p. 80.

(Magistro) Waltero lesley : Probably master Walter Leslie, who appears as canon and prebendary of Dunkeld, 10 April, 21 May, and 13 Aug., 1492 (*REM.*, 199, 201, 202), and as rector of Menmuir, 18 Jan., 1511/12 (*RMS.*, ii. 3680)—he is called canon of Dunkeld on the following day (*Lennox*, ii. 120). He has a presentation to the prebend of Philorth in Aberdeen, vacant by resignation of it and the prebend of Monyvy in Dunkeld by master Alexander Myln, on account of the exchange of these prebends for the prebend of Menmuir, 8 Nov., 1518 (*RSS.*, i. 3033). See for an account of him Myln, *Vitae*, pp. 56 *seq.*, 63 *seq.*; in the latter he appears as prebendary of Menmuir, rector of Blair Athole and commissary-general of Dunkeld.

(Magistro) Willelmo symonis : See note to No. cl.

(Magistro (?) Antonio duly : Antonius Duly is incorporated at St. Andrews, 1487 (*St. AUR.*, p. 184); a determinant, 1488 (*ibid.*, p. 73); a licentiate, 1490 (*ibid.*, p. 76). We find master Antonius Duly acting as the monastery's bailie for an infeftment, 2 Oct., 1510 (*Cupar*, i. p. 278), and holding as bailie-depute the abbot's court, 6 May, 1518 (*Frag. Scoto-Monastica*, xxvii). There was apparently a layman of the same name who had a tack of part of Keithick, c. 1500 (*Cupar*, i. p. 311).

(Magistro (?) Georgio blair : The only churchman of this name is master George Blair, notary, who appears, 15 and 18 Oct., 1543 (*Bamff Chs.*, 50; *Laing Chs.*, 483). George Blair of Bendochy is mentioned, 22 March, 1504/5 (*LTA.*, iii. p. 132), while, Whitsunday, 1508, Parsy is let to George Blair and others (*Cupar*, i. p. 269) and the tack is renewed, Whitsunday, 1513 (*ibid.*, i. p. 289).

Johanne duly : Sir John Duly (presumably a churchman) had a letter of gift of an annualrent of Inglistoun of Esse, 10 June, 1506 (*RSS.*, i. 1277). But John Duly has a crown charter of the lands of Ardonaquhy in the barony of Auchtergaven, 15 July, 1478 (*RMS.*, ii. 1389); excambes them for the lands of Eschyndeis, 11 Dec., 1487 (*ibid.*, ii. 1695, 1696); as of Estir-Essindy, grants this land to his son (by his spouse, Agnes Hering), John Duly, 13 Feb., 1490/1 (*ibid.*, ii. 2009). He makes a grant to a chaplain in Dunkeld cathedral, 16 Dec., 1508 (*ibid.*, ii. 3482), and was deceased by 2 Feb., 1516/7 (*RSS.*, i. 2860).

CLIX

23 November, 1503.

Be it kend til al men be thir present lettres we Jhone . . . abbot of the Abbay of couper and the convent of that ilk with hail consent and assent to haue grantyt and for ferme lattyn half the bate of the baitchelhil witht six acris of land thairto witht siklyk profitis and esmentis as the bait wes wont to jois / to Jhone portar and failzeand of hym to Joh[ne] portar hys sone for al the dayis of thair liffis / tha payand 3erly til ws for the samyn twa pund of wsuale monee of scotland at twa wsuale termys witsunday and mertimes xx cok and hen sufficiand under payn of cheit witht al seruice aucht and wont to our myl and comoun cariagis / or sand bryngyn and othir frely uphaldin half the bate in al costis and chargis And tha sal be suet and gentil and mak gud seruys to al that cumys without strublans / Alsua tha sal put the said land to al possybil polyty in biggyn of houss plantatioune of treis echis osaris and sauch witht thair defensouris Item tha sal defend the water that it were na ferar in efter the wale and quantite of thir land / And tha sal keip thair land fra guld under payn of guldlaw / And tha sal neuer murmur abbot no convent of thair tak / or ellis frely gif it oure / And tha sal keip gud nychtbourhede that of resoune thair nychtbouris be nocht querelous of thaim And tha sal keip the statutis of our courtis and ackis of the parliament / The quhilkis punctis and conditionys halely nocht kepit togidder thair takis wakis of deid In witnes of the quhilk we haue put to our cheptour seil at our forsaid abbay the

xxiiij day of Nouember the yeir of our lord a th[ousand] fyff hundretht and thre 3eris.

Seal missing. End. : Ane tack to Johne portar and his sone Johne portar of half the bet of the betschilhill, with six ackris of land lyand therto.

Moray Charters, Box 32, Div. IV, Bundle I, No. 63.

CLIX

Feu-charter by John, abbot of Coupar and the convent thereof, of the half of the boat of Baitchelhill with six acres of land to John Portar.

This is another version of the charter printed *Cupar*, i. pp. 255-6, and dated there, 26 Nov. Portar had a previous charter of half of the boat, 3 Nov., 1478 (*ibid.*, i. p. 212).

Jhone . . . abbot . . . of couper : See Appendix II.

The bate of the baitchelhil : This was the abbey's ferry on the Isla. Baitchelhill, frequently mentioned, is now Beachhill, a small property in the burgh of Coupar Angus (I owe this information to the Rev. Chas. Stewart).

Jhone portar . . . Joh[ne] portar hys sone : The Portars derived their surname from their hereditary occupation at the abbey. See *Cupar*, i. p. 292. John Portar 'of the bate' has six acres of Baitchel, 5 Dec., 1473 (*Cupar*, i. p. 177), and has part of Kemphill, 10 May, 1474 (*ibid.*, i. p. 193). The tacks are renewed, Whitsunday, 1482 (*ibid.*, i. pp. 233, 235). His son appears in a 1542 rental as having Baitschel (*ibid.*, ii. pp. 184, 214).

The terms of the charter are usual. The 'defence of the water' is a provision against the subsidence of the banks. The eradication of 'guld,' i.e. the corn marigold, is a frequent stipulation. Cf. Cochrane-Patrick, *Medieval Scotland*, p. 14.

CLX

28 December, 1504.

In dei Nomine Amen per hoc presens publicum Instrumentum Cunctis pateat euidenter quod Anno . . . millesimo quingentesimo quarto mensis uero decembris die vicesimo octaua Indictione octaua pontificatus . . . Julij . . . pape secundi Anno secundo. In mei notarii publici et testium subscriptorum presentia personaliter constitutus . . . Daudid spalding in hac parte balliuus . . . siluestri blak de blakyscardane specialiter deputatus secumque deferens quandam litteram balliuatus sigillo dicti siluestri rubea cera alba impressa roboratam accessit ad terras de blakys-

cardane Jacentes in baronia de crage de glennylyay et infra vicecomitatum de forfar et ibidem tradidit saisinam statum et possessionem realem . . . Willelmo arrouss monacho de cupro expresse professo sindico et procuratori . . . Johannis abbatis prefati monasterii et conuentus eiusdem sicuti luculenter constabat . tocuis et integre dimidietatis occidentalis . . . terrarum de blakyscardane cum suis pertinentiis per terre et lapidis traditionem vt moris est . secundum vim formam tenorem et effectum cartarum desuper confectarum / Deinde paulopost prenominatus balliuus accessit ad orientalem dimidiam partem prefatarum terrarum de blakyscardane et Ibidem tradidit saisinam statum et possessionem Dicto . . . sindico prefatorum abbatis et conuentus in merum varantum antedictae occidentalis dimidietatis dictarum terrarum modo et forma quibus dictum est. Super quibus omnibus et singulis prefatus Religiosus vir syndicus nomine quo supra . a me notario publico subscripto sibi fieri peccit vnum seu plura publicum seu publica Instrumentum seu Instrumenta . Acta erant hec super solum dictarum terrarum hora prima post meridiem sub anno etc. . . . quibus supra. Presentibus Ibidem . . . domino henrico brosoune vicario de Erlic . Johanne blak . Johanne spalding . karolo carmage . Johanne paw Willelmo spalding et Johanne pery cum multis aliis testibus . . .

Et ego Willelmus simonis (*ut in no. CLIII*). . . .

End.: Littera * * * de occidentali parte de * * * et orientales in varantum.

Moray Charters, Box 32, Div. V, Bundle II, No. 90.

CLX

Instrument of sasine of the eastern half of the lands of Blakyscardane by David Spalding, bailie of Silvester Blak of Blakyscardane, in favour of William Arrouss, monk of Coupar, syndie and procurator of the abbot and convent.

David spalding: Perhaps David Spalding who appears as tacksman of Grange of Airlie, 28 July, 1484 (*Cupar*, i. p. 229), and 14 March, 1495/6 (*ibid.*, i. p. 250). A man of this name has a tack of part of Bellaty, Whitsunday, 1508 and 1514 (*ibid.*, i. pp. 275, 294), and of part of Middle Drimmie, Whitsunday, 1518 (*ibid.*, i. pp. 298, 301).

Siluestri blak de blakyscardane : This man has not been identified nor his land located.

Jacentes in baronia de crage de glennylyay : In a crown charter, 24 March, 1503/4 (*RMS.*, ii. 2777), there is a reference to the different parts of this barony, the Over Craig, the Easter Craig and the Nethercraig.

Willelmo arrouss monacho de cupro : See note to No. cXLVI.

Domino henrico brosoune vicario de Erlie : Not found elsewhere.

Johanne blak : Appears in a feu-charter of Adory, 28 Oct., 1504 (*Cupar*, i. p. 256). Among grants made c. 1524 is one to John Black of a tenement in Blakistone (*ibid.*, i. p. 303).

Johanne spalding : Brother of David Spalding *supra* and appears with him as son of William Spalding, 28 July, 1484 (*Cupar*, i. p. 229). He has a tack along with David of the Grange of Airlie, 14 March, 1495/6 (*ibid.*, i. p. 250).

Karolo karmage . Johanne paw : Not found elsewhere.

Willelmo spalding : Father of David and John *supra*. William Spalding has tacks of the Grange of Airlie, Whitsunday, 1469 (*Cupar*, i. p. 144), to 28 July, 1484 (*ibid.*, i. p. 229), on which date his wife, Mariot, and his sons, Alexander, David and John, are mentioned. A later William Spalding appears as miller of Keithick, 24 April, 1544 (*Frag. Scoto-Monastica*, p. xxviii), and after.

Johanne pery : Appears as in Leducassy, 1542 (*Cupar*, ii. p. 190), and till 19 June, 1559 (*ibid.*, ii. p. 270).

Willelmus simonis : See note to No. CL.

CLXI

10 August, 1505.

Be it kend til al men be thir present letteres ws Jhone . . . Abbot of the Abbay of Couper and the conuent of that ilk witht hail consent and assent til haue grantyt set and for mail lattin And be thir present letteres grantis setis and for mail lattis to our weilbelouittis Richard Cubene and to Janet hyl hys spous and to ane ayr gottin or to be gottin betuein thaim tua and to the langast liffer of thaim sex akaris of land tua liand apone the west syd of the baitchelhil nixt and immediate one the est syd and Wilzamme Jakis akaris on the west syd hys kyl ((?) hyl) contenit and standand in the samyn rowme and other tua tayne out of the est end of the kemphil hauyth and the thrid tua witht the toft and zard that vmquhil wil landalis vsyt and bruykt liand betuein patrik pedderis toft on the est syd and Rob porteris one thé west syd extendand up to the dyk one the southt syd reseruand

and kepand the comone gatt and passage as hous (rectius use) and wont wess witht al fredomys and priuilegis of burghe and baronry as the laif of our burghe of kethyk usis and brukis Thai paiand 3erly thairfor til ws and our successouris xxxvj s viij d of vsuale monee of Scotland be equale half portionys at the vsuale termys in the 3eire witsunday and mertimes in winter witht tuelf cok and hen sufficiand under payne of cheit witht othyr do (*sic*) seruice auch and wont haldand and for to hald the said sex akaris witht toft and 3ard of ws to the saidis Richard and Janet hys spous and to thair air witht al fredomys commoditeis eisimentis and rychtwys pertinentis quhatsumeuir Haffand thairto thair fewel in our monk myr as efferis as we sal assinge to thaim witht commonteis of the baitschelhil and causaend And the saidis Richard Janet and thair air sal put the saidis akaris and toft til al possibil policy witht biggin of gud 3erdis houssis sufficiand chawmeris and stabilis to ressaue and herbry to the nowmer of xij or xvj horss honestly for horss met and manys meit sua that of resone thair bein sein no falt in thaim plantand frut tres eschis osaris and sauchis witht thair defensouris And thai sal keip gud nyctburhed and thair land fra guld And thai sal keip our medois wardis and brovme parkis fra them self and thair catel vnder payne as efferis And tha sal do thair dewyteis leililly and trewly to our myl of Kethik as the laif of the sukin dois vnder payne of ane amerchiment And tha sal keip the statutis of our courtis and the ackis of parliament / the quhilkis pounctis and conditionys abuff writin nocht bein keptit thair takis sal waik of the deid In witnes of the quhilkis we haf appensit to the seil of our cheptoure At our foirsaid Abbay the x day of August the 3eire of god ane thousand fyff hundretht and fyff 3eris.

Seal missing. End. : Pro Ricardo Cubene.

Moray Charters, Box 32, Div. IV, Bundle V, No. 135.

CLXI

Charter of John, abbot of Coupar and the convent thereof, to Richard Cubene and Janet Hyl, his wife, of six acres in Baitchelhill, etc.

This charter is given in part, *Cupar*, i. p. 261.

Jhone . . . Abbot . . . of Couper : See Appendix II.

Richard Cubene : His acres are mentioned in a feu-charter, 27 Feb., 1543/4 (*Cupar*, ii. p. 27).

Baitchelhil : See note to previous charter.

Causaend : identified with the village of Keithick (*Cupar*, ii. p. 183).

Kemphil hauyth : Kempfill is on the left bank of the Isla, N. of Keithick, according to Pont's (corrected) map.

Vmquhil wil landalis : Had tack of part of Batchel, 5 Dec., 1473 (*Cupar*, i. p. 177), and Whitsunday, 1482 (*ibid.*, i. p. 235) ; and of part of Kempfill, 10 May, 1474 (*ibid.*, i. p. 193).

Patrik pedderis toft : A tack is granted to Patrick Pedder, 16 Jan., 1477/8 (*Cupar*, i. p. 210). At Whitsunday, 1508, four acres which he had in Baitschelhill are set to his son, William (*ibid.*, i. p. 276).

Rob porteris (toft) : Robert Porter is a member of an assise, 20 Aug., 1543 (*RMS.*, iii. 2967), and his acres are mentioned in a Coupar feu-charter, 17 April, 1571 (*ibid.*, iv. 2000).

CLXII

21 June, 1518.

Johne striuelyng of the kyre knyght schereff to James songe andro [murray (?)]¹ and James cunyngayme maris of the said scherefdome coniunctlie and seuerale speciale constitut gretyng forsamekile as our souerane lordis [lettres] purchest at the instant of Johne cumyng sone and air to umquhill Alexander cumyng of cowpermacowty direct to me berand in effeck That quhar the said Johneis fader deit in² the feild wnder our souerane lordis baner and his successoris haid the saidis landis of cowpermacowty lyand apone the watter of Ilay pertening to thame in heretage merchand witht the landis pertening to the abbot and conuent of cowper witht the fisching apone the said watter withtin the boundis of the saidis Johnis landis and brukyt the samyn peciably all his thyme and dyt in possessione thairoff haldyn of abbot and conuent of the abbay of dunfermlyng and efter his decess thai disponit the ward of the samyn to Johne moncur of ballumy and he brukyt the saidis landis witht the fysshing thairof peciably be the space of twa 3eris witht the mair efter the fald forsaid and than the saidis abbote and

¹ Indecipherable ; paper mutilated.

² This word is duplicated in the original.

conuent of the abbay of cowper be thare awin aucto[rite] put hand to the saidis Johnnis fysshinge forsaid and intrusit thame selffis tharin and put the vardar thair fra and purchest our souerane vtheris lordis letteres be deliuerance of the lordis of our souerane lordis consaile to 3ow to tak cognitioune in the said causs and gyff the saidis abbot and conuent war in possessioun of the saide fysshing to kyp thaim thair in and be uirtu of our souerane lordis uther letteris 3e procedit and put the mater to the knowlege of ane assiss of the best and worthiest of the cuntre summond and sworn thair to and it ys fundyn and deliuerit that the said Johne cummyngis fader and his predecesouris lardis of cowpermaccowty hes bene in uss and possessioun of the said fysshing sen the thyme of umquhill Daid Cuming grandfader to the said Johne / quhill efter the fylde of floden quhar his fader deit sua that the saidis (Johne (*del.*)) abbote and conuent and tenentis and seruandis hes wsyt his saidis fysshing sen the 3er of god J^m v^c and xv 3eris sua the said Johne cumyngis possessione ys cleirlye prwyt be in (*rectius* ane) assumtion and cognitioun tane at the instance of his said parti as the rolment of 3owr court maid thair apone propertis as ys allegeit charge ane and ane tharefore that j incontinent the saidis letteres sene j put in 3owr rolment of court gewyn be me in the said mater off befor to dew executioun in all pontis efter the tenour of the samyn and in our souerane lordis letteres name and auctorate kyp and defend the saidis Johnnis cuming and Johne of moncur wardar in possessione of the saide fysshing¹ conform to the said rolment and minster justice ewinly to thame anent the profittis of the said fysshing insafer as that haue wantyt in thimys begane Therefore j charge 3ow in our souerane lordis name and myn that 3e incontinent this precept sene 3e pas witht the said Johne cwming and Johne moncur wardar and that 3e mantene and defende thaim thair seruandis and tennentis in the said fysshing conforme to our souerane lordis letteres direct to me thair

¹ There is a sign here which may mean 'and' but is otherwise unintelligible.

apoun attour 3e lauchfullie summonde warne and charge
and require William abbote of cowper deyn alexander
howtone deyn alexander spens elspett ogwylwy the spous
of wmquhill Wyllliame turnbull thomas scoyne easter
anten dwey watter edward alexander turnbull of bot
andro browne ¹

To comper be
fore me or my deputis ane or may in ane schereff court of
pertht to be haldyn in the towbutht of that ilk the last
Day of Julii nixt to cum in the houre of causs to ansuer to
the instance of Jhone moncur vardar apoune the wrangus
detentioune and withthaldyng fra hym of the profittis of
the said fysshying sen the 3er of god j^m v^c and xv 3eris
extendyng 3erlie to xxx lb be the space forsayd and for
coistis and skathingis and expensis sustenit be hym thair
thro and forthir to ansuer in the said mater insafer as
lawwyll attour 3e lauchfullie summonde varne and charge
Johne portar robe portar Johne 3owyn dau [id] 3ong William
roger James yrlande symen olifer deyn alexander hautone
and deyn alexander spens ² to comper be for me
or my deputis the saidis day and place to ber lele and
suthfast wytnessyng in the said mater insafer as thai * * * ³
and this to do wnder all pane and charge as efter ma folow
wrytin under the signet of (our office and at pertht (*del.*))
myne office at pertht the xxj day of Junii in the 3er off
god j^m v^c and xviii 3eris.

Written on paper. No seal. End. (not medieual):
Precept from the Abbott of Coupar 1518.

Moray Charters, Box 32, Bundle V, Div. II, No. 91.

CLXII

Summons by Sir John Stirling of Keir, sheriff, issued to the mairs of the
sheriffdom, following on royal letters purchased by John Cuming, son and
heir of the late Alexander Cuming of Couparmacouty, who had been
killed at Flodden, to the abbot of Coupar and others to compear at the
sheriff court of Perth on the last day of July, with reference to their
alleged intrusion upon a fishery on the water of Isla.

¹ Considerable space left in charter for insertion of other names.

² Short space left for insertion of names.

³ The wording at this point is confused and unintelligible as it occurs at
a fold in the charter.

Johne striuelyng of the kyre knyght schereff: As son and heir of Sir William Stirling of Keir, he obtains a crown charter of the barony of Keir, 18 May, 1495 (*RMS.*, ii. 2253; cf. *ibid.*, ii. 2750, 2751). He appears as Sir John Stirling of Keir, 5 June, 1509 (*ibid.*, ii. 3354). He died a. 10 June, 1539 (*RSS.*, ii. 3052). His wife, Margaret Forester, is frequently mentioned from 20 Aug., 1511 (*RMS.*, ii. 3630); and his son and heir, James, appears, 31 July, 1539 (*RSS.*, ii. 3102). For an account of him see *Stirlings of Keir*, pp. 29-35. No other reference to him as sheriff has been noted.

James zonge andro [murray] and James cunyngayme maris of the said scherefdome: James Young has not been identified elsewhere. Andrew Murray, messenger, 'sheriff in that part,' is mentioned in a charter regarding land in Perth, 28 July, 1529 (*RMS.*, iii. 812); and in a royal letter in a cause concerning the Blackfriars, 6 July, 1539 (*Blackfriars of Perth*, p. 228). Andrew Murray, messenger, also appears, 2 Jan., 1539/40 (*RSS.*, ii. 3247). William, Lord Ruthven, sheriff of Perth, directs a precept to James Cunninghame, mair of the said sheriffdom, 17 Dec., 1528 (*Blackfriars of Perth*, p. 196).

Johne cumyng sone and air to umquhill Alexander cumyng of cowper-maccowty: Alexander Cummyng, son and heir of David Cummyng of Cowte, witnesses a charter, 31 Jan., 1493/4 (*RMS.*, ii. 2345). As of 'Culter,' his composition for his ward and marriage is recorded, 1494/5 (*LTA.*, i. p. 212). As of Cowty, he pays a debt to the bishop of Dunkeld, 1508-9 (*Rentale Dunkeldense*, p. 20). The present charter makes clear that he was killed at Flodden. John Cumyng of Cowte, who was presumably very young at the time of his father's death, has sasine of part of Cultirmacowty, 26 July, 1525 (*Bamff Chs.*, 34), and is mentioned, 14 Nov., 1530 (*RMS.*, iii. 975). He appears along with Janet Creichton, his spouse, as having a third of Cultirmakculte granted them following on John's resignation of it, 29 May, 1539 (*Dunfermelyn*, 538). John holds courts as bailie-depute of Coupar, 29 June, 1540 (*Cupar*, ii. p. 298), and 19 April, 1542 (*Frag. Scoto-Monastica*, pp. xxvii-xxviii). He appears in numerous feu-charters in Coupar till 30 Aug., 1550 (*ibid.*, ii. p. 94), and was dead a. 30 Nov., 1551 (*Dunfermelyn*, 573), when his son, John, is mentioned. Coupermacowty, a name sometimes shortened in the Middle Ages to Cowty or Cultire, is Couttie, N.W. of Coupar.

Haldyn of abbot and conuent of . . . dunfermlyng: The lands of Coupermaculty were part of the donation of Andrew, bishop of Caithness, to Dunfermline (*Dunfermelyn*, 123).

Johne moncur of ballumy: John Moncur of Freeland has a crown charter of the eastern half of the lands of Balleuny, 21 Jan., 1477/8 (*RMS.*, ii. 1349). He seems to have been married (1) to Margaret Rossy, by whom he had two sons, Robert and Alexander (the former is called his heir, 19 Oct., 1529 (*ibid.*, iii. 851)), and to whom, 'nuper sponsa sua,' he grants a liferent of Rossy, 11 July, 1514 (*ibid.*, iii. 92); (2) to Margaret Douglas, who, with their son, John, is mentioned, 21 Feb., 1526/7 (*RSS.*, i. 3664). In 1527, there is a record of a payment for a charter of composition to John

Moncur and Margaret Douglas, his wife, in regard to the lands of Easter and Wester Balluny (*LTA.*, v. p. 286). He is mentioned until 18 July, 1549 (*RMS.*, iv. 352).

Umquhill David Cuming grandfather to the said Johne : A cause raised by the abbot of Scone against David Cummy[n] [of Culty] is mentioned in a crown charter, 13 Jan., 1464/5, ratifying an act and decree by the lords auditors appointed, 12 Jan., 1463/4 (*GRH. Chs.*, 376). He appears as a party to a dispute with Thom of Strathern, 30 April, 1472 (*Bamff Chs.*, 11), and is a witness, 31 Jan., 1493/4 (*RMS.*, ii. 2354).

William abbote of cowper : See Appendix II.

Deyn alexander howtone : One of the monks witnessing an indenture, 6 May, 1500 (*REB.*, i. 110). He appears as prior in the present charters until 2 Feb., 1539/40 (No. CLXXXII). Hutton is mentioned by Ferrerius (*Historia*, p. 62).

Deyn alexander spens : See Appendix II.

Elspeit ogwyly the spous of umquhill Wylliam turnbull : William Turnbull has a tack of Kempfill, 13 June, 1511 (*Cupar*, i. p. 281), and appears as a witness, 6 Nov., 1516 (*ibid.*, i. p. 292).

Thomas scoyne : Thomas Scone appears as a tenant in Balgirscho, in a rental of 1542 (*Cupar*, ii. p. 185).

Easter anten dwey watter edward alexander : Not found elsewhere.

Turnbull of bot : Alexander Turnbull and Elizabeth Smyth, his spouse, have a tack of half of the boat of Isla and three acres of land at an unspecified date (*Cupar*, i. p. 311).

Andro browne : Perhaps Andrew Brown who with Anne Lion, his spouse, has a feu-charter of four acres, two in Baitchelhill and two in Kempfill-hauch, Aug., 1505 (*Cupar*, i. p. 261).

Johne portar : See note to No. CLIX.

Robe portar : See note to No. CLXI.

Johne zowyn : John Ewyn in Bendoctie is mentioned (without date) (*Cupar*, ii. p. 211). John Eving, aged 65, appears as a deponent, 3 July, 1546 (*ibid.*, ii. p. 3).

Dau[id] zong : Not found elsewhere.

William roger : As in Coupargrange, appears in a record of a court, 29 June, 1540 (*Cupar*, ii. p. 294), and has a tack with his spouse, Marjory Blair, of part of Coupargrange, 1 May, 1542 (*ibid.*, ii. p. 16). He holds court as bailie-depute of Cupar, 24 April, 1544 (*Frag. Scoto-Monastica*, p. xxviii), and 7 April, 1551 (*ibid.*, xxix), and acts as bailie, 29 and 30 Aug., 1555 (*Cupar*, ii. pp. 84, 94, 95).

James yrlande : At Whitsunday, 1508, has a tack of part of Coupargrange (*Cupar*, i. p. 272) and also, at an unspecified date, with his spouse, Katherine Cumyng (*ibid.*, i. p. 312).

Symen olifer : Mentioned as alleged tacksman of Aberbothrie grange, Whitsunday, 1507 (*Cupar*, i. p. 262). At Whitsunday, 1508, his tenement is set to John Sim (*ibid.*, i. p. 270). At Whitsunday, 1513 and later, part of Coupargrange is set to him (*ibid.*, i. pp. 291, 299).

Deyn alexander hautone and deyn alexander spens : See *supra*.

CLXIII

19 August, 1518.

In dei nomine Amen per hoc presens publicum Instrumentum cunctis pateat euidenter quod Anno . . . millesimo quingentesimo decimo octauo mensis vero augusti die decimanona Indictione sexta pontificatus . . . leonis pape decimi anno sexto In nostrorum notariorum publicorum et testium subscriptorum presenciis personaliter constitutus . . . Willelmus . . . abbas monasterii de cupro et conuentus eiusdem in presentia . . . gilberti gray de buttergask Patricii buttir de gormaw domini Jacobi retre vicarii de cullace thome ogilby de clova arbitrorum et iudicum et domini thome grig superioris electi inter ipsos abbatem et conuentum ab vna et Johannem moncur habentem wardam Johannis cumyng de cowper mahowty et etiam ipsum Johannem cumyng partibus ab alt[e]ra et nobis notariis publicis subscriptis exposuerunt ante pronunciationem decreti arbitraris promulgatam per dictos iudices penes piscariam aque de Ila et terras debatabiles inter eosdem Quia nos abbas et conuentus coram dictis iudicibus produxerunt quandam actenticam cartam eorum piscarie et priuilegiorum eiusdem super dicta aqua factam et concessam per quondam bone memorie Malcolmum regem eorum fundatorem et desuper petierunt et requisauerunt prefatos iudices suam sententiam pronunciari et decreui conformandam dicte carte per nos notarios subscriptos perlecte Et quia prefatus Johannes moncur pro jure suo nec Johannes cumyng nullam cartam nec euidentias aliquas de piscaria de yla habenda produxere coram dictis iudicibus Quapropter protestati sunt dicti abbas et conuentus quod prescripti iudices in eorum decreto arbitrari pronunciaturo decreuerunt dictum Johannem moncur minime habere piscariam aliquam pro tempore warde super dicta aqua quia nullam cartam ut supra produxit Et si incontrarium cum dicto Johanne suam sententiam darent quod ipse Johannes aliquam piscariam in huiusmodi aqua tempore warde haberet quod dictis abbati et conuentui non preiudicaret quod rationibus

prius allegatis Et quod regressum ad hujusmodi (*sic*) haberent in temporibus futuris coram Judicibus competentibus una cum proficiis et commoditatibus omissis temporibus transactis per ipsum Johannem Moncur Aut predecessores dicti Johannis cumyng habitis Super quibus omnibus et singulis dicti abbas et conuentus a nobis notariis publicis subscriptis sibi fieri petierunt publicum Instrumentum seu publica Instrumenta Acta erant per dictam aquam ex parte boriale eiusdem hora secunda post meridiem aut eocirca sub anno etc. . . . quibus supra presentibus Ibidem . . . georgio Halibortoune de petcur Willelmo blair de balgillo Johanne chalmer de drumloch y Johanne ogilby in erle Johanne watsoun georgeo rollok et michaele andersoune burgensibus de dunde cum aliis diuersis testibus . . .

Et ego Robertus seres Junior clericus brechinensis diocesis publ. auctoritatibus Imperiali et regia notarius etc.

Et ego Willelmus blaky not. publ. clericus sanctiandree dioc. auctoritate apostolica etc.

End. : Instrumentum in causa concepta per iudices de aqua de ylai.

Moray Charters, Box 32, Div. IV, Bundle I, No. 65.

CLXIII

Notarial instrument recording that the abbot and convent of Coupar craved the arbiters between them and John Moncur, having ward of John Cuming of Coupermahowty and the said John Cuming regarding the fishing of the water of Isla and the lands in dispute between them, to pronounce sentence in terms of a charter of Malcolm IV, founder, of that fishing and its privileges.

This charter follows on No. CLXII.

Willelmus . . . abbas . . . de cupro : See Appendix II.

Gilberti gray de buttergask : Third son of Andrew, second Lord Gray, and half-brother of Patrick, third lord (*Scots Peerage*, iv. p. 279). Appears as of Buttergask, 10 Nov., 1494, when a letter under the Privy Seal grants him all the lands belonging to Elizabeth Buttirgask, second daughter and co-heiress of the late David Buttergask of that ilk (*RSS.*, i. 38) ; and he has, with his father, a letter of tutory of Elizabeth and Margaret Buttergask, 18 Nov., 1499 (*ibid.*, i. 432). He has a crown charter of Buttirgask and Ligeartlaw, 7 June, 1507 (*RMS.*, ii. 3100), and a royal letter of gift of the mails, etc., of the half lands of the same, in the king's hands by the decease of Elizabeth Buttergask, 22 July, 1511 (*RSS.*, i. 2268). Gray appears as

sheriff-depute of Forfar, 7 Nov., 1513 (*Carnegies*, ii. p. 526, No. 80). He died a. 1541 (*SP.*, iv. p. 279). His son and heir, Patrick, who appears, 17 Nov., 1539 (*RMS.*, iii. 2074), became the fourth Lord Gray.

Patricii buttir de gormau : It is difficult to say when this witness first appears on record. Patrick Buttyr of Gormok grants by his charter the lands of Gormok to Henry Buttyr, his nephew and apparent heir, 1 July (*sic*), 1472 (*RMS.*, ii. 1063). Again, Patrick Butter, lord of Gormok, grants to Egidia Chawmer the lands of Wester Tulymedy, in view of her marriage with his son, Robert, 20 April, 1486 (*ibid.*, ii. 1681). Patrick Butter who has sasine of the lands of Tulymedy and Gormok, 27 May, 1501 (*Exch. Rolls*, xi. p. 368*), is probably the present witness. He appears at intervals till 23 Sept., 1531 (*RSS.*, ii. 1022), when he is called 'umquhile.'

Domini Jacobi retre vicarii de cullace : Witnesses charters from 13 Jan., 1488/9 (*RMS.*, ii. 1816), to 22 July, 1513 (*ibid.*, ii. 3871). He appears as a notary, 22 June, 1496 (*ibid.*, ii. 2320).

Thome ogilby de clova : An earlier Thomas Ogilvy of Clova appears in No. xciv. It may be the present Thomas who makes a payment for the relief of the lands of Clova, 13 Sept., 1493 (*LTA.*, i. p. 307), and there is a reference to his escheat lands, 1494/5 (*ibid.*, i. p. 212). He appears, 20 Sept., 1505 (*Laing Chs.*, 379 (5)), and 4 July, 1506 (*Panmure*, ii. p. 272); and he resigns Cortachy to James, his son and heir, 23 Oct., 1528 (*RMS.*, iii. 694), with whom he also appears, 22 Aug., 1532 (*LTA.*, vi. p. 15). His son, Walter, is mentioned, 31 Aug., 1527 (*Aberbrothoc*, ii. 658).

Domini thome grig : Probably Sir Thomas Greig, prebendary of Alyth in Dunkeld cathedral, described by Myln (*Vitas*, pp. 66-7).

Johannem moncur : See note to previous charter.

Johannis cumyng de cowper mahowty : See note to previous charter.

Cartam eorum piscarie . . . factam . . . per quondam . . . Malcolmum regem : This charter is not noted in *Breviarium* and seems to be lost. See note to No. xiii.

Georgio Halibortoune de petcur : Has sasine of Pitcur, 23 Nov., 1513 (*Exch. Rolls*, xiv. p. 528). Appears as of Petcur, 6 Feb., 1526/7 (*RMS.*, iii. 416), but is called of Gask in a charter granted at Petcur, 31 Dec., 1524 (*ibid.*, iii. 298), and later he appears under either designation. His wife, Jonet Ogstoun, appears, 29 Sept., 1529 (*ibid.*, iii. 843). Andrew, son and heir of umquhile George Haliburton of Petcur, has the gift of his own relief of the lands and barony of Gask, 27 July, 1538 (*RSS.*, ii. 2645). James Haliburton, one of his sons, appears, 8 Feb., 1535/6 (*RMS.*, iii. 1546), by which date Pitcur was in the hands of the Rattrays.

Willelmo blair de balgillo : Has sasine of Bawgilloquhy, 12 Nov., 1513 (*Exch. Rolls*, xiv. p. 527), and perhaps earlier (cf. *ibid.*, xi. p. 463). He attends an inquest at Forfar, 29 April, 1514 (*Carnegies*, ii. p. 527, No. 81); appears in a retour, 7 May, 1519 (*Panmure*, ii. p. 292); and is found, 23 Sept., 1522 (*GRH. Chs.*, 922), 16 Jan., 1531/2 (*RMS.*, iii. 1117). He holds a court as bailie-depute of Coupar, 19 April, 1542 (*Frag. Scoto-Monastica*, pp. xxvii-xxviii), and 26 Nov., 1554 (*ibid.*, p. xxxi), and was made justiciar with others in the lands of Coupar, 2 Dec., 1554 (*Exch.*

Rolls, xviii. p. 577). He witnesses charters to dates in 1559 (*RMS.*, iv. 1387 *seq.*; *Cupar*, ii. p. 180). John, his son and heir, appears, 1543 (*LTA.*, viii. p. 209), and frequently from 10 Jan., 1558/9 (*RMS.*, iv. 1387 *seq.*).

Johanne chalmer de drumlochy: Appears as heir of his late father, William Chalmer of Drumlochy, 2 Oct., 1510 (*Cupar*, i. p. 278), and 13 Jan., 1510/11 (*RSS.*, i. 2187). With his spouse, Elizabeth Gordon, he has a crown charter of Drumlochy, 27 May, 1525 (*RMS.*, iii. 311). His son and heir, John, is mentioned, 28 April, 1531 (*ibid.*, iii. 1018). On 2 May, 1531, he has the lands of Collistoun in Fife by sasine of ward (*ibid.*, iii. 1015), which lands, 6 Sept., 1550, are granted by a crown charter to his son, William (*ibid.*, iv. 515)—by this date the present witness was deceased. An earlier John Chalmer of Drumlochy appears, 12 Aug., 1478 (*HMC. Rep.*, vii. Pt. II. p. 709).

Johanne ogilby in erle: The identity of this witness is uncertain. There are several men so named within the period; none are specifically mentioned as in Airlie.

Johanne watsoun georgeo rollok et michaele andersone burgensibus de dunde: Watson is not found elsewhere. George Rollok, of whom the present is the earliest mention, appears frequently. He is named, as burgess of Dundee, in an account, 6 April, 1524 (*Exch. Rolls*, xv. p. 65); is a witness, as one of the council of Dundee, 20 Sept., 1525 (*RMS.*, iii. 435, 996); has a letter of licence to absent himself from the king's hostings, 1 Dec., 1526 (*RSS.*, i. 3562); is one of the procurators to hold a court at Dundee, 24 Feb., 1526/7 (*Aberbrothoc*, ii. 639). Along with his spouse, Margaret Wedderburn, he has from James Scrymgeour, constable of Dundee, a charter of sale of five acres in the Eastfield of Dudhope, 28 Feb. 1531/2 (*RMS.*, iii. 1162); and a tack of half of the teinds of the church of Mathy, c. 1532 (*Cupar*, i. p. 316). He is curator of Thomas Maule of Panmure, 1541 (*Scrymgeour Inv.*, 24, 31), and witnesses charters till 29 April of that year (*RMS.*, iii. 2523). Rollok was murdered a. 6 June, 1544, on which date Gilbert Wedderburn has remission as art and part (*RSS.*, iii. 832). His son and heir, Richard, is mentioned, 25 Oct., 1535 (*ibid.*, ii. 1223). Michael Anderson, burgess of Dundee, is a witness, 16 Sept., 1519 (*HMC. Rep.*, v. App., p. 621); appears as procurator of David, earl of Crawford, 14 April, 1535 (*RMS.*, iii. 1465); and is a member of an assise, 14 Nov., 1536 (*ibid.*, iii. 1723).

Robertus seres Junior . . . notarius: See note to No. LXVII.

Willelmus blaky notarius: 'Dominus' William Blaky, notary and chaplain, witnesses a charter, 6 May, 1541 (*Blackfriars of Perth*, XLVIII (1)), and, as 'magister,' a notarial transumpt, 14 June of that year (*ibid.*, XXXVII (4)).

CLXIV

23 December, 1520.

Gavinus dei et Apostolice sedis gracia Episcopus Abir-
donensis decano nostro christianitatis de boyne siue cui-

cunq̄ue alteri capellano infra diocesem nostram diuina celibranti et super executione presentium debiter requisito salutem cum benedictione diuina Quia vicariam pensionariam perpetuam decim librarum ecclesie parochialis de aluetht nostre diocesis de iure et de facto vacantem per decessum quondam domini alexandri hog vltimi vicarii pensionarii eiusdem Ad presentationem . . . Abbatis et conuentus monasterii de cupro sanctiandree diocesis nostramque collationem ordinariam ratione nostre alternatiue nobis per Romanum pontificem de conferendis beneficiis in mensibus alternatiuis gratiose concessis pleno iure spectantem discreto viro domino gilberto barde capellano nobis per prefatos abbatem et conuentum de cupro sub eorum sigillo communi litterato presentato per annuli nostri digito suo Impositionem contulimus prout presentium tenore conferimus Et de eadem prouidemus Curam Regimen et administrationem eiusdem eidem plenarie committentes prout deo et nobis reddere voluerit Vobis igitur et vestrum cuilibet in virtute sancte obediencie stricte precipiendo mandamus quatinus dictum dominum gilbertum nomine institutum aut eius certum procuratorem suo nomine in et ad realem actuaalem et corporalem possessionem dicte vicarie pensionarie decum (*sic*) librarum cum tofto crofta et manso ceterisque pertinentiis solitis et consuetis eiusdem inducatis et instituatis inductum et institutum in et ad canonicè defendatis Sibique aut suo procuratori legitimo de dicta vicaria pensionaria decim librarum vnacum manso tofto et crofta eiusdem integre responderi faciendo Contradictores et rebelles si qui forsant fuerint nostra auctoritate ordinaria * * * ipsius com-pescentes Et in signum realis actualis et corporalis possessionis eiusdem per vos eidem traditi Sigillum vestrum qui presentes executioni fueritis in secunda cauda post nostrum appendatis aut per notarium publicum subscriptum subscribi aut publicari faciatis Apud prefatum dominum gilbertum pro perpetuo remansure In quorum omnium fidem et testimonium permissorum hoc presens publicum instrumentum has collationum litteras in se continens exinde fieri fecimus Et per notarium publicum subscriptum

subscribi et publicari mandaremus Sigillique nostri rotundi jussimus et fecimus appensione communiri Data et acta erant hec Apud ecclesiam metropolitanam sanctiandree in sacello archidiaconi principalis eiusdem hora quasi decima ante meridiem vicesimo tertio die mensis decembris Anno domini millesimo quingentesimo vigesimo Indictione nona Pontificatus . . . leonis pape decimi anno octauo Et nostre consecrationis anno secundo Presentibus ibidem cum prefato reuerendo patre . . . magistris karolo fotheringhame Rectore de edzell Alexandro Dunbar preposito de craill Daud lermont preposito sanctiandree et Jacobo Wischart de petthwrow testibus . . .

Et ego Alexander Spittall artium magister presbiter Sanctiandree dioc. Sacra apostolica auctoritate Notarius publicus etc.

Seal missing. Endorsement defaced by damp-stains.
Moray Charters, Box 32, Div. IV, Bundle I, No. 66.

CLXIV

Mandate, with notarial attestation, by Gavin, bishop of Aberdeen, directed to the dean of Christianity of Boyne or another, for the institution to the perpetual vicarage pensionary of Alvah, vacant by the death of Sir Alexander Hog, of Sir Gilbert Barde, chaplain, on the presentation of the abbot and convent of Coupar.

Gavinus . . . Episcopus Abirtonensis : Gavin Dunbar, provided to the see of Aberdeen, 5 Nov., 1518 ; died, 10 March, 1531/2 (Dowden, *Bishops*, pp. 137-8).

Decano nostro christianitatis de boyne : Boyne was one of the rural deaneries of the diocese of Aberdeen.

Vicariam pensionariam perpetuam decim librarum : A perpetual pensionary vicarage is an anomalous type of benefice. Vicarages were distinguished as *perpetual*, i.e. giving the incumbent life-tenure with a proportion of the teinds ; and *pensionary*, i.e. subject to appointment from year to year with a fixed sum (generally lower than that accruing to a perpetual vicar) payable as emolument. The rate of 10*l.* per year for a *perpetual* vicar of Alvah was fixed by a charter of c. 1320 (No. c1). In the present case, *perpetual* applies to the tenure of the benefice, *pensionary* to the scale of emolument.

Quondam domini alexandri hog vltimi vicarii pensionarii eiusdem : Hog is found as a witness from 31 Jan., 1493/4 (*RMS.*, ii. 2220), to 21 June, 1509 (*ibid.*, ii. 3364).

Domino gilberto barde capellano : Not found elsewhere. Unlikely to be

master Gilbert Bard, who was presented to the vicarage of Girvan, 2 Jan., 1547/8 (*RSS.*, iii. 2580).

(*Magistro*) *karolo fotheringhame Rectore de edzell*: Son of Thomas Fotheringham of Powrie (*Aberbrothoc*, ii. 221). He is no doubt Karolus 'Fodergyn' who matriculated as a student in arts at Cologne, Nov., 1480, and, as 'K. de Scocia,' determined, 28 Nov., 1481 (Keussen, *Matrikel*, ii. p. 90 and n.). He appears as a licentiate at St. Andrews, 1484 (*St. AUR.*, p. 68). That he had not previously obtained his master's degree is consonant with the fact that he appears, 9 June, 1483, as Karolus Fothrengam, otherwise undesigned, in a letter whereby William, abbot of Arbroath, presents him to the vicarage of Arbirlot (*Aberbrothoc*, ii. 221). He is mentioned as rector of Edzell from 14 April, 1505 (*RMS.*, iii. 2850), to 6 July, 1526 (*GRH. Chs.*, 990).

(*Magistro*) *Alexandro Dunbar preposito de Craill*: Alexander Dunbar is a determinant at St. Andrews, 1494 (*St. AUR.*, p. 82), and a licentiate, 1496 (*ibid.*, p. 84). On 3 March, 1516/17, Mr. Alexander Dunbar, vicar of St. Mary's church, Craill, consented to exchange the vicarage for the provostship of the college founded in that church (*Reg. C.C. of Craill*, 102). He is presented by the abbot of Arbroath to the perpetual vicarage of Tarves which he exchanged with Sir Thomas Myrton for the provostry or vicarage of Craill collegiate church, 21 Jan., 1524/5 (*Aberbrothoc*, ii. 584). But he could not have held it long; on 19 Feb., 1524/5, master John Reid, vicar of Mearns, is presented to the vicarage of Tarves when it becomes vacant by resignation of master Alexander Dunbar (*ibid.*, ii. 589). It is uncertain whether he is master Alexander Dunbar who appears as dean of Moray, 23 Feb., 1531 (*RMS.*, iii. 1145), and elsewhere.

David lermont preposito sanctiandree: David Lermont of Clatto, provost of the city of St. Andrews, not of either of its collegiate churches (James Kincragy was provost of St. Mary's collegiate church, 1521 and 1528 (*Laing Chs.*, 330, 370)). Lermont, called citizen of St. Andrews, 21 April, 1500 (*GRH. Chs.*, 630), appears as chamberlain of that city, 6 Sept., 1506, in 1507 and in July, 1509 (*LTA.*, iii. p. 243; *ibid.*, iv. pp. 11, 12; *Exch. Rolls*, xiii. p. 247). He appears as provost of St. Andrews, 19 Jan., 1511/12 (*Lennox*, ii. 120), and, as of Clatto, 2 Sept., 1517 (*RMS.*, iii. 179). He is called citizen of St. Andrews, 3 Sept., 1517 (*Exch. Rolls*, xiv. p. 282), and appears again as provost, 1516-21 (*Formulare*, i. 88), 30 April and 4 May, 1519 (*SCB. Fife*, pp. 138, 141), and 25 May, 1520 (*GRH. Chs.*, 894A). He is mentioned as burgess of St. Andrews, retrospectively, 10 Feb., 1520/1 (*ibid.*, 907). James Lermont, son and heir of David Lermont of Clatto, and Agnes Kymysman, appears, 6 July, 1526 (*ibid.*, 990), and it may have been he who was provost, 7 Sept., 1526 (*RSS.*, i. 3495), and again, 30 July, 1540 (*ibid.*, ii. 3598).

Jacobo Wischart de pethurow: During the lifetime of his father, John, master James Wischart enters into a contract with his brother, John, 19 March, 1508/9 (*Aberbrothoc*, ii. 477). On 28 Oct., 1510, the abbot of Arbroath grants him the lands of Redhall resigned by his father, reserving a terce (after his father's death) to his mother, Jonet Lindsay (*ibid.*, ii. 504).

He is called king's clerk, 11 Aug., 1511 (*RMS.*, ii. 3619), and, 30 Aug., 1512, James IV grants to his familiar clerk, master James Wischart, and Elizabeth Leirmonth, his spouse (he may thus have been brother-in-law of the previous witness), the lands of Pittarow, which John, his father, resigned (*ibid.*, ii. 3729). He appears as of Pittarow, 22 May, 1512 (*Spalding Club Misc.*, ii. p. 106). Wishart has a crown charter of Easter and Wester Howlawis in Berwickshire, 13 Nov., 1516 (*RMS.*, iii. 110). He is called justice-clerk, 30 April, 1519 (*SCB. Fife*, p. 138), and he is also designed king's advocate in a charter, 22 Nov., 1524 (*RSS.*, i. 3320), which refers to him as deceased and mentions John, his son and heir.

Alexander Spittall artium magister presbiter Sanctiandree dioc. . . . Notarius : Not to be identified without dubiety with master Alexander Spittall who is a witness at Dryburgh, 17 July, 1511, to 20 Nov., 1512 (*RMS.*, ii. 3588, 3598, 3795); nor yet with master Alexander Spittall, who appears as rector of Clatt and canon of Aberdeen, 14 Dec., 1529 (*REA.*, i. p. 394), to 9 July, 1547 (*ibid.*, ii. p. 319), and who also has a presentation to the rectory and prebend of Auchindoir in the new college of Aberdeen, 31 Dec., 1529 (*RSS.*, ii. 480), which he has obtained in exchange with Thomas Currou for the vicarage of Banchory Ternan, according to a record of 1 Feb., 1529/30 (*Aberbrothoc*, ii. 739; *RSS.*, ii. 532). He appears as rector of Aberdeen university (King's College), 12 Feb., 1537/8 (*RMS.*, iii. 2490; cf. also *King's College, Officers and Graduates*, p. 7). He founded an anniversary at Aberdeen, 21 Nov., 1537 (*REA.*, i. p. 411).

CLXV

27 April, 1521.

Vniuersis pateat per presentes me andream currur de logymegyll fecisse constituisse et ordinasse presentiumque tenore facere constituere et ordinare venerabiles viros magistros Jacobum currur et alexandrum currur Willelmum Sterling Magistrum Johannem Bannanty ¹ et eorum quemlibet coniunctim et diuisim meos licitos et indubitatos procuratores actores factores et negotiorum meorum gestores et nuncios speciales et generales et hoc cum potestate substituendi Ita tunc quod specialitas generalitati non deroget nec econtra sed quod unus eorum incipit alter eorum id prosequi finire et terminare valet cum effectu dans et concedens dictis meis procuratoribus coniunctim et diuisim et eorum substitutis pro me et nomine meo in curia regia ad comparendum et alibi ubicunque

¹ Blank in charter.

locorum seu dierum ubi opus fuerit ad resignandum totas dimediatates partes viz. occidentalem de owerlogymyggill et totam et integram partem occidentalem de nedder logymyggill terrarum mearum cum pertinentiis in manibus supremi domini regis seu regentium aut cuiuscunque manibus ad potestatem habentis in fauorem honorabilis viri andree currur junioris heredis apparentis de logymyggill et non alias neque alio modo ad resignandum et dimittendum resignationemque huiusmodi dimitti petentis et obtinentis reseruato tamen michi libero tenemento de owerlogymyggill cum pertinentiis pro toto tempore vite mee Et generaliter omnia alia et singula facientia exercentia et gerentia que in premissis et circa ea necessaria fuerint et opportuna Etiam si que fuit que mandatum exigunt Speciale maius aut que egomet facerem aut facere possum si presens in premissis personaliter interesse Ratum gratum firmum atque stabile habens et habiturum totum et quicquid dicti mei procuratoris aut eorum substitutus coniunctim et diuisim in premissis duxerint faciendum sub ypothecha et obligatione omnium bonorum meorum mobilium et immobilium presentium et futurorum In cuius rei testimonium sigillum meum proprium est appensum apud logymyggill vicesimo septimo die mensis aprilis anno domini j^m quingentesimo vicesimo primo Coram hiis testibus dominis villedo froster valtro flemyng capellano dauid froster in le kyrk thoma de nefwa et domino andrai berre notario publico cum diuersis aliis et cum mea subscriptione manuali.

Andreas currwr de Logymeyggill wyttht my hand.

Seal missing. End. : Ane resignatione of Logymegeill our and nayder.

Moray Charters, Box 32, Div. IV, Bundle I, No. 67.

CLXV

Charter of resignation by Andrew Currou of Logiemeigle of the east half of Overlogiemeigle and the east half of Nether Logiemeigle in the hands of the Crown in favour of his son, Andrew Currou, yr.

Andream currur de logymeyggill : See note to No. CLIV.

Magistros Jacobum currur et alexandrum currur : Master James

Curroure witnesses charters at Banff, 20 Feb., 1505/6 (*RMS.*, ii. 2952); at Edinburgh, 27 Sept., 1509 (*ibid.*, ii. 3396); and at Petty church, 4 Feb., 1508/9 (*ibid.*, ii. 3621); but there is nothing to connect him with the present witness. We find a similarly named witness, 30 June, 1516 (*ibid.*, iv. 86), 15 July, 1516 (along with master Alexander Curroure) (*ibid.*, iii. 95), and, later, as a notary, e.g. 7 May, 1536 (*ibid.*, iii. 1593). There is a reference to a man of this name who is a layman, 18 Feb., 1517/18 (*RSS.*, i. 2962). Similar uncertainties arise in connection with master Alexander Curroure. A man of this name appears as vicar of Livingstone, 10 Dec., 1488 (*RMS.*, ii. 1810); as a notary, 1 May, 1514 (*ibid.*, iii. 34), and later; and as a witness, 15 July, 1516 (*ibid.*, iii. 95).

Willelmum Sterling: His identity is uncertain but he may be the second son of Sir William Stirling of Keir, mentioned, 10 April, 1516 (*Stirlings of Keir*, p. 27; *RMS.*, iii. 69), and deceased a. 22 Jan., 1531/2 (*RMS.*, iii. 1146).

Magistrum Johannem Bannanty: Also impossible of identification. A man of this name appears as clerk of Dunblane diocese, 25 June, 1511 (*Melros*, 584), and another as M. A. and clerk of St. Andrews diocese, 13 May, 1522 (*Cambuskenneth*, 153). A third has a precept of remission, 26 April, 1529 (*RSS.*, ii. 56), and appears till 13 July, 1541 (*ibid.*, ii. 4117).

Andree curru junioris heredis apparentis de logymygill: On 29 April, 1521, Andrew Curroure, grandson (nepos) of Andrew Curroure of Logymeigle, has a crown charter of Over and Nether Logymeigle which Andrew, the elder, and George, his son, have resigned (*RMS.*, iii. 199; cf. note to No. CLV and a fragmentary charter, 1521 (*RSS.*, i. 3196)). This younger Andrew is probably on record till 17 June, 1566 (*Banff Chs.*, 71). Alexander, his son and heir, has a crown charter of Over and Nether Logymeigle which Andrew resigned reserving to himself free tenement and liferent of Nether Logy to Jonet Tyre, his spouse, 28 July, 1543 (*RMS.*, iii. 2948).

Dominis vellelmo froster valtro fleming capellano: Neither is found elsewhere.

David froster in le kyrk: Not identified. David Forestare in Nevay appears, 20 June, 1518 (*RSS.*, i. 3011), and his daughter and heiress, Joneta, grants a charter, 14 Jan., 1527/8 (*RMS.*, iii. 539).

Thoma de nefwa et domino andrai berre notario: Not found elsewhere.

CLXVI

4 May, 1522.

Uniuersis et singulis . . . Willelmus . . . Abbas monasterii de Cupro et eiusdem loci conuentus Salutem . . . Nouerit vniuersitas vestra Nos unanimi consensu et assensu in Capitulo nostro ad infrascripta peragenda capitulariter congregati matura deliberatione diligenti longoque tractatu prehabitis omnibus melioribus modo iure et causa

quibus melius et efficacius potuimus et debuimus pro nobis et successoribus nostris fecisse constituisse et ordinasse veluti per presentes facimus constituimus et irreuocabiliter ordinamus . . . Iacobum dominum ogilwy de Erle et Iacobum ogilwy eius primogenitum et eorum quemlibet insolidum coniunctim et diuisim nostros et monasterii nostri predicti veros legitimos indubitatos et irreuocabiles balliuos pro omnibus et singulis diebus et terminis nouemdecim annorum diem date presencium proxime et immediate sequentium qui erit eorum introitus ad officium balliuatus dantes concedentes et pro nobis et successoribus nostris irreuocabiliter committentes eisdem et eorum cuiuslibet coniunctim et diuisim nostram meram liberam omnimodam et expressam potestatem ac mandatum specialiter pro nobis et nomine nostro omnes et singulas curias monasterii nostri et infra terras nostras Durantibus dictis nouemdecim annis vbilibet fiendas statuendas inchoandas affirmandas et tenendas scribas officiales iudices assessores et reliqua huiusmodi Curiarum membra quociens sibi expedire videbitur creandi constituendi et imponendi exonerandi et destituendi transgressores et delinquentes quosuisque summonendi citandi et puniendi summonitiones citationes prescripta et mandata quecunque edendi emanandi et fulminandi In omnibus et singulis causis querelis in dictis curiis ventilandis cum earum connexis annexis emergentibus et dependentibus audiendi cognoscendi determinandi finiendi et decernendi wardas interlocutorias et quascunque sentencias ferendi et promulgandi et executioni debite demandandi et demandari faciendi eschaetas et amerciamenta leuandi percipiendi et ad nostros vsus et utilitatem colligendi et importandi et si opus fuerit namandi et distringendi Et generaliter omnia alia et singula faciendi gerendi et exercendi que ad officium balliuorum de iure vel consuetudine pertinere dinoscuntur cum potestate substituendi et deputandi vnum seu plures balliuum seu balliuos qui secum coniunctim et diuisim consimilem habeat seu habeant potestatem Et quicquid per dictos nostros balliuos vel eorum deputatos coniunctim et diuisim in dicto balliuatus officio durantibus dictis

nouemdecim annis actum factumve iudicatum fuerit Id totum pro nobis et successoribus nostris ratum et gratum habebimus et deo duce faciemus inuiolabiliter obseruari Pro quoquidem balliuatus officio sic ut premittitur per prefatos Jacobum dominum ogilwy et eius primogenitum eorumque deputatos pro spacio predicto regendo et exercendo et pro eorum laboribus in eodem officio fiendi pro nobis et successoribus nostris modo via iure et causa predictis donamus concedimus pariter et assignamus prefato Jacobo domino ogilwy et eius primogenito eorumque deputatis Summam sex librarum tradecim (*sic*) solidorum et quatuor denariorum monete Scocie de terris nostris de Adory cum pertinentiis vnacum nostris annuis redditibus de Eglismaldy et gardine per eosdem dominum et eius primogenitum tanquam pro eorum stipendio et feodo in dicto officio administratur annuatim Durantibus dictis nouemdecim annis per ipsos leuandam et percipiendam in terminis solitis veluti Summam et annuos redditus predictos ex causa predicta prius leuare et percipere consueuerunt Et Nos Willelmus Abbas et conuentus predicti et successores nostri dictorum balliuorum nostrorum constitutionem necnon Summe et annuorum reddituum predictorum eisdem pro eorum feodo assignatione in omnibus . . . varantizabimus Acquietabimus durantibus annis predictis et fideliter defendemus In cuius rei testimonium sigillum nostri capituli predicti commune presentibus est appensum. Apud dictum nostrum monasterium Quarto die mensis maij Anno domini Millesimo quingentesimo vicesimosecundo.

Seal missing. End.: Littera balliuatus de Cupro Domino Jacobo de ogiluy.

Airlie Charters, 1339. 3.

CLXVI

Letter of bailliary by the abbot and convent of Coupar in favour of James, Lord Ogilvy of Airlie, and James Ogilvy, his eldest son.

Willelmus . . . Abbas . . . de Cupro : See Appendix II.

Jacobum dominum ogilwy de Erle : James, fourth Lord Ogilvy of Airlie, was the son of James, the third lord, who died not earlier than 1513 (*Scots*

Peerage, i. p. 116). He was served heir to his father in the barony of Lintrathen, 29 Nov., 1524 (*ibid.*, i. p. 117). He has a precept of sasine of the lands of Brekky as heir to his grandfather, John, Lord Ogilvy, 23 May, 1525 (*Aberbrothoc*, ii. 593). With Helen Synklair, his spouse, and James, his apparent heir, he has a tack of the teinds of Newtyle, 1 Sept., 1526 (*ibid.*, ii. 628). He appears very often in the present charters and elsewhere and is frequently mentioned as the abbey's bailie. He was dead a. 26 Nov., 1547 (*RSS.*, iii. 2542).

Jacobum ogilwy eius primogenitum : Frequently called master of Ogilvy (cf. No. CLXVI). The present is apparently the earliest mention of him ; he appears often in later charters. James was killed at Pinkie, 10 Sept., 1547 (according to a charter of 24 Dec., 1566 (*RMS.*, iv. 1755)), and thus predeceased his father. Katherine Campbell, his spouse, who with him had a tack of Glentullacht and Auchindorye, 29 Sept., 1539 (*Cupar*, ii. p. 1), had the gift of ward, etc., of the lands which pertained to the late James, Lord Ogilvy, 22 Dec., 1547 (*RSS.*, iii. 2572) ; this latter record mentions her children, James, Agnes, Elene, Archibald and Alexander.

Adory : See note to No. LXXI.

Eglismaldy ; *Gardine* : See notes to Nos. LXVII and XIX.

CLXVII

2 * * *, 1523.¹

Be It kend till all men be thir present letteres ws wilzern be the permissione of god abbat of cowpar till haue maid constitute creat and ordinit and be the tenor of thir present letteres makkis constitutis creatis and ordinis ane nobill and mychty lord James lord ogilwy of Erle Jamis maister ogilwy his sone and aire aperand coniunctly and seueraly our weray lauchtfull and wndowtit bailzeis and thair deputis ane or may of all and sindry our landis annuellis and annual rentis quhatsumeuer perteninge ws and our said abbay lyand withtin the realme of scotland Giffand grantand transferrand and committand for ws and our successoris till our bailzeis forsaid coniunctlie and seueralie and to thair deputis ane or may and till ilk ane of thame our full and express plane powar for all the dais and termis of fyife 3eris next and immediat folowinge the dait of this present writ witht full powar of all and sindry our landis forsaid to set raiss the tenentis and inhabitaris

¹ The date is given as 1523 in the Airlie Inventory.

of the samyn to remoiffe input and forthput als oft as neid
 beis th[e ann]ualis fermis girsomis and dewteis perteing
 the saminis to inbringe to the vtilitie and profeit of our
 said abbay and gif neid be to pwind and distrenze for the
 samyn Our Curtis to set feus hald and contanew als oft
 as beis thocht speidfull be our bailzeis forsaid the officiaris
 and membris of the samyn to creat and mak be suorne
 wardis domis definitiuis interlocutoris and sentens finalie
 to gif transgressoris to pwnis amerciamentis unlawis and
 eschetis to lift raiss and inbringe and uptak the tenentis
 inhabitaris of the our said landis beand attachit or arestit
 befor quhatsumeuer juge or jugis spirituall or temporall
 for ony actione or cryme till replege reduce and agane
 bringe to the fredome and prevalege of our said curt or
 curtis cautione and colrethe till find thairfor as law requiris
 that iustice salbe ministerit to the party complenzeand
 day of curt tyme and place thairfor affixit and set And
 generalie all and sindry wthir thingis to excerss hant wss
 that to the office of lauchtfull bailze or bailzeis ane or may
 coniunctlie or seueralie as forsad is as knawin constitut to
 perteine or may perteine of law or is wsit wthitin the
 realme of scotland or that we mycht do our self and we
 war euer becum present in propir persone haldand and for
 to hald ferme and stabell all and quhatsumeuer thingis
 our forsaidis bailzeis ane or may coniunctlie or seueralie in
 the premissis and in our nayme lauchtfully ledis to be done
 wnder the hieast payne and wod of obligatioun wsit wthitin
 the realme of scotland and for the mair faithtful afald
 obseruing and keping of the premissis we haue affixit our
 seill of armys to this [our] present lettre of bailzery and
 powar indurand the termis befor writin At Coupar the
 se[cun]d day of * * * ¹ zeris.

Signet has been affixed ; wax missing. The old endorse-
 ment is covered up.

Airlie Charters, 1340. 4.

¹ Indecipherable through wearing of fold of charter.

CLXVII

Letter (vernacular) of bailiary in favour of James, Lord Ogilvy of Airlie, and James, master of Ogilvy.

This letter is probably later than 1523, the date assigned to it in the Airlie Inventory. That it is not merely a vernacular rendering of the previous charter is suggested by the discrepancy between the periods during which the office of bailie is to be held. There is also in this writ no mention of the remuneration of the bailies.

For notes on persons see notes to previous charter.

Cotrethe: *Jamieson's Dictionary*, s.v. Colleraich, Culreach (variants, Collereth, Coleraith), defines this term as 'a surety given to a court when one is repledged from it.'

CLXVIII

10 April, 1532.

Jacobus . . . Sanctiandree Archiepiscopus Totius regni Scotie Primas Legatus natus Vniuersis et Singulis . . . eternam in domino salutem Cum pium sit et meritorium fidele testimonium perhibere veritati et in illis presertim casibus quibus eiusdem occultatio preiudicium generare poterit innocenti Hinc est quod Nos iuxta laudabilem et approbatam ecclesie scoticane consuetudinem de vniuersis et singulis nostre diocesis beneficiatis ad nostra onera alleuianda certum subsidium iuxta suorum beneficiorum valores tempore nostre promotionis vt moris est leuare proponendo . . . Donaldum . . . abbatem monasterii de Cupro ordinis Cisterciensis nostre diocesis debite pariformiter requisiuimus / Prefatus vero dominus Abbas et Conuentus asserentes se non tantum per diuersorum Romanorum pontificum indulta et exemptiones speciales verumetiam de consuetudine ad nullius subsidij solutionem astrictos esse seu astringi debere / huiusmodi subsidium pro prefatis ecclesiis persoluere penitus recusarunt Nobis humiliter supplicantes quatenus sua indulta et priuilegia (*sic*) ac consuetudines ob dei omnipotentis beatissimeque virginis marie dicti ordinis et loci patrone reuerentiam quantum in nobis fuerit illesa et illibata preseruare velimus Nos Igitur Jacobus archiepiscopus predictus Ipsorum religiosorum patrum ordinis et monasterii priuilegiis exemptionibus iuribus et consuetudinibus diligenter in-

spectis intellectis et discussis / nichil ab eijs ratione subsidii exigimus aut requisivimus Nisi quod nobis de eorum libera voluntate sponte et incoacte reddere et offerre voluerunt Pro quo ego deo donante proponimus et intendimus pares vices refundere Et hoc omnibus quorum interest aut interesse poterit notum facimus per presentes In cuius rei testimonium sigillum nostrum rotundum presentibus est appensum Apud ciuitatem nostram Sanctiandree die decimo mensis aprilis Anno domini millesimo quingentesimo trigesimo secundo Consecrationis nostre xxiii^{to} / Et ad regni primatiales sedem translationis Anno Nono.

Seal missing. End. : Testimoniale archiepiscopi sanctiandree quod liberi sumus de subsidiis ecclesiarum.

Moray Charters, Box 32, Div. V, Bundle II, No. 93.

CLXVIII

Charter of James, archbishop of St. Andrews, who has required a subsidy on his promotion from Donald, abbot of Coupar, making it known, in view of the monastery's exemption from such payments, that he has exacted no subsidy from them except what they gave of their own accord and which he will refund to them.

See Introduction, p. lix.

Jacobus . . . Sanctiandree Archiepiscopus : James Beaton, translated to St. Andrews, 10 Oct., 1522 ; died, 14 Feb., 1539/40 (Dowden, *Bishops*, pp. 40-1).

Donaldum . . . abbatem monasterii de Cupro : Donald Campbell. See Appendix II.

CLXIX

31 July, 1534.

In dei Nomine Amen per hoc presens publicum instrumentum cunctis pateat euidenter quod Anno . . . millesimo quingentesimo trigesimo quarto mensis Julii die vero ultimo indiccione septima pontificatus . . . clementis pape septimi Anno vndecimo In mei notarii publici et testium subscriptorum Presentia personaliter constituti honesti viri georgeus Sute Johannes Quhit Johannes Sute Willelmus Syne et Jacobus Stewin summoniti et citati fuerunt per litteras patentes supremi domini nostri Regis Ad com-

parendum coram dominis concilii secundum tenorem eiusdem pro abreptione intermissione et spoliatione certorum lignorum de insula sancte margarete et de le garithis eiusdem insule pertinentibus ad instanciam . . . Donaldi abbatis et conuentus de cupro prout in wlgare sequitur viz. fflower skoir de le eschis et decem precium pecii quatuordecim solidos decem le skowr de lie byrkis precium pecii sex solidos in orto dicto spoliatorum in destructione qui quidem prescripte persone demerunt et posuerunt respectiue se ipsos in voluntate predictorum abbatis et conuentus pro intermissione et spoliatione ex eorum prescriptis confessionibus et non vellent se ipsorum prognosci aut negare sed publice patenter de intermissione recepcione et spoliatione lignorum partium dictorum lignorum et idem abbas protestatus in de remedio juris tempore et loco oportunis Et assignauit septime die augusti proxime et immediate sequenti suprascriptis personis ad conueniendum coram eo ad declarandum et videndum numerum et quantitatem lignorum per eos intermissorum et spolizatorum et receptorum et emendare et satisfacere prefatis abbati et conuentui de cupro de et super quibus omnibus et singulis prefatus Donaldus abbas de cupro et nomine conuentus a me notario publico subscripto sibi fieri petiit instrumentum seu instrumenta vnum uel plura publicum seu publica acta erant hec in orto loci proprii vlgariter nuncupato mownkhome hora quasi 3^a post meridiem aut eo circa sub anno etc. . . . quibus supra presentibus prouidis et honestis viris georgeo Rollok Jacobo rollok burgensibus de dunde archbole campbell Jacobo gray Willelmo gr[a]hame cristofro monteith et domino Alexandro clerk capellano cum diuersis aliis ad premissa vocatis pariterque rogatis.

Et ego valterus froster artium magister capellanus sanctiandree dioc. notarius auct. apost. publicus etc.

End. : Spoilze of the trees of sant mergret Inche.

Moray Charters, Div. IV, Bundle I, No. 68.

CLXIX

Notarial instrument narrating that following on the citation of George Sute and others by royal letters to compear before the Lords of Council

for the spoliation of certain trees of St. Margaret's Inch, at the instance of Donald, abbot of Coupar and the convent thereof, these persons placed themselves at the will of the abbot and convent and the abbot appointed them to declare on 6 Aug. next in his presence the number of trees de spoiled and to make amends to the abbot and convent.

The transcription of this writ in certain parts has presented considerable difficulties.

Georgus Sute Johannes Quhit Johannes Sute : Not found elsewhere.

Willelmus Syne : Not identified unless he is Wille *Sym* who appears as tacksman of Nether Muirton, c. 1542 (*Cupar*, ii. p. 192), and 7 April, 1545 (*ibid.*, ii. p. 227), and whose widow, Annabel Butter, has a tack of the same, 5 Aug., 1552 (*ibid.*, ii. p. 105).

Jacobus Stewin : Perhaps James Stevyne who has a tack of part of the grange of Kincriche, Whitsunday, 1496 (*Cupar*, i. p. 250).

Insula sancte margarete : St. Margaret's Inch, formerly an island, now a peninsula in Forfar loch. See MacKinlay, *Dedications* (non-Scriptural), p. 9; also note to No. xxv. A charter, 24 July, 1508 (*Cupar*, i. p. 272), records the appointment of a chaplain to the chapel of the isle (not 'aisle' as Rogers has it) of St. Margaret, queen of Scots, near Forfar. Cf. the obligation contained in that charter that the chaplain is to plant trees and to construct dykes for their preservation.

Le garithis eiusdem : Garith=garth is used in the sense of an enclosure, presumably that formed by the dykes contemplated according to the previous note.

Donaldi abbatis : See Appendix II.

Eschis . . . byrkis : Ashes; birches.

Mownkhome : Not located.

Georgeo Rollok Jacobo rollok burgensibus de dunde : For George Rollok see note to No. CLXIII. James Rollok, not certainly to be identified with the present witness, appears as burgess of Dundee, 10 Sept., 1478 (*RMS.*, ii. 1456). He is mentioned as customar of Dundee, 6 July, 1484 (*Exch. Rolls*, ix. p. 283), and frequently thereafter till 4 Aug., 1515 (*ibid.*, xiv. p. 197). His son, Robert, appears with him in a charter making them customars for five years, 8 Sept., 1505 (*RSS.*, i. 1126), and with James Kinloch he has another grant of the customarship, 21 April, 1516 (*ibid.*, i. 2755). He seems to appear in that capacity—unless the mention is of a later namesake—till 29 Sept., 1547 (*ibid.*, iii. 2462). Rollock has a tack of the garbal teinds of Clova, 5 Sept., 1486 (*Aberbrothoc*, ii. 296). He appears as provost of Dundee, 19 Jan., 1495/6 (*ibid.*, ii. 289), and again, 25 July, 1508 (*Exch. Rolls*, xiii. p. 113). His spouse, Janet Prestoun, has with him a tack in Dundee, c. 1532 (*Cupar*, i. p. 313), and is mentioned with her husband till 2 May, 1552 (*Scrymgeour Inv.*, 525). Rollock's goods are escheat on account of his being fugitive from the law and a heretic, 22 March, 1538/9 (*RSS.*, ii. 2962), and his tacks are also escheat for heresy, 28 March, 1539 (*ibid.*, ii. 2981).

Archbole campbell : It is impossible to identify this witness among the contemporary bearers of that name.

Jacobo gray : Perhaps the James Gray who appears as sheriff-depute of Forfar, 5 and 22 May, 1535 (*REB.*, ii. pp. 186, 189), and 10 Nov., 1537 (*RMS.*, iii. 1723), who is mentioned as brother of Patrick, Lord Gray, 20 Oct., 1544 (*ibid.*, iii. 3029), and witnesses one of his charters, 13 May, 1555 (*ibid.*, iv. 1020).

Willelmo gr[a]hame : Unidentified.

Cristofro monteith : Unlikely to be Cristell Menteith, messenger, mentioned as deforced, 21 March, 1543/4 (*RSS.*, iii. 666). But there is a possible reference to him in a charter, 31 Aug., 1550, of the town and lands of Kinrecht 'quhilk Crestell Monteith brukit and josit afore' (*Cupar*, ii. p. 86).

Domino Alexandro clerk capellano : Perhaps the chaplain of that name who witnesses a charter of William Dempster of Caraldstoun, 16 Dec., 1531 (*RMS.*, iii. 1104, 1131). Another dominus Alexander Clerk, a notary, witnesses many charters, 5 May, 1509 (*ibid.*, iii. 3340), to 24 Feb., 1512/13 (*ibid.*, iii. 3817), and is also found, 16 June and 20 Aug., 1510 (*Buccleuch*, ii. 117; *Reg. S. Egid.*, 118), and 2 April, 1513 (*Yester Writs*, 347).

Valterus froster artium magister capellanus . . . notarius : A man of this name was incorporated at St. Andrews, 1493 (*St. AUR.*, p. 191), is a determinant in the same year (*ibid.*, p. 81) and a licentiate, 1496 (*ibid.*, p. 84), and was presented to the vicarage pensionary of Mathilour, 1 Sept., 1508 (*Cupar*, i. p. 274). We find master Walter Forestar, notary, as a witness at Logymegle, 26 June, 1516 (*RMS.*, iii. 80), and at Kincaldrum, 25 Aug., 1534 (*ibid.*, iii. 1417).

CLXX

8 February, 1536/7.

In dei nomine amen per hoc presens publicum Instrumentum cunctis pateat euidenter / quod anno . . . millesimo quingentesimo trigesimosexto mensis vero februarii die octauo Indictione Nona pontificatus . . . pauli . . . pape tertii anno secundo In meique notarii publici et testium subscriptorum presencia Constitutus . . . Willelmus dominus ruthuen vicecomes vicecomitatus de perth in curia dicti vicecomitis per suam dominationem fuit in pretorio eiusdem Et misit pro magistro alexandro m^obrek quo comparente exponens dixit se esse processurum et suum decretum daturum in causa cognitionis inter Jacobum Scrimgeour de redgothin ex vna ac abbatem et conuentum monasterii de cupro ex altera partibus aut saltem penam cornu regis finaliter incursum quam penam subire noluit Qui dictus magister alexander respondebat dicens dictam

actionem virtute et mandato literarum supremi domini nostri Regis usque ad vicesimum septimum diem mensis instantis februarii esse continuatam Et interim sibi de jure hoc min[i]me licere parte non citata / Et dicto vicecomite precedenti Protestatus est dictus magister alexander quod si suum decretum duret et pronunciet stante dicta continuacione quod dictis abbati et conuentui non preiudicet et desuper sibi fieri petiit instrumentum ve instrumenta et de pretorio recessit / Acta erant hec in dicto pretorio hora quasi undecima ante meridiem aut eocirca Presentibus ibidem . . . Johanne cristisoun preposito de perth dauid blinsele uno balliuorum eiusdem Jacobo campbell de laueris willelmo mouncref de tibernello et magistro Johanne mouncref cum diuersis aliis testibus . . .

Et ego Thomas Walcar Sanctiandree diocesis publicus sacra apostolica auctoritate notarius etc.

No endorsement.

Moray Charters, Box 32, Div. IV, Bundle I, No. 72.

CLXX

Notarial instrument recording that William, Lord Ruthven, sheriff of Perth, being in the sheriff court, sent for Mr. Alexander McBrek and stated that he was about to give decree in the action of cognition between James Scrimgeour of Redgothin and the abbot and convent of Coupar. McBrek replied that the action was continued by royal mandate to 27 Feb. and protested that if he pronounced decree during this continuation it should not prejudice the abbot and convent.

Willelmus dominus ruthuen vicecomes vicecomitatus de perth: William, second Lord Ruthven, succeeded his grandfather, his father having been killed at Flodden (*Scots Peerage*, iv. p. 259). He appears as master of Ruthven along with his spouse, Jonet Haliburton, 12 Dec., 1519 (*Laing Chs.*, 318), and is so designed till 7 April, 1529 (*RMS.*, iii. 772). He appears as Lord Ruthven and sheriff of Perth, 30 July, 1530 (*ibid.*, iii. 960)—the office had been held by his grandfather (cf. *Grandtully*, i. 30) and by his father as master of Ruthven (cf. Bain, *Calendar*, iv. 1710). The present witness is one of the Lords of Council, 4 May, 1531 (*Yester Writs*, 473). He becomes politically prominent about 1543 (see *Scottish Corresp. Mary of Lorraine*; *Hamilton Papers*); and appears as keeper of the privy seal, 2 May, 1546 (*RMS.*, iii. 3231) and later. Ruthven died between 3 and 16 Dec., 1552 (*Scots Peerage*, iv. p. 259).

Magistro alexandro m'brek: There is more than one contemporary of this name. The present witness was probably the layman, master Alex-

ander McBrek, who appears as clerk to the sheriff court of Perth, 3 March, 1516/17 (*Bamff Chs.*, 33), as a burges of Perth, 18 May, 1517 (*RSS.*, i. 2905), and with his spouse, Elizabeth Mersar, 27 March, 1520/1 (*RMS.*, iii. 1520). He is mentioned as at the horn, 7 July, 1531 (*RSS.*, ii. 956), and as sheriff-clerk of Perth, fugitive from the law, on the same date (*ibid.*, ii. 957), and is referred to as escheat till 4 June, 1533 (*ibid.*, ii. 1553). He appears as tenant of Campsie, c. 1542 (*Cupar*, ii. p. 181), and till 6 July, 1551 (*ibid.*, ii. p. 68). Master Alexander McBrek is provost of Perth, 26 Jan., 1543/4 (*Fittis, Eccl. Annals of Perth*, p. 64), and 18 July, 1553 (*Blackfriars of Perth*, p. 232). His son, James, has a respite along with him, 26 Feb., 1546/7 (*RSS.*, iii. 2170). See further, Fittis, *op. cit.*, p. 65. Another Alexander Makbrek was incorporated at St. Andrews, 1497 (*St. AUR.*, p. 196), determined, 1499 (*ibid.*, p. 89), and with his brother, Andrew, was a licentiate, 1501 (*ibid.*, p. 90). It may be this Alexander Macbrek who has a presentation to the provostry of Lincluden, 6 Feb., 1503/4 (*RSS.*, i. 1017). See also No. CLXXII.

Causa cognitionis : A legal action for the constitution of a debt against the heir in heritage.

Jacobo Scrimgeour de redgothin : James Scrimgeour of 'Redgond' appears, 4 Sept., 1541 (*RMS.*, iii. 2441). As of Redgodin he is a witness, 20 Dec., 1549 (*RMS.*, iv. 408), and is mentioned, 30 June, 1565 (*ibid.*, iv. 1643).

Johanne cristisoun preposito de perth : Appears as a burges of Perth, 26 Oct., 1528 (*RMS.*, iii. 812). He is one of the bailies, 31 Aug., 1530 (*Blackfriars of Perth*, l), and dean of guild, 25 Sept., 1532 (*ibid.*, XLV (1)). He appears along with Cristina Rynd, his spouse, and Robert, their son, 24 April, 1545 (*RSS.*, iii. 1146).

David blinsele uno balliuorum eiusdem : We find Blinsele as a burges of Perth in 1537 (*Blackfriars of Perth*, xxxv (1)). He appears as bailie, not of the burgh but of the Dominican prior and convent, 3 Nov., 1550 (*ibid.*, XLIV (2)), to 9 April, 1552 (*ibid.*, LIV (4)).

Jacobo campbell de laueris : Appears from 31 May, 1517 (*RSS.*, i. 2917). A charter of James V granting him and Mariota Forestar, his spouse, a tack of certain lands of Lawers, 16 June, 1525, mentions Colin Campbell of Glenurqhay as his grandfather and also refers to his sons, Archibald, his heir and John (*RMS.*, iii. 316). His second wife, Jonet Gray, is mentioned, 3 March, 1530/1 (*RSS.*, ii. 839), and with him has letters of tack from John Gray, prior of Strathfillan, 30 March, 1533 (*GRH. Chs.*, 1085A). He is named as one of the kin of Sir John Campbell of Lundy, 28 April, 1529 (*RSS.*, ii. 59), and of Archibald, earl of Argyle, 28 Aug., 1536 (*ibid.*, ii. 2152), taken under royal protection. He has numerous crown charters of lands in Perthshire. The latest reference to him seems to be in a commission of justiciary issued to him and others, 21 Jan., 1548/9 (*Exch. Rolls*, xviii. p. 464), although he is named retrospectively, 28 Sept., 1555 (*ibid.*, xviii. p. 329).

Willelmo mouncref de tibermello : Appears from 29 July, 1527, when he has a precept of remission (*RSS.*, i. 3863). He sells by his charter the lands

of Tibbermello, in the lordship of Methven, to William Moncreiff of that ilk, 19 Dec., 1530 (*RMS.*, iii. 979); but, 10 Feb., 1532/3, a crown charter grants William Moncreif in Tibermello and his spouse, Jonet Graham, the half lands of Tibermello which William Moncreif of that ilk resigned (*ibid.*, iii. 1261; cf. *RSS.*, ii. 1502). He appears as a member of an assise, 21 Oct., 1544 (*ibid.*, iv. 38); and his son and heir, William, is mentioned, 8 Jan., 1544/5 (*RSS.*, iii. 1017).

Magistro Johanne mouncref: It is impossible to identify this man among the contemporaries of this name. Master John Moncreif of Rynd appears, 21 Oct., 1544 (*RMS.*, iv. 765); and a respite, 26 Feb., 1546/7 (*RSS.*, iii. 2170), is given to master John Moncreiff, undesigned, master John Moncreif in Maler and John Moncreif in Kasche. Likewise, there are two St. Andrews graduates of this name: one, a licentiate, 1512 (*St. AUR.*, p. 100), and another, 1529 (*ibid.*, p. 122). Again, John Moncreif, treasurer of Dunkeld, is a witness, 26 Nov., 1549 (*RMS.*, iv. 765).

Thomas Walcar . . . notarius: A notary in Perth. Appears from 24 June, 1525 (*Blackfriars of Perth*, XLVII (1)); is mentioned as chaplain and notary, 1 June, 1526 (*Grandtully*, i. 38), and as clerk of the sheriffdom of Perth, 5 July, 1529 (*ibid.*, i. 40). He witnesses a charter at Elcho, 22 April, 1540 (*RMS.*, iii. 2746), and is referred to as deceased, 14 June, 1541 (*Blackfriars of Perth*, XXXIV (4)).

CLXXI

19 May, 1537.

In dei nomine amen per hoc presens publicum instrumentum cunctis pateat euidenter quod anno . . . millesimo quingentesimo trigesimoseptimo mensis vero maij die decimonono Indictione nona pontificatus . . . pauli . . . pape tertii anno tertio In mei Notarii publici et testium subscriptorum presentia personaliter constitutus honorabilis vir magister alexander m^cbrek et michi notario publico subscripto quoddam preceptum vicecomitis de perth thome herlo vni maurorum vicecomitis eiusdem directum super executione decreti dicti vicecomitis dati ad instanciam Jacobi scrimgeour de Redgothin contra et aduersus priorem et conuentum monasterii de Cupro tradidit perlegendum / hoc per me notarium publicum subscriptum lectum et nullatenus esse faciens mentionem destructionis siue depositionis de congerie lapidis et lignorum aque de lownan dictam aquam conducente ad molendinum dicti abbatis et conuentus de ledcassie predicti precepti tenorem

in presenti instrumento inscriui petiit Et cum hec petiit dictus maurus Idem preceptum de manibus mei notarii subscripti vi rapuit et cum eodem recessit / Super quibus omnibus et singulis dictus magister alexander nomine domini abbatis et conuentus a me Notario publico subscripto sibi fieri petiit publicum seu publica instrumentum ve instrumenta vnum seu plura Acta erant hec apud crucem foralem burgi de perth hora quinta post meridiem aut cocirca Presentibus ibidem honorabilibus viris Andrea rettre de westhall dauid rettre willelmo andersoun et Jacobo rynd cum diuersis aliis testibus . . .

Et ego Thomas Walcar Sanctiand. dioc. presbiter publicus sacra apostolica auctoritate Notarius etc.

No endorsement.

Moray Charters, Box 32, Div. IV, Bundle I, No. 69.

CLXXI

Notarial instrument certifying that Mr. Alexander McBrek handed to the notary a certain precept of the sheriff of Perth directed to Thomas Herlo as mair of the sheriff on the execution of a decree of the said sheriff granted at the instance of James Scrimgeour of Redgothin against the prior and convent of Coupar, which being read by the notary and making no mention of the destruction or removal of a heap of stone and wood leading the water of Lunan to the monastery's mill of Ledcassie, he desired to be recorded in the present instrument; whereupon the said mair snatched the precept from the notary's hands and made off with it.

Magister alexander m'brek : See note to previous charter.

Thome herlo vni maurorum vicecomitis eiusdem : Thomas Harley, mair of the sheriffdom of Perth, has a precept directed to him by William, Lord Ruthven, sheriff of Perth, 27 July, 1535 (*Blackfriars of Perth*, p. 224).

Jacobi scrimgeour de Redgothin : See note to previous charter.

Aque de lownan : The Lunan burn, which flows S.E. from Marlee loch to the Isla.

Molendinum . . . de ledcassie : For Lethcassy see note to No. XIII. Its mill is mentioned, *Cupar*, ii. pp. 190, 224.

Andrea rettre de westhall : Sasine of Balnacard is granted in favour of Andrew Rettray as heir of the late Silvester Rettray, 10 April, 1514 (*Grandtully*, i. 30). He is mentioned as of the Wester Hall, 14 July, 1522 (*Wemyss*, ii. 186)—Westhall had previously belonged to Alison Hepburn, spouse of Silvester Rettray and presumably Andrew's mother. Cf. *RSS.*, i. 77. On 17 Dec., 1540, James V by his charter quitclaims to Robert Monypenny the lands of Westhall in the constabulary of Haddington which Andrew Rettray had resigned (*RMS.*, iii. 2244). Andrew Rettray

of Westhall is, however, a member of assises, 8 Nov., 1541 (*ibid.*, iii. 2613), to 17 March, 1544/5 (*ibid.*, iii. 3080).

David rettre : Not identified.

Willelmo andersoun : Not identified.

Jacobo rynd : Perhaps James Rynd of Carse in the barony of Rescoby who is a witness at Dundee, 5 Oct., 1521 (*RMS.*, iii. 208) and frequently thereafter till 1 Sept., 1542, when, with his son, Archibald, he enters into an agreement with Cardinal Beaton (*HMC. Rep.*, Var. Colls., v. p. 199). It is probably another James Rynd of Broxmouth who grants a charter at Dundee, 2 May, 1523 (*RMS.*, iii. 246). A man of this name also appears in a summons of spuilzie committed on the Blackfriars of Perth, 28 May, 1543' (*Blackfriars of Perth*, pp. 229-30), and a tenement in Perth is mentioned as formerly held by James Rynd, burgess of Perth, 18 Oct., 1574 (*RMS.*, iv. 2308).

Thomas Walcar . . . notarius : See note to previous charter.

CLXXII

5 August, 1539.

In nomine dei amen Per hoc presens publicum instrumentum cunctis pateat euidenter quod Anno Incarnationis dominice millesimo quingentesimo trigesimonono die vero quinti mensis Augusti indictione duodecima pontificatus . . . Pauli . . . pape tercii anno tercio In nostrorum notariorum subscriptorum presentiis personaliter constituti . . . Donaldus . . . Abbas monasterii de Cupro Cist. ord. Sanctiandree dioc. Et dominus Alexander spens monachus eiusdem monasterii professus vnanimi consensu et assensu infrascriptum contractum et finalis concordie inter eos appunctuamentum eorumque propriis manibus confitentes et subscriptum nobis in presentia testium infrascriptorum tradiderunt perlegendum publicandum copiandum et in hanc publicam * * * formam redigendum Quorum contractus et subscriptionis eiusdem tenor de verbo in verbum nichil addito vel remoto sequitur in wlgari et est talis At Edinburgh the xxiiij day of Julii In the zeir of god m v^c and [thrett]y nyn zeris It Is aggreit and finalie concordit betuix ane venerable fader in god Donald abbot of Cowper in the tane part and den Alexander spens profest movnk of the said Abbay on the to[th]ar part anent the pensiou of thretty pundis clamit be the said den Alexander

and all vthiris clamis that the said den Alexander had or mycht haue in tymis bigane to the said Abbay or aganis the said Abbot and anent the jowellis vestmentis ornamentis and vthir geir pertenying to the said Abbay allegit put away and disponit in the said den Alexandris vsys and that of thair awin fre motive will oncoarseit or compellit as eftir folowis that is to say The said abbot sall zeirlic content and pay to the said den Alexander in full contentatioun of the forsaidis clamis the sowm of fyftene pundis gude and vsuall money of Scotland alanerlie alslang as it salbe thoct necessar the said den Alexander sall remane vthoutt the said Abbay in Dundranan be the bischope of galloway now commendatour therof or ony uthir prelate of the ordour be the said Abbot at twa termes in the 3eir vidz mydsymmar and zoule be equall half portionis vidz at Ilk terme sewin pundis ten schillingis begynnand his Entres therto at this last terme of midsymmar in the 3eir forsaid And discharge all vthir termes and 3eris bigane his forsaid clamit pensioun and all uthir clame or titill at the said den Alexander has had or mycht haue to the said Abbay or aganis the said abbot in ony maner of way in tymis bigane And quhowsoun the said den Alexander cumis to the said abbay of Cowper and thair to remane vnder the obedience of the abbot for the tyme in reformatioun efter the forme and maner of the reule statutis and cartis of visitatioun and reformatioun left be the visitoris / he sall haue the said haill pensioun of thretty pundis 3erelic alslang as he remanis in maner forsaid secundum ratum temporis allanerlie or ellis he salbe sustentit in meit claytth and all vtheris necessaris as the laif of the reformit brether of the said Abbay for the tym quhilk of the twa salbe thoct maist expedient be the said Den Alexander and abbot for the tym as thai can aggre And becauss the said Den Alexander hes faythfullie in presens of the said abbot and witness vnder wirrityn be his professioun and aytht gewing schawing and declarit that he put neuer away ony of the saidis Jewellis ornamentis vestmentis be himself or ony uthir in his name has promittit and oblist him neuer to fortify nor defend the away-

takkaris nor withhaldaris of the saidis jowellis vestimentis ornamentis be himself or ony uthir in his name nor be ony priuilege or indult grantit be our haly fader the pape / the generall cheptour or howss of Cisteaux grantit or gewin for the awayputting of the samyn bot sall concur witht the said abbot for the recouering of the samyn for the caus forsaid and sall give his threw (*sic*) and anefauld consall and assistence to the said Abbot for the recouering of the samyn als oft as he beis requirit therto be the said abbot and therfor the said abbot sall neuer tribull pley nor inquiet the said den Alexander forder for the saidis jowellis / and in lykways the said Den Alexander sall giue his consall and informatioun in his perfitest maner to the said abbot for recouering of all maner of dettis awand to the place of Cowper the tyme of the decess of the abbot Wilzame turnbull and specialie concernyng the office that hisself had in the mene tym and restis therof als weill in the bowmenis and schiphirdis and stodhirdis handis as vtheris And to that effect sall deliuer the bwkis of comptis and restis of the samyn to the said Abbot betuix this Day and this nixt sanct mychaelis Day and for the observyng and keypyng of the premissis the said venerable fader and den Alexander ar Ilkane oblist faythfullie to uthir and hes subscriwit this writ witht thair handis day and place forsaid Befor ane reuerend fader in god Henry bischope of galloway and of our soueran Lordis chapell royall and Commendatour of Dundranan and tonglandis (*sic*) / Schir Johne Campbell of Calder kyncht and Maister thomas Wemis witht utheris diuers And ordante the samyn to be put in forme of instrument and extendit in the best forme and euer ilkane of thaim to haue ane part thairof for thair securite / Sequuntur subscriptiones dictorum Abbatis et domini Alexandri spens superius mentionati D(onaldus) / de Cupro Abbas / Den Alexander spens manu propria / Post quorum quidem contractus siue appunctuamenti et subscriptionis perlecturam et publicationem prefati Dominus Abbas et Dominus Alexander ad eundem consignantes in omnibus suis punctis clausulis et circumstantiis in eodem contentis pro eorum et cuiuslibet eorum

partibus respectiue corporalia eorum iuramenta prestiturunt et quilibet eorum tactis sacrosanctis Dei euangeliis prestitit Et desuper a nobis notariis subscriptis eis fieri petierunt et quilibet eorum sibi fieri petiit vnum vell plura publicum seu publica instrumentum et (*sic*) instrumenta Acta erant hec in cimiterio ecclesie dicti monasterii hora quasi sexta post merediem aut eo circiter videlicet quinto die augusti anno domini etc. quo supra presentibus . . . domino Jacobo ogiluy de Erolie Johanne campbell de rate milite / Jacobo ogiluy de cloway Johanne cwmyng de culthy willelmo olifant fratre germano domini de olifant Duncano sethe Jacobo gardyn de brekys magistro dauid campbell et Archibaldo Campbell de petintean ac notario publico cum diuersis aliis testibus . . .

Et ego Siluester Irland monachus Cuprensis Sanctiand. dioc. sacre ord. Cist. notarius publicus etc.

Et ego alexander makbrek artium magister Dunkeldensis dioc. Sacra auctoritate apostolica notarius etc.

Et ego Johannes fabri presbiter sanctiand. dioc. Sacra auctoritate apostolica notarius etc.

End. : Denis Alexandris spens and dauid Andersonis Materris.

Moray Charters, Box 32, Div. IV, Bundle I, No. 70.

CLXXII

Notarial instrument recording an agreement made between Donald, abbot of Coupar, and Alexander Spens, monk of Coupar, regarding the pension of 30*l.* claimed by Spens, who undertakes to assist in recovering the jewels and to return the account-books of the abbey.

For the provenance of this record see Appendix II.

Dundranan : A Cistercian abbey in the parish of Rerrick, Kirkcudbrightshire. For Spens's presence there cf. the Cistercian statute that an abbot deposed is preferably to be transferred to another house (Fowler, *Cist. Statutes*, p. 64).

Henry bischope of galloway . . . : Henry Wemyss, provided to the bishopric of Galloway, 24 Jan., 1525/6, died shortly after 14 March, 1540/1 (Dowden, *Bishops*, pp. 372-3). Tongland, which he held *in commendam* with Dundrennan, was a Premonstratensian house in Kirkcudbrightshire.

Schir Johne Campbell of Calder knyght : Third son of Archibald, second earl of Argyle, and thus brother of abbot Donald Campbell. He married Muriel, daughter of John of Caldor (Cawdor), in 1510 (*Scots Peerage*, i. p. 336). On 17 Feb., 1511/12, Muriel gave procuratory of resignation for a

new infestment to her husband of all the lands of the thanage of Caldor (*Thanes of Cawdor*, pp. 123/4); and this was confirmed by a crown charter on the following 22 Feb. (*RMS.*, ii. 3703). He is very frequently on record, often in connection with the acquisition of lands. On 10 Nov., 1523, he was involved in the murder of Lachlan Makcleane (*Diurnal*, p. 8) and had remission, 15 Dec., 1524 (*Thanes*, p. 147). Campbell enters into a contract with Huchon Caldore, sheriff principal of Nairn, for his succession to the sheriffdom of Nairn, 6 Aug., 1528 (*ibid.*, p. 151); and, 3 Jan., 1528/9, he has a crown charter of that office (*RMS.*, iii. 723). He has a commission of justiciary from Archibald, earl of Argyle, justice general, 23 April, 1541 (*Thanes*, p. 165). On 24 July, 1543, he signs the cardinal's 'Secret Band' (*Hamilton Papers*, i. p. 631) and is involved in the political intrigues of the period (*ibid.*, i. p. 622, 655). On 21 Dec., he is proposed as ambassador to Henry VIII (*ibid.*, ii. p. 249) and an English safe-conduct is asked for him, 22 Dec., 1543 (*H. VIII State Papers*, p. 353), and 19 Jan., 1543/4 (*Hamilton Papers*, ii. p. 253; *Epp. Reg. Scott.*, ii. p. 182). On the following 21 March, he is mentioned as going on embassy to Francis I (*Hamilton Papers*, ii. p. 313). For his son and heir, Archibald, see note to No. CLXXXII. His daughter, Katherine, was married to James Ogilvy, son and heir of James, Lord Ogilvy of Airlie (*RMS.*, iii. 2091 etc.), and appears with him in the present charters. Campbell died, 1 May, 1546 (*Thanes*, pp. 171-2). See *ibid.* for a further account of him.

Maister thomas Wemis: A man of this name was incorporated in the Paedagogium at St. Andrews, 1507 (*St. AUR.*, p. 200), and is a licentiate, 1509 (*ibid.*, p. 96). We find master Thomas Wemis mentioned, 11 March, 1516/17 (*SCB. Fife*, p. 58) and as a notary, 26 Feb., 1519/20 (*ibid.*, p. 249), and again as M.A. and notary, 30 March, 1530 (*GRH. Chs.*, 1056). He appears also, undesigned otherwise than master, till at least 21 Nov., 1542 (*RMS.*, iii. 2886). Whether he is the same as master Thomas Wemyss of Unthank cannot be said. The latter appears as a witness, 16 March, 1542/3 (*GRH. Chs.*, 1311), as collector for the College of Justice, 20 May, 1547 (*ADC.*, 1501-54, p. 565), to 29 July, 1550, when he has a discharge for that period (*ibid.*, p. 605). There is a letter to him as lord of session, Nov., 1548 (*LTA.*, ix. p. 254), and he appears as a witness, 9 May, 1551 (*GRH. Chs.*, 1516).

Domino Jacobo ogilvy de Erolie: See note to No. CLXVI.

Johanne campbell de rate milite: Not found elsewhere.

Jacobo ogilvy de cloway: Mentioned as son and heir of Thomas Ogilvy of Clova, 23 Oct., 1528, when he has a crown charter of the lands of Cortachy (*RMS.*, iii. 694). He figures as of Clova in a retour, 13 April, 1532 (*Carnegies*, ii. p. 528, No. 82), although, 6 and 22 Aug. of that year, he appears along with his father (*RSS.*, ii. 664; *LTA.*, vi. p. 15). As of Clova, he is a member of an assise, 9 Jan., 1534/5 (*RMS.*, iii. 1465). His spouse, Katharine Gordoun, and his son, Walter, appear along with him, 23 June, 1545 (*ibid.*, iii. 3142); and his second son, James, is on record, 8 Feb., 1539/40 (*RSS.*, ii. 3323). He is mentioned as holding the lands of Alyth, 31 Aug., 1550 (*Cupar*, ii. p. 94).

Johanne cwmyng de culthy : See note to No. CLXII.

Willelmo olifant fratre germano domini de olifant : William Oliphant of Newton, son of Colin, master of Oliphant, who was killed at Flodden (*Scots Peerage*, vi. p. 543). His elder brother, Lawrence, succeeded a. 18 Nov., 1516, as Lord Oliphant (*ibid.*, vi. p. 544). We find him called brother-german to Laurence, Lord Oliphant, 30 July, 1538 (*Oliphants*, p. lxxxii); when he is respited with others, 26 Feb., 1546/7 (*RSS.*, iii. 2170); when he has letters of remission, 5 May, 1576 (*RMS.*, iv. 2558); and when he has a precept of sasine directed to him, 18 and 20 May, 1580 (*ibid.*, iv. 3016). The Oliphants of Gask are descended from him. See *Oliphants*, pp. lxxi-lxxii.

Duncanu sethe : Not found elsewhere.

Jacobo gardyn de brekys : Probably James Gardyn who has a precept of sasine, 8 May, 1529 (*Aberbrothoc*, ii. 723). The abbot of Arbroath gives a nineteen years' tack of the lands of 'Brax' to James Gardyn, Katrine Seres, his spouse, etc., 9 April, 1530 (*ibid.*, ii. 742). Perhaps James Gardyn whose instructions for an attack on Broughty castle, 1548/9, mention 'Cowper' (i.e. the abbot, Donald Campbell) (*Scottish Corresp. Mary of Lorraine*, p. 294).

Magistro david campbell : Probably David Campbell of Denhead, son of abbot Donald Campbell (*Cupar*, i. p. xl). He has an escheat granted to him, 2 Dec., 1531 (*RSS.*, ii. 1073), and is mentioned in a charter of protection granted to the kin of Archibald, earl of Argyle, 28 Aug., 1536 (*ibid.*, ii. 2152). He witnesses a Coupar feu-charter, 5 April, 1541 (*Cupar*, ii. p. 12), and appears very frequently in Coupar records as a tacksman of various lands. He also appears as bailie-depute of the abbey, 7 April, 1551 (*Frag. Scoto-Monastica*, p. xxix), to 26 Nov., 1554 (*ibid.*, p. xxix). He is one of those who have a commission of justiciary on the lands of Coupar abbey, 24 Nov., 1554 (*Exch. Rolls*, xviii. p. 577). With his son, Archibald, he also had crown charters of the lands of Clavennis in Ayrshire, 26 Dec., 1563 (*RMS.*, iv. 1490), and 14 Jan., 1569/70 (*ibid.*, iv. 1922); and, 23 Aug., 1570, part of Loudounhill which they had held is granted to Matthew Campbell of Loudoun (*ibid.*, iv. 1923). Grissill Maxwell, his spouse, is mentioned, 18 June, 1548 (*ibid.*, iv. 225), and another son, Colin (without date) (*Cupar*, i. p. 317).

Archibaldo Campbell de petintean : Mentioned as one of the kin of Archibald, earl of Argyle, taken under royal protection, 28 Aug., 1536 (*RSS.*, ii. 2152).

Silvester Irland monachus Cuprensis . . . notarius : Appears as a monk of Coupar from 3 Sept., 1521 (*Cupar*, i. p. 97), and is found till 1549 in the present charters (No. cxcii). It is most unusual to find a religious described as a notary. He is so designed also in No. clxxvi.

Alexander makbrek artium magister . . . notarius : See note to No. clxx. It is impossible to say whether this is the layman who appears as a burgh official of Perth or the ecclesiastic of the same name.

Johannes fabri . . . notarius : John Smith. Appears as a chaplain and notary, 27 March, 1520 (*RMS.*, iii. 194), and till 20 March, 1553 (*ibid.*, iv.

916). On 17 Dec., 1549, he witnesses, as chaplain and notary, a charter of James, Lord Ogilvy (*ibid.*, iv. 567), and one would fain identify him with dominus John Smith, vicar pensioner of Airlie, who appears, 27 Aug., 1550 (*Cupar*, ii. p. 87), and elsewhere.

CLXXIII

25 September, 1539.

Omnibus . . . Donaldus . . . Abbas monasterii de Cupro et eiusdem Loci conuentus . . . Salutem . . . Attendentes quod non solum vtile verumetiam nobis nostrisque successoribus de prouido et Legali Balliuo pro administratione Iusticie Tenentibus et Incolis nostrarum terrarum et possessionum ac eorum legitima defensione contra quoscunque ipsos indebite infestare molientes prouidere necessarium esse Et quia . . . Jacobus dominus ogiluy de Erle et sui predecessores nostri balliui extiterunt et in singulis nostris negotiis hucusque se gratissimos exhibuerunt / nos nostrosque famulos ac nostrarum Terrarum et possessionum Incolas et Tenentes nostraque et eorum bona a predonum transgressorum malefactorum furum et Raptorum tribulatione insultibus et incursibus ultra hominum memoriam quam optime tam pacis quam guerre temporibus defenderunt Auxilium nobis nostrisque Tenentibus contra quoscunque nos indebite molestare et inquietare volentes gratissimum prestiterunt Verumetiam bonum fidele et gratuitum nobis nostrisque famulis et Tenentibus seruitium temporibus omnibus elapsis presertim tempore necessitatis multiphariam Impenderunt Necnon pro eorum consimilibus seruitiis gratitudinibus consiliis et auxiliis nobis et successoribus nostris omnibus temporibus prefuturis Imperpetuum Impendentibus / Noueritis Igitur nos vnanimi consensu et assensu ad hoc capitulariter congregatos Nec non de consensu et auctoritate . . . Roberti abbatis de balmorinauche abbatis collateralis et . . . Andree butour commissarii nostri patris Abbatis de melross vtilitate et commodo nostri et successorum nostrorum ac loci nostri antedicti vndique preuisis et consideratis ac longo et diligenti tractatu maturaque deliberatione desuper prehabitis / dedisse . . . prefato Jacobo domino ogiluy de Erle et

heredibus suis masculis Totum et integrum balliatus officium nostrum et singularum nostrarum terrarum et possessionum cum pertinentiis Jacentibus infra vicecomitatus de pertht et forfar respectiue (Terris nostris infra Comitatum Etholie tantummodo exceptis) Ac etiam summam viginti marcarum annuatim percipiendarum et leuendarum pro eorum feodo balliatus ad duos anni terminos consuetos festa viz. penthecostes et sancti martini in hieme per equales portiones de feodofirma omnium et singularum Terrarum de Clintlaw et Auchindore cum suis pertinentiis assedatarum hereditarie Jacobo magistro ogiluy et katerine Campbell sue sponse in feodofirma pro summa vigintiseptem marcarum cum dimedia Octo bollis auenarum et Tribus duodenis Caponum in eorum feodo pro eorum laboribus in prefati balliatus officio vsu et exercitatione dando concedendo et committendo prefato domino et eius heredibus masculis nostram puram liberam et omnimodam potestatem ac mandatum speciale / Et generaliter pro nobis et successoribus nostris balliatus curias super nostris terris et possessionibus antedictis cum pertinentiis vbilibet constitutis Tenentibus Incolis et eorundem Inhabitoribus et aliis quibuscunque quorum Interest assigendo / inchoando / affirmando / Tenendo / quotiens opus fuerit continuando / sectas vocari faciundo / absentes amerciando / Transgressores puniendo / Exitus amerciamenta bludewitas et prefatarum balliatus Eschetas cum ad hoc per nos et successores nostros requisiti fuerint et a nobis in mandatis habuerint et non alias neque alio modo / Leuando / percipiendo / et ad nostros vsus applicando et importando ac desuper nobis Computum Calculum Ratiocinium et solutionem faciundo / et pro eiisdem si opus fuerit Nec non pro nostris firmis proficuis deuoriis quociens ad hoc etiam requisiti fuerint Namando / et distringendo / nostros Tenentes Incolas et Inhabitatores nostrarum Terrarum et possessionum coram quibuscunque Iudicibus spiritualibus aut Temporalibus attaciati seu arrestati fuerint ad priuilegium et libertatem nostrarum balliatus Curiarum Replegiando / et Reducendo Cautionem et colerache pro Justicia partibus conquirentibus infra

Juris Terminum ministrando / dando / et prestando / deputatos vnum seu plures sub ipsis cum clerico sergeando Judicatore et aliis officiaris et Curiarum membris necessariis quibuscunque faciendo / creando / ordinando / et Jurari faciendo / pro quibus Respondere tenebuntur / seruicia nostrorum Tenentium tam in exercitibus Regiis quam nostris Nec non seruicia balliatus debita et que tenentes consueuerunt dare et prestare temporibus retroactis sumendo / recipiendo / et habendo / et eos quotiens opus fuerit ad hoc compellendo / Et generaliter Omnia alia et singula faciendo / gerendo / et exercendo / que ad officium balliatus in premissis seu similibus de Jure seu Regni consuetudine dinoscuntur pertinere etiam si mandatum exigant magis speciale quam presentibus est expressum Et que nos fecerimus seu facere possumus si presentes personaliter interessemus Ratum et gratum firmum atque stabile habendo / et habituro totum et quicquid dictus noster balliuus et eius heredes masculi aut eorum deputati vel officarii coniunctim aut diuisim nomine nostro in premissis seu premissorum aliquo rite duxerit seu duxerint faciendum Sub ypotheca et obligatione omnium bonorum nostrorum mobilium et immobilium presentium et futurorum Insuper pro nobis et nostris successoribus volumus concedimus et ordinamus quod vnica saisina nunc per prefatum Jacobum et eius heredes masculis (*rectius* masculos) omni tempore affuturo de prefato annuo redditu viginti marcarum apud solum predictarum terrarum de clintlaw Capienda erit adeo sufficiens et valida ac si de solo huiusmodi Terrarum de Clintlaw et Auchindorie cum pertinentiis / capta foret non obstante / quod predictae terre de Clintlaw et Auchindorie non Jacent contigue Tenendum et habendum Totum et Integrum prefatum balliatus officium omnium et singularum Terrarum et possessionum antedictarum cum suis pertinentiis / Ac etiam predictum annum redditum viginti marcarum monete predictae ad Terminos suprascriptos per equales portiones de omnibus et singulis Terris nostris antedictis annuatim leuandum dicto Jacobo ogiluy heredibus suis masculis de nobis et successoribus nostris in feodo et hereditarie (*rectius*

hereditate) Imperpetuum Cum omnibus et singulis libertatibus etc. . . . ad prefatum officium spectantibus . . . Libere etc. . . . Reddendo inde Annuatim dictus Jacobus dominus ogiluy et heredes sui masculi nobis et nostris successoribus seruicia prefati balliatus officia consueta seu incumbentia Ac etiam vnum denarium vsualis monete Regni Scotie super solo terrarum nostrarum de clintlaw antedictarum in die festi penthecostes nomine albe firme si petatur tantum pro omni alio onere exactione questione demanda seu seruitio seculari que de predicto officio cum suis pertinentiis / per quoscunque juste exigi poterunt quomodolibet vel requiri Et nos vero prefati Abbas et conuentus et successores nostri totum et Integrum balliatus officium omnium et singularum Terrarum nostrarum et possessionum antedictarum ac etiam predictum annum redditum viginti marcarum pro eodem feodo seu selario (*sic*) prescripto dicto Jacobo domino ogiluy heredibus suis masculis . . . varantizabimus . . . In cuius Rei Testimonium Sigillum commune Capituli nostri vnacum nostris subscriptionibus manualibus Nec non Sigillo nostri patris Abbatis de melross et . . . Roberti abbatis de Balmorinauche Collateralis in premissis in signum et testimonium eorum consensus et auctoritatis sunt Appensa Apud dictum nostrum monasterium de Cupro die vigesimoquinto mensis Septembris Anno Domini Millesimo quingentesimo Trigesimonono.

R. abbas de balmorynacht subscribo
 Andreas butir Subprior de balmerynacht
 commissarius patris abbatis de Melross

Alexander liddell	D. de Cupro abbas	Thomas Witherspwnne
Petrus trent	Alexander hetone prior	Johannes turnbull senior
	manu aliena causa infirmi-	
Siluester Irland	tatis oculorum Bernardus mwrdo[s]n	Georgius bonar
Thomas cowll	Johannes hugonis	Willelmus baxter
	Thomas lochmalony	Wilelmus blayr
	Gregorius auchinlek	Johannes Turnbull junior
	Johannes frog	Adame andersone
	Jacobus maistertoune	Thomas Hammyltoune
	Johannes fogo	Johannes Lawsons
		Alexander Anderson

Of the three seals attached, one—of the abbot of Balmerino—is missing. End.: The abbat and convent of cowpers chartter under thair comone seill and subscrip-tioune of thair handis witht the consent of the abbot of melroiss and the abbot of balmorinacht of the bailzeri of Cowper to James Lord ogiluy and his airis.

Airlie Charters, 1343. 7.

CLXXIII

Charter of Donald, abbot of Coupar and the convent thereof, granting to James, Lord Ogilvy of Airlie, and his heirs male, with the consent of Robert, abbot of Balmerino, abbot collateral, and Andrew Butour, commissary of the father-abbot of Melrose, the office of bailiary on all their lands in the sheriffdom of Perth and Forfar (except the lands of the earldom of Athole) as well as a sum of twenty marks yearly for their bailie fee from the feu of Clintlaw and Auchindorie set to James, master of Ogilvy, and his spouse, Katherine Campbell.

Donaldus . . . Abbas . . . de Cupro : See Appendix II.

Jacobus dominus ogiluy de Erle : See note to No. CLXVI.

Roberti abbatis de balmorinauche : Robert Foster or Forrester. He issues letters of bailiary of the lands of Barry to Sir Thomas Maule of Panmure, 19 June, 1511, and 10 Feb., 1511/12 (*Panmure*, ii. pp. 280, 279). As abbot of Balmerino he was incorporated at St. Andrews, 1512 (*St. AUR.*, p. 208), and appears thereafter frequently. On 19 March, 1529/30, James V wrote to Clement VII regarding Robert's alleged attempt to take lands attached to the cell of Gadwyne from Andrew Gagye, who has been in charge of the cell for many years, and to give them in feufarm or long tack without Andrew's consent. James seeks Andrew's exemption from the abbot's superiority and a hearing for him by the pope (*Tynninghame Letter Bk.*, *GRH.*). Again, 20 April, 1530, James writes on behalf of abbot Robert who with his convent wishes to set their temporal lands in feu farm and to obviate any risks attendant on this (*ibid.*). Again, 28 June, 1532, a letter of James to the cardinal of Ravenna indicates abbot Robert's desire to resign in favour of Henry Roche, with reservation for his (Robert's) lifetime of the fruits and profits of the church and lands of Barry, etc.; and on the same date, the king writes to Clement VII submitting the abbot's proposal and asking that the abbey should be given *in commendam* to Roche with the specified reservations (*ibid.*). This proposal did not mature. Robert held office till his death, *a.* 5 Feb., 1560/1 (Campbell, *Balmerino*, p. 257). Robert's natural children, John, Alexander and Janet, are mentioned as legitimised (*RSS.*, ii. 2157; *ibid.*, iii. 2399, 2554). For an account of him (to which the above is supplementary) see Campbell, *op. cit.*, p. 246 *seq.* He was the last regular abbot of Balmerino.

Andree butour commissarii nostri patris Abbatis de melross : Appears as a monk of Balmerino, 22 June, 1518 (*SCB. Fife*, p. 102). It will be

noted that he signs the present writ as subprior of Balmerino as well as commissary of the abbot of Melrose and he was still holding the office of subprior in 1557 (Campbell, *Balmerino*, p. 249).

Clintlaw et Auchindore : Clintlaw is Clentolach of No. LV. Auchindorie is Adory of No. LXXI. See the notes to these charters.

Jacobo magistro ogiluy et katerine Campbell sue sponse : See note to No. CLXVI.

It is deemed for the most part unnecessary to annotate the names of the monks who attest this and subsequent charters. It may, however, be noted that two of these monks were students at St. Andrews: Adam Anderson and Thomas Hammylton (later subprior) were incorporated there in 1532 (? 1533) (*St. AUR.*, p. 232). The sending of two monks from Coupar to the university anticipated the statute of the council of 1549 (*Statutes*, p. 106).

CLXXIV

25 September, 1539.

Omnibus . . . Donaldus . . . Abbas monasterii de Cupro in Angusia Et eiusdem loci conuentus . . . Salutem in omnium saluatore Quia Regni Scotie retro principes diuersi in parliamentis suis cum Regni sui statibus super Republica eiusdem mutuo disceptantes Terras regis et aliorum prelatorum dominorum temporalium Comitum Baronum Ceterorumque quorumcunque hominum Terras hereditarie possidentium in Emphiteosim seu feodofirmam absque suorum Rentalium et commoditatum diminutione prout cum Tenentibus conuenire poterunt per diuersa parliamentorum statuta et acta que nobis scotis pro legibus obseruanda sunt assedandas fore decreuerint opinantes prouide comoda non modica ut pollitie honesta edificia Terrarum nouas culturas sterilium meliorationes arborum plantationes piscium in aquis Retentibus et per stagna nutritiones Columbariorum Ortorum viridariorum et cuniculariorum constructiones ac Tenentium possessorum huiusmodi Terrarum sic in emphiteosim seu feodofirmam locatarum in rebus mobilibus ditationes ac Armorum et rerum bellicarum prouisiones pro Regis et Regni Contra vetres hostes seu alios quoscunque Inuasores defensione ex firma spe remanendi cum Tenentibus suis et illis per se et heredes suos pro perpetuo gaudendi Regi et Regno prouenire Reipubliceque salutj apprime proficere Nos

Igitur statuta et leges prescriptorum principum et Regum veterumque maiorum nostrorum opinantes et firmiter scientes toti Regno et eiusdem incolis esse maxime perutiles easdem nedum sed et sacros canones qui de terris Ecclesie perpetuam Emphiteosim permittunt insequentes certas terras nostras suadentibus premissis in feodofirmam locare statuimus Noueritis igitur nos unanimi consensu et assensu ad hoc capitulariter congregatos Necon de consensu et auctoritate . . . Roberti Abbatis de Balmorinache abbatis collateralis et . . . Andree butour commissarij nostri patris abbatis de melross utilitate et commodo nostri et monasterii antedicti vndique prouisis et consideratis diligenti tractatu et matura deliberacione prehabitis ac pro pollicia in Regno habentibus / et nostri Rentalis augmentacione dedisse concessisse assedasse arrendasse locasse et ad feodifirmam seu emphiteosim hereditarie dimisisse et hac presenti carta nostra confirmasse Necon dare concedere assedare arrendare locare et ad feodifirmam seu emphiteosim hereditarie dimittere et hac presenti carta nostra confirmare Jacobo ogiluy filio et heredi apparenti . . . Domini Jacobi ogiluy de Erlic Et Katerine Campbell filie . . . Johannis Campbell de calder militis eius coniugi et eorum alteri diutius viuenti in coniuncta infeodatione et hereditate subscriptis pro nonnullis pecuniarum summis per ipsos nobis in nostra vrgenti et cognita necessitate pre manibus gratanter et integre persolutis Omnes et singulas terras nostras de clintlaw et auchindorie cum suis pendiculis et pertinentiis jaentibus / in dominio nostro de Cupro infra vicecomitatum de forfair extendentibus / annuatim nostro in Rentali in firmis et gressumis omnibus ad inuicem computatis ad summam Octodecim librarum vsualis monete Regni Scotie Octo bollas auenarum equorum et Tres duodenas caponum Quequidem terre nostre antedictae per nos et predecessores nostros pro unius hominis et suorum duorum heredum vitis assedare consueuerant prout de presenti assedantur Tenendas etc. . . Reddendo inde annuatim dicti Jacobus ogiluy Iunior et Katerina Campbell eius coniunx et eorum alter diutius viuens et heredes sui suprascripti prefato Jacobo domino ogiluy

nostro balliuo et heredibus suis masculis vnum annum Redditum viginti marcarum monete predictae ad duos anni terminos consuetos festum viz. penthecostes et sancti martini in hieme per equales portiones tanquam eorum feodum pro eorum officii balliatus antedicti usu et functione Ac nobis et successoribus nostris quinque libras monete predictae ad prefatos anni terminos et sic sex solidos et octo denarios in augmentatione nostri Rentalis vltra quod prefate Terre cum suis pertinentiis in firmis et gressumis nobis aut predecessoribus nostris retroactis temporibus persoluerunt vna cum prescriptis octo bollis auenarum et tribus duodenis caponum terminis consuetis persoluendis / Preterea volumus pro nobis et successoribus nostris perpetuo Ordinamus quod dictus Jacobus magister ogiluy et heredes sui masculi non tenebuntur neque aliquatenus astringentur ad Reddendum et persoluendum / nobis et successoribus nostris quicquid aliud annuatim nisi tantum dictam summam quinque librarum Octo bollas auenarum et tres duodenas caponum et duplicationem totius dietae feodifirme in introitu heredum vna cum seruitio balliatus loco et in solutione summe viginti marcarum prius hereditarie Jacobo domino ogiluy et heredibus suis masculis concessis in integram et completam solutionem dietae annualis Rentalis feodifirme vigintiseptem marcarum cum dimedia auenarum et caponum predictis heredibus tamen stirpis siue sexus feminei deficientibus masculis soluendis / nobis et successoribus nostris integram dietam feodifirmam vigintiseptem marcarum cum dimedia auenas capones predictos annuatim et duplicationem in introitu heredum nomine feodifirme vt premittitur tantum pro omni alio onere exactione questione demanda seu seruitio seculari que de predictis terris cum pertinentiis / pro quocunque juste exigi poterunt quomodolibet vel requiri Et nos vero prefati Abbas et conuentus . . . prefatas terras de Clintlaw et auchindore . . . varantizabimus . . . In cuius Rei Testimonium Sigillum nostrum commune vna cum nostris subscriptionibus manualibus nec non sigilla nostri patris abbatis de melross et . . . Roberti abbatis de Balmorinauche collateralis in signum et testimonium eorum consensus et

auctoritatis sunt appensa Apud dictum nostrum monasterium de Cupro die vigesimoquinto mensis Septembris Anno domini millesimo [quingentesimo] Trigesimo nono.

R. abbas de balmorynache subscribo.

Andreas butir Subprior de balmorynache commissarius patris abbatis de Melross.

Willelmus baxter

Bernardus murdos[ou]n

Alexander Liddell D. de Cupro abbas

Petrus Trent Alexander hetone

prior manu aliena causa infirmitatis oculorum

Silvester Irland

Thomas Cowl

Johannes hugonis

Thomas lochmalony

Gregorius auchinlek

Thomas Witherspowne

Johannes Turnbull senior

Georgius bonar

Johannes lawson

Johannes frog

Johannes turnbull junior

Wilelmus blayr

Adam andersone

Alexander Anderson

Thomas Hammylton

Jacobus maistertone

Johannes fogow.

Three seals attached. End.: The ch[ertour] of the landis of Clintillo and auchindory to James M(aister) ogilvy and his wif katherin campbell in conunctffe.

Airlie Charters, 409. 1.

CLXXIV

Feu-charter by Donald, abbot of Coupar and the convent thereof, with the consent of Robert, abbot of Balmerino, and Andrew Butour, commissary of Melrose, of all their lands of Clintlaw and Auchindorie in favour of James Ogilvy, son and apparent heir of James, Lord Ogilvy of Airlie, and of Katherine Campbell, daughter of Sir John Campbell of Calder, his spouse.

See Introduction, p. lxiii.

For the persons and places mentioned see notes to previous charter.

CLXXV

29 September, 1539.

Donaldus . . . abbas monasterii de Cupro . . . et conventus eiusdem dilectis nostris Jacobo ogiluy de cukstoune georgio lyoune ¹ Balliuis in hac parte salutem / Quia dedimus et concedimus hereditarie in feodifirma et emphiteosi . . . terras nostras de glentullaucht et auchindorie cum suis pendiculis et pertinentiis Jacentes infra dominium nostrum de Cupro et vicecomitatum de forfar dilecto nostro Jacobo ogiluy filio et apparenti [heredi] . . . Jacobi domini ogiluy de arlie et Katherine campbell filie . . . Joannis campbell de calder militis / eius coniugi et eorum alteri diutius viuenti in coniuncta infeodatione et heredibus . . . prout in carta nostra feodifirme . . . latius continetur Quare vobis et vestrum cuilibet coniunctim et diuisim precepimus et mandamus quatenus visis presentibus statim saisinam et possessionem hereditariam . . . terrarum de glentullaucht et auchindorie cum suis pendiculis et pertinentiis dictis Jacobo et Katherine eius coniugi et heredibus . . . tradatis et deliberetis eosdemque in realem actualem et corporalem possessionem eiusdem per terre et lapidis traditionem inducatis seu alter vestrum inducat ad quod faciendum vobis et vestrum cuilibet tenore presentium committimus potestatem In cuius Rei testimonium sigillum capituli nostri unacum nostris subscriptionibus presentibus est appensum Apud dictum nostrum monasterium penultimo die mensis septembris Anno domini millesimo quingentesimo Trigesimo Nono.

D. de Cupro abbas

Bernardus mordoson

Willelmus baxter

Thomas lochmalony

Thomas wythirspone

Georgius bonar

Wilelmus blayre

James (*sic*) maistertoune

Thomas hammylton

Alexander Heton prior

Johannes hugonis

Jacobus mychelsvne

Johannes frog

Adam andersone

Alexander andersune

Gregorius auchlek

Johannes turnbull

Joannes fogo

Petrus trent.

¹ Space left for a name or names which have not been inserted.

Seal attached. End.: Preceptum saisine Jacobi Magistri ogiluy de glentullaucht et auchindory.

Airlie Charters, 411. 3.

CLXXV

Precept of sasine by Donald, abbot of Coupar and the convent thereof, of the lands of Glentullaucht and Auchindorie in favour of James Ogilvy and Katherine Campbell, his spouse.

The persons and places mentioned in this charter are annotated under No. CLXXIII except—

Jacobo ogiluy de cukstoune: Perhaps James Ogilvy who appears as son of Oliver Ogilvy and Felicia Fenton, his spouse, 16 March, 1509 (*Aberbrothoc*, ii. 492)—the latter have a tack of Kirkton of Balfour by his charter. We find James Ogilvy, Marjory Dure, his spouse, and John Ogilvy, their son, given a tack of Balfour and Kirkton, 16 Nov., 1520 (*ibid.*, ii. 563), and, 23 Jan., 1533/4, in a renewed tack of these lands, James Ogilvy is designed of Cukyston (*ibid.*, ii. 790). The present witness is taken under royal protection as a friend of Beaton (as abbot of Arbroath), 16 Feb., 1532/3 (*RSS.*, ii. 1508), 31 Aug., 1536 (*ibid.*, ii. 2166), 10 July, 1537 (*ibid.*, ii. 2307), and as a friend of Beaton (as cardinal), 13 July, 1541 (*ibid.*, ii. 4117). His son and heir, John, obtains tacks of Bennathy (Bendochy), 11 March, 1538/9 (*HMC. Rep.*, v. App., p. 622), and 1 July, 1543 (*ibid.*—*Dunfermelyn*, 553).

Georgio lyoune: Unlikely to be George Lyon, second son of John, sixth earl of Glamis, as he and his brother, John, were imprisoned in Edinburgh castle from 1537 to 1543 (*Scots Peerage*, viii. pp. 280-2). George Lyoun, son of John Lyoun of Coule, appears with his spouse, Margaret Thornetoun, 21 Jan., 1546/7 (*Aberbrothoc*, ii. 322), and another (?) George Lyoun—in Balgowny—is a witness, 17 July, 1565 (*ibid.*, ii. 1786).

Glentullaucht et auchindorie: Glentullaucht must be taken as a variant of the name Clintlaw. See notes to No. CLXXIII.

Jacobo ogiluy . . . et Katherine campbell . . . eius coniugi: See note to No. CLXVI.

CLXXVI

29 September, 1539.

Donaldus . . . abbas monasterii de Cupro . . . et conuentus eiusdem . . . Jacobo ogiluy de coukistone georgio lyone

¹ balliuis in hac parte salutem Quia commodo et

¹ Space left for insertion of name or names.

vtilitate nostri et successorum nostrorum et in euiden-
tem nostri rentalis augmentationem dedimus . . . et ad
feodifirmam seu emphiteosim hereditarie dimisimus . . .
Jacobus ogiluy filio et apparenti herede . . . Jacobi domino
(sic) ogiluy de Erle et Katerine Campbell filie . . . Johannis
Campbell de calder militis eius coniugi et eorum alteri
diutius viuenti in coniuncta infeodacione et heredibus . . .
terras nostras de Clintlaw et auchindore cum suis pen-
diculis et pertinentiis . . . prout in carta nostra . . . ad
longum cauetur Quare vobis et vestrum cuilibet insolidum
precepimus et mandamus quatenus visis presentibus
accedatis ad prefatas terras cum pendiculis et earum per-
tinentiis / et ibidem saisinam coniunctam . . . prescriptarum
terrarum cum suis pertinentiis / prefatis Jacobo et Katerine
eius coniuge . . . ad terre et lapidis traditionem reddatis et
deliberatis (sic) seu alter vestrum tradat et deliberet
eosdemque in realem actuaalem et corporalem possessionem
earundem cum suis pendiculis et pertinentiis inducatis seu
alter vestrum inducat . . . Ad quod faciendum / vobis . . .
nostram irreuocab[i]lem committimus potestatem In cuius
Rei testimonium presentibus manibus nostris subscriptis
sigillum nostrum commune est appensum Apud dictum
nostrum monasterium die penultimo mensis septembris
Anno domini millesimo quingentesimo Trigesimonono.

D. de Cupro

Johannes lawsone

Johannes hetone

Alexander hetone prior per me Siluestrem Irland
notarium causa infirmitatis oculorum

Adam andersone

Thomas lochmalony

Johannes turnbull Senior gregorius auchinlek thomas withirspune

Georgius bonar Bernardus mwrdsoson Alexander liddell Wilelmus blayr

Johannes hugonis

Petrus trent ad Idem

Thomas cowll

Johannes frog

Siluester Irland

Johannes fogo

Alexander Andersone

Jacobus maistertoun

Johannes turnbull.

Seal attached. End.: Ane precip of seissyng of the
landis of Clenttillo and auchindory to James M(aister) of
ogiluy and katrine campbell in coniunct fe.

Airlie Charters, 412. 4.

CLXXVI

Another version of the previous charter.

For persons and places see notes to previous charter.

CLXXVII

29 September, 1539.

[Precept of sasine by Donald, abbot of Coupar, and the convent thereof, in favour of James Lord Ogilvy and his heirs-male in the office of bailiary of all the lands of the abbey within the shires of Perth and Forfar excepting those in the earldom of Athole, 29 Sept., 1539.]

Airlie Charters, 1345. 9 (from Airlie Inventory; orig. not found).

CLXXVII

See notes to No. CLXXIII.

CLXXVIII

29 September, 1539.

[Instrument setting forth that Donald, abbot of Coupar, with consent of twenty-one monks in chapter assembled, delivered to James Lord Ogilvy of Airlie the writs and evidents relating to his office of bailie of Coupar and to the lands of Clintlaw and Auchindorie given in feu to him, dated 29 September, 1539. Witnesses: Sir John Campbell of Calder, kt., Sir Adam Otterburn of Redhall, kt., Patrick Gray, son and heir of Gilbert Gray of Buttergask, James Ogilvy of Cuikstoun, William Blayer of Bawgillo and others.]

Airlie Charters, 1344. 8 (from Airlie Inventory; orig. not found).

CLXXVIII

Donald abbot of Coupar: See Appendix II.

James Lord Ogilvy of Airlie: See note to No. CLXVI.

Clintlaw and Auchindorie: See note to No. CLXXIII.

Sir John Campbell of Calder, kt.: See note to No. CLXXII.

Sir Adam Otterburn of Redhall, kt.: On this prominent figure of the

earlier sixteenth century, see Inglis, *Sir Adam Otterburn*. It is erroneously stated, *Inchcolm*, p. 133, that he was ambassador to France in 1546.

Patrick, son and heir of Gilbert Gray of Buttergask: Patrick had the gift of the nonentries of Fowlis, etc., 28 April, 1542 (*RSS.*, ii. 4605, 4606), and appears as Lord Gray in that year (*Scots Peerage*, iv. p. 280). He died in 1584 (*ibid.*, iv. p. 281).

James Ogilvy of Cuikstoun: See note to No. CLXXV.

William Blayer of Bawgillo: See note to No. CLXIII.

CLXXIX

29 September, 1539.

In dei Nomine Amen per hoc presens publicum instrumentum Cunctis pateat euidenter . . . quod Anno . . . millesimo Quingentesimo Trigesimo nono mensis vero septembris die penultimo Indictione decimatertia Pontificatus . . . pauli . . . pape tercij anno quinto In nostrorum notariorum publicorum et testium Subscriptorum presencia personaliter constitutus Reuerendus pater Donaldus . . . abbas monasterii de cupro . . . in loco capitulari eiusdem cum suo conuentu ad numerum viginti vnus monocorum ad effectum subscriptum capitulariter congregatorum Tenens et habens in manibus suis euidentias terrarum de clintlaw et auchindorie cum nonnullis aliis euidentiis penes officium Balliuatus huiusmodi loci de cupro . . . Jacobo Ogylwy Domino de erlie et heredibus suis concessis ac pro deliberatione huiusmodi Euidentiarum sibi Jacobo domino de erlie Tunc presenti fienda Et dictus Reuerendus Pater publice exposuit et promulgauit ac dixit in presencia dictorum conuentuum (*sic*) vt sequitur in vulgari Breder it is nocht onknawin to zou diuerss tymes quhow that we haiff beine awisit consulute and commonit for the vtilite and profett of our place and quhow we haiff concludit grantit witht ane assent and consent Togidder witht consent of our ourir man and collatrall for certane guid causis to gyff in heretage our bailzerie to gidder witht our landis of clyntlaw and auchindorie in few To my lord ogilwy heir present and to his sone and aperand ayr James ogilwy and Kathering campbell now his spouss as is contenit at lentht in thiris saidis euidentis and contrakkis maid betuix ws

quhilkis ar now heir saillit be owr said ouirman collatral and ws subscriuit witht all our handis in takin of thairis and ouris consent and assent And now gyff thair be ony of zou breder that thinkis that this be nocht for the vtilite and profet of our said place or that the said euidentis sall nocht be deliuerit to my lord ogylwy schaw now your myndis and murmur nocht efterwart that this is done be ony senister way//And gyf ze think the saidis euidentis sall be deliuerit to my lord ogylwy ansuer now thairto I requir zou Quiquid conuentus vna voce et vnanimi consensu affirmarunt ratificarunt et approbarunt omnia et singula facta ve gesta et contenta in dictis euidentiis et contractis Initi (*sic*) vt prefertur inter ipsos Reuerendum patrem conuentus et dictum dominum Jacobum ogilwy de erlie Promittentes per extentionem manuum suarum dextrarum nobis notariis stipulantes fide media de non contraueniendo in futurum penes premissa etiam si necesse fuerit ad informandum et extendendum huiusmodi euidentias in uberiori forma toties quoties opus visum fuerit Dummodo ad hoc fuerint requisiti per dictum dominum jacobum de erlie aut suos heredes sicque substantialia non mutantur Et similiter dominus Ja[co]bus ogilwy dominus de erlie fideliter promisit Reformare suam obligacionem ipsis vt prefertur factis itaque substantialia obseruantur Super quibus . . . prefatus Reuerendus pater pro se et suo conuentu et dictus Jacobus ogylwy dominus de erlie huicinde petierunt instrumentum . . . Acta erant hec in domo capitulari huiusmodi loci de cupro hora tertia aut eo circa post meridiem sub anno . . . quibus supra Presentibus ibidem . . . Johanne campbell de calder milite adamo otterburme (*sic*) de redhall milite Patricio gray filio et herede apparenti gilberti gray de buttergask Jacobo ogylwy de cuikstoune Willelmo blayr de Bawgallo (*sic*) magistris Johanne campbell et David campbell Antoneo synclar et Domino Willelmo smytht notario publico Cum diuersis aliis Testibus . . .

Et ego vero Jacobus murray artium magister presbiter brechynensis diocesis sacra auctoritate apostolica notarius publicus etc.

End.: The abbat and conuentis off cowpar consentis and affirmatioune of thair Bailzerie of cowpar wით clynt-law And auchindorie.

Airlie Charters, 413. 5.

CLXXIX

Notarial instrument recording the assent of the twenty-one monks of the convent of Coupar to the grant of the bailiary together with the lands of Clintlaw and Auchindorie to James Ogilvy, lord of Airlie, and his son and apparent heir, James Ogilvy.

This is probably a duplicate of No. CLXXVIII. The persons and places are the subject of notes to that charter except:

Magistris Johanne campbell et David campbell: Master John Campbell cannot be identified with any of the numerous individuals of that name who appear in *Cupar*. Was he an illegitimate son of the abbot, like master David Campbell (of Denhead), for whom see note to No. CLXXII?

Antoneo synclar et Domino Willelmo smytht notario: Sinclair appears in No. CLXXXI. Smith has not been found elsewhere.

Jacobus murray artium magister . . . notarius: Not identified unless he is James Murray who was incorporated at St. Andrews, 1506 (*St. AUR.*, p. 199); determined, 1508 (*ibid.*, p. 96); and was a licentiate, 1511 (*ibid.*, p. 98). We find a notary of this name, of St. Andrews diocese, attesting instruments from 21 May, 1567 (*Laing Chs.*, 824), to 27 May, 1584 (*ibid.*, 1079).

CLXXX

29 September, 1539.

Donaldus . . . abbas monasterii de Cupro . . . et conuentus eiusdem . . . Jacobo ogiluy de Kukstone ¹ georgio lyoune ² balliuis nostris in hac parte salutem Quia ³ . . . dedimus et hereditarie concessimus . . . Jacobo ogylwy domino de Erle ⁴ et heredibus suis masculis officium balliatus ⁵ omnium et singularum terrarum et possessionum nostrorum ⁶ infra vicecomitatus de pertht et forfar Terris infra comitatum ⁷ Etholie ⁸ tantummodo exceptis Ac etiam vnum annum redditum viginti marcarum . . . terrarum

¹ This charter, as incorporated in No. CLXXXI, reads: 'Cukstoune.'

² Space left blank for additional name.

³ No. CLXXXI, 'Quod.'

⁵ *Ibid.*, 'balliuatus.'

⁷ *Ibid.*, 'vicecomitatum.'

⁴ *Ibid.*, 'Erlic.'

⁶ *Ibid.*, 'nostrarum.'

⁸ *Ibid.*, 'aitholie.'

nostrarum de clintlaw et auchindore ¹ cum earum pen-
diculis et pertinentiis . . . annuatim leuandum / et perci-
piendum / ad duos anni terminos festa viz. penthecostes
et ² sancti martini in hyeme per equales portiones in
eorum feodo pro laboribus in vsu et exercitatione dicti
officii mediante vna saisina apud prefatas terras nostras de
clintlaw omnibus temporibus affuturis capienda / eiusdem
sufficientie et validitatis ac si de solo terrarum de clintlaw
et auchindore ³ capta foret prout in carta nostra eiis ⁴
desuper confecta plenius ⁵ continetur Quare vobis et
vestrum cuilibet insolidum precipimus et mandamus
quatenus visis presentibus ad prefatas terras nostras de
clintlaw accedatis et Ibidem super solo earundem saisinam
predicti annui redditus prefato Jacobo Domino ogiluy ⁶
De Erle ⁷ per denarii traditionem tradatis et deliberetis ⁸
. . . eundemque in actualementalem et corporalem posses-
sionem eiusdem inducatis . . . Ad quod faciendum / vobis
et vestrum cuilibet coniunctim et diuisim nostram tenore
presentium irreuocabilem committimus potestatem In
cuius rei Testimonium huic nostro balliatus ⁹ precepto
manibus nostris subscripto siggillum ¹⁰ nostrum commune
est appensum Apud dictum nostrum ¹¹ monasterium die
penultimo mensis septembris anno domini millesimo quin-
gentesimo Trigesimonono.

D. de Cupro abbas ¹²

Johannes lawsone

Alexander hetone prior per me

Siluestrem Yrland notarium

Thomas hammylton

causa infirmitatis oculorum

Johannes turnbull senior

Georgius bonar

Thomas lochmalony gregorius auchlek

Johannes hugonis ¹³

Johannes frog

Bernardus ¹⁴ murdoson Thomas Witherspoune

Johannes turnbull

¹ No. CLXXXI, 'auchindorie.'

³ *Ibid.*, 'auchindorie.'

⁶ *Ibid.*, 'plenarie.'

⁷ *Ibid.*, 'erlie.'

⁹ *Ibid.*, 'balliuatus.'

¹¹ *Ibid.*, omitted.

¹³ *Ibid.*, 'hugones.'

³ *Ibid.*, 'and' (*sic*).

⁴ *Ibid.*, omitted.

⁶ *Ibid.*, 'domino Jacobo ogiluy.'

⁸ *Ibid.*, 'deliberatis.'

¹⁰ *Ibid.*, 'sigillum.'

¹² *Ibid.*, 'D. dominus de cupro abbas.'

¹⁴ *Ibid.*, 'barnerdus.'

Alexander Anderson	Alexander liddell	Wilelmus blayr
	Petrus trent ad idem	Thomas cõwll
	Siluester Irland	Johannes fogo
	Jacobus maistertoun	Adam Andersone.

Seal missing. End. : * * * to giff saissyne to James lord ogiluy of the (office of Bailzerie of cowper (*inserted*)) landes of Clinttillo and auchindory for the bailye ffe of cowper.

Airlie Charters, 410. 2.

CLXXX

Precept of sasine by Donald, abbot of Coupar and the convent thereof, of an annualrent of twenty marks of the lands of Clintlaw and Auchindorie, in favour of James Ogilvy, lord of Airlie, and his heirs, bailies of Coupar.

The persons and places of this precept are the subject of notes to No. CLXXV, etc.

CLXXXI

1 October, 1539.

In dei Nomine Amen per hoc presens publicum Instrumentum Cunctis pateat euidenter . . . quod anno . . . millesimo quingentesimo trigesimo nono mensis vero octobris die primo Indictione Decima tertia pontificatus . . . pauli . . . pape tertii anno quinto In mei notarii publici et testium subscriptorum presencia personaliter constitutus . . . Jacobus dominus ogiluy de erlie tenens et habens in manibus suis quoddam preceptum saisine . . . Donaldi permissione diuina abbatis monasterii de cupro . . . et conuentui (*rectius* conuentus) eiusdem sigillo comuni vnacum subscriptionibus manualibus domini abbatis et conuentus roboratum Accessit ad terras de clintlaw et auchindorie . . . directum . . . georgio lyoune uni balliuorum in eodem principaliter nominato tradidit exequendum Quodquidem preceptum Idem georgius cum ea reuerentia qua decuit ad manus recepit michique notario subscripto tradidit perlegendum sub huiusmodi verborum vt sequitur Donaldus . . . abbas etc. . . (*ut in no. CLXXX*) . . . Quodquidem preceptum per me receptum finaliterque perlectum Antedictus georgeus lioune balliuus in dicto

precepto nominatus statum saisinam et possessionem hereditariam dicti annui redditus viginti marcarum per denarii traditionem argenti predicto domino Jacobo ogiluy de erlie presenti et acceptanti . . . realiter et cum effectu dedit tradidit pariter et exhibuit Super quibus . . . Jacobus ogiluy de erlie a me notario publico subscripto sibi fieri petiit instrumentum . . . Acta erant hec super Solo huiusmodi terrarum infra horis septima ante meridiem et tertio (*sic*) post meridiem aut eocirca sub anno etc. . . . quibus supra presentibus ibidem . . . Jacobo ogiluy de cukstoune antonio sinklar Johanne peblis Johanne andersoune Johanne Donald et Willelmo steill cum diuersis aliis testibus . . . (*Nomen notarii deest*) . . .

End. : The copy of the principale instrument of sasine of the baillierie of Cowper etc. onsubscriuit 1539.

Airlie Charters, 1346. 10.

CLXXXI

Instrument of sasine following on the previous charter.

The persons, etc., of this charter are the subject of notes to No. CLXXV, etc., except :

Antonio sinklar : Found only in No. CLXXIX.

Johanne peblis : Perhaps John Peebles, burgess of Perth, who is a witness, 12 Jan., 1514/15 (*RMS.*, iii. 26), and a member of an assise, 26 Oct., 1528 (*ibid.*, iii. 406), and whose lands in Perth are mentioned, 8 Aug., 1541 (*Cupar*, ii. pp. 76-77).

Johanne andersoune : Many contemporaries bear this name. Perhaps John Anderson who has a tack of part of Fruquhy till Whitsunday, 1524 (*Cupar*, i. p. 299).

Johanne Donald : A man of this name has a tack of part of Glenisla, c. 1518 (*Cupar*, i. p. 300). Later, we find John Donald, along with his father, Patton Donald, granted part of the grange of Aberbothrie, 27 Sept., 1554 (*ibid.*, ii. p. 117). John Donald is also mentioned as tacksman of Bellite, 31 July, 1550 (*ibid.*, ii. p. 248), to 9 March, 1557/8 (*ibid.*, ii. p. 161).

Willelmo steill : Not identified. It is unlikely that he is the tacksman of Keptie who is mentioned, 28 March, 1521 (*Aberbrothoc*, ii. 564), and later.

CLXXXII

2 February, 1539/40.

Omnibus . . . donaldus . . . abbas monasterii de Cupro . . . et eiusdem loci Conuentus Salutem in omnium saluatore

quoniam Iure tam canonico quam ciuili religiose satis sanctitum est prelatum posse solempnibus obseruatis Rem Immobilem in emphiteosim seu alias quouismodo alienare maxime ubi ea alienatio in Jesu Christi domus commodum cedere dinoscitur equum est Nos eo tramite incidentes predia nostra in emphiteosim dimittere seu locare Et quia . . . Walterus ogiluy de denlugus miles nedum lites Immortalitate quadam permansuras Et substancia monasterii profusuras suis maximis Impensis extinxerit Sed eciam annuos census in perpetuam domus et monasterii vtilitatem augere vigilantissime studuerit Noueritis nos ea occasione de Capituli nostri seu Conuentus et fratrum consensu ad hoc capitulariter congregatorum Ac diligenti et fidei tractatu prehabitis tum quia Idem Walterus maximum dampnum in extinguendis perpetuis litibus a nobis suis non modicis Impensis procul amouerit et diluerit Ingen-temque pecunie summam pro solucione debitorum quibus onerati fuimus persoluerit Tum eciam quia annum Censum siue Rentale nostrum perpetuo auxerat et adiu-uerat asse dedisse . . . et ad feodifirmam seu empheteosym hereditarie dimisisse . . . prefato Waltero ogiluy de dun-lugus et alisone hume eius Coniugi et eorum alteri diutius viuenti in Coniuncta Infeodacione et heredibus suis sub-scriptis pro nonnullis magnis pecuniarum summis per Ipsos nobis in nostra magna urgente et Cognita necessitate pre manibus gratanter et integre persol[u]unt pro Cuiusdam taxe supremo domino nostro regi solucione Necnon pro nonnullis aliis gratitudinibus et benemeritis per ipsos nobis multiphariam Impensis . . . terras nostras de alweth et Inuerithny cum piscariis earundem super aqua de duvern et suis pertinentiis Infra vicecomitatum de Banff extendentes annuatim nostro in Rentali In omnibus proficuis ad summam duodecim librarum monete cur-rentis regni scocie Tenendas et habendas . . . prefatas terras de alveth et Innerrithny Cum piscariis earundem . . . dictis Waltero ogiluy et alisone hume eius Coniugi et eorum alteri diutius viuenti in Coniuncta Infeodacione et here-dibus inter Ipsos legittime procreatis seu procreandis Quibus deficientibus georgio ogiluy filio naturali predicti

Walteri et heredibus suis de Corpore suo legitime procreandis Quibus omnibus (quod absit) deficientibus legitimis et propinquieribus heredibus dicti Walteri quibuscunque de nobis et successoribus nostris in feodifirma emphiteosi et hereditate Imperpetuum Per omnes rectas metas suas antiquas etc. . . . Reddendo Inde annuatim dicti Walterus ogiluy Alisona Hume eius coniunx et eorum alter diutius viuens et heredes sui suprascripti nobis et successoribus nostris summam viginti librarum usualis monete regni scocie ad duos anni terminos consuetos festa videlicet pentechostes et sancti martini in hieme per equales portiones nomine feudifirme in augmentationem nostri Rentalis annuatim ad summam octo librarum monete predictae tantum Pro omni alio onere exactione questione demanda seu seruicio seculari que de predictis terris Cum pertinentiis per quoscunque iuste exigí poterit quomolibet vel requiri Necnon heredes antedicti prefatorum Walteri et alisonae duplicando nobis et successoribus nostris dictam feudifirmam primo anno eorum introitus ad predictas terras et piscarias Cum pertinentiis prout vsus est feudifirme Et nos vero prefatus donaldus abbas de Cupro Et Conuentus eiusdem Et successores nostri . . . prefatas terras etc. . . . warantizabimus . . . In cuius rei testimonium sigillum nostrum Commune vna cum nostris subscriptionibus manualibus presentibus est appensum Apud dictum monasterium nostrum Secundo die mensis februaryi Anno domini Millesimo quingentesimo trigesimo nono Coram hijs testibus Johanne Campbell de Caldor milite Archbaldo campbell eius filio et herede apparente Et magistro Andrea Barelay Cum diuersis aliis.

D de Cupro abbas	Alexander hetone prior
Thomas hammylton subprior	Thomas lochmalony
Johannes Turnbull junior	Gregorius auchtinlek
	Thomas Withirspune
	Johannes turnbull senior
	George bonar
	Wilelmus blayr
	Wilelmus baxter
	Johannes hugonis

Adam andersoun Jacobus mastertone
 Alexander Anderson Johannes lausone
 Johannes fogo.

Seal missing. End.: Carta de Alueth et Innerrithny pro Waltero ogiluy de dunlugus milite et alisona hyme eius conjugue.

Rose Charters (National Library of Scotland), A54.

CLXXXII

Feu charter by Donald, abbot of Coupar and the convent thereof, of their lands of Alveth and Inverichnie, in favour of Sir Walter Ogilvy of Dunlugus and Alison Hume, his spouse.

Abstracted *RMS.*, iii. 2080, where it is incorporated in a charter of confirmation. See Introduction, p. lxiii.

Donaldus . . . abbas . . . de Cupro : See Appendix II.

Walterus ogiluy de denlugus miles : See *Scots Peerage*, ii. p. 7 *sqq.*, for his descent. As Walter Ogilvy of Monicabeth, he has a tack, along with his natural sons, George and Alexander, of the teinds of the church of Inverness, 13 Sept., 1528 (*Aberbrothoc*, ii. 707). Under the same designation he is granted a crown charter of the lands of Carnowseis, 12 June, 1530 (*RMS.*, iii. 949), and appears as of Carnowseis, 31 March, 1531 (*ibid.*, iii. 1013). He has a crown charter of half the lands of Dunlugus, 2 July, 1532 (*ibid.*, iii. 1187), and thereafter bears that designation. Along with Alison Hume, his spouse, Ogilvy has a tack of the lands of Innerethny and the kirkton of Alveth, c. 1532 (*Cupar*, i. p. 314), and similar charters (including the present) till 7 March, 1557/8 (*ibid.*, ii. p. 139). As of Dunlugus, he has a tack of the customs of Banff, 4 Sept., 1532 (*RSS.*, ii. 1399), and appears as custumar there, 19 Aug., 1534 (*Exch. Rolls*, xvi. p. 357), to 21 Nov., 1556 (*ibid.*, xviii. p. 355). Ogilvy signed the cardinal's 'Secret Band,' 24 July, 1543 (*Hamilton Papers*, i. p. 631), and was proposed as ambassador to England, 21 Dec., 1543, and 21 June, 1544 (*ibid.*, ii. pp. 249, 415). He had a tack of the teinds of Alveth, 28 Dec., 1555 (*Cupar*, ii. p. 124). His death took place, 29 Nov., 1558 (*Scots Peerage*, ii. p. 8). In addition to George and Alexander (*supra*), he had a natural son, Walter (who had a charter of the lands of Carnowseis, 28 Oct., 1549 (*RMS.*, iv. 388)), and two daughters, both called Elizabeth, who had a precept of legitimation, 18 June, 1542 (*RSS.*, ii. 4709).

Terras . . . de alweth et Inuerithny cum piscariis earundem super aqua de duvern : These are the lands of Alvah and Inverichnie in Banffshire with the fishings of the river Deveron.

Georgio ogiluy filio naturali predicti Walteri : See *supra*. He was evidently legitimised at some unrecorded date; appears as his father's son and heir, 5 Jan., 1541/2 (*RSS.*, ii. 4389); and with his spouse, Beatrice

Seytoun, has a charter granted by his father of half of Dunlugus, 28 March, 1557 (*RMS.*, iv. 1176).

Johanne Campbell de Caldor milite : See note to No. CLXXII.

Archibaldo campbell eius filio et herede apparente : Mentioned as son and heir of Sir John Campbell of Cawdor, 28 Aug., 1536 (*RSS.*, ii. 2152) ; has a crown charter of the half of the lands of Rait which Sir John has resigned, 16 Aug., 1545 (*RMS.*, iii. 3149) ; succeeded his father (see *retour*, 10 Feb., 1546/7 (*Thanes of Cawdor*, pp. 171-2)) and appears as of Cawdor, 14 Aug. and 5 Dec., 1549 (*RMS.*, iv. 369, 401).

Magistro Andrea Barclay : Witnesses a charter of abbot Donald and the convent to Sir Walter Ogilvy of Dunlugus, 3 Jan., 1539/40 (*Cupar*, ii. p. 5). Whether he is master Andrew Barclay, taken under royal protection as one of the tenants of John Campbell of Lundy, 5 Oct., 1540 (*RSS.*, ii. 3666), is uncertain. We find Andrew Barclay, notary (probably a different individual), attesting the will of James, master of Ogilvy, 30 July, 1545 (*Cupar*, ii. p. 297).

CLXXXIII

19 April, 1540.

Antonius . . . tituli sanctorum Quattuor Coronatorum presbiter Cardinalis . . . Decano de Restalrig et Preposito beati Egidii oppidi Edinburgi Sanctiandree diocesis ac Petro Sandelandis Canonico Rossensi ecclesiarum Salutem in domino His que pro monasteriorum et aliorum regularium locorum commodo et vtilitate prouide facta fuisse noscuntur vt perpetuo firma et illibata persistent sedes apostolica cum ab ea petitur libenter auctoritatis sue mandatj adijci firmitatem Exhibita siquidem nobis insuper pro parte . . . Jacobi Ogilwy filii et apparentis heredis etiam . . . Jacobi etiam Ogilwy de Erlic laici et Catherine Campbel mulieris coniugum Sanctiandree vel alterius diocesis petitio continebat Quod alias Donaldus Abbas et Conuentus Monasterii de Cupro . . . capitulariter congregati de consensu Roberti de Balmerinache et Andree Butur monachi commissarii de Melros Monasteriorum . . . eiusdem Sanctiandree ac Glasguensis respectiue diocesum collateralis et patris etiam respectiue Abbatum commodo et vtilitate dicti Donaldi Abbatis et suorum in primo dicto monasterio successorum vndique preuisis et consideratis longoque et diligenti tractatu ac matura deliberatione desuper prehabitis pro politia in Regno Scotie

habenda et augmentatione rentalis primodicti Monasterii ac pro nonnullis pecuniarum summis per dictos exponentes Donaldo Abbati et Conuentui huiusmodi in eorum vrgente et cognita necessitate gratanter anticipatis et integre persolutis . . . terras de Clintlaw et Auchindorie nuncupatas cum suis pendiculis et pertinentiis . . . ad primodictum Monasterium legittime pertinentes ex quibus dictus Donaldus et pro tempore existens Abbas et Conuentus primodicti Monasterii summam octodecim Librarum monete in dicto Regno cursum habentis necnon octo Bollas auenarum equorum et tres duotenas caponum prius annuatim percipere consueuerant dictis exponentibus . . . de Donaldo Abbate et Successoribus ac Conuentui huiusmodi per exponentes . . . in feudifirma seu emphiteosi et hereditate in perpetuum tenendas . . . sub annuo canone siue censu Vigintiseptem marcharum cum dimidia alterius similis marce videlicet viginti marcarum similium dicto Jacobo seniori balliuo Donaldi Abbatis et Conuentus predictorum et heredibus suis masculis pro eorum salario et feudo occasione exercendi officii balliuatus eorundem donaldi Abbatis et Conuentus infra limites tunc expressos eidem Jacobo seniori concessi et Quinque Librarum similium necnon octo bollarum auenarum et trium duotendarum caponarum insimul valorem annum Quattuor Librarum et decem Solidorum Sterlingorum non excedentium Donaldo Abbati et Conuentui ac successoribus predictis per exponentes et eorum alterum superuiuentem ac heredes respectiue predictos pro vna videlicet in penthecostes et alia medietatibus annui census in pecunia consistentis huiusmodi in Sancti Martini Episcopi Mensis Nouembris festiuitatibus bollarum vero auenarum et caponum huiusmodi terminis solitis et consuetis annis singulis integre persoluendo ita quod Jacobus exponens et heredes huiusmodi masculi tamen non tenerentur nec aliquo modo astringerentur ad Donaldo Abbati et Conuentui ac successoribus predictis reddendum et soluendum quicquid aliud annuatim nisi Quinque Libras dicte monete Scotie et Octo bollas auenarum ac tres duodenas Caponum huiusmodi Quodque dicti heredes in cuiuslibet eorum

introitu totum et integrum censum predictum duplicarent vnacum seruitio balliuatus loco et insolutione summe viginti marcarum similium alias hereditarie dicto Jacobo seniori et heredibus suis masculis concesso et commisso in integram et completam solutionem dicti annui redditus feudifirme vigintiseptem marcarum cum dimidia alterius marce similis et Octo bollarum auenarum ac caponum huiusmodi heredes vero feminei sexus deficientibus masculis Abbati et Conuentui ac successoribus predictis integrum censum vigintiseptem marcarum cum dimidia alterius marce similis necnon auenas et capones huiusmodi annis singulis vt prefertur soluerent et in illarum introitu eundem integrum censum nomine feudifirme duplicarent tantum pro omni alio onere exactione questione petitione seu seruitio seculari qui de predictis terris cum pertinentijs per quoscunque iuste exigere quomodolibet vel requiri possent Ipsi vero Abbas et Conuentus ac successores . . . de Clintlaw et Auchindorie nuncupatas terras cum pendiculis etc. . . warrantizare . . . respectiue tenerentur ac forsitan sub certis alijs pactis legibus etc. . . tunc expressis saluo sedis apostolice beneplacitis dederunt . . . et ad feudifirmam seu emphiteosim hereditarie dimiserunt prout in eorum charta . . . plenius dicitur contineri Cuius seu quarum vigore dicti exponentes possessionem realem et actuaalem singularum terrarum et pertinentiarum huiusmodi forsitan assequuti extiterunt seu eorum alter assequutus extitit Cum autem sicut eadem subiungebat petitio datio . . . et dimissio huiusmodi in euidentem cesserint et cedant primodicti monasterii vtilitatem Cupiantque propterea dicti exponentes illas pro earum subsistentia firmiori apostolice confirmationis munimine roborari Supplicari fecerunt humiliter sibi super his per sedem apostolicam de opportuno remedio nunc prouideri Nos igitur de premissis certam notitiam non habentes ac singularum terrarum et pertinentiarum huiusmodi situationes confines veros annuos valores quantitates ac circumstantias et veriora vocabula necnon charte seu litterarum predictarum aliorumque hic latius de necessitate exprimendorum tenores presentibus pro plene et sufficienter expressis habentes ac attendentes

quod in his in quibus monasteriorum et aliorum regularium locorum euidens procurator vtilitas fauorabiles esse debemus atque benigni Auctoritate domini pape cuius penitentiarie curam gerimus Et de eius speciali mandato super hoc viue vocis oraculo nobis facto Discretioni vestre committimus et mandamus quatinus vos vel duo vestrum coniunctim procedentes vocatis dictis Donaldo Abbate et Conuentu ipsoque Donaldo mortuo aut alias primodieto monasterio pastore carente ante presentium exequutionem Conuentu huiusmodi duntaxat de datione . . . et dimissione ac alijs premissis . . . diligenter vos informetis et si per informationem eandem quod ille in euidentem primodieti monasterii vtilitatem cesserint et cedant legitime repereritis super quibus vestram conscientiam oneramus easdem dationem . . . et dimissionem ac prout illas concernunt omnia et singula in charta seu literis predictis contenta et inde sequuta quecunque licita tamen et honesta apostolica auctoritate approbetis et confirmetis eisque perpetue firmitatis robur adijciatis ac ea valida et efficacia existere suosque effectus sortiri et perpetuo inuiolabiliter obseruari sicque per quoscunque iudices quauis auctoritate fungentes sublata eis et eorum cuilibet quauis aliter iudicandi et interpretandi facultate et auctoritate iudicari et diffiniri debere et quicquid secus attentari contigerit irritum et inane decernatis Omnesque et singulos tam juris quam facti defectus si qui forsitan interuenerint in eisdem suppleatis Non obstantibus premissis ac felicis recordationis Pauli pape ij. de rebus ecclesiasticis non alienandis necnon quibusuis alijs apostolicis ac in prouincialibus et Synodalibus Concilijs editis generalibus vel specialibus Constitutionibus et ordinationibus ac Monasterii de Cupro et ordinis predictorum etiam juramento confirmatione apostolica vel quauis firmitate alia roboratis statutis et Consuetudinibus priuilegijs quoque indultis et litteris apostolicis eisdem Monasterio de Cupro et ordini ac illorum superioribus et personis sub quibuscunque tenoribus et formis ac cum quibusuis etiam derogatoriis derogatorijs alijsque efficacioribus et insolitis clausulis irritantibusque et alijs decretis iteratis vicibus concessis approbatis

et innouatis etiam quod ipsius monasterii terre et possessiones nisi de generalis Abbatis Monasterii Cisterciensis Cabilonensis diocesis licentia consensu et auctoritate seu cum confirmatione in emphiteosim aliquatenus locari non possint et locationes aliter facte nulle sint forsan disponentibus Quibus omnibus tenores illorum ac si de verbo ad verbum nichil penitus omisso insererentur presentibus pro sufficienter expressis et formam in illis traditam pro in indiuiduo obseruata habentes Illis alias in suo robore permansuris hac vice duntaxat specialiter et expresse derogamus Ceterisque contrarijs quibuscunque Volumus autem quod quatenus Monasterium predictum de Cupro per moderni Abbatis predicti cessum vel decessum aut alias quouismodo ante presentium exequutionem vacauerit nichilominus vos vel duo vestrum ad premissorum exequutionem etiam postquam eidem monasterio de successore prouisum fuerit procedere possitis ac si locatio huiusmodi per dieti Donaldi Abbatis moderni successorum facta fuisset Datum Rome apud Sanctumpetrum sub sigillo officii penitentiarie xiiij kal. maij Pontificatus domini Pauli pape iij Anno Sexto.

* * *

Jo. Carpinus

Phi. Jervinus

* * *

Outside fold :

B. del Bene

Gul. Lardellus.

Bulla attached. End. : Sanctiandree S: in euiden. pro nobili Viro Jacobo ogilwy magistro de ogilwy ; (in later hand) Commissione for confirming of the few charter of Clintlaw and Auchindorie ; (earlier hand) Magistro Johanni Thorntoun Scoto in Scotia.

Airlie Charters, 414. 6.

CLXXXIII

Commission by Antony, cardinal priest of the Four Crowned Saints, directed to the dean of Restalrig, the provost of St. Giles', and Peter Sandilands, canon of Ross, on the petition of James Ogilvy, son and heir of James Ogilvy of Airlie, and Catherine Campbell, his spouse, to confirm

to Ogilvy, etc., the feu of the lands of Clintlaw and Auchindorie made in their favour by the abbot and convent of Coupar.

The first of several charters signifying papal approbation of a feu. In the sixteenth century, as Professor Hannay remarks, 'it is . . . clear that the approval of the papal authority was regarded as necessary for the complete validity of the grant' (*Rentale S. Andree*, p. xxv). See Introduction, p. lxiii.

Antonius . . . presbiter Cardinalis: Antonius Pucius, bishop of Pistoia; cardinal under the title of the Four Crowned Saints, 22 Sept., 1531; penitentiary, 27 Sept., 1531; died, 12 Oct., 1544 (Eubel, *Hierarchia*, iii. 23). Appears frequently about this time as penitentiary granting dispensations, confirmations, etc. Thus, he is found issuing letters to the abbots of Holyrood and Newbattle regarding the lease of the lands of Tininghame, 11 Dec., 1536 (*Earls of Haddington*, ii. 353), and he appears in Scottish records till 21 Aug., 1544, when he grants letters confirming charters of Patrick, bishop of Moray (*Grants*, iii. 96).

Decano de Restalrig: This, as is shown by No. clxxxv, was William Gibson, who appears as a witness, 12 April, 1526 (*CCM.*, p. 206), and is mentioned frequently thereafter. He had been accused of tampering with the bull of Innocent VIII granted on the erection of the collegiate church of Restalrig and his process of purgation appears, *Formulare*, ii. 453. He appears as a lord of council, 26 Feb., 1528/9 (*Cambuskenneth*, 158), and till at least 17 June, 1538 (*Yester Writs*, 552). There is an undated record (*Formulare*, ii. 428) of the nomination of procurators by Beaton for Gibson's appointment as his suffragan (cf. *ibid.*, ii. 404). On 4 May, 1540, James V writes to Paul III asking that Gibson, who has been appointed suffragan to Beaton, may retain the deanery of Restalrig, the rectory of Inverarity and the vicarage of Garvock together with a pension of 200*l.* from the Crown (*Epp. Reg. Scott.*, ii. p. 63); and the expenses of his consecration as bishop of Libaria are mentioned, c. 1540 (*Rentale S. Andree*, pp. 113, 122). He appears in 1542 under that designation and as vicar-general of the see of St. Andrews (*Earls of Haddington*, ii. 357); but, 27 Aug., 1542, the deanery of Restalrig is said to be vacant by his death (*HMC. Rep.*, Var. Colls., v. p. 67). See further *CCM.*, pp. li-lij; *Formulare*, ii. *passim*.

Preposito beati Egidii oppidi Edinburgi: Robert Crichton, who, as provost of St. Giles', was incorporated at St. Andrews, 1512 (*St. AUR.*, p. 207), determined, 1514 (*ibid.*, p. 103), and was a licentiate, 23 May, 1516 (*ibid.*, p. 105). He became bishop of Dunkeld, c. 1554 (Dowden, *Bishops*, p. 91 *sqq.*). See also *Reg. S. Egid.*, pp. xxxviii-xxxix.

Petro Sandelandis Canonico Rossensi: Appears so designed in letters of cardinal Beaton, 28 May, 1545 (*Oliphants*, 121). It is impossible to say whether he is to be identified with Mr. Peter Sandilands, rector of Caldor, who appears from 30 March, 1526 (*RMS.*, iii. 354), to 9 June, 1540 (*ibid.*, iii. 2168).

For other persons and places mentioned see notes to No. clxxiii. For master John Thorntoun, who appears in the endorsement, see *Inchcolm*, p. 198.

CLXXXIV

19 April, 1540.

Antonius . . . tituli sanctorum Quattuor Coronatorum presbiter Cardinalis . . . Decano de Restalrig et Preposito beati Egidii oppidi Edinburgi Sanctiandree diocesis ac Petro Sandelandis Canonico Rossensi ecclesiarum Salutem in domino His que . . . (*ut in no. CLXXXIII*) . . . firmitatem Exhibita siquidem nobis nuper pro parte . . . Jacobi domini Ogilwy de Erly laici Sanctiandree diocesis petitio continebat Quod alias Donaldus Abbas et Conuentus Monasterii de Cupro . . . ad id capitulariter congregati de consensu Roberti [abbatis] de Balmerinache et Andree Butur monachi Commissarii de Melros Monasteriorum dicti ordinis et eiusdem sanctiandree ac Glasguensis respectiue diocesis Collateralis patris etiam respectiue Abbatum vtilitate et commodo Donaldi Abbatis ac Conuentus predictorum necnon illorum Monachorum ac suorum in eodem Monasterio successorum vndique preuisis et consideratis . . . attendentes quod non solum vtile verum etiam Donaldo Abbati et Conuentui ac successoribus predictis et prouido ac legali balliuo pro administratione iustitie tenentibus et incolis terrarum et possessionum primodicti Monasterii ac eorum legitima defensione contra quoscunque ipsos indebite infestare molientes prouidere necessarium erat et quod dictus Jacobus exponens et sui predecessores primodicti monasterii balliui extiterant et in singulis illius negociis eatenus se gratissimos exhibuerant necnon Donaldum Abbatem et Conuentum predictos eorumque familiares ac terrarum et possessionum Incolas et tenentes eorumque bona a predonum transgressorum et malefactorum suorum tribulatione insultibus et incursibus quam optime tam pacis quam guerre temporibus defenderant ac auxilium contra quoscunque eos indebite molestare et inquietare volentes gratissimum prestiterant necnon similia per exponentem et eius heredes infra-scriptos in posterum et in perpetuum prestari sperantes . . . officium balliuatus . . . terrarum et possessionum cum

pertinentijs infra vicecomitatum de perth dicte vel alterius diocesis terris eorundem Donaldi Abbatis et Conuentus infra Comitatum Etholie consistentibus duntaxat exceptis et forsan alias iuxta suos confines consistentium ad primodictum monasterium legittime pertinentium cum salario pro laboribus in usu et exercitio dicti officii supportandis viginti marcarum monete in Regno Scotie cursum habentis valorem annum Trium Librarum Sterlingorum non excedentium de feudifirma siue censu . . . terrarum de Clintlaw et Auchindorie eiusdem Sanctiandree vel alterius diocesis cum suis pertinentiis alias Jacobo Magistro de Ogilwy filio et apparenti heredi dicti exponentis et Catherine Campbel coniugibus per Abbatem et Conuentum primodicti monasterii huiusmodi in emphiteosim perpetuam sub annuo canone siue censu viginti-septem marcarum similium cum dimidia alterius similis marce et octo bollas auenarum ac trium duodenarum caponum hereditarie concessarum pro vna videlicet in penthecostes et alia mediantibus salarii huiusmodi in sancti Martini hiemalis festiuitatibus annis singulis percipiendarum eidem Jacobo exponenti et heredibus suis masculis de Donaldo Abbate et successoribus ac Conuentu predictis in feudum hereditarie perpetuo tenendum et habendum vnacum salario summe viginti marcarum huiusmodi vt prefertur soluendarum ac omnibus et singulis libertatibus commoditatibus etc. . . . ad prefatum officium spectantibus . . . libere . . . necnon cum pura libera et omnimoda potestate ac mandato speciali et generali primodictorum Abbatis et Conuentus pro eis eorumque successoribus ac illorum nominibus balliuatus Curias super terris et possessionibus predictis etc. . . .

(The charter goes on to incorporate the terms of No. CLXXIII; it is otherwise in the same form and has the same signatures as No. CLXXXIII.)

Cord and case of bulla remain. End. : Commissione for confirming of the feu of the bailliarie of Cowper : Sanctiandree commissionis et assignationis officii Balliuatus cum Salario xx marcarum pro Nobili viro domino Jacobo

domino ogilwy. Reuerendo domino prothonotario m<agistro> Johanni Thorntoun Scoto in Scotia.

Airlie Charters, 1348. 12.

CLXXXIV

Commission by Antony, cardinal priest of the Four Crowned Saints, to the dean of Restalrig, the provost of St. Giles', and Peter Sandilands, canon of Ross, on the petition of James, Lord Ogilvy of Airlie, empowering them to confirm the grant made to him by the abbot and convent of Coupar of their bailiary and twenty marks from the lands of Clintlaw and Auchindorie.

See notes to previous charter.

CLXXXV

23 September, 1540.

Uniuersis et singulis . . . Willelmus Gibsoun et Robertus Creichtoune ecclesiarum collegiatarum de Restalrig et beati Egidii opidi Edinburgi sanctiandree diocesis decanus et prepositus Iudices executores et commissarii delegati vnacum . . . Petro sandelandis ecclesie cathedralis Rossensis Canonico nostro in hac parte collega Cum illa clausula discretioni vestre committimus et mandamus Ac vobis aut duobus vestrum coniunctim procedentes Ad infrascripta a sede apostolica specialiter deputati salutem in omnium saluatore et uestris ymmouerius apostolicis firmiter obedire mandatis litteras . . . Anthonii . . . tituli sanctorum quatuor coronatorum sacrosancte romane ecclesie presbiteri cardinalis sanctissimique domini nostri pape et sedis predicte maioris penitentiarii sigillo officii sane penitentiarie apostolice cera rubea albe impressa capsula ferrea oblonga circumdato cum filis rubeis more ipsius sacre penitentiarie apostolice impendente Necon litteram siue cartam . . . domini donaldi . . . monasterii de cupro . . . abbatis pergamino scriptas sigillo communi dicti monasterii ac manibus dicti venerabilis patris et conuentus eiusdem monasterii sigillatam et subscriptam sanam siquidem et integram . . . Nobis per . . . Jacobum dominum ogiluy de Erly principalem in eisdem litteris principaliter nominatum coram notario publico et testibus infrascriptis presentatas Nos

cum ea qua decuit reuerentia noueritis recepisse huiusmodi sub tenore Antonius . . . (*ut in no. CLXXXIII*) . . . Sequitur tenor carte. Omnibus . . . (*ut in no. CLXXXIII*) . . . Post quarumquidem apostolicarum ac carte et litterarum predictarum presentationem et receptionem nobis et per nos ut premittitur factas fuimus per . . . Jacobum dominum ogiluy de Erlie principalem in preinsertis litteris apostolicis ac carta principaliter nominatum coram nobis propter hoc personaliter constitutum debita cum instantia Requisiti conuentus ad executionem dictarum litterarum apostolicarum et contentorum in eisdem scriptam traditam seu directam in eisdem nobis a sede predicta formam procedere curaremus Nos Igitur Willelmus Decanus et Robertus prepositus Iudices executores et commissarii delegati antedicti attendentes Requisitionem huiusmodi fore justam et rationi consonam volentesque mandatum apostolicum huiusmodi reuerenter exequi ut tenemur Primitus tamen et ante omnia pro infrascripta uberiori executione facienda . . . dominum Donaldum monasterii de cupro abbatem et conuentum eiusdem . . . prefatos in prefatis litteris apostolicis ac carta principaliter etiam nominatos specialiter et in specie personaliter apprehensos Omnesque alios et singulos sua communiter vel diuisim interesse habentes seu habere pretendentes Quosque infrascriptum tangebatur negocium seu tangere poterat quomolibet in futurum generaliter et in genere in prefato monasterio et in ecclesia eiusdem per litteras nostras citatoreas patentes sigillo officii quo in talibus utimur Roboratas ac manu notarii publici subscripti signatas et subscriptas debiteque executas et indorsatas ad comparendum coram nobis coniunctim In ecclesia cathedrali Brechinensi Et in sacello beatissime virginis marie infra eandem die et hora subscriptis Ad videndum et audiendum dationem concessionem et ad feudifirmam ac emphiteosim perpetuam dimissionem de . . . officio Balliatus . . . terrarum et possessionum monasterii de cupro prefati cum pertinentiis eiusdem infra vicecomitatus de perth et forfare respectiue Terris prefati monasterii infra comitatum Etholie tantummodo exceptis Ac etiam de summa viginti marcarum

annuatim percipienda et leuanda per dictum Jacobum et eius heredes masculos pro eorum laboribus in vsu et exercitio dicti officii balliatus de feodifirma . . . terrarum de Clintlau et auchindorie cum suis pertinentiis infra vicecomitatum de forfare consistentium Et ad dictum donaldum et pro tempore existentem abbatem et conuentum prefati monasterii legittime pertinentium per prefatum donaldum modernum abbatem de expressis consensu et assensu Conuentus eiusdem predicto Jacobo domino ogiluy de Erlie et heredibus suis masculis per suas cartam et litteras patentes seu instrumenta publica In euidentem tamen dicti monasterii ac donaldi abbatis moderni et conuentus predictorum et successorum suorum pro tempore canonice intrantium utilitatem factas Ac omnia alia et singula in dictis preinsertis litteris apostolicis ac carta litteris et instrumentis prefatis ut premittitur respectiue sigillatis et confectis contenta descripta et specificata et prout illas et illa concernunt per nos auctoritate apostolica prefata nobis commissa et qua fungimur in hac parte Confirmari et approbari eisq̄e perpetue firmitatis robur adiici Ac valida et efficacia existere suosque effectus sortiri et perpetuo Inuiolabiliter obseruari sicque per quoscunque Iudices quauis auctoritate fungentes sublata eis et eorum cuilibet quamuis aliter Judicandi et interpretandi facultate et auctoritate Judicari et diffiniri debere Ac quicquid secus attemptari contigerit Irritum et Inane decerni Omnesque et singulos Juris et facti defectus si qui forsā interuenerint in eisdem suppleri Ac donaldum abbatem et conuentum predictos eorumque successores ad obseruationes dationis concessionis et dimissionis predictarum perpetuis futuris temporibus teneri astringi et firmiter obligatos esse et fore eadem auctoritate antedicta similiter decerni et declarari Decretumque et auctoritatem nostram ymmouerius apostolicam in premissis omnibus et singulis prout iustum foret interponi Et ulterius ad videndum et audiendum nonnullos testes fidedignos de et super recognitione carte litterarum et instrumentorum predictorum et eorundem sigillorum appositione et manualibus subscriptionibus in eisdem descriptis Necnon pro verificatione omnium et

singulorum in preinsertis apostolicis ac carta et aliis litteris seu instrumentis prefatis contentorum animique nostri in premissis omnibus et singulis informatione per nos recipi curari et admitti et super premissis omnibus et singulis et eorum occasione examinari et interrogari aliaque per nos fieri que in litteris apostolicis preinsertis precipiuntur et mandantur vel ad dicendum allegandum et probandum causam seu causas rationabilem seu rationabiles quare premissa omnia et singula fieri non deberent legitime et peremptorie citari fecimus jussimus et mandauimus cum intimatione et certificatione debitis et consuetis quod siue dicti citati in dicte nostre citationis termino comparentes curauissent et nichil contra premissa allegassent siue non comparuissent Nos nichilominus coniunctim ad premissa omnia et singula prout nobis in prefatis litteris apostolicis precipitur et mandatur et prout justum foret procederemus Ipsorum sic citatorum absentia vel contumacia in aliquo non obstante Quibusquidem die et hora aduenientibus Nos Willelmus decanus et Robertus prepositus Iudices executores et commissarii delegati predicti in prefata ecclesia cathedrali brechinensi Et in sacello beatissime virginis marie ex parte boreali eiusdem coniunctim pro tribunali sedentes Comparuit coram nobis in Iudicio antedictus . . . Jacobus dominus ogiluy de Erlie pro se et heredibus suis supra mentionatis et prefatas nostras litteras citatores debite executas et indorsatas reportauit Nosque in causa et causis huiusmodi coniunctim ut premittitur ac rite procedentes . . . donaldum monasterii de cupro . . . abbatem et conuentum eiusdem specialiter nominatim et in specie Omnesque alios et singulos sua communiter vel diuisim in presenti negocio interesse habentes seu habere putantes et quos infrascriptum aliquatenus tangebatur negocium seu tangere poterat quomodolibet in futurum generaliter et in genere sic ut premittitur legitime et peremptorie citatos trina vice per Notarium publicum infrascriptum coram nobis in huiusmodi negocio scribam et Tabellionem deputatum vocari fecimus Tandem comparuit coram nobis Inibi pro tribunali sedentibus . . . dompnus petrus Trent dicti monasterii professus procurator

et procuratorio nomine dictorum abbatis et conuentus de cuius procuratoris mandato per vnum procuratorium papiro scriptum sub sigillo communi dicti monasterii ac manualibus subscriptionibus prefati abbatis et conuentus coram nobis recognitum lucide constabat Et in eiusdem dompni petri ut supra comparentis personali presencia ad infrascripta omnia et singula facienda pro se et conuentu prefatis expresse consentientis Et locationem dationem et dimissionem infrascriptas in emphiteosim perpetuam in euidentem monasterii et donaldi abbatis moderni abbatis et conuentus prefati ac successorum predictorum utilitatem factas affirmantis prefatas nostras litteras citatoreas ac earundem debitas et legitimas desuper factas executiones et indorsationes vnacum litteris et commissione prefatis in eisdem insertis per Notarium publicum subscriptum alta et intelligibili voce de verbo ad verbum perlegi et publicari fecimus et mandauimus Et quia nulli alii comparuerunt ad dicendum vel obijciendum verbo vel in scriptis contra premissa aut eorum aliquod in toto vel in parte prefatus . . . Jacobus dominus ogiluy de Erly principalis antedictus pro se et heredibus suis masculis supra mentionatis predicti . . . donaldi abbatis de cupro et conuentus eiusdem Ac omnium et singulorum aliorum interesse habentium seu habere pretendendum citatorum vocatorum et non comparentium contumacias accusauit Et Ipsos prout merito sunt reputandi contumaces per nos reputari et decerni instanter peciit et postulauit Quos contumaces reputauimus et presentium tenore reputamus Eisque et eorum cuilibet in premissis desuper perpetuum silentium imponimus Et in penam contumacie eorundem litteras apostolicas ac cartam preinsertas huiusmodi per Notarium publicum subscriptum coram nobis in Iudicio alta et intelligibili voce de verbo ad verbum perlegi et publicari fecimus et mandauimus Adque ulteriorem executionem earundem litterarum apostolicarum preinsertarum et contentorum in eisdem Instante Jacobo domino ogiluy de Erly prefato duximus procedendam Deque premissis omnibus et singulis et eorum circumstantijs que in dictis apostolicis litteris ac carta preinsertis prefatis continetur per nonnullos fide-

dignos et omni exceptione maiores testes numero viginti-quatuor ad hoc per litteras nostras legitime citatos vocatos et coram nobis in Iudicio Iuratos Interrogatos et diligenter examinatos Inquisiuimus et nos informauimus etiam diligenter de eisdem et quia tam per dispositiones testium predictorum in scriptis fideliter redactas quin etiam per Inquisitiones et informationes huiusmodi Comperimus omnia et singula in prefatis . . . Cardinalis maioris penitentiarii litteris narrata et exposita ac in carta et litteris . . . donaldi monasterii de cupro abbatis moderni de expressis consensu et assensu conuentus eiusdem . . . Jacobo domino ogiluy de Erлие principali et heredibus suis masculis factis ut premittitur contenta et expressata coram nobis sufficienter cum eorum sigillis et manualibus subscriptionibus prefatis Ita fore et veritate fulciri dictasque dationem Concessionem et ad feudifirmam ac emphiteosim perpetuam dimissionem de . . . officio Balliatus . . . terrarum et possessionum monasterii de cupro cum pertinentiis eiusdem infra vicecomitatum de perth respectiue Terris prefatis monasterii infra comitatum Etholie tantummodo exceptis Ac etiam de prefata summa viginti marcarum annuatim leuandarum per dominum Jacobum dominum ogiluy et eius heredes masculos pro eorum laboribus in usu et exercitio dicti officii balliatus de feodifirma . . . terrarum de Clintlau et Auchindorie cum suis pertinentiis . . . Jacobo domino ogiluy de Erлие et heredibus suis masculis prefatis in euidentem vtilitatem dicti Monasterii ac donaldi illius abbatis moderni ac conuentus et successorum suorum omnium in eodem perpetuis futuris temporibus canonice Intransium Ex causis in ipsis apostolicis litteris ac carta preinsertis prefatis mentionatis cecidisse et cedere Et propterea per dominum Jacobum dominum ogiluy principalem predictum pro se et heredibus suis prefatis coram nobis ut premittitur personaliter constituti debita cum Instancia fuit supplicatum ut sibi super premissis omnibus et singulis prouidere de auctoritate apostolica nobis commissa dignaremur Nos Igitur Willelmus decanus et Robertus prepositus Iudices executores et commissarii delegati prefati attendentes supplicationem huiusmodi fore

Justam et rationi consonam desideriaque Justa petenda congruo fauore prosequentes in votis eorum que a Rationis tramite non discordant libenter exhibemus nos propicios et benignos In causa et causis huiusmodi rite et coniunctim procedentes et cognoscentes seruatisque in hac parte forma et tenore litterarum apostolicarum preinsertarum ac singulis alijs de Jure seruandis Nostram diffinitiuam ad Instantiam prefati Jacobi domini ogilui de Erly principalis predicti id humiliter ferri petentis prout sequitur tulimus sententiam Christo Nomine Inuocato Nos Willelmus Gibsoun Et Robertus creichtoun ecclesiarum collegiatarum de restalrig et beati egidii opidi Edinburgi sanctiandree diocesis Iudices executores et commissarii delegati vnacum . . . petro sandelandis ecclesie cathedralis Rossensis canonico nostro in hac parte collega Cum Illa clausula discretioni vestre committimus et mandamus etc. ac vobis aut duobus vestrum coniunctim procedentes etc. Ad infrascripta a . . . domino anthonio . . . tituli sanctorum quatuor coronatorum sacrosancte romane ecclesie presbitero cardinali Ac . . . pape et sancte sedis apostolice maiori penitentiario dictaque sede specialiter deputati In ecclesia cathedrali brechinensi Et infra Insulam Beatissime virginis Marie et parte boreali eiusdem coniunctim procedentes et solum deum pre oculis habentes Eiusque nomine sanctissimo Inuocato Auditis primitus . . . Jacobi domini ogilui de Erly partis principalis allegationibus Carta feudifirme et perpetue emphiteosis de . . . officio balliatus . . . terrarum et possessionum monasterii de cupro Terris eiusdem monasterii Infra comitatum Etholie tantummodo exceptis eidem Jacobo domino ogilui facta Ac alijs Juribus per nos visis consideratis et intellectis Testiumque depositionibus pro in eisdem ac litteris et commissione apostolicis prefatis nobis directis Contentorum verificationem In scriptis diligenter redactis seruatisque omnibus et singulis circumstantijs et solemnitatibus per nos In presenti negocio obseruandis solitis et alijs de Jure seruandis Per hanc nostram sententiam diffinitiuam quam vigore prefate commissionis apostolice nobis desuper facte ferimus in his scriptis Pronunciamus . . . dationem concessionem et ad feudifirmam . . . dimissionem de . . . officio

Balliatuſ . . . terrarum et poſſeſſionum monaſterii de cupro cum pertinentiis eiuſdem infra . . . (*ut ſupra*) . . . Ac etiam de ſumma viginti marcarum annuatim percipienda . . . per dictum Jacobum et eiſ heredes . . . pro eorum laboribus in uſu et exercitio dicti officii Balliatuſ de feodifirma . . . terrarum de Clintlau et auchindorie cum ſuis pertinentiis . . . Et ad . . . dominum donaldum . . . monaſterii de cupro abbatem . . . pertinentium Ac per eundem . . . donaldum abbatem modernum de expreſſis conſenſu et aſſenſu conuentuſ et capituli dicti monaſterii ciſtercienuſ ordinis Ac de conſenſu Roberti [abbatiſ] de balmerinach et Andree buttur monachi commiſſarii de Melroſ monaſteriorum dicti ordinis et eiſdem ſanctiandree ac Glaſguenſiſ reſpectiue dioceliſ collateralis patriſ etiam reſpectiue abbatum prefato . . . Jacobo domino ogiluy de Erly et heredibus ſiſ masculiſ In euidentem eiſdem monaſterii de cupro et donaldi illiſ abbatiſ moderni et ſuſſeſſorum ſuorum omnium . . . utilitatem factiſ Ex cauſiſ in carta ac litteriſ et commiſſione apoſtoliciſ prefatiſ contentiſ ſpecificatiſ et mentionatiſ ceſſiſſe et cedere Et propterea dationem . . . et aſ feodifirmam . . . diſmiſſionem predictaſ Ac omnia et ſingula in commiſſione ac carta et litteriſ . . . deſuper conſectiſ contenta . . . et prout illaſ et illa concernunt confirmandaſ et approbandaſ Conſirmandaque et approbanda duximur prout harum ſerie auctoritate apoſtolica prefata nobiſ commiſſa et qua fungimur in hac parte . . . Approbamus et confirmamus Eiſque perpetue firmitatiſ robur adijeimur Ac valida et efficaciſ exiſtere ſuoſque effectuſ ſortiri et perpetuo Inuiolabiliter obſeruari ſicque per quocunque Iudiceſ quauis auctoritate fungenteſ ſublata eiſ et eorum cuilibet quauis aliter Iudicandi et Interpretandi facultate et auctoritate iudicari et diffiniri debere Ac quicquid ſecus attemptari contigerit Irritum et Inane decernimus Omneſque et ſinguloſ Iuriſ et facti defectuſ ſi qui forſan interuenerint in eiſdem prefata auctoritate ſupplemus Ac dominum donaldum abbatem de cupro modernum et conuentum eiſdem eorumque ſuſſeſſoreſ ad obſeruationem dationiſ etc. . . . predictarum perpetuiſ futuriſ temporibuſ teneri aſtringi et firmiter obligatoſ eſſe et fore

eadem auctoritate apostolica antedicta similiter decernimus et declaramus Decretumque et auctoritatem nostram ymmouerius apostolicam in premissis omnibus et singulis interponimus per presentes Non obstantibus omnibus . . . que . . . cardinalis maior penitentiarius prefatus In litteris suis preinsertis huiusmodi voluit non obstare Et hoc omnibus et singulis quorum Interest Notum facimus / huiusmodi namque nostra sententia diffinitiuam manibus nostris taliter fuit subscripta Ita pronunciauimus Nos Willelmus Gibsoun commissarius suprascriptus manu propria subscribo Robertus Creichtoun prepositus egidii (*sic*) subscribo In quorum Omnium et singularum fidem et testimonium premissorum presentes litteras patentes siue hoc presens publicum Instrumentum huiusmodi nostrum processum In se continentes siue continens exinde fieri fecimus Et per Notarium publicum subscriptum coram Nobis in causa et causis huiusmodi scribam et Tabellionem subscribi et publicari mandauimus sigillorumque nostrorum Iussimus et fecimus appensionem communiri Datum et actum infra prefatam ecclesiam Brechinensem In insula beatissime marie virginis ex parte boreali eiusdem Nobis Inibi hora vndecima ante mercediem vel ea circa pro tribunali sedentibus sub anno a Natiuitate domini Millesimo quingentesimo Quadragesimo die vero vigesimatertia Mensis septembris Indictione decimatertia Pontificatus . . . Pauli . . . pape tertii anno sexto Presentibus Ibidem . . . domino Johanne prefate ecclesie Brechinensis episcopo Ac . . . Magistris Andrea annand preceptore domus dei infra ciuitatem Brechinensem Johanne cokburne canonico ecclesie brechinensis Daud conyghame Notario publico Johanne Lione Johanne ogiluy Willelmo Makcanis Georgio lione et Jacobo Gardin laicis Cum diuersis aliis testibus . . .

Et Ego thomas knox Clericus Glasguensis diocesis publicus sacra auctoritate apostolica Notarius ac dictorum Iudicum in premissis scriba deputatus etc. . . .

One seal (Gibson's) remains. End. : The confirmation and commissione of Rome (?) off the bailzery of cowper to James Lord ogiluy and his airis.

Airlie Charters, 415. 7.

CLXXXV

Letters of the commissaries, proceeding on No. CLXXXIII, confirming to James, Lord Ogilvy of Airlie, the bailiary of Coupar, etc.

For persons mentioned in the text of the charter see notes to No. CLXXXIII.

Witnesses :

Johanne . . . ecclesie Brechinensis episcopo : John Hepburn, provided to Brechin, 29 Oct., 1516 ; died c. 1557 (Dowden, *Bishops*, pp. 189-90).

(*Magistro*) *Andrea annand preceptore domus dei infra ciuitatem Brechinensem* : Master Andrew Annand has a presentation to the preceptory of the Maison Dieu of Brechin when it is vacant by the death or demission of master James Lyne, 15 May, 1532 (*RSS.*, ii. 1245). On 19 March, 1547/8, dominus Richard Small, chaplain, has a presentation to the Maison Dieu, vacant by Annand's death on the previous 10 Sept. (*ibid.*, iii. 2678).

(*Magistro*) *Johanne cockburne canonico ecclesie brechinensis* : Perhaps master John Cockburn, who was presented by Arbroath to the perpetual vicarage of Gamrie, 11 May, 1528 (*Aberbrothoc*, ii. 695). He appears frequently as rector of Kilmore from June, 1541, when he attests with the rest of the chapter of Brechin a charter of bishop John (*REB.*, ii. p. 194) and held that prebend of Brechin until a. 17 May, 1577, when it was vacant by his decease (*ibid.*, ii. p. 337).

David conyghame Notario : Not found elsewhere.

Johanne Lione : It is tempting to see in him John Lyon, later seventh Lord Glamis, but he and his brother, George, were imprisoned in Edinburgh castle from 1537 to 1543 (*Scots Peerage*, viii. pp. 280, 282). Various men of this name are mentioned in the period, e.g. John Lyon of Coule appears, 21 Jan., 1546/7 (*Aberbrothoc*, ii. 322), and John Lyon of Haltoun of Esse, 17 July, 1543 (*RSS.*, iii. 372), as well as the latter's son and heir of the same name, 27 Aug., 1548 (*ibid.*, iii. 2926), and 19 June, 1553 (*Aberbrothoc*, ii. 795).

Johanne ogiluy : Various contemporaries have this name, e.g. John Ogilvy, son and heir of James Ogilvy of Cuikstoun, mentioned, 11 March, 1538/9 (*HMC. Rep.*, v. App., p. 622) ; John Ogilvy of Kemny who appears in a retour, 13 April, 1532 (*Carnegies*, ii. p. 528, No. 82) ; and John Ogilvy of Inverkeilor, son of James, fourth Lord Ogilvy of Airlie (*Scots Peerage*, i. p. 118).

Willelmo Makcanis : Perhaps William McKayne to whom a precept of sasine by Arbroath to James, Lord Ogilvy, is directed, 10 Feb., 1562/3 (*RMS.*, iv. 1740), and who witnesses a charter of John Ogilvy, second son of the same, 13 March, 1563/4 (*ibid.*, iv. 1517).

Georgio lione : See note to No. CLXXV.

Jacobo Gardin : See note to No. CLXXII.

Thomas knox . . . Notarius : A scribe of this name is mentioned as writing the accounts of the archbishopric of St. Andrews, etc., 1542 (*Rentale S. Andree*, p. 143 ; cf. *ibid.*, p. lii, n.). The present witness, however, is probably Thomas Knox who appears as clerk of the city of Glasgow

and notary, 15 June, 1542 (*Yester Writs*, 596); who attests the postulation of James Beaton as archbishop of Glasgow, 27 Feb., 1549/50 (*REG.*, ii. 509); who signs as his scribe a docquet of John Hamilton, commissary-general of Glasgow, 4 July, 1552 (*Buccleuch*, ii. 186); who appears as 'stallarius' of the choir, 10 Aug., 1564 (*RMS.*, iv. 1629), and notary of the chapter of Glasgow, 8 Dec., 1565 (*ibid.*, iv. 1940).

CLXXXVI

23 September, 1540.

[Instrument or process of confirmation by William Gibson, dean of Restalrig and Robert Crichton, provost of St. Giles', as commissioners under the commission of cardinal Antonius for confirming the appointment therein specified. Dated within Brechin cathedral, in the aisle of the Blessed Virgin Mary and north part thereof. Witnesses: John, bishop of Brechin; Andrew Annand, preceptor of the Maison Dieu, Brechin; David Conyng-ham, notary public; John Lione; John Ogilvy; William Makcains; George Lione; and James Gardin. 23 Sept., 1540.]

Airlie Charters, 1850.14 (from Airlie Inventory; orig. not found). Apparently a duplicate of No. CLXXXV.

CLXXXVI

See notes to previous charter.

CLXXXVII

6 April, 1541.

[A charter maid be the saidis abbat and conuent [of Coupar] To Archibald campbell brether germane to James campbell of Laweris and elizabeth wedderburne his spous the langzier levar of thame twa in conijunctie and the airis maill lauchfullie gottin or to be gottin betuixt thame quhilk failzeing to the airis maill of the said archibald brand the surname and armes of campbell quhatsumeuer Off all and sindrie the landis of Moirtullicht and dunfallinte witht theirre pertinentis lyand in the lordschip of appindull shire of atholie and withtin the scheref dome of pertht To

be haldin of the saidis abbat and conuent and thair successouris Paying thairfore 3erlie the soume of Twentytwa pundis money of this realme at twa termes in the 3er witsunday and mertymes in winter be evin portionis In augmentatioun of the rentall to the soume of three merkis 3erlie mair nor wes wonit to be payit In gressumis and dewiteis of before and doubling the few at the entrie of ilk air Datit At the said abbey of couper the Saxt day of aprile The yeir of god m v^c ffourty ane yeiris Before witnessis Johnne Campbell of Caldar Knycht Alexander forbes [of] tollyis patrik campbell and schir John campbell chaplane.]

Abbreviates of Feu Charters of Kirklands (H.M. General Register House), I., f. 212.

CLXXXVII

Feu charter by the abbot and convent of Coupar in favour of Archibald Campbell and Elizabeth Wedderburn, his spouse, of the lands of Murthly and Dunfallandy.

Archibald campbell brether germane to James campbell of Laweris and elizabeth wedderburne his spous: Various men of this name appear undesigned, e.g. Archibald Campbell witnesses an instrument referring to Coupar, 9 Sept., 1535 (*Bamff Chs.*, 46); but it has not been possible to identify the present witness elsewhere.

Moirtullicht and dunfallinte: For Murthly see note to No. XL; for Dunfallandy see note to No. LII.

Johnne Campbell of Caldar Knycht: See note to No. CLXXII.

Alexander forbes of tollyis: Mentioned as having a tack of Murthly, c. 1532 (*Cupar*, i. p. 314), and later; and a charter of sale of the lands of Drumquhat, 5 April, 1532 (*RMS.*, iii. 3115). He died a. 4 Jan., 1548/9 (*ibid.*, iv. 271). His spouse, Jonet Gordoun, and his son and heir, John, appear, 2 Nov., 1542 (*RSS.*, ii. 4965), and his daughter, Margaret, is mentioned, 4 Jan., 1548/9 (*ibid.*, iv. 271).

Patrik campbell and schir John campbell chaplane: A man named Patrick Campbell has an undated tack of part of Kinreich (*Cupar*, i. p. 316; cf. *ibid.*, ii. p. 201). John Campbell has not been identified.

CLXXXVIII

12 December, 1543.

[Commission by Mary, queen of Scots, in favour of James, Lord Ogilvy and his son, bailies of Arbroath and Coupar,

constituting them justiciaries for trial and punishment of crimes within the bounds of the said bailiaries.]

Airlie Charters, 1352. 16 (from Airlie Inventory ; orig. not found).

CLXXXVIII

See notes to No. CLXVI.

CLXXXIX

28 February, 1543/4.

Be it kend Till all men be thir present letteris We Donald . . . Abbot of the Abbay of Cowper witht hale consent and assent of the conuent of that Ilk Cheptourlie gadderit Ripelie avisit the vtilitie of ws and commoun wele of ws and our said abbay allwais considerit and afore sene To haue sett and for maill lattin . . . To . . . Johanne cragow Jonet Jak his spous and to ane air maill lauchfully gottin or to be gottin betuix thame tuay and to the langar lewand of thame thre falzeing of ane to ane uthir . . . the five acris of land Thre lyand upone the baitschelehill nixt adiajacent Richard cubennis acris one the est syde and patrik bunschis one the west syde and vthir tuay acris tane out of the est end of the kemphilhaucht witht the toft and 3ard lyand one the southt end of the saidis thre acris siclyk as Wille Jak brukit and josit afor reseruand and kepannd the commoun lone and gait as vse and wont wes witht all fredomes and priuilege of burght and barony as the laif of our burght of kethik josis and brukis for all the dais and termes of thair lyftymmis Thay payand thairfor 3eirlie to ws and our successouris the sowme of fowrty aucht S<chillingis> of usuall money of scotland be equale half portiones at tuay vsuall termes witsunday and mertymes in winter witht nyne cok and hen sufficient witht all vthir areage careage dewite and dew seruice vse and wont haldand and for to hald the saidis five acris witht toft and 3ard of ws and our successouris to the saidis Jhone Jonet his spous and thair air maill forsaid witht all fredomes asiamentis and rychtwuss pertinentes quhatsumeuir haiffand thair fewall in our monk myre as efferis

sicyk as we sall assign to thame witht comonteis of the baitschele and cawsa end And thai sall put our said land and toft till [all] possible pollecy and gudding thai may in biggin of houssis plantatione of treis eschis osaris and sauchis witht thair defensouris kepan d gude nychtbourheid and thair land fra guld efter thair powar / and thai sall haue sufficient chameris and stabling witht horss meit and mannis meit for to ressaue and harbur the nowmer of tuelf or sextene horss honestlie suay of resone thair be fund na falt in thaim And thai sall kepe our medewis and brwme parkis fra thaim self and thair catell undir pane as efferis doand thair dewiteis lelely and trewly to our corne milne of kethik as the laif of the sukkin dois under pane of anne amerciament kepan d the statutis of our courtis and actis of parliament And we the said abbott and conuent grantis powar to the saidis Johanne Jonet his spous and hair mail forsaid to mak subtenentis ane or may of na gretar degre nor stait na thaim selfis kepan d all conditiones and pointis abune writtin quhilkis nocht being keptit thair takkis sall vaik in the deid In witnes heirof we haue appensit the commoune sele of our cheptour to this present assedatioune witht subscriptione of our handis At Coupar the penult day of februar The 3eir of god jm v^c fourty and thre 3eris

D<onaldus> de Cupro Abbas

Thomas hammylton subprior

Johannes Turnbull senior	Jacobus mychelsone
Georgius bonar	Bernardus mordosoune
Willelmus baxter	Alexander liddell
Adame andersoune	Thomas Witherspoune
Thomas coull	Johannes fores
Jhonne fogow	Wilelmus blayr
Jacobus maistertoun	Dene Jhone lawsoun
Johannes turnbull	
Alexander Anderson	
Vilelmus auchinlek	

Pe<trus> trent.

Seal missing. No endorsement.

Moray Charters, Box 32, Div. IV, Bundle V, No. 125.

CLXXXIX

Feu charter by Donald, abbot of Coupar and the convent thereof, of five acres, three upon Baitschelehill and two in Kemphilhaucht, in favour of John Cragow and Jonet Jak, his spouse.

This charter is printed in an abbreviated form, *Cupar*, ii. pp. 27-8.

Donald . . . Abbot . . . of Cowper : See Appendix II.

Johanne cragow Jonet Jak his spous : This is evidently John Craigo (II) (see *Cupar*, Index). Elizabeth Bell, relict of Johne Crago, John Crago, her son, and Jonet Jak, his spouse, have a tack of part of Wolfhill, 1532 (?) (*Cupar*, i. p. 314). We find John Crago in Wolfhill as complainer at a court, 29 June, 1540 (*ibid.*, ii. p. 298) ; with his wife, Jonet Jak, admitted to the five-acre land of Boghall, 22 Jan., 1543/4 (*ibid.*, ii. p. 221) ; and given a tack of Ower Campsy *alias* the Wolf Hill, 13 Sept., 1549 (*ibid.*, ii. p. 65). Crago seems to be mentioned till April, 1560 (*ibid.*, ii. p. 272), when he holds Wolfhill and five acres of Baitschellhill. It is probably a later John Crago who has a tack of Wolfhill, 5 Dec., 1578 (*Laing Chs.*, 973).

Baitschelehill : See note to No. CLX.

Richard cubenis acris : See note to No. CLXI.

Patrick bunschis (acris) : Patrick Bunsch and his wife, Anabel Balfour, have a tack of two acres of Keithick, 12 May, 1495 (*Cupar*, i. p. 246) ; and another of the lands of Kemphill, 16 May, 1506 (*ibid.*, i. p. 257). He was dead *a.* 17 Aug., 1542 (*ibid.*, ii. p. 22).

Kemphilhaucht : See note to No. CLXI.

Wille Jak : A tack of five acres in Baitschellhill is granted to a man of this name, 10 Aug., 1505 (*Cupar*, i. p. 260). He witnesses a feu charter, 20 Feb., 1522 (*ibid.*, i. p. 303). On 22 Jan., 1543/4, Elene Bell, relict of umquhile William Jak, and David Jak, her son, renounce tacks (*ibid.*, ii. p. 221).

Our burght of kethik : See note to No. CLV.

Cawsa end : See note to No. CLXI.

It is notable that from about this date no prior appears among the members of the convent whose signatures are appended to charters. Heton, who signs previous charters, was in bad health and presumably on his death the office was not filled. Thomas Hamilton, who appears at this date as sub-prior, was appointed prior, 15 Oct., 1553 (*Cupar*, ii. p. 110).

CXC

20 October, 1545.

Be it kend till all men be thir present letteres We donald be the permissioun of god Abbott of the abbay of Cowpar witht consent and assent of the conuent of that ilk cheptourlie gadderit ripelie avisit the utilite and commoun wele of ws our successouris and abbay forsaid alwais prouidit and afor seine and tharupoune mature delibera-

tioune had To haue sett and for maill lattin and be the
 tenour of presentis settis and for maill lattis To our louittis
 Henrie Thome Isabell Elinour his spous and to ane air
 male lauchfullie gottin or to be gottin betuix thame tuay
 All and hale the sex acris of land tuay lyand upoune the
 west syde of the Baitschelehill nixt and immediate on the
 est syde and Williame Jak acris lyand on the west syde
 his kill contenit and standand in the samyn rowme and the
 tother tuay tane out of the est end of the kemphill haucht
 and the thrid tuay witht the toft and 3ard that umquhile
 will landalis josit and brukit to and betuix umquhile patrik
 pedderis toft on the est syde and umquhile Rob portaris
 on the west syde extendand up to the dyke upoune the
 southt syde To gidder witht the teind scheuis of the
 samyn Reseruand and kepannd the commoun gait and
 passage as use and wont wes for all the dais and termes of
 thair lifymes and the langar leiffand of thame thir
 failzeing of ane to ane uthir witht all fredomes and priu-
 legiis of burght in baronie as the laif of our burght of
 kethik bruks and josis thay payand 3eirly thairfor to us
 and to our successouris the soume of thretty sex schillingis
 aucht peniis usuale money of Scotland at tuay usuall
 termes witsonday and mertymes in winter be equale half
 portiones tuelf cok and hen sufficient under pane of escheit
 and for the teind scheuis forsaid ane boll tuay ferlotis mele
 and thre bollis bere witht ane turss fodder to gidder witht
 all uther dewiteis and dew seruice witht ariage cariage
 use and wont haldand and for to hald the saidis sex acris
 and teind schewis witht the toft and 3ard of ws to the saidis
 Henrie Isabell his spous and to thair air maill forsaid witht
 all fredomes . . . (*ut in no. CLXXXIX*) . . . And give
 it happinis as god forbet the saidis henrie Isabell his spous
 and thair air to hald ony opinionones of heresis aganis the
 ordinance and constitutiones of haly kirk Suay it be
 clerlie provin upoun thame and to fale in the pontis abune
 writtin this our lettir of tak fra thyne furthe to be of nane
 avale bot as expirit and nule in the self and we to despone
 thairupoune as we think expedient (*rectius expedient*)
 And we the said abbott and convent bindis and obliissis ws

and our successouris to acquiet warand and defend this our said letter of tak to the saidis personis abune writtin induryng thair lifytmis in all and be pointis as is abune writtine aganes all deidlie safar as law will and ordanis

¹ Our verray lauchfull and undowtit bailze or bailzies to give saying and possessioun to the said henrie Isabell his spous and thair aire maill forsaid be traditioun of thak and duffat as use is in sic latis haldand and for to hald ferme and stable quhatsumeuir our said bailze or bailzeis dois or ledis to be done in the premissis as we war thair in present place our selffis In witnes herof to this present writ subscriuit witht our handis the comoune sele of our cheptour is appensit At Cowper forsaid the xx day of October In the zere of god ane thousand five hundredtht fourty and five zeris.

D de Cupro abbas

Bernardus murdosoun fr<ater> Jacobus mychelsone
 Thomas Hammyltoune supprior Johannes turnbull
 senior georgius bonar Johannes frog Wilelmus baxter
 Alex<ander> liddel Johannes turnbull Siluester Irland
 Wilelmus blare Adam andersoune Thomas cowl Alex-
 ander Anderson Dene Johannes lawsoun James maister-
 toun Joannes fogow Vilelmus auchinleck andreas moncur
 (below fold in charter) Petrus trent.

No relevant endorsement.

Charters in H.M. General Register House, 1366.

CXC

Feu charter by Donald, abbot of Coupar and the convent thereof, of six acres of land, three in Baitschelehill, two in Kemphilhauch, etc., in favour of Henry Thome and Isabell Elinour, his spouse.

Henrie Thome Isabell Elinour his spous: Appear in a composition regarding these lands on the day previous to the present charter (*Cupar*, ii. p. 227). It is difficult to say whether the second surname is Elmour (as in *Cupar*) or Elinour.

Notes to the other persons and places mentioned are to be found under Nos. CLXI and CLXXXIX.

¹ Blank left in charter for a name which has not been inserted.

CXCI

29 March, 1549.

Uniuersis et singulis . . . Donaldus . . . Abbas monasterii de Cupro . . . et conuentus eiusdem salutem plurimam Exposuit nobis dilectus confrater noster Dominus Thomas Hammyltoun ¹ dicti monasterii professus monachus quod et ratione decessus fratrum germanorum et ² consanguineorum quorundam Incumbunt aliqua bona forsan mobilia et Immobilia que nequit assequi nec contra debitores et detentores in Iudicio prosequi absque nostra Licentia speciali Quapropter noueritis vos cum consensu dictorum fratrum dicto domino Thome ad persequendum quecunque bona mobilia et Immobilia ei ratione predicta Incumbentia aut quibuscunque debitoribus et detentoribus coram ecclesiastico vel seculari Iudice seu Iudicibus pluribus aut vno Et singula bona ac debita a quibuscunque creditoribus olim fratrum germanorum et consanguineorum dicti domini Thome exigenda recuperanda recipienda et intromittenda ac desuper acquittancias et exonerationes in forma solita dandi et super singulis bonis mobilibus ac bonis rebus et debitis quibuscunque per nostrum confratrem recuperatis et obtentis ad ³ Ipsius voluntatis arbitrium disponendis Ac breue et breuia coram quibuscunque Iudicibus competentibus Infra regnum leuanda et persequenda pro desseruacione nostri confratris ad hereditates immobiles ipsius quorundam fratrum germanorum et nostro confratre ad dictas hereditates desseruico Saisinas Inuestituras in forma solita desuper optinendas et recipiendas Et postea super huiusmodi et hereditatibus recuperandis ad Ipsius arbitrium desuper disponendis hanc nostram licentiam In vberiora Iuris forma concedimus Necnon ad constituendum procuratores ad eundem effectum in optima forma tenore presentium facultatem et licentiam specialem in domino Impertimur In quorum fidem et testimonium hiis literis manibus nostris subscriptis ⁴

¹ *Linlithgow Burgh Charters*, No. 31, 'Hammiltoun.'

² *Ibid.*, 'ac.'

³ *Ibid.*, 'aut.'

⁴ *Ibid.*, 'has literas manu nostra subscriptas Signauimus.'

Sigillum nostrum commune appendimus Apud dictum nostrum¹ monasterium de Cupro vigesimonono marcij Anno domini Millesimo quingentesimo quadragesimonono.

D de Cupro Abbas
 Thomas Hammylton suprior
 Ja<cobus> mychelsone
 Johannes frog
 Adam andersoun
 Joannes fogow
 Tho<mas> Cowlle
 J[o]h<annes> lawson
 Andreas moncur
 Alexander Andersone
 Wilelmus auchinlek
 Petrus trent
 Bernardus mordosone
 Jo<hannes> turnbull
 Silvester Irland
 Wilelmus blayr
 Willelmus baxter
 James maistertoun

Seal missing. End. : Licence be the Abbit and Convent of Coupar Domino Thome Hamilton to persew civile actioneris for civile affaires 29 Martij 1549.

Linlithgow Burgh Charters, No. 30.

Ibid., No. 31 is a copy on paper of the foregoing, with the variants as indicated *infra* and the abbot's signature only ; it has a seal attached.

CXCI

Letters of Donald, abbot of Coupar and the convent thereof, granting licence to Thomas Hamilton, monk of Coupar, to conduct civil actions.

Two writs from the *Prot. Bk. of James Foulis* give the provenance of this and the following charter. Cf. No. excrv :

Instrument of sasine in favour of Richard Jamesoun in a tenement of

¹ *Linlithgow Burgh Charters*, No. 31, 'dictum nostrum' omitted.

land with garden and tailrig lying waste and ruined on the south side of the High Street, between the tenement of William Craufurd on the east and the tenement of the late William Davissoun on the west, following on the resignation of dominus Thomas Hammiltoun, who immediately had been infeted, after cognition in the Tolbooth, as heir to his brother, the late James Hammiltoun. Henry Forrest, provost of the burgh, gave sasine in succession to both parties . . . 20 May, 1549 (*ibid.*, 14).

Instrument of sasine in favour of dominus Thomas Hammiltoun, as heir to his brother, the late James Hammiltoun, after due cognition in the Tolbooth, in a tenement, garden and rig, lying outside the East Port, on the north side of the street, between the lands of Robert Jame (*sic*) on the east, the lands of James Danystoun on the west and the public road on the north. Sasine given by the provost. Date *ut supra* (*ibid.*, 15).

The second instrument suggests that there was further property besides that mentioned in the next charter. Note that Hamilton, as a professed religious, could not intromit with property or be a party to judicial proceedings in the courts concerning it (as appears also from the succeeding charter) without the consent of the convent. Hamilton appears as sub-prior, 28 Feb., 1543/4 (No. CLXXXIX), and elsewhere; and was appointed prior, 15 Oct., 1553 (*Cupar*, ii. p. 110).

CXII

14 May, 1549.

Uniuersis et singulis . . . Donaldus . . . Abbas monasterii de Cupro . . . ac conuentus eiusdem Salutem plurimam
 Exposuit nobis dilectus confrater noster dominus thomas hammyltone dicti monasterii professus monachus se velle resignare quoddam tenementum cum omnibus pertinentiis Jacens in burgo [de] linlythquho [ex] parte australi Juxta torrentem crucis Jure hereditario ei pertinens In manibus Amantissimi nepotis sui Richardi Jamesone successoris dicti domini thome ad quascunque terras Illi pertinentes cum nostro singulari fauore ac speciali licentia . Quapropter noueritis nos cum consensu dictorum fratrum dicto domino Thome ad resignandum suprascriptum Tenementum cum omnibus suis pertinentiis in fauorem dilecti nepotis sui Richardi Jamissone hanc nostram facultatem ac specialem licentiam In domino Impertire In quorum fidem et testimonium his literis manibus nostris subscriptis Sigillum nostrum commune affiximus. Apud monasterium de

Cupro Decimo quarto maij Anno Domini millesimo quingentesimo quadragesimonono.

D de Cupro Abbas
 Ja<cobus> mychelsone
 Thomas Hammylton suprior
 Alexander Andersone
 John frog
 Adam Andersoune
 Jon fogow
 Petrus trent
 Ja<cobus> maistertoune
 Thomas cowlle
 Johannes lawson
 W<ilelmus> Auchinlek
 Bernardus mordosone
 Jo<hannes> trunbull
 Silvester Irland
 Wilelmus blayr
 Willelmus baxter
 Andreas moncur

Seal missing. End. : Licentia per Abbatem de Cupro et Conuentum Domino Thome Hamilton Disponere tenementum in burgo de Linlithgo In favorem Richardi Jamieson Nepotis sui et successoris 14 Maij 1549.

Linlithgow Burgh Charters, No. 32.

CXCII

Letters of Donald, abbot of Coupar and the convent thereof, granting the same licence to resign a tenement in Linlithgow.

See notes to previous charter.

CXCIII

13 April, 1551.

A tous ceulx Qui ces presentes Lettres verront Anthoine Duprat chevalier baron de Thiert et de Vitraulx seigneur de Nantoillet et de Precy conseillicr du Roy nostre seigneur gentilhomme ordinaire de sa chambre et garde de la

prevoste de Paris salut. Scavoir faisons Que pardevant Henry de Crans et Guillaume Denetz notaires du Roy nostre seigneur en son chastelle de Paris furent presens lesdictz personnes Reverendz peres en Dieu frere Donald Campbelle abbe de Cupre ou diocese de Saint Andre Me Jehan erskynne abbe de Drybrothot et Jaques Hamylton sire dOrbiston tous ou pays descosse Lesquels de leurs bons grez Recognurent et confesserent debvoir bien et loyale-ment chascun deulx seul et pour le tout sans diuision Renoncans au benefice de diuision et ordre de discution A honorable homme Jehan de Collodi marchant banquier demurant a Paris et heritiers de feu Francoys Parancy et compaignons banquiers a Paris ledict de collodi donc present la somme de sept cens soixante dix livres tournois Pour pur et loyal prest a eulx faict a leur besoing et neces- site sicomme ilz disoient et dont ilz se tiendrent pour contans pardevant lesditz notaires Es mains desquelz ilz promisrent et gaigerent et par ces presentes promectent et gaigent chacun pour le tout sans diuision renoncans audict benefice de diuision et ordre de discution ladicte somme de sept cens soixante dix livres tournois Bailler et payer audict de Collodi et heritiers Parancy ou au porteur De ces presentes pour eulx dans la ville de Lislebourg oudict pays descosse es mains dudict Collodi ou de Thimothe Canioli marchant burgoys ou de lung deulx dedans le quinziesme jour de Juillet prochain a venir Avec tous coustz fraiz mises despens dommaiges et interestz qui faictz et encouriz seroient par defaute dudict payement et de ce pourchassant et Requerant soubz lobligation et ypotheque de tous et chacuns leurs biens meubles et im- meubles Revenu et temporel de leurs benefices presens et aduenir Quilz ayent soumis et soubzmectent chacun pour le tout sans diuision a la iurisdiction et contrainte de ladicte Prevoste de Paris et de toutes autres iustices et jurisdictions ou trouvez seront tant seculiers que ecclesias- tiques lun cognoissant pour lautre Renoncans a toutes lettres destat de grace reliefs reservantz mesmement audict benefice de diuision et ordre de discution et a toutes autres choses quelzconques a ces lettres contraires et au droict

disant generall Renonciation non valoir En Tesmoing de ce nous a la Relation desditz notaires Avons faict mettre a ces presentes le scel de ladicte prevoste de Paris Qui furent faictes et passees Lan mil ung cens cinquante vng le mercredi treiziesme iour davril avant Pasques.

Borteaux Denetz

Moray Charters, Box 32, Div. IV, Bundle I, No. 71.

CXCIII

Letters of Anthoine Duprat, baron of Thiert, etc., making known that in the presence of Henry de Crans and Guillaume Dentz, notaries, Donald Campbell, abbot of Coupar, Mr. John Erskine, abbot of Dryburgh, and James Hamilton, lord of Orbiston, acknowledged that they owed to Jean de Collodi, merchant-banker, and the heirs of the late Francois Parancy and Company, bankers at Paris, the sum of seven hundred and seventy pounds of Tours in respect of a loan, which sum they promised to pay to de Collodi and the heirs Parancy or to the bearer of these presents on their behalf, in the town of Edinburgh in Scotland in the hands of Collodi or Thimothe Canioli, merchant-burgess, or to one of them, by 15 July next with all costs incurred by default of the said payment, under bond and pledge of all their goods, etc.

This charter has presented serious difficulties of transcription which have been resolved by consultation with various helpers. It has not been possible to supply notes regarding the majority of the French who appear in it.

Donald campbelle abbe de Cupro : For Campbell's absence in France see Appendix II.

M^e Jehan erskynne abbe de Drybrothot : This reference would seem to establish a point of identity. The editor of *Dryburgh*, commenting on John, abbot or commendator of Dryburgh from 1548, remarks : ' None of the charters granted by this abbot, which have been recovered, contain his surname (*sic*), and no authority has been found to show whether he was of the Erskine or the Stewart family. The presumptions are, that he was of the former ' (*ibid.*, p. xxv). This presumption appears to be justified. See further *ibid.*, pp. xxiv-xxv.

Jaques Hamylton sire dorbiston : As son of Gavin Hamilton of Orbiston, he has the gift of an escheat, 26 May, 1544 (*RSS.*, iii. 785). On the previous day, a payment is made to him ' in his gravis efferis ' (*LTA.*, viii. p. 292) and later payments of a like nature are made till Sept., 1550, when there is an entry, bearing on the present mention : ' Item, to James Hammlton of Orbistoun, now at his depairting to France, towart his graces sone, to mak his expensis . . . lxxix s. (*ibid.*, ix. p. 441). Hamilton had a presentation of the rectory of Carrington, 27 Jan., 1547/8 (*RSS.*, iii. 2607). He had a tack of Ruchbank in the regality of Paisley, 4 Dec., 1561 (*RMS.*, iv. 1718),

and appears generally as of Ruchbank thereafter. He is mentioned till 10 May, 1578, when he grants a charter as James Hamilton of Ruchbank, rector and vicar of Carrington (*ibid.*, iv. 2816). His spouse, Margaret Dischington of Ardross, appears, 18 Sept., 1578 (*ibid.*, iv. 2980).

Jehan de Collodi marchand banquier demurant a Paris: There are references in letters to the queen dowager, 22 Oct. and 6 Nov., 1553, regarding financial transactions in which Coullaudy (or Collaudy) is involved (*Balcarres Papers*, ii. pp. 172, 177).

Thimothe Canioli marchand burgoys: A letter by Canioli to the queen dowager appears, 2 July, 1552 (*Balcarres Papers*, ii. p. 119). He also is named in a bond by Margaret Erskine, lady of Lochleven, 1 Feb., 1557/8 (*Scottish Corresp. Mary of Lorraine*, pp. 411-12), and grants a discharge to James, earl of Moray, 6 Dec., 1564 (*Moray Chs.*, Box 2, no. 67). Cagnioli was admitted burgess and guild brother of Edinburgh by right of his wife, Jonet, eldest daughter of James Curle, 23 Feb., 1564/5 (*Roll of Edinburgh Burgesses*, p. 90). He is mentioned as 'bancoure' in letters of summons, 8 June, 1573 (*PCR.*, xiv. p. 326).

CXCIV

24 July, 1551.

Uniuersis pateat per presentes Nos dominum thomam halmiltoune suppiorem de cupro . . . fecisse constituisse et ordinasse tenoreque presentium facere constituere et ordinare dilectum consanguenium nostrum richardum Jamesone in lie ferry nostrum verum legitimum Indubitatum et Irrevocabilem cessionarium assignatum et procuratorem in et ad quecunque bona mobilia et immobilia nobis ratione decessus ff[r]atrum germanorum et consangueniorum nostrorum Incumbentia recipienda et quecunque debitores et detentores huiusmodi tam in eorum testamentis quam extra coram ecclesiastico vel seculari Iudice seu Iudicibus pluribus aut uno conuocanda et persequenda Et singula bona et debita a quibuscunque creditoribus olim fratrum germanorum et consangueniorum nostrorum recepta et recipienda de huiusmodi acquittantias et exonerationes danda et super singulis bonis mobilibus et Immobilibus rebus et debitis quibuscunque per nostrum consanguenium recuperatis et obtentis ad ipsius voluntatis arbitrium disponendis Transferendo per presentes omne Jus nostrum quod seu que habemus aut habere poterimus in et ad singula bona premissa in dictum

richardum nostrum consanguenium In Cuius Rei testimonium quod sigillum nostrum in p[r]omptu presens non habuimus Sigillum honesti viri Johannis bell burgensis de Dunde cum Instantia procuratum unacum nostra subscriptione Manuali presentibus est affixum Apud dictum nostrum Monasterium de cupro die xxiii Mensis Julii anno domini j^m v^c quinquagesimo primo Coram his testibus Venerabili viro domino Johanne hammill Canonico Dunblanensi Johanne robisone Notario et domino Johanne Lawsonsone confratre nostro cum diuersis aliis

Dominus Thomas Hammylton subprior
of Cupar witht our awyne hande.

Seal mutilated. End. : Dispositio * * * Dompni Thome Hamilton superioris de Cupro in favorem Richardi Jameson de lie fferrie consanguinei 24 Julij 1551.

Linlithgow Burgh Charters, No. 34.

CXCIV

Charter of Thomas Hamilton, sub-prior of Coupar, making Richard Jamesone in the Ferry his procurator.

Cf. Nos. cxci, cxcii.

Dominum thomam halmiltoune suppriorem de cupro : See notes to No. cxci.

Richardum Jamesone in lie ferry : See notes to No. cxci.

Johannis bell burgensis de Dunde : Not found elsewhere.

Domino Johanne hammill Canonico Dunblanensi : A very frequent witness to late Coupar charters. He may be the John Hummyle, chaplain, who is a witness, 30 July, 1523 (*Blackfriars of Perth*, xxxvii (3)). He is mentioned as prebendary of Kippen, 16 Nov., 1552 (*Cupar*, ii. p. 108) and later. Hammill appears as steward of Coupar abbey, June, 1555 (*ibid.*, ii. p. 254), and had a pension of the teinds of Bendochy, 1562 (*ibid.*, i. p. 362).

Johanne robisone Notario : Another very frequent witness of late Coupar charters. The present is perhaps the earliest reference to him. There were other notaries of the same name. See *Laing Chs.*, Index.

Domino Johanne Lawsonsone confratre nostro : This monk of Coupar attests numerous charters from at least 1539 (No. clxxvi).

CXCV

6 June, 1555.

In dei nomine Amen per hoc presens publicum instrumentum Cunctis pateat Euidenter . . . quod anno . . . millesimo quingentesimo quinquagesimo quinto mensis vero

junii die Sexto Indictione decimatertia Sede apostolica (ut fertur) pastore carente In mei notarii publici et testium subscriptorum presencia personaliter constitutus . . . donaldus . . . abbas monasterii de cupro . . . habens et tenens in manibus suis quandam cedulam papeream appellationis formam in se continentem quam mihi notario publico subscripto perlegendam tradidit et in huiusmodi publicam instrumenti formam redigendam Cuius tenor sequitur Cum appellationis seu prouocationis remedium ab utroque Jure sane et salubriter sit introductum ut nedum lesis grauatis et oppressis sed etiam plus ledi grauari et oppremi se in futurum veresimiliter timens eius presidio succurratur Hinc est quod nos donaldus . . . monasterii de cupro abbas . . . cuprensis dicti monasterii Iminitatem (*sic*) libertatem ac bonum pro virili nostro (ut tenemur) defendere ac tueri Iminitatis unitatis ac pietatis zelo ducti nulla priuata affectione nequitia odio aut contemptu sed prefatorum boni Iminitatis unitatis ac Libertatis dicti nostri monasterii intuitu duntaxat prout presencium tenore solempniter attestamur Sentientes Idem monasterium monochosque ibidem deo seruiantes Ac nos qui ad presens eidem licet immeriti posedemus lesos grauatos et oppressos timentesque plus posse ledi grauari et oppremi in futurum per vos . . . Joannem . . . archiepiscopum sanctiandree Regni Scocie primatem ac tanquam cum potestate legati a latere Sanctissimi domini nostri pape et sancte sedis apostolice Legatum Ex Et pro eo quia licet ordo uniuersus cisterciensis tam communi Jure Canonico quam speciali romanorum pontificum prouisione multiplicique preuilegio eidem gratiose indulto / tam ipse ordo quam singula illius monasterii et membra / res bona prouentus et patrimonia sint libera ab omni Iurisdictione inferiori Legitime et sufficienter dinoscatur esse ip[s]o Sanctissimoque domino nostro pape ac eius sacrosancte sedi apostolice immediate subiecta Ita quod in eundem ordinem aut eius membra / eorumque bona et patrimonia nullus Iudex romanorum pontificum Iurisdictioni Inferior Iurisdictionem habeat et exercere possit Licet eciam prefatus ordo prout abbates monasterii de cupro pro tempore

et de presenti fuerunt et sint rationibus quibus supra liberi et immunes per tempus et tempora de quorum contrario memoria hominum non extat a solutione cuiuscunque subsidii charitatiui soluendi cuicunque archiepiscopo intranti ad archiepiscopatum sanctiandree Et in corroboratione premissorum singuli archiepiscopi sanctiandree pro tempore ut predicatur et eorum quilibet singillatim et presertim Willelmus Cewess Jacobus betoune et dauid betoune Cardinalis archiepiscopi sanctiandree et eorum predecessores per eorundem litteras testimoniales sufficientes testantur et declarant abbates et conuentum monasterii de cupro Cisterciensis ordinis sanctiandree diocesis a solutione subsidii charitatiui ecclesiarum de mathy et erlie eiusdem diocesis dicto monasterio unitarum esse liberas et Immunes non solum de Iuris canonici et Indulti apostolica auctoritate concessis dispositione verumetiam ex consuetudine ad nullius subsidii charitatiui solutionem astrictos esse seu astringi debere Licet etiam predicti archiepiscopi sanctiandree pro tempore et eorum quilibet prefatorum abbatum et conuentus monasterii de cupro ordinis Cisterciensis preuilegia et exemptiones Jura et consuetudines in uberiori forma ratificarunt et approbarunt Nichilominus v<estra> R<euerendissima> p<aternitas> / more vestro licet nulliter et iniquie contra Iuris communis dispositionem et Indultorum exemptionum preuilegiorum et aliorum Jurium nostri ordinis cisterciensis in mense Januarii (?) ultimo elapsis (*rectius* elapso) licet nulliter perperam et Iniquie vestras pretensas litteras monitoriales simplices ut Informamur Sub v R p / sigillo rotundo contra nos abbatem et conuentum monasterii de cupro nostros camerarios et granatarios nos et eos monendo Sub pena excommunicationis apud monasterium de cupro predictum ad satisfaciendum V R p / et vestris factoribus pluribus aut uni ratione subsidi charitatiui de nostris ecclesiis de mathy et erlie Summam quatuor Centum triginta trium librarum sex solidorum octo denariorum pro v R p ingressu ratione R v promotionis ad archiepiscopatum sanctiandree infra certos terminos Sub pena * * * eandem monitionem ut supra / exequi fecistis A quibus litteris monitorialibus

cum infra / Sex dies debite appo-***-mus tanquam a litteris ab-*** habe-*** nos Iurisdictionem fulminatis et Appellationem predictam in V R p / presentia Intimare voluissemus ostens[a]s v R p / nostro indulto et litteris testimonialibus prefatorum quondam predecessorum vestrorum per easdem concedentium se nullam impositionem in nos abbatem et conuentum dicti monasterii de cupro habentes v R p sic respondit / vos me (?) velle desiderare ultra id quod predecessores uestre (*rectius* uestri) in usu habebant Respectu cuius responsi per v R p predicto tempore nobis dati nostram predictam appellationem ut immediate necessariam respectu responsi predicti cum intimauius aut quouismodo ad ulteriora processemus / donec nunc licet nulliter perperam et Iniquie vestras [ad]huc pretensas litteras monitoriales simplices (ut Informamur) de nouo Sub v R p / sigillo rotundo contra nos abbatem et conuentum dicti monasterii de cupro nostros camerarios et granatarios exequi scriptis Nos et eos monendo ad satisfaciendum v R p / vestris factoribus ut predictum est ratione predicti subsidii charitatiui de nostris ecclesiis de mathy et erlie Summam quatuor Centum triginta trium Librarum Sex solidorum octo denariorum pro v R p / Ingressu ratione R V / promotionis ad archiepiscopatum Sanctiandree Infra certos terminos Sub pena excommunicationis Cum Clausula / Quam in ipsos respectiue dictis terminis monitionum elapsis fulminastis et fulminari fecistis et eandem monitionem contra nos et conuentum Camerarios et granatarios nostros exequi intenditis Nos abbatem et conuentum monasterii de cupro cisterciensis ordinis et Jura nostri loci ut supra / in quantum in v R p extat o[c]casione premissorum male nulliter atque Iniuste lesistis et lederi intenditis Nos abbatem et conuentum monasterii predicti cisterciensis ordinis circa premissa multipliciter ledentes et grauantes De quibus grauaminibus deo duce coram Iudice appellationis Liquido constabit V R p / reuerentia semper salua / Et presentem appellationem infra spatium sex dierum postquam de premissis grauaminibus plene certiorati fuimus et imposuimus fidem legalem et Iuratoriam tibi Domino notario

publico subscripto huiusmodi Iuramentum stipulanti fecimus Ob igitur premissa grauimina nobis abbati monasterii de cupro nostroque conuentui cisterciensis ordinis nostrisque camerariis et granatariis facta et data in fulminatione predictarum monitoriarum simplicium et Iniusta executione earundem Et ab omnibus inde secutis et secuturis illatis et datis a V R p vestrisque litteris monitorialibus simplicibus earundemque Iniustis executionibus monitionibus et ab omnibus inde [se]cutis et secuturis fulminatis et fulminandis Ad sanctissimum dominum nostrum papam nunc a[ssu]mptum seu assumendum eiusque *** sedem apostolicam Seu ad premissorum *** exemptionis plures aut *** et aptos petimus Instanter instantius et Instantissime vicibus iteratis S[ubiic]iensque nos et nostrum conuentum et omnes nobis adherentes ac successores nostros et domum nostram monasterialem et singulos fructus eiusdem presentes et futuros protectioni et omnimodi defensionis prefati Sanctissimi domini nostri pape seu commissariorum predictorum unius aut plurimorum obseruacionis priuilegiorum dieti ordinis Cisterciensis Cum ceteris clausulis Protestando hanc nostram appellationem addendam et diminuendam et ad calamum reformandam totiens quotiens opus fuerit et de jure licebit (Cum ceteris clausulis necessariis et oportunis (*del.*)) Eamque et eas huiusmodi persequendam Quequidem appellationis cedula per me notarium publicum subscriptum lecta et perlecta dominus venerabilis pater abbas etiam eiusdem cedule tenorem vim formam et effectum realiter et cum effectu appellauit et prouocauit Super quibus . . . donaldus . . . abbas monasterii de cupro a me notario publico subscripto sibi fieri petiit et requisiiuit unum vel plura publicum seu publica instrumentum et (*sic*) instrumenta Acta erant hec infra oppidum edinburgi sanctiandree diocesis in hospitio domini abbatis predicti hora septima vel eocirca / ante meridiem Sub anno etc. . . . quibus supra Presentibus Ibidem . . . Magistro Jacobo Thorntone canonico glasguensi thoma Kennedy domino petro trent monacho dieti monasterii et Joanne robisoune notario publico testibus . . .

Et ego Willelmus Meldrum artium magister clericus abirdonensis diocesis sacra apostolica auctoritate notarius etc. . . .

In dorso.

In dei Nomine amen per hoc presens publicum instrumentum Cunctis pateat Euidenter . . . quod anno incarnationis dominice millesimo quingentesimo Quinquagesimo quinto mensis vero Junii die vicesimo quinto pontificatu et indictione retrospectis Personaliter constitutus dominus petrus trent religiosus monasterii de cupro . . . procurator et eo nomine Retroscripti . . . donaldi abbatis eiusdem monasterii de cuius procurationis mandato nobis notariis infrascriptis luculenter / Constabat et constat Accessit ad personalem presentiam Retroscripti . . . Joannis Sanctiandree archiepiscopi primatis et Legati nati ac Retroscripte appellationis cedula sibi personaliter apprehenso debite et legitime Intimauit et Insinuauit Ac ad eius plenariam et Indubitatum notitiam deduxit Et in maiorem premissorum corroborationem dicte appellationis copiam Reuerendissimo domino archiepiscopo ad manus tradidit et deliberauit Et pariformiter Idem dominus petrus procurator qui supra debite et Legitime insinuauit et Intimauit preuilegia exemptiones indulta et facultates per bone memorie Innocentium octauum eiusque predecessores concessas Cabilonensi cisterciensis ordinis abbati ac quibuscunque Illius ordinis abbatibus vassellis et Tenentibus Similiter et Intimate fuerunt Ad Reuerendissimum dominum archiepiscopum per dictum procuratorem declarationes et admissiones predictorum preuilegiorum per Willelmum scheves Jacobum betoune et Dauidem Betoune sanctiandree archipresules dicti Joannis predecessores Qui quidem . . . Joannes archiepiscopus modernus dixit se huiusmodi preuilegia et exemptiones Necnon et predecessorum suorum declarationes et preuilegiorum huiusmodi admissiones plene et exacte intellexisse et intellegere (*sic*) Nec propterea v[era]m copiam petuisse aut petere Super Quibus . . . dominus petrus p[rocur]ator et eo nomine quo supra a me notario publico subscripto Sibi

fieri petiit unum vel plura publicum vel publica / instrumentum vel instrumenta Acta erant hec infra oppidum edinburgi in hospitio nobilis et potentis domini Jacobi ducis de chettellarault arranne comitis hora undecima vel eocirca ante meridiem Sub anno etc. . . . suprascriptis Presentibus ibidem thoma Kennedy apparente de eodem Joanne Hamiltoun de blakstoune et Magistro alexandro fores notario publico testibus . . .

Et ego Joannes Robisoune clericus dunblanensis diocesis Sacraque auctoritate apostolica Notarius publicus etc. . . .

Willelmus meldrum notarius publicus fidem premisorum requisitus manu sua subscripsit (?).

Paper. No endorsement.

Moray Charters, Box 32, Div. IV, Bundle II, No. 2.

CXCV

Notarial instrument recording the terms of an appeal by Donald, abbot of Coupar, against the imposition by John, archbishop of St. Andrews, of a charitable subsidy of 43*l.* 6*s.* 8*d.* upon the monastery's churches of Meathie and Airlie, contrary to the immunities of the Cistercian order.

Notarial instrument recording the delivery by Peter Trent, monk and procurator of Coupar, of a copy of the foregoing appeal to John, archbishop of St. Andrews, who declared that he knew of the immunities in question.

I have found no other reference to a charitable subsidy imposed by archbishop Hamilton. See *Rentale S. Andree*, p. xxxiv, for a reference to a subsidy imposed by Beaton.

Donaldus . . . abbas . . . de cupro : See Appendix II.

Joannem . . . archiepiscopum sanctiandree : John Hamilton, translated to St. Andrews from Dunkeld, c. 1549 ; hanged at Stirling, 7 April, 1571 (Dowden, *Bishops*, p. 43).

Willelmus Cewess Jacobus betoune et david betoune Cardinalis archiepiscopi sanctiandree : William Scheves, archbishop of St. Andrews, 11 Feb., 1477/8, to 28 Jan. (?), 1496/7 (Dowden, *Bishops*, pp. 33, 35) ; James Beaton, archbishop, 10 Oct., 1522, to 14 Feb., 1538/9 (*ibid.*, pp. 40, 41) ; David Beaton, archbishop, c. Feb., 1538/9, to 29 May, 1546 (*ibid.*, pp. 41, 42).

Ecclesiarum de mathy et erlie : The churches of Meathie and Airlie.

Magistro Jacobo Thorntone canonico glasguensi : Not found elsewhere under this designation ; but it is probably he who has a pension ' confermet in Rome,' 1562 (*Cupar*, i. p. 362), who appears as dean of Brechin, 30 Nov., 1566 (*REB.*, ii. p. 284), and precentor of Moray, 16 Aug., 1567 (*RMS.*, iv. 2369 ; *REM.*, 315), and as such and rector of Ancrum grants a charter, 20 Sept., 1573 (*RMS.*, iv. 2148).

Thoma Kennedy : It is difficult to say whether he is to be taken as Thomas Kennedy, elder, of Coif, or Thomas Kennedy, 'apparens de eodem,' who appears in the writ endorsed on this charter as 'yr. of Coif.' The elder Thomas appears as one of those delated as art and part in the slaughter of Robert Campbell of Lochfergus, 28 July, 1528 (*Crosraguel*, i. 5), and as one of the kin of William, abbot of Crossraguel, taken under royal protection, 8 April, 1530 (*RSS.*, ii. 642). He was a hostage for his nephew, Gilbert, earl of Cassilis, 1543 (*Crosraguel*, ii. p. 100, n.). We find him as a member of an assise regarding Auchingregane in Carrick, 28 June, 1554 (*RMS.*, iv. 943). He figures in Coupar charters from 5 Sept., 1544 (*Cupar*, ii. p. 32); has a feu charter of Kincrieche grange and Glenboy, 2 Jan., 1558/9 (*ibid.*, ii. p. 173=*RMS.*, iv. 1380); and appears as of Kincrieche on the same date (*RMS.*, iv. 1779). He is mentioned as deceased, 13 Nov., 1573 (*Crosraguel*, ii. 112). Thomas Kennedy, yr., appears as son and apparent heir of Thomas Kennedy of Coiff, 28 July, 1550 (*Cupar*, ii. p. 80), and witnesses feu charters, 2 Sept., 1550 (*ibid.*, ii. p. 100), and 16 Nov., 1552 (*ibid.*, ii. p. 108).

Domino petro trent monacho dicti monasterii : Appears frequently in the present records.

Joanne robisoune notario : See note to previous charter.

Willelmus Meldrum artium magister . . . notarius : There is more than one contemporary notary of this name: (1) William Meldrum, M.A., clerk of Aberdeen diocese, who attests records, 17 April, 1526 (*CCM.*, p. 92), 30 March, 1527 (*Cambuskenneth*, 138); (2) master William Meldrum, vicar of Strabrok, who appears as a notary, 3 June, 1531 (*CCM.*, p. 74), has a tack from Arbroath, 24 Jan., 1533/4 (*Aberbrothoc*, ii. 792), and is made one of the clerks of the king's closet, 20 April, 1537 (*RSS.*, ii. 2236); (3) master William Meldrum, admitted notary at Aberdeen, 13 April, 1540 (*REA.*, ii. p. 323). A man of this name also determined at St. Andrews, 1540 (*St. AUR.*, p. 142), and was a licentiate, 1541 (*ibid.*, p. 144); and another is mentioned as vicar of Peterculter, 1546 (*Lib. S. Crucis*, p. 268). William Meldrum, M.A., of the diocese of Aberdeen, attests an instrument, 15 July, 1550 (*Laing Chs.*, 569).

Preuilegia, etc. . . per . . . Innocentium octauum . . . concessas : I have been unable to trace the privileges granted by this pope: but he held office, 1484-92, i.e. while the main controversy regarding episcopal subsidies was in progress. Cf. No. CL, etc.

Cablonensi . . . abbati : The abbot of Châlons.

Jacobi ducis de chettellarault arranhe comitis : James Hamilton, second earl of Hamilton, duke of Châtelherault, governor of Scotland from 22 Dec., 1542, to 12 April, 1554 (*Dunbar, Scottish Kings*, pp. 247, 250).

Thoma Kennedy apparense de eodem : See note *supra*.

Joanne Hamiltoun de blakstoune : Appears as making payments 'in my lord gouernoures efferis,' Sept., 1550 (*LTA.*, ix. p. 442). He is found as a witness to charters from 10 Dec., 1556 (*RMS.*, iv. 2778), to 12 Dec., 1567 (*ibid.*, iv. 2070).

Magistro alexandro fores notario : Probably Alexander Foris, who was incorporated at St. Salvator's college, St. Andrews, 1532 (*St. AUR.*, p. 231); is a determinant, 1533 (*ibid.*, p. 129), and a licentiate, 1534 (*ibid.*, p. 132). We find him as provost of Fowlis, 4 July, 1549 (*RMS.*, iv. 361); as rector of Logy Montrose, 1 Oct., 1552 (*Lib. S. Crucis*, p. 288), and notary, 14 Dec., 1553 (*RMS.*, iv. 877). He appears also as provost of Kirk of Field, 18 Feb., 1553/4 (*Reg. S. Egid.*, 147). Fores is frequently mentioned, with one or other of the latter designations, as secretary to the archbishops of St. Andrews from 1 Oct., 1552 (*Lib. S. Crucis*, p. 288), to 30 March, 1567 (*Prot. Bk. of Thos. Johnstoun*, 506).

Joannes Robisoune . . . Notarius : See *supra*.

Willelmus meldrum notarius : See *supra*.

CXCVI

24 August, 1565.

Henrie And Marie be the grace of god king and Quene of Scottis To the lordis of oure counsale and sessioun and all and sindrie the fewaris firmoraris tennentis occupiaris annuellaris parrochynnaris and utheris quhatsumeuir addettit for payment of ony mailis fermes teindis annuellis proffittis and dewiteis quhatsumeuir pertening to the abbacie underwrittin greting fforsamekle As we takand respect to the faithfull and obedient seruice done to ws be oure rycht traist cousing and counsalour Johnne erle of Athole Thairfore in his fauoris and to his utilitie weile and proffite / We haue Geuin grantit and disponit To oure weilbelouit Maister leonard leslie Oure abbacie of Cowpar liand in anguss with the place houssis zairdis orcheardis with all and sindrie landis rentis teindis fruitis emolumentis proffittis casualiteis priuilegis and dewiteis quhatsumeuir quhilkis in ony tymes bigane hes pertinit or may pertene to our said abbacie and benefice thairof in ony tymes tocum ffor all the dayis and termes of the said Maister leonardis lyftyme with power To him be him self his chalmerlains and factouris in his name To intromet uptak and dispoun upoun all and quhatsumeuir landis teindis fruitis mailis fermes caynis custumes emolimentis proffittis and dewiteis quhatsumeuir concerning

and belanging to oure said abbacie zeirlie and termelie in tyme tocum To set fewis rentallis lang or schort takis for the weile of the place or to call for reductioun of quhatsumeuir fewis takis or richtis maid be his predecessouris abbottis of the said abbacie of befoir To the hurt and detriment of the said abbay And to do all uthir thingis concerning the samyn Siclike as ony uthir commendatare or abbot mycht or may do within oure realme in all behalfis during his lyftyme And to poynd and distreinze gif neid be for the mailis fermes caynis and uthiris dewiteis pertening to oure said abbacie als oft as salbe requirit And to remoive Impute and output tennentis Get raiss and dispoune upoune the landis fruitis teindis and rentis of the samin abbacie And all that apperteins thairto at his plesour And To mak baillieis chalmerlanis factouris yconomeis hald courtis plaintis and to do all uthir thingis concerning the said abbacie Siclike and als frelie as euir ony abbot of oure said abbay broukit joisit and posseidit the samin or mycht haue done in ony tyme bigane Quhairfore we charge straitlie and commandis zow all and sindry the saidis fewaris firmoraris tennentis occupiaris anuellaris parrochynnaris and uthiris quhatsumeuir addettit for payment of ony mailis fermes teindis annuellis profitis and dewiteis quhatsumeuir pertening to oure said abbaye usit and wont of befoir or salbe knawin heireftir to pertene thairto That ze and Ilkane of zow ansuer obey intend and mak payment thairof To the said Maister leonard his chalmerlanis collectouris and factouris of the samyn zeirlie and termelie in tyme cuming during his lyftyme and to nanc uthiris . Dischargeing all uthiris of Intrometting thairwith be thir oure letteres Chargeing Alsua zow the foirsaidis lordis of oure counsale and Sessioune That ze gif and grant upoune thir presentis our uthiris letteres executoriallis of horning or poiding ffor ansuering and payment making To the said Maister leonard of the haille fruitis of our said abbacie Siclike as ar grantit to our uthiris prelattis within our realme And siclike we be thir presentis reuok all giftis takkis rentallis fewis or dispositionis quhatsumeuir maid or gevin of the samyn be ws or uthiris quhatsumeuir Sen

the deceis of the last lauchfull possessour thairof And declaris the samyn to be cassit and annullit in tyme cuming And will and grantis for ws and oure successouris That this oure gift and dispositioun of the said abbacie is now and salbe in all tyme cuming of als greit strenth force and effect As the samin had bene prouidit in the court of rome be the ordour thairof and to be als sufficient in the self as ony uthir prouisioune of benefice quhilk is grantit to uthiris and prouidit thairto in the court of rome of befoir oure actis laitlie maid in the contrar Gevin under oure Previe Seile At Edinburgh The Twenty ferd day of August The zere of god M V^c Threscoir fyve zeiris And of our Regnis the first and twenty thre zeiris.

Per Signaturam Manibus S.D.N. Regis et Regine
Subscriptam.

Written below cut in charter : Littera Magistri leonardi Leslie etc.

Moray Charters, Box 32, Div. IV, Bundle II, No. 5.

CXCVI

Charter of Henry and Mary, king and queen of Scots, under the privy seal, granting to master Leonard Leslie the abbacy of Coupar.

Henrie and Marie . . . king and Quene of Scottis : This is an earlier instance of the appearance of Darnley and Mary as king and queen than that cited by Dunbar, *Scottish Kings*, p. 254.

Johnne erle of Athole : John, fourth earl of Athole, succeeded his father (who died c. 1542) ; his death took place, 24 April, 1579 (*Scots Peerage*, i. p. 444). He is described (*ibid.*) as ' a zealous Catholic ' and as a promoter of Mary's marriage with Darnley.

Maister leonard leslie : See Appendix II.

CXCVII

c. 1572.

My lord eftir maist hairtlie recommendatioun of seruice . I ressauit zour l<ordschips> lettir frome the berare the xx day of october instant witht the copie of this summondis execute aganis Walter leslie and Jonett boyd for succeeding under the vice of thame quha wer of befor decernit to

remove This in my judgement will be very good to be defendit In respect of the deweitt standing gif it may be provin that thir personis quhilkis ar now callit haiff ony wayes mellit witht the possessioun. I se na uthir remeid bot to pass fordwart in this reduction quhilk I sall caus be callit witht all diligence that hir infetment may be producit accordyng to the desyr of this last summondis in the sam mater of reduction is not hable to be ressaut till your l<ordschips> cuming quhilk I wald wiss to be witht all resonable and conuenient speid In the menetyme to 3our l<ordschips> cuming I sall omitt nathing appertening to my dewetie Swa awaiting vpoun 3our l<ordschips> cuming and aduertisement I committ 3our l<ordschip> to the protectioun of the almychttie Frome Edinburgh this xxi day of october

Be 3our l<ordschip> at power in seruice to be comandit

Jo: Schairpe.

I ressaut from the berar sex poundis witht 3our l<ordschips> aquat[a]nce (?) quharof I thank 3our l<ordschip> very hairtly.

Endorsed : To my lord abbott off Cowpar.

Moray Charters, Box, 32, Div. V, Bundle II, No. 96.

CXCVII

Apparently a legal opinion communicated to Leonard Leslie, commendator of Coupar. The provenance of it cannot be ascertained but the persons mentioned can be identified :

Walter leslie and Jonett boyd : Walter is mentioned as the commendator's natural son, 3 May, 1570 (*Laing Chs.*, 851). He has a tack, along with Jonet Boyd, his future spouse, of a third of Cowbyre, 4 April, 1572 (*RMS.*, iv. 2039). Royal letters of legitimation are granted to him, 28 Feb., 1572/3 (*ibid.*, iv. 2121).

Jo: Schairpe : No doubt Mr. John Sharp, advocate, who appears in that capacity and as burgess of Edinburgh, 4 Sept., 1569 (*RMS.*, iv. 1883), when he has a charter of sale of the lands of Houston in W. Lothian. These lands are confirmed to him by a crown charter, 25 March, 1576, when he is described as deputy keeper of the great seal (*ibid.*, iv. 2539). He is mentioned till 31 Jan., 1577/8 (*ibid.*, iv. 2776) ; and, 21 April, 1590, Sir

Thomas Kennedy of Colzean speaks of ' furnessing of twa thousand merkis to Mr. Johne Scharpe ' (*Crosraguel*, ii. 126A). His son, John, is a witness, 15 March, 1595/6 (*Laing Chs.*, 1294).

CXCVIII

1606.

In the Parliament haldin at Perth The zeir of God M vj^c and Sex zeiris Be vertew of ane Speciall Commissioun Grantit to that effect be oure Souerane lord under the great seall Of the date At Hamptouncourt The aucht day of ffebruar The zeire of god M vj^c and four zeiris Oure souerane Lord with advyse and consent of the Estaittis of the Parliament of Scotland presentlie convenit Considering the gude trew and thankfull service done to his maiestie be his maist traist cousing and counsallour James lord of Balmerinloch his maiesteis Secretar and president of the College of Justice Alsweill in his daylie and continuall attending In the Secreit Counsall and sessioun for the administratioun of Justice to all his maiesteis leges As in diveris and sindrie utheris great wechtie and honorable services Committit to his charge be his hienes Concerning the Comoun weill of the Realme In the quhilkis he hes dischargeit him self maist faithfullie to his maiestie great honour and contentment and to the singular commoditie and weill of this Realme and leges thareof And heirwith remembering that his maiestie wes witnes and godfather to James Elphingstoun sone to his said richt traist cousing procreat betuix him and Dame Marorie maxwell his spouse And that it becummis his maiestie of his princelie dewtie to remember his said godsone with sum takin of his hienes fauour : And his maiestie haveing now be speciall intentiones Proponit to the saidis Estaittis haveing thareupoun takin full tryell and verification They have fund tryet censourit and judgeit Lyk as they presentlie find censour and judge the samyn to be And to have bene great seand and reasonable causs for the weill of his maiestie and of the said realme of Scotland As also his maiestie and estaittis foirsaidis findis decernis and declairis that his hienes with

thair advyse and consent may for the saidis causs quhilkis they have knawin and tryeit To be for the seand weill of his maiestie and Realme as said is Annalie and dispone ony pairt of the landis annexit to his Crown to the said James elphingstoun his maiesteis godson, sone to his said richt traist cousing and to his airis and successouris To be haldin In sic maner and for sic service as his maiestie best pleisis And to that effect that the annexatioun to the crown of the samyn landis that ar to be annaleit and disponit salbe simpliciter dissoluit fra the Crown that they may be annaleit and disponit to the said James Elphingstoun and his airis eftermentonat And the saidis Estaittis being ryplie and gravelie advyseit quhat his maiestie may annalie and dispone with leist detrement to his hienes 3eirlic rent and crown The saidis estaittis All in ane voce have fundin and declarit and be the tenour hereof findis and declaris that the temporalitie propertie and superioritie with the fewfermes and dewteis of the abbacie and monasterie of Couper Situat within the scheref dome of forfar Being in his maiesteis handis be ressoun of the generall annexatioun of the kirklandis of the Realme of Scotland to the Crown be speciall act maid thairanent In the Parliament haldin At Edinburgh the tuentie nyne day of Julii The 3eir of god m v^c fourscoir sewin 3eiris Lyk as the spiritualitie of the said benefice contening the abbay place and monasterie with the houssis biggingis orchardis 3airdis and thair pertinentis Lyand within the precinet of the said abbay Togidder with the teyndscheves and utheris teyndis fruittis rentis emolumentis and deweteis baith personage and vicarage of the paroch kirkis and parochinis of Bendoquhy / Arely / mathy / gleniley / and fossoquhy quhilkis cummis under the generall exceptioun fra the said annexatioun And quhilkis laitlie pertenit To Mr Andro lamb undoubtit commendatar of the spiritualitie of the said abbacie and new resignit be the said Commendatar (thaire being nane of the Convent thairof now on lyfe) Be his lauchfull procuratouris and patent letteres under the commoun Seall of the said abbay In his maiesteis handis and simpliciter dimittit and overgevin be the said Com-

mendatar to be useit and disponit be his maiestie at his
 hienes plesour May with leist detrement to his maiestie or
 hurt to the rent and revinew of the crown for the seand
 caussis abouewrittin be disponit to the said James elphing-
 stoun and his sone foirsaidis in maist ample forme And
 thairfoir the saidis Estaittis of Parliament findis it necessar
 and expedient that oure said Souerane lord be his hienes
 Infestment to be maid with advyse of his maiesteis ordiner
 officeris Sall erect vnit creat and Incorporat All and sindrie
 landis baroneis mylnis woddis fischingis annualrentis and
 vtheris quhatsumever pertening to the said abbacie of
 Couper be thair names in speciall quhairver the samyn
 lvis ather within the scherefdomes of forfar Perth Abe[r]-
 dene Or within ony vther pairt within the Realme of
 Scotland Togidder with all and sindrie the teyndscheves
 and utheris teyndis baith personage and vicarage fruittis
 rentis emolumentis profeitlis and deweteis quhatsumever
 of the foirsaidis kirkis and parochinis of bendoquhy Arely
 Mathy glenilay and fossoquhy In ane hail and frie baronie
 and estait of ane lordschip of his hienes Parliament And
 that the samyn with all privileges and Commodeteis per-
 tening thairto Togidder with the honour dignitie and
 estait of ane lord of his maiesteis Parliament with badge
 and armes and for the caussis foirsaidis Salbe annaleit and
 disponit to the said James elphingstoun and his airis maill
 lauchfullie to be gottin of his bodie Quhilkis failzeing to
 the said James Lord of Balmerinoch his father and to his
 airis maill and of tailzie contenit in his infestment of the
 landis and baronie of Ballumbie heretable To be haldin of
 oure said Souerane lord and his successouris In frie barronie
 and frie lordschip with the honour and dignitie of ane lord
 of Parliament for ever. And to that effect his maiestie
 and Estaittis of Parliament foirsaid dissoluis annullis and
 Infringis the said generall annexatioun of the kirklandis
 of this realme of Scotland to the Crown In sa far as it may
 be extendit to the said temporalite of the said abbacie of
 Couper alanerlie And ordinis the Infestment to be maid
 hereupoun to be extendit in maist ample forme berand ane
 vnioun and Incorporatioun of all the particularis In ane

baronie and lordschip with ane speciall remit and discharge of the thriddis of the said Abbacie of Couper alsweill victuall as siluer Togidder with all monkis portiones first zeiris fruittis and fyft penny of the samyn abbacie and benefice Becaus his maiestie will be relevit and dischargit of the sustenacioun of the ministeris of the foirsaidis kirkis And also to bere and contene provisioun that the said lordschip pay all taxatiounes with the temporall lordis for the said temporalite Comptand the samyn to ane hundreth merk land of auld extent And to have his releif of all the heretable tennentis and utheris takismen of the saidis landis and teyndis efter the rait and quantitie of thair landis and teyndis sa oft as sall occur the said taxationes And with expres power to the said James and his airis foirsaidis To retreit and reduce quhatsumever Infefmentis takis assedationes richtis and titillis of ony pairt of the saidis landis mylnis woddis fychingis teyndis and utheris for quhatsumever caus competent of the law with all utheris claussis and provisiounes quhilk salbe neidfull for the said James and his airis for bruiking of the said lordschip and baronie And to the effect foirsaid his maiestie and Estaittis of Parliament hes suppressit and extinguisst the memorie of the said abbacie of Couper that thair salbe na successour provydit thairto Nor na forder mentioun maid of the samyn In ony tyme hereafter And to the said alienatioun and dispositioun now as gif it wer alreddie maid and than as now his maiestie and the saidis estaittis of Parliament hes interponit and interponis thair consent and autoritie as that deid quhilk is now and salbe In all tymes hereafter ostensit and Judgeit for the weill of oure said souerane lord and for ane seand proffeit and commoditie to his Croun and realme of Scotland Reservand and exceptand alwayis furth of this present act and erectioun foirsaid And Regaliteis and privileges thairof (gif ony be) possessit be the abbottis and titularis of Couper of befoir To remane with oure Souerane lord and his hienes successouris And thair Croun Inseparablie in all tymes heirefter Extractum de libro actorum Parliamenti S. D. N. Regis Per me dominum Georgium Hay de Nather lif militem Clericum

Rotulorum Registri ac Consilii S. D. N. Regis sub meis signo et subscriptione Manualibus.

Georgius Hay Clericus Registri.

Moray Charters, Box 32, Div. IV, Bundle II, No. 17.

CXCVIII

Act of parliament erecting the abbey of Coupar into a temporal lordship in favour of James Elphinstone.

This act is printed, *APS.*, iv. pp. 340-41.

ABSTRACTS OF LATER COUPAR CHARTERS

CXCIX

12 November, 1552.—Letter of tack by Donald, abbot of Coupar, with consent of the convent, to David Ogilvy and Margaret Campbell of the town and lands of Newton of Bellaty, half of Freuchie and a quarter of Glennachy.—(*Airlie Charters*, 463.1 (from Airlie Inventory ; orig. not found).)

CC

10 May, 1558.—Charter by Donald, abbot of Coupar and the convent thereof, in favour of David Ogilvy in Newton of one half of the lands of Freuchy, occupied by Robert Beiroune, John Gibsone and their subtenants. Reddendo : 5*l.* plus 20*s.* gressum, etc. At Coupar. Witnesses : James Hering of Glasclune ; James Hering of Wester gormok ; Thomas Kennydy, fiar of Coiff ; Colin Campbell of Crunan ; and John Robisone, notary. Signed by the abbot ; Robert Drysdell ; James Maistertoun ; Thomas Hammylton, prior ; John Fogow, yr. : William Baxter ; Bernard Murdosone ; Alexander Andersone ; John Fogow ; Jhone Lausone ; Alexander Dothow ; Jhone Donaldsone ; James Andersone ; Andreas Moncur ; Thomas Dron ; Andreas McCakarn ; Petrus Trent.—(*Airlie Charters*, 466.4 ; *GRH. Abbreviates of Feu-Charters of Kirklands*, i. f. 127.)

CCI

11 May, 1558.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Johne Ogilvy, son of David Ogilvy in Newtoun, the lands of Newtoun of Bellite and others, lying in the sheriffdom of Perth. Witnesses : James Hering of Glasclune ; James Hering of Westergormok ; maister David Campbell in Denheid ; Coline Campbell of Crvnan ; schir Johnne Hommyll, prebendar of Kippane ; and Johnne Robisone, notary.—(*GRH. Abbreviates*, i. f. 199 ; *Airlie Charters*, 465.3 (from Airlie Inventory ; orig. not found) ; *RMS.*, iv. 1706.)

CCII

11 *May*, 1558.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Coline Campbell of Crwnan, in liferent and George Campbell, his son, in fee, of the lands of Crwnan, Eister Inneraritie, etc., in the sheriffdoms of Perth and Forfar. Witnesses: William Blair of Balgillo; Johnne Blair, his son and apparent heir; Andro Blair; Johnne Homill, prebendary of Kippane; Coline Campbell of Denheid; Alexander Baxter; and John Robisoun, notary.—(*GRH. Abbreviates*, i. f. 231.)

CCIII

31 *May*, 1558.—Charter by Donald, abbot of Coupar and the convent thereof, to Robert Alexander and Margaret Blair, his spouse, in liferent, and Alexander Alexander, their son, in fee, of the lands of Gallowray, in the sheriffdom of Perth. Witnesses: James Hering of Glasclune; James Hering of Wester gormok; William Blair of Balgillo; Johnne Blair, his son; Thomas Kennedy, fiar of Coiff; and John Robisone, notary.—(*Ibid.*, i. f. 232.)

CCIV

20 *June*, 1558.—Charter by Donald, abbot of Coupar and the convent thereof, to Walter Hendersone or Patre and Margaret Haldene, his spouse, of half of the lands of Ower Balbrogy, in the lordship of Coupar and sheriffdom of Perth. At the monastery of Coupar. Witnesses: Duncan Campbell of Glenlyoun; James Hering of Glasclune; William Blair of Balgillo; John Blair, his son; and John Robisone, notary. Signed by the abbot and by Thomas Hammyltone, prior; John Donaldson; Alexander Dothow; Alexander Anderson; William Baxter; John Fogow; William Blayr; John Lausoun; Robert Drysdail; John Fogow, yr.; Bernard Murdostoun; Andrew McCakarn; James Maistertoun; Andrew Moncur; James Andersoun; John Turnbull; Adam Andersoun; Thomas Dron; William Auchinlek; Petrus Trent.—(*Lintrose Charters*, 48.)

CCV

20 *June*, 1558.—Precept of Donald, abbot of Coupar, directed to John Fallow and William Huton, as bailies, ordering sasine to be given to Walter Hendersone or Patre and Margaret Haldene, his

spouse, of the lands granted in No. cciv. Witnesses : James Hering of Glasclone ; William Blair of Balgillo ; John Blair, his son ; John Robisone, notary. Signatures as in No. cciv.—(*Ibid.*, 45.)

CCVI

20 June, 1558.—Precept of Donald, abbot of Coupar, directed to John Fallow in Balbroggy and John Thome, as bailies, ordering sasine to be given to Walter Hendersone or Patre, of the lands granted in No. cciv. Witnesses : James Hering of Glasclone ; William Blair of Balgillo ; Colin Campbell ; John Robisone, notary. Signatures *ut supra*.—(*Ibid.*, 44.)

CCVII

5 December, 1558.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Margaret Campbell and others the lands of Kemphill, Bruntyhill and Cowbyre of Kethik, in the sheriffdom of Perth.—(*GRH. Abbreviates*, i. f. 11.)

CCVIII

15 December, 1558.—Fragment of a charter by Donald, abbot of Coupar and the convent thereof, granting to *** the lands of *** The name *** Campbell of Dalv[any] appears in the destination.—(*Ibid.*, i. f. 2.)

CCIX

20 December, 1558.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Thomas Turnbull and Elizabeth Kynnard, his spouse, the lands of Carsgrange and the mylne of Bogmylne, in the sheriffdom of Perth. Witnesses : Duncane Campbell of Glenlyoune ; James Hering of Glasclone ; William Blair of Balgillo ; John Blair, his son and apparent heir ; John Campbell, apparent of Lundy ; John Robisone, notary.—(*Ibid.*, i. f. 270.)

CCX

2 January, 1558/9.—Bond of manrent by Thomas Kennydy, 'apperand of coive,' to Donald, abbot of Coupar, inasmuch as Kynnydy has been granted the feu and heretage of the lands of the

Grange of Kynrech and Glenboy with the 'roume and valk milnis' of the same together with a nineteen years' tack of the teinds, parsonage and vicarage, of the kirk of Mathie. At Coupar. Witnesses: John Campbell; Alexander Baxter; and Johne Robisoune, notary. Signed: 'Thomas Kenndy aperand of Coiff witht my hand.'—(*Moray Charters*, Box 32, Div. IV, Bundle II, No. 3.)

(The feu-charter of these lands appears, 2 Jan., 1558/9 (*RMS.*, iv. 1380; *Cupar*, ii. p. 173).)

CCXI

2 January, 1558/9.—Charter by Donald, abbot of Coupar and the convent thereof, to Johne Campbell, son of umquhile Robert Campbell, burgess of Ayr, of a third part of the lands of Chappeltoun, in the sheriffdom of Perth. Witnesses: James Hering of Glasclyne; James Hering of Wester gormok; Williame Blair of Balgillo; James Kennedy of Kincaig; Coline Campbell of Crwnane; sir John Hammill, prebendary of Kippane; maister David Campbell; and John Robisoun, notary.—(*GRH. Abbreviates*, i. f. 232; *RMS.*, iv. 1779.)

CCXII

8 January, 1558/9.—Charter by Donald, abbot of Coupar and the convent thereof, to Henrie Broun in Westhorne and Marjorie Scott, his spouse, in liferent and James Broun, their son, in fee, of the lands of Westhorn, in the sheriffdom of Perth. Witnesses: James Hering of Glasclune; William Blair of Balgillo; Coline Campbell of Crwnane; Andrew Blair; and John Robisoun, notary.—(*Ibid.*, i. f. 274.)

CCXIII

8 January, 1558/9.—Charter by Donald, abbot of Coupar and the convent thereof, to Andrew Broune of two acres of the lands of their burgh of Kethik, which formerly were held by James Edvert, lying above Baitscheill on the south between the acres of John Campbell on the east and the acres of William Lowsoune on the west, with garden and houses, extending from the end of these acres to the little field (*agellus*) of the tenants of Gallowray. Reddendo: 13s. 4d. Given at Coupar Abbey. Witnesses: William Blayr of Balgillo; John Blayr, his son and apparent heir; Thomas Kennedy, feuar of Coiff; Colin Campbell of Crwnane; and John Robisoune, notary. Signed: 'D. de Cupro abbas; D. thomas

Hamyltoun, prior; Bernardus mordosoun; Johannes Turnbull; Wilelmus afflek; andreas m^ecakarn; Jacobus anderson; thomas dron; Allexander dothow; Robertus drysdell; Jacobus maister-toune; Jaones (*sic*) fogow, Junior; Joannes lausoun; Johannes Donaldson; Willelmus baxter; Petrus Trent.—(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 130.)

CCXIV

10 *January*, 1558/9.—Charter by Donald, abbot of Coupar and the convent thereof, granting to William Burt, son of Andrew Burt and Helene Turnbull, his spouse, a third part of the lands of Cowbyre in the sheriffdom of Perth. Witnesses: William Blair of balgillo; Johnne Blair, his son and apparent heir; Thomas Kennedy, fiar of Cove; Johnne Turnbull of Denheid; Johnne Hammill, prebendary of Kippane; Coline Campbell of Crunnan; and Johnne Robisone, notary.—(*GRH. Abbreviates*, i. f. 59.)

CCXV

10 *January*, 1558/9.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Colyne Campbell, son of master David Campbell in Denheid, the lands of Eister Denheid, a fourth part of the west side of the toun of Balbrogy and others in the sheriffdom of Perth. Witnesses: James Hering of Glasclune; James Hering of Westergormok; Johnne Campbell of Lundy; Colyne Campbell of Crunnane; Andro Blair; and Johnne Robisoun, notary.—(*Ibid.*, i. f. 71.)

CCXVI

10 *January*, 1558/9.—Charter by Donald, abbot of Coupar and the convent thereof, granting to James Hering of Glascloune the lands of Caillies, etc., in the sheriffdom of Perth. Witnesses: Duncan Campbell of Glenlyoune; William Blair of Balgillo; Johnne Blair, his son and apparent heir; Colin Campbell of Crwnan; Johnne Campbell of Murthlie; and Johnne Robisone, notary.—(*Ibid.*, i. f. 17; *RMS.*, iv. 1699.)

CCXVII

10 *January*, 1558/9.—Charter by Donald, abbot of Coupar, to Alexander Jaksone in Uatterybuttis, Annabelle Campbell, his

spouse, and Robert Jaksone, their son and apparent heir, of the lands of Uatterybuttis, a half of the west quarter of Carsgrange, a half of Newbiging and four acres of Carsgrange, in the lordship of Coupar and sheriffdom of Perth. At the monastery. Witnesses: William Blayr of Balgillo; John Blayr, his son and apparent heir; Thomas Kennedy, feuar of Coif; John Campbell of Murthilie; Colin Campbell of Crunan; John Robisone, notary. Signatures of the abbot and of Thomas Hammyltone, prior; William Blair; James Maister-toun; Adam Andersoun; William Baxter; Robert Drysdail; John Lausoun; Andrew Moncur; John Fogow; William Afflek; John Turnbull; Thomas Dron; John Fogow, yr.; Bernard Mair-dostoun; Alexander Anderson; Andrew McCakarn; Peter Trent.—(*Lintrose Charters*, 46; *GRH. Abbreviates*, i. f. 273; *RMS.*, iv. 1788.)

CCXVIII

20 January, 1558/9.—Charter by Donald, abbot of Coupar and the convent thereof, to Johnne Campbell of the Bait and Elizabeth Blaiklok, his spouse, of the lands of Sowterhouse, in the sheriffdom of Perth. Witnesses: James Hering of Glasclune; William Blair of Balgillo; Johnne Blair, his son and apparent heir; Thomas Kennedy, fiar of Coiff, etc.—(*GRH. Abbreviates*, i. f. 127.)

CCXIX

5 February, 1558/9.—Instrument of sasine in favour of James Ogilvy, on a precept of sasine from chancery of the lands of Clintlaw and Auchindorie, also the lands of Meikle and Little Forter and others, with the office of bailiary of Coupar (except as regards their lands in the earldom of Athole) and fee of twenty merks pertaining thereto.—(*Airlie Charters*, 417. 9 (from Airlie Inventory; orig. not found).)

CCXX

10 February, 1558/9.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Andro Blair, son of William Blair of Balgillo, the lands of Balgirscheo, in the sheriffdom of Perth. Witnesses: James Hering of Glasclune; Duncan Campbell of Glenlyoun; James Hering of Westergormok; maister David

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Campbell in Denheid ; Johnne Campbell, ' apperand of Lundy ' ; Johnne Blair, ' apperand of Balgillo ' ; Coline Campbell of Crwnane ; and John Robisune, notary.—(*GRH. Abbreviates*, i. f. 211.)

CCXXI

10 *February*, 1558/9.—Charter by Donald, abbot of Coupar and the convent thereof, to Johnne Ogilvy of Innerquharritye of the lands of Kirkhillioey, in the sheriffdom of Forfar. Witnesses : William Blair of Balgillo ; Johnne Blair, his son ; Coline Campbell of Crwnan ; and John Robisoun, notary.—(*Ibid.*, i. f. 127.)

CCXXII

10 *February*, 1558/9.—Charter by Donald, abbot of Coupar and the convent thereof, to John Forbes of Tolleis, and Margareta Campbell, his spouse, of half of the Grange of Abirbothrie, presently occupied by Patrick *alias* Pantoun Donald, Joneta Turmbull, widow of the late Andrew Trotar, John Smitht and Patrik Donald. At Coupar. Witnesses : James Hering of Glascloyne ; James Hering of Vester gormo ; William Blayr of Balgillo ; John Blayr, his son and apparent heir ; Thomas Kennedy, fiar of Coif ; sir John Homill, prebendary of Kippane ; Colin Campbell of Crwnan ; and John Robisone, notary. Signatures :

	' Don<aldus> [de] Cupro abbas		
Joannes fogow	Wilelmus blayr	D. Thomas Ham-	Bernardus
Junior		mylton prior	mordestoun
Willelmus baxter	Jacobus andersone	Jacobus maister-	Adam anderson
		toun	
Alexander anderson	Robertus drysdell	Joannes Donald-	Joannes turnbull
		soun	
	Joannes fogow	Wilelmus afflek	Alexander dothow
			Joannes Lausoun
		Andreas m ^c cakarn	Petrus Trent.'
		Andreas moncur	

(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 110.)

CCXXIII

10 *February*, 1558/9.—Precept of sasine by Donald, abbot of Coupar and the convent thereof, directed to Colin Campbell of

Crwnan, as bailie, in terms of the foregoing charter. Witnesses as in No. CCXXII. Signatures :

	‘ Don<aldus> [de] Cupro abbas	
Robertus drysdell	D. thomas Hammylton	Bernardus mordoston
Jacobus andersoun	Jacobus maistertoun	Adam anderson
Johannes turnbull	Joannes donaldsone	Joannes lausone
Alexander anderson	Wilelmus afflek	
Willelmus baxter	Andreas m ^c cakarn	
Joannes fogow, jun.	Wilelmus blayr	
	Joannes fogow	Petrus trent.’
	Alexander dothow	
	Andreas moncur	

(*Ibid.*, No. 111.)

CCXXIV

10 *February*, 1558/9.—Charter by Donald, abbot of Coupar and the convent thereof, to John Campbell of Murthlie of a quarter of the lands of Carsgrange and an eighth of the lands of Half of Newbigging, in the sheriffdom of Perth. Witnesses : *ut ante*.—(*GRH. Abbreviates*, i. f. 128.)

CCXXV

10 *February*, 1558/9.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Duncane Campbell of Glenlyoun the lands of Tullifergus and others, in the sheriffdom of Perth. Witnesses : *ut ante*.—(*Ibid.*, i. f. 175.)

CCXXVI

5 *April*, 1559.—Charter by Donald, abbot of Coupar and the convent thereof, to John Forbes of Tolleis and Margaret Campbell, his wife, of a fourth part with a third part of an eighth part of the lands of the Grange of Abirbothrie, presently occupied by Walter Syme and Simon Donald. At Coupar. Witnesses : James Hering of Glascloyne ; William Blayr of Balgillo ; John Blayr, his son ;

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Colin Campbell of C[r]unna; John Hummill, prebendary of Kippa; and John Robisoun, notary. Signatures :

‘ Don<aldus> Cupro

James maistertoun	Manus bernardi murdosone	Thomas Hammylton, prior
Alexander dothow	Robertus drysdell	Willelmus baxter
Joannes fogow	Johannes turnbull	Andreas M ^c Cakarn
		Joannes fogow Junior
		Petrus Trent.’

(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 112.)

CCXXVII

10 *May*, 1559.—Precept of sasine by Donald, abbot of Coupar and the convent thereof, in favour of James, Lord Ogilvy, of the lands of Meikle and Little Forter, directed to Colin Campbell of Crwnane, as bailie. At Coupar. Witnesses: James Hering of Glasclayne; James Hering of Wester gormok; Thomas Kennydy, fiar of Coiff; John Hammill, prebendary of Kippen; Colin Campbell of Crunan; and John Robisone, notary. Signed by the abbot.—(*Airlie Charters*, 419. 11.)

CCXXVIII

10 *May*, 1559.—Charter by Donald, abbot of Coupar, in favour of David, eldest son of John Pilmoir, of two acres of land in Bait-scheillhauch, in feefarm. Reddendo 13s. 4d. At Coupar. Witnesses: William Blayr of Balgillo; John Hammill, prebendary of Kippen; Coline Campbell of Crunane; John Robisone, notary. Signed by the abbot; Johannes Turnbull; Thomas hammylton; Bernardus murdosoun; Johannes fogow, junior; James maistertoun; Wilelmus baxter; Alexander dothow; Robertus drysdell; Adam Anderson; Wilelmus afflek; Andreas moncur; Joannes fogow; Johne donaldson; Jhone lausone; thomas dron; Jacobus andersone; andreas m^ccakarn; and Petrus trent.—(*Ibid.*, 1523. 128.)

CCXXIX

10 *May*, 1559.—Charter by Donald, abbot of Coupar and the convent thereof, to Andrew Campbell in Chapelton and Jonet Turnbull, his spouse, of one third part of the lands of Chapelton, in

the sheriffdom of Perth. Witnesses : James Hering of Glasgunc ; James Hering of Westergormok ; William Blair of Balgillo ; Johnne Blair, his son and apparent heir ; Coline Campbell of Crwnan ; and John Robisone, notary.—(*GRH. Abbreviates*, i. f. 128.)

CCXXX

10 *May*, 1559.—Charter by Donald, abbot of Coupar and the convent thereof, granting to James Galloway and Elizabeth Jak-soun, his spouse, and David Galloway, their son, two acres of the lands of Carsgrange, in the sheriffdom of Perth. Witnesses : James Hering of Glasgunc ; James Hering of Wester gormok ; William Blair of Balgillo ; Coline Campbell of Crwnane ; and John Robisone, notary.—(*Ibid.*, i. f. 270.)

CCXXXI

10 *May*, 1559.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Andrew Powry and Agnes Henderson, his spouse, in conjunct fee and John Powry, their son, heritably, four acres of the lands of Carsgrange, in the sheriffdom of Perth. Witnesses : William Blair of Balgillo ; Johnne Blair, his son ; Coline Campbell of Crunan ; and John Robisone, notary.—(*Ibid.*, i. f. 273 ; *RMS.*, iv. 1791.)

CCXXXII

20 *June*, 1559.—Charter by Donald, abbot of Coupar and the convent thereof, granting to John Perye the lands and mylne of Ledcassy, in the sheriffdom of Perth. Witnesses : Alexander Blair, yr., chalmerlane and others ; John Dauidsoun, notary.—(*Ibid.*, i. f. 97 ; *RMS.*, iv. 2376 (with different witnesses).)

CCXXXIII

20 *June*, 1559.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Archibald Campbell, first son of Thomas Campbell, one eighth part of the lands of the toun of Kethik and the lands of Coltward, in the sheriffdom of Perth. Witnesses : William Spalding ; Robert Spalding, his son ; Johnne Campbell ; and James Robertsoune.—(*Ibid.*, i. f. 228 ; *RMS.*, iv. 1781.)

CCXXXIV

21 July, 1559.—Instrument of sasine following upon No. ccxxvi. Witnesses: Valterus sym; Willelmus forbes; Joannes Smytht; Thomas Smytht; thomas roger; Joannes donald; Valterus dibsone (*sic*); and georgius buittre. Attested by John Robisone, notary.—(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 111a.)

CCXXXV

10 September, 1559.—Tack of the lands of Meikle Forther by Donald, abbot of Coupar and the convent thereof, in favour of Lady Katherine Campbell, countess of Crawford and her son, James, Lord Ogilvie of Erlic. Reddendo: 16 merks; 18 geese; 16 poultry; and the leading out of Glenisla to the abbey at their expense 32 loads of peat. At Coupar. Signatures: 'D. de Cupro abbas; andreas moncur; Joannes donaldson; Alexander dothow; thomas dron; Johannes turnbull; Wilelmus afflek; andreas m^ccakarn; Robertus drysdell; Bernardus murdoson; Willelmus baxter; Jacobus andersoune; Joannes lauson; Jacobus maister-toun; Petrus trent.'—(*Airlie Charters*, 420. 12; *Cupar*, ii. p. 175.)

CCXXXVI

8 January, 1559/60.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Archibald, earl of Ergile, etc., the lands of Cambok, Over and Nether Auchinleche and others, in the sheriffdom of Forfar. Witnesses: John Campbell of Skypynche; Duncane Campbell of Glenlyoune; James Hering of Glasclune; James Hering of Wester gormok; Coline Campbell of Crwnane; Andro Blair; and John Robisoun, notary.—(*GRH. Abbreviates*, i. f. 230.)

CCXXXVII

8 January, 1559/60.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Johne Campbell of Skipinch the lands of Coupergrange, in the sheriffdom of Perth. Witnesses: Duncane Campbell of Glenlyoune; James Hering of Glascloune; James Hering of Wester gormok; William Blair of Balgillo; and John Robisoun, notary.—(*Ibid.*, i. f. 230; *Cupar*, ii. p. 180.)

CCXXXVIII

5 February, 1559/60.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Johnne Campbell, natural son of master David Campbell, an eighth part of the lands of the westsyde of the toun of Balbrog, in the sheriffdom of Perth. Witnesses: William Blair of Balgillo; Johnne Forbess of Tolleis; Johnne Scrymgeour, constable of Dundee; Coline Campbell of Crunnan; and Johnne Robisone, notary.—(*Ibid.*, i. f. 72.)

CCXXXIX

10 March, 1559/60.—Charter by Donald, abbot of Coupar and the convent thereof, granting to James, Lord Ogilvy of Airlie, the lands of Mekle and Little Forthrie, in the sheriffdom of Forfar. Witnesses: James Hering of Glasclune; James Hering of Westirgormok; Thomas Kennedy, fiar of Coiff; Johnne Hammill, prebendary of Kippane; David Ogilvy of Newtoun; Coline Campbell of Crwnan; and Johnne Robisone, notary.—(*Ibid.*, i. f. 127; *Airlie Charters*, 418. 10 (from Airlie Inventory; orig. not found); *RMS.*, iv. 1741.)

CCXL

3 August, 1560.—Instrument of sasine by Donald, abbot of Coupar, on a feu-charter of the lands of Meikle and Little Forter in favour of James, Lord Ogilvy.—(*Airlie Charters*, 421. 18 (from Airlie Inventory; orig. not found).)

CCXLI

16 September, 1560.—Instrument of sasine in terms of No. ccxxvi. Witnesses: Donaldus Rollok of Polcak; Patricius Donald, senior; Alexander Shawis; Willelmus Bruce; and Alexander Aysone. Joannes Robisoune, notary.—(*Moray Charters*, Box 82, Div. IV, Bundle II, No. 118.)

CCXLII

4 October, 1560.—Instrument of sasine following on No. ccxxviii. On the soil of the above ground. Witnesses: Thomas Campbell of Kethik; Henricus Cow; Thomas Pilmour; Thomas Bell; and John Robisone, notary. Attested by Robisone.—(*Airlie Charters*, 1526. 131.)

CCXLIII

8 *February*, 1560/1.—Charter by Donald, abbot of Coupar and the convent thereof, granting to John Perye and his spouse, a third part of the lands of Cowbyre, in the sheriffdom of Perth. Witnesses : James Hering of Glasclune ; James Hering of Wester gormok ; Williame Blair of Balgillo ; Johanne Hammill, prebendary of Kippane ; Coline Campbell of Crwnan ; and Johne Robisone, notary.—(*GRH. Abbreviates*, i. f. 54.)

CCXLIV

3 *May*, 1561.—Charter by Donald, abbot of Coupar and the convent thereof, granting to Johne Jaksoun, son of Thomas Jaksoun in Mwrhoussis, the lands of Murehoussis, in the sheriffdom of Perth. Witnesses : maister David Campbell of Denheid ; William Blair of Balgillo ; John Blair, his son ; Johnne Hummill, prebendary of Kippen ; John Campbell of Souterhouses ; Colin Campbell of Crwnan ; and John Robisone, notary.—(*Ibid.*, i. f. 271 ; *RMS.*, iv. 1789.)

CCXLV

10 *March*, 1564/5.—Precept of sasine by Andrew Broun to James Turnbull and William Spalding, as his bailies, for infesting Henry Thome and thereafter William Thome, his son, in six acres of the lands of the burgh of Kethik, of which two acres lie above Bait-scheill, other two in Bait-scheilhaucht and other two in Kemphil-haucht, along with the toft, houses and gardens lying in the toun of Bait-scheill, between the toft of Robert Porter on the west and the toft of John Pedde on the east, in the lordship of Coupar. At the abbey. Witnesses : John Bell in Calsayend ; William Aryour ; John Blayr ; William Stratherne ; and John Robisone, notary. Signed by Broun 'witht my hand at the pen.' Attested by Robisone.—(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 126.)

CCXLVI

24 *August*, 1565.—Letter making mention that 'oure souerane Lord and Lady,' in consideration of the service rendered them by John, earl of Athole, ordain a letter to be made under their privy seal to maister Leonard Leslie of the gift and disposition of their abbacy of Cowper. At Edinburgh. Extract from the book of the

Privy Seal certified by master John Hay of Eister Kennat, scribe of the Privy Seal.—(*Ibid.*, No. 4 ; cf. No. cxcvi.)

CCXLVII

15 *July*, 1566.—Crown charter of No. ccxl.—(*Airlie Charters*, 422. 14 (from Airlie Inventory ; orig. not found).)

CCXLVIII

30 *March*, 1567.—Charter by Leonard, commendator of Coupar and the convent thereof, granting to Johne, earl of Atholl, the lands of Wester Drymmeis, Nether Campsy and others, in the sheriffdom of Perth. No witnesses are named.—(*GRH. Abbreviates*, i. f. 299 ; *RMS.*, iv. 1809.)

CCXLIX

10 *April*, 1567.—Letter of tack and assedation by Leonard, commendator of Coupar and the convent thereof, granting to Lord John, earl of Atholl, and to Johne Stewart, master of Atholl, his son, the teindsheaves of the lands of Carsgrange, Bogmylne and others, in the sheriffdom of Perth. Witnesses : William Stewart of Garnully ; George Drummond of Blaire ; John Caddell ; John Leslie ; Alexander Smart ; and John Robisone, notary.—(*GRH. Abbreviates*, i. f. 316 ; *RMS.*, iv. 1843, which is similar except that the grantees are Dame Margaret Fleming, countess of Athole, and John Stewart (*supra*).)

CCL

7 *February*, 1568/9.—Instrument of resignation by John Forbes of Tolleis in the hands of Leonard, commendator of Coupar, of a fourth with a third part of an eighth of the Grange of Abirbothre. Witnesses : John Ewnesoune of Eddirdadour ; George Leslie, yr. ; James Urquhart ; John Boyd, portioner of Coubyre ; William McClarene ; Alexander Smart ; and John Moncur. John Robisoune, notary.—(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 114.)

CCLI

7 *February*, 1568/9.—Bond of warrandice by John Forbes of Tolleis to John, earl of Athole, in respect of the preceding resigna-

tion (No. ccl) of the foresaid lands. At Coupar. Witnesses : John Ewinesoune of Eddirdadour ; James Urquhart ; George Leslie ; Johnne Boydd ; William McClaren ; Alexander Smart ; John Moncur ; and Johnne Robisone, notary. Signed by Forbes.—(*Ibid.*, No. 116.)

CCLII

9 February, 1568/9.—Discharge from John Forbes of Tolleis who has resigned as above (No. ccl) and received therefor from Mr. Leonard Leslie, commendator of Coupar, on behalf of John, earl of Athole, 250 merks as the balance of 700 merks promised to him for the same, 'off the quhilk soume the said noble Lord hes satesfeit Johnne Caldar oft aslowyne of the remanent four hundretht and fiftie merkis be infesting of him in ane annuell rent of tuenty bollis malt and xx b beire zerelie to be upliftit furtht of his lands oft meyllunymor meyllunymbeg and lynemur or ony pairt thairof liand withtin the lordschip oft baluany and scheref dome oft banff.' At Coupar. Witnesses : George Leslie, Johnne Leslie, Alexander Smart, servants to the said commendator ; Mr. Andro Abircromby ; William Gordoun ; and Johnne Robisone, notary. Signed by Forbes, Abircromby and Robisone.—(*Ibid.*, No. 115.)

CCLIII

2 April, 1569.—Precept in terms of succeeding charter, George Drummond and John Leslie, Bailies. Witnesses : George Drummond of Blair ; John Caddell of Aslowne ; Davide Rattrra of Craighall ; and John Robisone, notary. Signed by the commendator ; Thomas Hammylton, prior ; Adame Andersone ; Willelmus baxter ; Jhonne Fogow ; Robert drysdell ; Johne Donaldsoun ; Andrew m^ccakarn.—(*Ibid.*, No. 118.)

CCLIV

3 April, 1569.—Charter by Leonard, commendator of Coupar and the convent thereof, to John, earl of Athole, lord of Balvany, and Lady Margreta Flemyng, his spouse, on the resignation by John Forbes of Tolleis of parts of the lands of the Grange of Aberbothrie (cf. No. ccl), with the wood of these lands called 'lie akoune bog.' Reddendo 22*l.* 13*s.* 4*d.* At Coupar. Witnesses : John Caddell of Aslowne ; David Rattrra of Craighall ; George Drummond of Blair ; and John Robisone, notary. Signed by the commendator ;

Thomas Hammylton, prior ; Jhone lausone ; Alexander Anderson ; Jhonne fogow ; Andreas m^ccakarn ; Robert drysdell ; Willelmus baxter.—(*Ibid.*, No. 117.)

The inversion—the precept preceding the feu-charter—is vouched by an inventory of writs of Aberbothrie (*Moray Charters*, Box 32, Div. IV, Bundle V, No. 109a, (8), (9).)

CCLV

11 April, 1569.—Charter by Leonard, commendator of Coupar and the convent thereof, granting to Johne Stewart, master of Atholl, a meadow lying on the east side of the abbey, Westpark, Hayhouscroft and other lands, in the sheriffdom of Perth. Witnesses : James Menzies of that ilk ; William Stewart of Gar[n]tully ; George Drummond of Ledcrief ; John Leslie ; and Thomas Chirre.—(*GRH. Abbreviates*, i. f. 318.)

CCLVI

8 January, 1571/2.—Precept of *clare constat* by Leonard, commendator of Coupar, directed to Thomas Cochrane, John Cochrane, his son, and Arthur Mule, as bailies, ordering sasine to be given to John Hendersoune or Patre, as heir of his father, the deceased Walter Hendersone or Patre, of half of the lands of Over Balbroggy, in the lordship of Coupar and sheriffdom of Perth. At the monastery. Witnesses : Colin Campbell of Crunane ; Robert Leslie ; Arthur Mule ; John Robison, notary.—(*Lintrose Charters*, 69.)

CCLVII

8 January, 1571/2.—Instrument narrating sasine given by Arthur Mule, as bailie for the commendator of Coupar, to John Hendersone or Patre, of half of the lands of Over Balbroggy, on a precept similar to the preceding (No. cclvi) but signed by William Baxter ; John Lausoun ; John Fogo ; and Andrew Moncur, in addition to the commendator. Witnesses : John Donaldsoun in Downy ; Andrew Donaldsoun in Templetoun ; James Henderson ; James Bissait. John Robisoun, notary.—(*Ibid.*, 70.)

CCLVIII

9 January, 1571/2.—Instrument relating sasine given to John Hendersone or Patre (as in No. cclvi) on a precept of *clare constat*

by the commendator of Coupar, directed to John Leslie and Arthur Mule, dated 8 January, 1571/2, and witnessed by Colin Campbell of Crunan, John Leslie, Walter Leslie, Walter Pilmour and John Robisoune, notary; and signed by the commendator, William Baxter, John Lausone, John Fogo and Robert Drysdaill. Witnesses: John Donaldsone in Downy; James Hendersone; James Bissait; Andrew Donaldsone; the said Walter Pilmour. Notary, John Robisoun.—(*Ibid.*, 71.)

CCLIX

5 March, 1573/4.—Instrument of sasine of John Leslie, natural son of Mr. Alexander Leslie of Edinveillie, of the outer yard of the abbot and convent of the monastery of Coupar outwith the walls on the west side of the outer gate, on a precept by Leonard, commendator of Coupar, dated 26 February, 1573/4. George Drummond of Blair and Robert Porter, bailies of the abbey, are mentioned in the precept, which is witnessed by Walter Leslie in Coubyre; Walter Pilmour; Arthur Mule; and John Robisone, notary; and signed by the commendator; Thomas hammiltoune, prior; Willelmus baxter; Johne fogow; Willelmus Auchinlek; Allexander Andersone; Johnne lausoune; petrus trent. The instrument is witnessed by George Yrland in Grange of Abirbothre; William Jak in Milnehorne; Walter Pilmour and Arthur Mule; and attested by John Robisone, notary.—(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 104.)

CCLX

12 November, 1574.—Crown charter confirming a charter by Donald, abbot of Coupar, to Jonet Haldane, in liferent, and her son, John Fallow, of an eighth part of the west side of Balbroggy and a quarter of the east side thereof, dated 31 May, 1558. Witnesses: Adam, bishop of Orkney, commendator of Holyrood; John, Lord Glamis, chancellor; William, earl Marischal, Lord Keith; Robert, commendator of Dunfermling, secretary; Mr. George Buchannane, pensioner of Corsragwell, keeper of the privy seal; John Bellenden of Auchnoule, kt., Lord justice-clerk; Mr. James Makgill of Rankellour Nethir, clerk of the rolls, register and council; Alexander Hay, director of chancery. Dated at Dalkeith.—(*Lintrose Charters*, 79; *RMS.* iv. 2320.)

CCLXI

14 December, 1574.—Instrument of resignation by John Leslie of a yard (cf. No. CCLIX) in the hands of the commendator and convent in favour of Elizabetht *alias* Besseie Ramsa and Leonard Leslie, her son, in liferent. Done in the greater hall of the said commendator. Witnesses: Walter Pilmour; Allexander Smart; Arthur Mule; and Thomas Thomsoun. Attested by John Robisoun, notary.—(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 106.)

CCLXII

14 December, 1574.—Charter by John Leslie, feufarmer of the said garden, to Elizabetht *alias* Besseie Ramsay and Leonard Leslie, her son. At Coupar abbey. Witnesses: Walter Leslie in Coubyre; Walter Pilmour; Allexander Smart; Arthur Mule; Thomas Thomsone; and John Robisoune, notary. Signed: 'Jhone leslie witht my hand tueching the pene of the notar undirvrittin Subscriuand for me and at my comand becaus I can nocht writ. Ita est Joannes robisoun etc. . . .' Endorsed on the charter is an instrument of sasine dated 17 December.—(*Ibid.*, No. 108.)

CCLXIII

17 December, 1574.—Charter by Leonard, commendator of Coupar, of the aforesaid yard (or garden) to the said Elizabetht *alias* Besseie Ramsay, lawful daughter of Alexander Ramsay, portioner of Gallowraw, in liferent, and her sons, Leonard and Alexander Leslie. At the monastery. Witnesses: Walter Leslie; Walter Pilmour; Allexander Smart; Arthur Mule; and John Robisoune, notary. Signed by Leonard, commendator of Coupar; D. Jacobus andersone; Willelmus baxter; Johannes Lausoun; Robertus drysdell; Jhone Fogow. Endorsed on this charter is an instrument of sasine of the same date, witnessed by Alexander Smart and others.—(*Ibid.*, No. 107.)

CCLXIV

17 December, 1574.—Charter of confirmation of No. CCLXIII by Leonard, commendator of Coupar. At the abbey. Witnesses: William Leslie; Allexander Smart; Arthur Mule; Patrick Ramsay; and John Robisoun, notary. Signed by the commendator; Willel-

mus baxter ; Jhonne fogow ; Jhone lausoun ; Robertus drisdell ; Willelmus auchinlek ; James anderson ; Allexander Anderson ; Petrus trent.—(*Ibid.*, No. 109.)

CCLXV

22 April, 1577.—Instrument of sasine narrating sasine given by Walter Pilmour, messenger, as bailie for Leonard, commendator of Coupar, to James Jaksone, lawful son of the deceased Alexander Jaksone in Uatterybuttis, as heir to his deceased brother-german, Robert Jaksone, of the lands of Uatterybuttis, a half of the west quarter of Carsgrange, a half of Newbigyne and four acres in Carsgrange ; on a precept of *clare constat* dated 19 April, 1577, and witnessed by John Leslie, citizen of Brechin ; William Leslie ; Walter Pilmour, messenger ; and John Robisoun, notary. Witnesses : Robert Jaksone in Polgavy ; Patrick Jaksoun in Grainge ; John Powry there ; James Jaksoun, smith ; James Gallowa ; Henry Chalmer. John Robisoun, notary.—(*Lintrose Charters*, 82.)

CCLXVI

22 December, 1579.—Charter by Leonard, commendator of Coupar, of the lands of Meikle and Little Forter, in favour of James, Lord Ogilvy and Jean Forbes, his spouse.—(*Airlie Charters*, 423. 15 (from Airlie Inventory ; orig. not found).)

CCLXVII

24 February, 1580/1.—Charter by Leonard, commendator of Coupar and the convent of the same, to John Hendersone or Patre and Margaret Donaldsoun, his spouse, of the shady half of the lands of Over Balbrogy, in the lordship of Coupar and sheriffdom of Perth ; containing a precept of sasine directed to John Robertson in Balbrogy and James Bissait, dated at the monastery, 24 February, 1580/1. Witnesses : Walter Leslie of Moirtlach ; Walter Pilmour, messenger ; Mr. John Tully, schoolmaster of Coupar ; James Hendersone ; James Bissait ; James Strautauchin and John Robison, notaries. Signatures of the commendator and of William Baxter ; John Lausoun ; John Fogow ; Alexander Andersoun ; James Andersone.—(*Lintrose Charters*, 90 ; *GRH. Abbreviates*, ii. f. 181 ; cf. *RMS.*, v. 569.)

CCLXVIII

24 February, 1580/1.—Charter by Leonarde, commendator of Coupar and the convent thereof, granting to James Bissett and Margaret Hendirsoun, his spouse, the sunny half of the lands of Ovir Balbrog, in the sheriffdom of Perth. Witnesses: Walter Leslie of Moreclecht; Walter Pylmour, messenger; Mr. John Tullie, schoolmaster of Coupar; John Henrysoun; James Strauchane and John Robisoun, notaries.—(*GRH. Abbreviates*, ii. f. 180.)

CCLXIX

20 October, 1581.—Charter by Leonard, commendator of Coupar, to Alexander Leslie, his son, of five acres or thereby of his burgh of Kethik, viz. three lying above the hill of Baitscheill between the acres of Henry Thom on the east and the acres of William Campbell of Souterhouses on the west, occupied by James Pitillok and other two on the east side of the lands of Baitscheillhauch called Boghall, occupied by Walter Smitht, subtenant, with the liberties and privileges of the burgh of barony of Kethik, as in the case of the tenants of Baitscheill and Calsayend, with the whole custom of the fair at the gate of the monastery every Friday of weights and measures, with the custody and use of these, which are to correspond with those of the principal burgh of Perth, for the custody of which he is assigned a piece of land now waste lying on the north side of the market cross of the same along with the *solletum* of the principal market lifted annually on *Coena Domini* and the Wednesday immediately following called *Custumne toll* and also that *solletum* called *stand creisihe* and the lands called Akoun Bog, adjacent to the toft of Boghall on its south side, between the toft of John Liell presently inhabited by William Pittillok on the west and the toft formerly of John Pilmour, carpenter, now of Walter Pilmour, messenger, on the east, which acres etc. were resigned by John Craigo of Voulfhill. Master John Tallifer is mentioned as bailie. Reddendo *3l. 5s. 8d.* Signed at the monastery. Witnesses: Colin Campbell of Crunane; Walter Leslie of Murclaucht; Walter Pilmour, messenger; James Strautauchine and John Robisone, notaries. Signed by the commendator; Dene Jhone Lausone; Jhone fogow; Willelmus baxter; Alexander Andersone; James Andersone.—(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 127; *GRH. Abbreviates*, ii. f. 222.)

CCLXX

20 October, 1581.—Same as No. CCLXIX except that it describes the lands thus : two acres above the hill of Baitscheill between the acres of Henry Thom on the east and of William Campbell presently occupied by James Pittilok on the west ; other two acres on the east side of the lands of Kemphilhauch and another called *Pek Akir* on the south side of the lands of Baitscheill called the Hoill, with the toft etc. belonging to the same acres called Boghall presently occupied by William Smith. Baxter's name is missing from the monks' signatures.—(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 128.)

CCLXXI

20 October, 1581.—Instrument of sasine following on No. CCLXIX. Witnessed by John Craigo in Volfhill ; Nicholas Cluny ; Thomas Andersone in Coupar ; Walter Pilmour, messenger ; and James Strautauchin, notary. Attested by Robisoune.—(*Ibid.*, No. 129.)

CCLXXII

20 October, 1581.—Contract between Alexander Leslie, lawful son of Leonard Leslie, commendator of Coupar, and John Craigo of Voulfhill, whereby the latter resigns in favour of the said Alexander Leslie, whom failing, his brother, Andrew Leslie, the fifty acres of the Bait of Kethik and toft pertaining thereto called the Boghall etc. and receives 800*l.* for himself and his creditors, his five acres of the burgh lands of Kethik and lands of Boghall with the customs of Coupar market. Procurators : ' Schirs Alexander Syme in Edinburgh ; * * * ; Malcolm bowar in pertht ; thomas gaw ; Schirs Duncane mⁿair in dunkeld ; george yrland.' Witnesses : Walter Leslie of Miurclacht ; Nicoll Cluny in Cambusmichaell ; Walter Pilmour, messenger ; Thomas Anderson in Couper ; James Strautauchin and John Robisone, notaries. Signed by Craigo and Alexander Leslie with their hands at the pens, Robison and Strachan.—(*Moray Charters*, Box 32, Div. IV, Bundle X, No. 296.)

CCLXXIII

6 December, 1581.—Charter under the Great Seal by James VI, after his annexation of ecclesiastical lands, in favour of James, master of Ogilvy, of the lands of Clintlaw and Auchindorie, Mekle

and Little Fortre, lands of Dawany etc., in the barony of Glenisla, with the office of bailiary of the abbey of Coupar.—(*Airlie Charters*, 428. 20 (from Airlie Inventory ; orig. not found).)

CCLXXIV

3 February, 1583/4.—Decreet of the Lords of Council (viz. Mr. William Baillie, Lord Provand ; Adam, bishop of Orkney ; Alexander, abbot of Culross ; Mr. Alexander Dunbar, dean of Moray ; Mr. Robert Punt, provost of Trinity College ; Mr. Patrick Vaus of Barnebarroche, parson of Uigtoune ; Mr. Johnne Lyndsay, parson of Menmuir ; Sir Richart Maitland of Lethingtoun, kt. ; William Douglass of Quhittingem ; James Meldrum, apparent of Segie ; Mr. David McGill, advocate ; Alexander Hay, clerk of register ; and Mr. Thomas Bannatyne of the Newtile) in an action at the instance of Andrew Leslie, student, against Leonard, commendator of Cowper ; James Andirson ; Johnne Lawsons ; Johnne Fogo ; Alexander Andirson, convent thereof, and others, for payment of a pension of 50*l.* out of the rents of the abbey and especially from the lands and mains of Kinreich and Glenbuiy, which the lords decern to be paid.—(*Moray Charters*, Box 32, Div. IV, Bundle II, No. 6.)

CCLXXV

22 August, 1584.—Obligation by Leonard, commendator of Coupar to infest James, Lord Ogilvy and his spouse in the lands of Clintlaw, Auchindorie, Meikle and Little Fortharis, Dalueny and Cragniety, in respect he has received by the hands of James Guthrie, portioner of Balnabreich, on behalf of James, Lord Ogilvy of Airlie, the sum of 100*l.* At Coupar. Witnesses : Walter Leslie of Morelecht ; Thomas Thomsoun, 'meassoun,' burgess of Dundee ; John Trwm-bill of Denhede ; Walter Pilmour, messenger ; and John Robesoun of Balschando, notary. Signed by the commendator.—(*Airlie Charters*, 430. 22.)

CCLXXVI

25 August, 1584.—Precept of *clare constat* by Leonard, commendator of Coupar, to William Stewart, as bailie, in favour of John, earl of Athole, as heir of the deceased John, earl of Athole, chancellor of Scotland, his father, in the lands of Grange of Aberbothrie. At Coupar. Witnesses : Andrew Stewart in Ardbrek ; James

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Stewart, apparent of Mureue (?); Walter Leslie of Murclacht; Walter Pilmour; and John Robisone, notary. Signed by the commendator.—(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 119.)

CCLXXVII

11 *September*, 1584.—Charter by Leonard, commendator of Coupar, in favour of James, master of Ogilvy, of the lands mentioned in No. CCLXXV. Reddendo, 15*l.* with ten bolls horses' corn etc. Witnesses: Walter Leslie of Moirclacht; James Guthrie, portioner of Balnebreicht; Alexander Cristie; Walter Pilmour; and John Robisone, notary.—(*Airlie Charters*, 432. 24 (the orig. is missing; details derived from *ibid.*, 435. 27).)

CCLXXVIII

20 *March*, 1584/5.—Charter under the Great Seal confirming a charter of Leonard Leslie to John Leslie (cf. No. CCLIX). Witnesses: James, earl of Arran, chancellor; Patrick, archbishop of St. Andrews; Walter, commendator of Blantyre, keeper of the privy seal; John Maitland of Thirlstane, kt., secretary; Alexander Hay of Eister Kennet, clerk register; Ludouicus Bellendene of Auchnoule, kt., clerk of justiciary; and Robert Scott, director of the chancery. At Holyroodhouse.—(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 105.)

CCLXXIX

15 *May*, 1585.—Charter under the Great Seal confirming No. CCLXXVII. At Holyroodhouse. Witnesses as in No. CCLXXVIII.—(*Airlie Charters*, 435. 27).

CCLXXX

19 *May*, 1585.—Charter under the Great Seal confirming No. CCXIII. Witnesses as in No. CCLXXVIII (the last witness is designed as 'of Knychtisputty').—(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 131.)

CCLXXXI

7 *December*, 1585.—Charter by Leonard, commendator of Coupar, confirming a charter of John Ogilvy of Neutoun to Robert Ogilvy,

his brother-german, of a quarter of the lands of Glenmarky, dated 11 Jan., 1579/80 (*Lintrose Chs.*, 88). At the monastery. Witnesses : David Ogilvy of Neutoun ; Donald Farquharson of Tullochgormunth ; Walter Leslie of Moirtlach ; John Robisoun, notary.—(*Lintrose Charters*, 95.)

CCLXXXII

29 October, 1586.—Charter by John Bell, burges of Dundee, to Alexander Leslie, lawful son of Leonard Leslie, commendator of Coupar, of two acres of Kethik lying in Baitscheilhill between the acres of William Campbell of Souterhouses on the east and the acres of umquhile William Lowsoune, now of James Mureis on the west, etc. Reddendo, 13s. 4d. Witnesses : Daid Gardin and others. Signed by Bell and his wife, Christian Donaldsoun, 'with my hand tuichand the pene desyrand the notar underwrittin to subserywe for me.' Robert Wedderburn, the notary, does so.—(*Moray Charters*, Box 32, Div. IV, Bundle V, No. 132.)

CCLXXXIII

2 November, 1586.—Instrument of sasine following on foregoing. Witnesses : Walter Leslie of Moirclacht ; Walter Leslie, portioner of Coubyre ; George Leslie ; William Oliphen in Laystoune ; and Walter Pilmour, messenger. Attested by John Robisoune.—(*Ibid.*, No. 133.)

CCLXXXIV

3 November, 1586.—Charter of Leonard, commendator of Coupar and his convent, confirming No. CCLXXXII. Witnesses : Walter Leslie of Moulach ; Walter Pilmour ; William Luffent (*sic*) ; and John Robisone, notary. Signed by the commendator, den Alexander Anderson and Jhone Fogow.—(*Ibid.*, No. 134.)

CCLXXXV

12 July, 1588.—Procuratory for resigning the lands of the abbey of Coupar by James, master of Ogilvy.—(*Airlie Charters*, 1124. 4 (from Airlie Inventory ; orig. not found).)

CCLXXXVI

10 *September*, 1588.—Letters of gift of James VI, under the Privy Seal (with the advice of Thomas, master of Glamis, treasurer, and Sir Robert Mailuile of Murdocairny, kt., treasurer-depute) making over to the children of Robert Abercrumby, the king's master-saddler, monks' portions as follows : to John Abircrumby, his eldest son, the portions of the late dene Thomas Hamilton, prior, dene William Baxter, subprior, dene John Donaldsoun and dene James Mastertoun ; to Isak Abircrumby, the portions of dene Petir Trent and dene James Lawsoun ; to Robert Abircrumby, the portions of ' dene Alexander and dene Adame Andersonis ' ; to Richart Abircrumby, the portion of dene Andro M^cAchen and dene Robert Dryisdail ; to Jerome Abircrumby, the portions of dene Thomas Drone and dene Andro Moncur—all these portions being vacant. At Holyroodhouse.—(*Moray Charters*, Box 32, Div. IV, Bundle II, No. 7.)

CCLXXXVII

12 *March*, 1589/90.—Contract between William Ogilvy in Easter Keilour and John Farahar, porter of the ' estir yet ' of the abbey of Coupar, and Jonet Porter, his spouse, anent the said office, cell and porter lodge and pension of fifty five merks. Witnesses : Alexander Ogilvy, burgess in St. Andrews (?) ; William Symson, his servant ; Thomas Andersoun in Lumly ; George Gra, saidler ; Allexander Alschender, portioner of the Gallowraw ; John Robisone ; Mr John Tully ; George Small. Signed by Farahar and the witnesses.—(*Airlie Charters*, 1131. 7.)

CCLXXXVIII

30 *March*, 1590.—Charter by Leonard, commendator of Coupar, in favour of William Ogilvy and Archibald, his son and apparent heir, of the office of porter. At Boghall. Witnesses : Andrew Syme, Thomas Andersone, his servants ; Walter Pilmour, messenger ; Donald Cargill and John Robisoun, notaries. Signed by the commendator.—(*Ibid.*, 1132. 8.)

CCLXXXIX

26 *May*, 1590.—Charter by John Fairhar, with consent of Robert Porter, his father, and Agnes Campbell, spouse of Robert, and

Janet Porter, spouse of John, to William Ogilvy aforesaid in liferent and his son Archibald in fee of the said office. At Coupar Abbey. Witnesses : Alexander Alschender, portioner of Gallowraw ; John Donaldsone in Balbroggy ; Alexander Kilgour, carpenter in Bait-scheill ; Henry Pilmour and John Thom there ; John Robisone ; William Campbell ; master John Tully ; Patrick Anderson and Donald Cargill. The witnesses' signatures appear in the charter.—(*Ibid.*, 1133. 9.)

CCXC

26 May, 1590.—Instrument of sasine on foregoing. Witnesses : Alexander Kilgour, carpenter in Bait-scheill and others. John Robisoun, notary.—(*Ibid.*, 1134. 10.)

CCXCI

27 May and 24 July, 1590.—Charter by the said John Fairhar to the said William and Archibald Ogilvy of the said office. At Coupar. Witnesses : Alexander Alschender, portioner of Gallowraw ; Walter Pilmour, messenger ; Alexander Fergusson ; John Robisoun, notary. Signed by witnesses.—(*Airlie Charters*, 1135. 11 ; another copy, 1136. 12.)

CCXCII

30 June, 1592.—Letters of gift under the Privy Seal of the grant to Mr. Alexander Leslie, lawful son of Leonard, commendator of Coupar, of the monk's portion of umquhile dene John Foggo. At Holyroodhouse.—(*Moray Charters*, Box 32, Div. IV, Bundle II, No. 8.)

CCXCIII

18 July, 1592.—Precept by Leonard, commendator of Coupar, to John Fallay, elder, portioner of Balbroggy, John Ogilvy, ' apperand ' of Neutoune, Allexander Ramsa, portioner of the Gallouraw, Andro Boyd, portioner of Cunbyre (*rectius* Cowbyre) and George Mureis in Calsayend, as well as Mr. John Tully, ' occupyar of his (*i.e.* Fogo's) chalmer within the saide abba undir the farar stair,' John Baxter and Allexander Miller, occupiers of his (Fogo's) yard, for placing the said Mr. Alexander Leslie in possession of his said portion (*i.e.* that of No. ccxcii). Signed ' Leonarde, comendatur of cupir.'—(*Ibid.*, No. 9.)

CCXCIV

14 *May*, 1593.—Charter of confirmation by James VI under the Great Seal of No. CCXXVIII. At Holyroodhouse. Witnesses : John, Lord Hamiltoun and Abirbrothok ; George earl Marischal, Lord Keith, marshal of the realm ; John, Lord Thirlestane, chancellor ; Sir Richard Cockburn, yr., of Clerkingtoun, secretary ; Walter, prior of Blantyre, keeper of the privy seal ; Alexander Hay of Eister Kennet, clerk of the rolls, register and council ; Sir John Cockburn of Ormestoun, kt., justiciary clerk ; and master William Scott of Grangemure, directory of the chancery.—(*Airlie Charters*, 1571. 175.)

CCXCV

24 *August*, 1593.—Renunciation by John Farar, porter of Coupar and heritable feuar of the six acres of land in the Baitsheill hauch and toft pertaining thereto in the Baitscheill, considering that the houses and yards built upon the north end of the acres of Boghall which James Jaksoun, 'gardnar,' presently inhabits have been wrongfully built by his predecessors. Robert Portar, Farar's father, is mentioned. At Coupar. Witnesses : John Turnbull of Denheid ; Robert Turnbull, his son and apparent heir ; Alexander Alscheinour of New Calsay ; Robert Alshendour, his son and apparent heir ; Andro Boid, portioner of Cowbyre ; Walter Pilmour, portioner of the said New Calsay ; Johnne Robesone and Donald Cargill, notaries. Signed by 'Johnne fairhar, portar of Couper Foirsaid witht my hand at the pen,' Cargill, Robesoun, Alexander Alschender, Robert A., Boyd and Turnbull.—(*Moray Charters*, Box 32, Div. IV, Bundle X, No. 297.)

CCXCVI

26 *September*, 1595.—(Extract.) Precept by James VI granting to Mr. George Haliburtoun, son of George Haliburtoun of Kincapill, for his lifetime, the abbacy of Coupar, which is in the king's hands through Leonard Leslie, lately abbot, being at the horn at the instance of Mr John Abercrombie, son of Robert Abercrombie, saddler, burgess of Edinburgh. (Leslie is also described in the charter as commendator of Coupar and rector of Aberlour.) At Falkland. Certified by David Hay, scribe of the privy seal.—(*Moray Charters*, Box 32, Div. IV, Bundle II, No. 11.)

CCXCVII

7 February, 1595/6.—(Extract.) Precept by James VI for infesting Mr. Leonard Leslie, lawful son of Leonard, commendator of Coupar, in the spirituality of the abbey, with the churches belonging to it of old, viz., Bendoquhy, Glenylay, Airlie, Methie, Fossoquhy and Alweth, for his lifetime. At Holyroodhouse. Signed by David Hay, *ut supra*.—(*Ibid.*, No. 10.)

CCXCVIII

10 December, 1596.—Procuratory by Mr. Leonard Leslie, eldest lawful son of Leonard, commendator of Coupar, 'present comendatur thairof,' by demission of his father, to . . . (*blank in orig.*) . . . for resigning in his Majesty's hands the benefice of the abbacy of Coupar in favour of John, earl of Atholl and Dame Marie Ruthven, countess of Atholl, his spouse. 'At Couper abay.' Witnesses: Johnne Stewart *alias* Neilsonne in Foss; George Nasmyth, servitor to the said earl; Walter Pilmour in New Calsy; Ronald Broun and Donald Cargill, notaries. Signed by 'Mr. Leonard Leslie, witht my hand,' commendator; Mr. Leonarde Leslie, elder; and the witnesses.—(*Ibid.*, No. 12.)

CCXCIX

16 March, 1597/8.—Procuratory by Mr. Leonard Leslie, eldest lawful son of Leonard, commendator of Coupar, present commendator, to . . . (*blank in orig.*) . . . for resigning in the king's hands the abbacy of Coupar and whole benefice thereof both temporality and spirituality. At Edinburgh. Witnesses: M. Johnne Stewart of Graniche; Schir James Stewart of Ballaquhane, kt.; Schir James Stewart of Neutoun, kt.; William Duncane and Donald Cargill, notaries. Signed 'Mr. Leonarde Leslye witht my hand' and by witnesses.—(*Ibid.*, No. 14.)

CCC

16 March, 1597/8.—Procuratory by Mr. Leonard Leslie, commendator of Coupar, present commendator, to . . . (*blank in orig.*) . . . for resigning in the king's hands the spirituality, 'tour, fortalice and maner plaice of the said abbay witht the haill orcheardis geardis myln etc.' in favour of any person his Majesty shall think fit. At

Edinburgh. Witnesses: Sir James Stewart of Ballaquhane, kt.; Sir James Stewart of Newtoun, kt.; John Stewart of Graniche; William Duncane and Donald Cargill, notaries. Signed by the commendator, Duncane and Cargill.—(*Ibid.*, No. 13.)

CCCI

28 *December*, 1602.—Assignation by Mr. Alexander Leslie, minister at Marhilluch, lawful son of Leonard, commendator of Coupar, in favour of James Leslie, his brother-german, servitor to Mr. Davde Colt, advocate, of the monk's portion in the abbey of Coupar belonging to the deceased dean John Fogo, which the king granted him on 30 June, 1592 (cf. No. ccxcii). At Edinburgh. Witnesses: Patrik Guthrie of Petmowes; Andro Leslie, 'my brother germane'; James Ramesay, writer in Edinburgh; and 'the said Mr. Davde' with others diverse.—(*Ibid.*, No. 23.)

CCCII

24 *March*, 1603.—Letters of gift by James VI under the Great Seal in favour of Mr. Andrew Lamb, minister of the Gospel of Jesus Christ, of the abbacy of Coupar. At Holyroodhouse.—(*Ibid.*, No. 15.)

CCCIII

24 *June*, 1603.—Contract between Mr. David Williamsoune, minister at Mathie, and Andrew Lesley, student, now servitour to Cornelius Tenend, advocate, whereby Leslie dispones to Williamsoune his yearly pension of 50*l.* granted him by the deceased Leonard, commendator of Cowpre and the convent thereof, for the silver mails of the lands and mylns of Kinereicht and Glenby and another pension of seven dozen capons and two dozen poultry. At Edinburgh. Witnesses: Mr. Alexander Scrimger, minister at Inchturre; Alexander Dunlop, writer; William Scot, his servant; and John Pirrhie, notary.—(*Ibid.*, No. 24.)

CCCIV

21 *September*, 1603.—Extract from the Books of Council and Session of a contract between Mr. David Williamsoune, minister at Mathie, and Andrew Leslie (No. cccliii). Certified by Joannes Skene, Clerk Register.—(*Ibid.*, No. 25.)

CCCV

1 *June*, 1605.—Charter by James VI under the Great Seal to Mr. Andrew Lamb, minister of the Gospel, of the abbacy of Couper, reserving to master John Preston, the king's collector, and master John Preston, yr., his son, a pension of 220*l.* granted to them from the lands of Cowpergrange, Kerss and Kersgrange. At Edinburgh. (Lamb is described in the charter as 'Abbas et Commendaatrius.')

—(*Ibid.*, No. 16.)

CCCVI

24 *January*, 1607.—Procuratory of resignation by maister Andro Lamb, commendator of Coupar, into the king's hands in favour of James Elphinstoune, son of James, Lord Balmerino. At Holyroodhouse. Witnesses: Mr. George Gledstanes, archbishop of St. Andrews; Mr. Alexander Forbes, bishop of Caithness; Mr. James Nicolsone, parson of Megill; Mr. Archibald Fethie, minister of the evangell at Innerkillour and others.—(*Ibid.*, No. 18.)

CCCVII

21 *March*, 1607.—Procuratory of resignation by master Andro Lamb, commendator of the abbey of Coupar, 'the convent of the said abbay being all now deceist,' for resigning the abbey in the hands of the king. At Edinburgh. Witnesses: Patrick Streveling, Mr. Robert Auchmowtie, servitors to James, Lord of Balmerinloch; Daniel Melwill and Mr. Thomas Forbes, servitors to Adame Lawte (notary). Signed by Lamb, Forbes and Melwill.—(*Ibid.*, Nos. 19 and 20.)

CCCVIII

20 *May*, 1607.—Charter under the Great Seal by James VI creating Mr. Patrick Stirling, son of the deceased James Stirling of * * * abbot and commendator of the abbey of Coupar with all emoluments thereof. At Whitehall.—(*Ibid.*, No. 21.)

CCCIX

16 *January*, 1608.—Another charter creating Patrick Stirling abbot and commendator of Coupar (cf. No. cccviii). At Edinburgh.—(*Ibid.*, No. 22.)

CCCX

1 *March*, 1608.—Extract containing a disposition by Mr. Alexander Leslie of Boighoill, minister at Morehillock, second lawful son of the late Leonard, commendator of Coupar, to James (John), Lord Balmerino, of his five acres of land in the burgh of Keithick, also other two and other six acres.—(*Ibid.*, No. 136.)

ADDITIONAL NOTE

Johne ogilby of fingask knight . . . procurature for the . . . Conuent : Said to be styled 'of Fingask' in 1472 and later (*SP.*, i. p. 116); succeeded his father, James, as second Lord Ogilvy of Airlie, *c.* 1504 (*ibid.*, i. p. 114). He appears as bailie of the abbey of Arbroath from 15 April, 1494 (*Aberbrothoc*, ii. 347) to 29 September, 1500 (*ibid.*, ii. 412) and as procurator of that abbey, 12 December, 1496 (*ibid.*, ii. 366) and 8 April, 1502 (*ibid.*, ii. 425). He is mentioned as acting for Coupar abbey, 29 and 31 March, 1501, before the Lords of Council (*ADC.*, 1501-03, 24, 61). Ogilvy, as envoy of James IV, has a safe-conduct to England, 28 July, 1493 (*Bain, Calendar*, iv. 1593); and appears as one of the Lords of Council, 19 February, 1495/6 (*Cambuskenneth*, 202) and 14 February, 1503/4 (*Blackfriars of Perth*, XVII (4)). He was acting as customar of Arbroath, 8 July, 1497 (*Exch. Rolls*, xi. p. 47) and later.

APPENDIX I

REFERENCES TO COUPAR IN PRINTED SOURCES

1. *Illustrations of Scottish History* (Maitland Club), xv. 1164-78.
Charter of Alan, son of Walter, granting a toft in Renfrew and a salmon-net in the river Clyde to the monks of Coupar.
2. *Miscellany of the Spalding Club*, ii. p. 304=*Register of Cupar Abbey*, ii. p. 284=*Breviarium*, 47. a. 1198.
Charter by William, king of Scots, confirming to the monks of Coupar the donation made to them by William de Haya of the land of Ederpoles.
3. *Illust. of Scottish Hist.*, xi. 1 May, 1201.
Record of an agreement between Coupar and the church of Blair whereby the monks will pay to that church a stone of wax for all the teinds pertaining to the lands of Lethcassy and of Parthesin which the monks hold, this wax to be paid to the church of Blair for the lighting of that church yearly at Martinmas.
4. *Registrum de Neubolle*, 190. 1212-40.
Charter by Alexander, abbot of Coupar, of the land in Berwick which Thomas de Collewille gave to Coupar.
5. *Registrum de Panmure*, ii. p. 125=*Reg. of Cupar Abbey*, ii. p. 283. 1213-22.
Charter by Philip de Valoniis granting to Coupar an acre of land in his harbour of Stinchende Haven.
6. *Misc. of Spalding Club*, ii. p. 307. 1214-41.
Charter by David de Haya granting to Coupar a net on the mother-river of Tay between Lornyn and the march of Randulf de Haya, the whole hermitage which Gillemichel the hermit had and a drag-net on the same water.
7. *Scottish Historical Review*, viii. p. 173 (from Cîteaux deeds in the archives of the Côté d'Or at Dijon). Jan., 1219/20.
Letters of Alexander, abbot of Coupar and the convent of the same, making known that they are bound in future to pay to Cîteaux at Troyes fair on the feast of St. Peter and St. Paul thirty marks

sterling which Alexander, king of Scots, gave to the said house as a procuration for the abbots at Cîteaux on the fourth day of the general chapter, for which thirty marks the king will make satisfaction to the abbot and convent at their will.

8. *Liber de Scon*, 83. 4 July, 1225.

Charter recording an agreement between Coupar and Scone whereby Scone grants to the monks and their chaplain of Bendochy all the small teinds and all offerings of the villeins and serfs of Benchory, Kynclatin and Crochin.

9. *Oliphants in Scotland* (Gask Charters), 3. c. 1230.

Confirmation-charter by Thomas de Galweta (*sic*), earl of Athole, of the grant by Sir William Olifart to Coupar of Inverac beside Tholaw.

10. *Ibid.*, 4=*Scon*, 67. 1 June, 1235.

Charter by Alexander II granting to Scone his lands of Great Blair and Little Blair except two carucates in Great Blair which he gives to the monks of Coupar in excambion for the common moor of Blair which they formerly used.

11. *Misc. of Spalding Club*, ii. p. 309. 1241-58.

Charter of Roger, son of Baudrys, whereby, in his urgent need, he has sold to his lord, Nicholas de Haya, that small piece of land in the territory of Achmore which lies between that acre of land which belongs to Achmore mill on the west side and that bovate of land which he gave in charity to the abbot and convent of Coupar.

12. *Registrum de Aberbrothoc*, i. 365. 13 Nov., 1246.

Indenture recording an agreement between Coupar and Arbroath regarding the teinds of a certain part of the land of Adory, whereby these teinds will remain with Coupar which will pay to Arbroath twenty shillings yearly.

13. *Charters of Inchaffray Abbey*, cx1 ; cf. *Liber Insule Missarum*, 49. 24 June, c. 1282 (?).

Charter recording an agreement between Andrew, abbot and the convent of Coupar, and Hugh, abbot and the convent of Inchaffray, regarding an annualrent of twelve pounds of wax from certain lands and houses in Perth.

14. *Fraser Papers*, p. 217. 9 Oct., 1282.

Charter of Eugenius, son of Connyng, whereby he has pledged his whole wood of Kelbrochachi to the abbot and convent of Coupar for twenty marks which they have granted him in his great necessity.

15. *Calendar of Papal Registers*, Letters, i. p. 569=Cupar, i. p. 25.
17 Dec., 1296.

Appointment of Andrew, abbot of Coupar, to be bishop of Caithness, that see being vacant by the death of A[dam] at Siena.

16. *Registrum Episcopatus Aberdonensis*, i. p. 41. 28 Jan., 1314/15.

Memorandum that on the Monday after the feast of the Conversion of St. Paul, 1314, Henry, bishop of Aberdeen, with the consent of his chapter, granted and confirmed to the abbot and convent of Coupar the church of Alveth, providing further that the abbot will make due obedience to the bishop in respect of that church, that the abbey will have it served by a suitable perpetual vicar at a stipend of ten pounds, for whom a toft and croft and respectable buildings for receiving the ordinaries are to be provided. Moreover, the abbot and convent will give yearly to a chaplain celebrating in the cathedral church of Aberdeen six marks, which chaplain shall be chosen by the dean and chapter, and provide him with a choir-habit and a dwelling-house. Alan, abbot of Coupar, pledged himself to the observance of these enactments.

17. *Oliphants*, 6. 8 Oct., 1317.

Charter of confirmation by Robert I of the grant by Marjory, countess of Athole, to the abbey of Coupar of the patronage of the church of Alveth with the whole land belonging to that church, in terms of her charter and the confirmation-charter of David de Strabolgij, her son.

18. *Registrum Magni Sigilli*, i. p. 515, App. 2, Index A, No. 109.
temp. Rob. I.

Carta abbatis de Coupar de terris de Withnakalsis.

19. Robertson, *Index of Charters*, p. 4, No. 39. temp. Rob. I.

(Charter) to the abbacy of Coupar (of) the lands of Aughinleskis.

20. *RMS.*, i. p. 515, App. 2, Index B, No. 38=Robertson, *Index*, p. 4, No. 38. temp. Rob. I.

(Charter) to the abbacie of Coupar of the lands of Aythnakethill, etc., within the thandome (*sic*) of Alith.

21. *CPR.*, ii. p. 502. 4 May, 1331.

To Bertrand Cariti and Raymund de Quercu, papal nuncios. Acknowledging the receipt of 4000 florins of the three years' tenth collected in Scotland and paid over by Stephen de Forburg, burgess of Berwick, in the diocese of St. Andrews, through Richard de Barlargoso, monk of Coupar, and Cambinus Carini, of the society of the Azayali, of Florence, for the papal *camera*.

22. *RMS.*, i. p. 600, App. 2, Index A, No. 1296=Index B, No. 1. temp. David II.

Carta confirmationis abbatis et conventus de Couper de ecclesia de Errol. (Note from orig. MS.: 'Gilbertus de Haya dominus de Erroll constabularius Scotie gevis to the abbaye of Couper jus patronatus ecclesie parrochialis de Erroll ab antecessoribus suis fundate et situate infra baroniam suam de Erroll.')

23. *Registrum Prioratus Sancti Andree*: Excerpta quedam de magno Registro Prioratus S. Andree, 21. Date uncertain.

Confirmatio ecclesie de Errol monachis de Cupro.

24. *CPR.*, iii. p. 397. 29 March, 1351.

To the abbot and convent of Coupar. Appropriation, at the request of John, king of France, and Joan, queen of Scotland, of the church of Erole and the chapel of Inchmartin, given to them by the late Gilbert de Haya, lord of Erole.

25. *Calendar of Writs preserved at Yester House*, 36. 19 July, 1387.

Notarial instrument relating that, in the chapter-house of Arbroath, master John de Lychton, official of St. Andrews and commissary of Walter, bishop of St. Andrews, caused summon to his presence friar Andrew of the order of the Holy Trinity and Sir David de Stryflyn and also Walter, abbot of Coupar, to hear sentence etc. upon the parish church of Ketness (Kettins), in the diocese of St. Andrews, which each of the foresaid parties claimed to pertain to him by sale and asserted to pertain to him by evidents which he had shown to the bishop; and when the abbot neglected to compare, John de Lychton gave judgment pronouncing that the church of Ketnes has pertained, pertains and ought to pertain to the order of the Holy Trinity, which is restored in possession of it, warning the abbot and convent of Coupar and Strevelyn from the said church and imposing silence on them concerning this possession.

26. *Registrum de Cambuskenneth*, 106. 16 Sept., 1405.

Obligation by William, abbot of Coupar, with consent of his convent, to pay to the abbot and convent of Cambuskenneth, during his tenure of office, 10*l.* for the yearly *pensio* from the church of Glenisla due by Coupar, whether the church be productive or unproductive, giving Cambuskenneth power to seize his goods in the event of non-payment.

27. *Ibid.*, 107. 12 Feb., 1413/14.

Discharge by Patrick, abbot of Cambuskenneth, to the abbot and convent of Coupar for the sum of 10*l.* Scots paid on account of the yearly *pensio* from the church of Glenisla.

28. *Calendar of Supplications*, p. 49. 22 May, 1419.

Supplication for confirmation to Coupar of the church of Macilner (*rectius* Mathilour) of which the patronage had been granted to that abbey by Sir Hugh de Abernethi, while William, bishop of St. Andrews, had granted the church itself to the abbey for their sustenance and the augmentation of hospitality.

29. *Ibid.*, p. 50. 22 May, 1419.

Supplication for confirmation to Coupar of the church of Alwech, the patronage of which has been granted by Marjory, countess of Athole, and the church itself granted to Coupar by Henry, bishop of Aberdeen.

30. *Ibid.*, p. 51. 22 May, 1419.

Supplication for confirmation to Coupar of the church of Fossoqwhi, patronage of which was granted by Sir Gilbert de Haya and the church appropriated to Coupar by Maurice, bishop of Dunblane.

31. *Ibid.*, p. 52. 22 May, 1419.

Following on the deprivation of John de Ketnes from the abbacy of Coupar, William de Ledhuys, elected abbot by the convent, supplicates for confirmation of his election.

32. *Ibid.*, p. 57. 29 May, 1419.

Supplication amending former supplications regarding Fossoqhihy, Alwecht and Macilneris.

33. *Ibid.*, p. 99. 7 Aug., 1419.

Further supplication anent the church of Macilneris.

34. *Ibid.*, p. 100. 7 Aug., 1419.

Further supplication anent the church of Fossoqwhi.

35. *Ibid.*, p. 101. 7 Aug., 1419.

Further supplication anent the church of Alweth.

36. *CPR.*, viii. p. 110. 26 Aug., 1429.

To William, abbot of Coupar. Provision to him, Cistercian abbot of Kinloss, of the above abbey, void and reserved by the resignation of Thomas de Furde, monk, then abbot thereof . . . Concurrent letters to the convent and vassals of Coupar and to the abbot of Citeaux . . . and to James, king of Scotland.

37. *Ibid.*, viii. p. 144. 26 Aug., 1429.

To the same. Decree that the provision which the pope has this day made to him of the said abbey as being void by the resignation of Thomas de Furde, monk, the abbot thereof . . . shall hold good if, as his petition contained, the monastery became void, according to some, by the death of William Ledhous.

38. *Scottish Benefices*, p. 11. 18 Jan., 1430.

Walter Blar, M.A., procurator of William, abbot of Coupar, offered for common service 200 florins and the five customary little services.

39. *Ibid.*, p. 12. 5 April, 1430.

Quittance to William, abbot of Coupar, for part of his common and little services.

40. *Ibid.*, p. 12. 5 April, 1430.

William, abbot of Coupar, paid fl. xliiij s. xxvij d. vj. He was promoted at Florence, 7 Kal. Sept., 12 Martin V.

41. *Ibid.*, p. 228. 7 July, 1430.

Quittance to William, abbot of Coupar, for part of common service, fl. 27, sol. 27, den. 6.

42. *Red Book of Grandtully*, i. 11. 10 July, 1449.

Charter of William, abbot of Coupar, and Thomas Stewart of Garntuly making known an agreement between the abbot and convent and the said Thomas regarding the marches of Murthly, belonging to the abbot and convent, and Kyntuly, belonging to Stewart, following on a perambulation.

43. *Reg. de Panmure*, ii. p. 236. 20 Feb., 1455/6.

Notarial instrument whereby Thomas Maule, lord of Panmure, grants to William Trent and Simon Landailis, monks of Coupar and procurators of Thomas de Levingstone, bishop in the universal church and commendator and administrator of Coupar, sasine of an acre of land in Stinchende Haven.

44. *CPR.*, xi. pp. 113-14=Theiner, *Vetera Monumenta*, 778. 16 April, 1456.

Annulment etc. as below. Nicholas V granted *in commendam* to Thomas, bishop of Dunkeld (who when dwelling in the Council of Basle got provision made to him by the members thereof of the church of Dunkeld, without having any hope, as is believed, of being able to obtain possession of the rule and administration of the goods thereof, got himself appointed bishop and in virtue of such provision and appointment got himself consecrated), the parish church of Carnismule *alias* Kirkyunner in the diocese of Whiteherne, under pretext whereof he obtained possession: and upon the voidance of the Cistercian monastery of Coupar in the diocese of St. Andrews, to which several parishes are annexed, it was granted *in commendam* by papal authority to the same bishop under pretext of which he obtained possession of the rule and administration of the goods thereof and henceforward held the said monastery

together with the said parish church as he is believed to do at present. Seeing that, as the pope has learned, so many parish churches, wont to be governed by secular clerks, have been united in perpetuity to monasteries and other regular places of the said diocese of Whiteherne that few now remain to be collated to such secular clerks, that the said bishop can easily support himself and becomingly keep up his state from the fruits, etc. of the said monastery, worth about 1500 gold florins of the *camera* a year, that it has been ordained by royal authority in favour of churches in Scotland that the obtaining of such *commendæ* in prejudice of the said churches ought not to be granted and that the said church of Kyrkynner is distant 100 miles from the said monastery and is without a rector, the pope hereby revokes and annuls, *motu proprio*, the said *commendæ* of the church of Kyrkinner, the letters drawn up about it, etc., and the consequences thereof, etc., orders the said letters and petition from which they proceeded to be cancelled from his registers and removes the said bishop Thomas from possession of the said church, if in virtue of the said *commendæ* he holds and possesses it.

45. *Ibid.*, xi. p. 388=Theiner, *op. cit.*, 791=Cupar, i. p. 79. 17 July, 1459.

To the abbots of Melrose and Neubetyll, in the diocese of Glasgow and of St. Andrews. Mandate at the recent petition of Thomas, (now) a bishop in the universal church, who by papal grant held the Cistercian monastery of Coupar . . . *in commendam*, containing that he is past his seventieth year and so weak and blind that he cannot henceforward easily rule and administer the said monastery, to appoint with consent of the abbot of Cîteaux William Strathquhyn, a monk of Coupar, if fit, for his coadjutor for life, in the said rule and administration.

46. *Scottish Benefices*, p. 276. 4 Oct., 1459.

From John Hudton, abbot of Coupar, 50 fl. by the hands of Matthew de Baroncellis and So. for part of the annates of the monastery.

47. *Ibid.*, p. 238. 4 Oct., 1460 (? 1459).

(Quittance for) John Hudton, abbot of Coupar, for 50 fl. as part of annates.

48. *CPR.*, xi. p. 416=Theiner, *Vetera Monumenta*, 802=Cupar, i. p. 84. 10 July, 1460.

To the bishop of Dunkeld. Mandate at the petition of John Hudton, a monk of the Cistercian monastery of St. Mary, Coupar . . . (containing that on its voidance by the death of abbot William

Blair, Nicholas V granted it *in commendam* for life to the late Thomas de Lewingston, a bishop of the universal church, who under pretext thereof obtained possession of the rule and administration; and that on the death of the said bishop Thomas and consequent expiration of the said *commenda* and the renewed voidance of the monastery . . . the convent duly elected the said John, a professed monk of the order, in priest's orders and of lawful age, who consented; and adding that he doubts whether for certain reasons the election holds good) to confirm the said election of John, if found fit, to the said monastery which, as the pope has learned, is still void as above; and moreover, *pro tutiori cautela*, to make provision to him thereof, net value not exceeding 40*l.* sterling a year. The above bishop is to cause him to be blessed by any catholic bishop, who, after blessing him, shall receive from him the usual oath of fealty according to the form enclosed and shall send the form of oath taken by John as soon as possible to the pope by John's letters-patent sealed with John's seal.

49. *Ibid.*, xi. p. 678. 28 May, 1464.

To the bishop of Dunkeld and Oliver Principis and Gilbert de Kerick (*rectius* Rerick), canons of Angers and Glasgow. Confirmation as below. The recent petition of abbot David and the convent of the Cistercian monastery of Coupar . . . contained that the chapter-general of the order (seeing that on account of floods of the sea, the surprises of enemies, wars and divers other calamities with which these parts had been and were continually being afflicted, its rents, etc., were so much diminished that the abbot and convent could not easily continue to pay therefrom to the said chapter-general the yearly sum of 20*l.* of the realm of Scotland, which they were bound to pay thereto and which they have paid hitherto and to maintain themselves and bear their other burdens) freed and absolved the monastery and the abbot and convent for the time being from such obligation, requiring them, in lieu thereof, to pay to the said chapter or to the abbot of Cîteaux 400 new gold crowns of the mint of the king of France in a single payment within a certain fixed time. At their said petition, alleging that they have made satisfaction to the said abbot of Cîteaux in respect of the said 400 crowns, the pope orders the above three, if they find the said liberation and absolution to be lawful, to confirm them and their consequences by papal authority and order them to be observed.

50. *Ibid.*, xi. p. 678. 18 June, 1464.

To David Bayn, abbot of the Cistercian monastery of Coupar. Indult to have a portable altar.

51. *Ibid.*, xii. p. 562. 11 May, 1467.

To James Guthery, abbot of Kinloss . . . Provision to him, a professed monk of the monastery of Coupar Angus, . . . S.T.B., of lawful age and in priest's orders, of the above monastery of Kinloss.

52. *Scottish Benefices*, p. 330. 28 Feb., 1476.

Triennial visitation of David, abbot of Coupar, for five terms beginning from date of presents.

53. *Acta Dominorum Concilii*, i. 1478-95, p. 5. 8 Oct., 1478.

The accioñ and caus persewit be the abbot and conuent of Coupar again Alexander guthre anent a mylne biggit one the landis of kyncauldram and haldin of the multur of the cornis of the samyn landis is continuit be the lordis of consale to the xj day of Januař. . . .

54. *Ibid.*, i. p. 29. 22 April, 1479.

Anent the summondis maid apone Alexander lindsaye sone and apperand Are to Dauid erle of Craufurd and the Remanent of the personis contenit in the summondis maid apone thaim to ansuer to our souerain lord apone the iniuris and dampnage done be thame to the Abbot and convent of Cowpir in the taking and halding of twa monkis of the said abbay and spulzeing of thar horss parking at thar place and chasing of thar seruandis as was pers[ew]it before the lordis. . . .

55. *Scottish Benefices*, p. 75. 14 April, 1480.

At relation of the cardinal of Rouen the pope in consistory provided John, elect in the said monastery, to the monastery of St. Mary of Coupar, void by the death of the last abbot outwith the Roman court.

56. *Ibid.*, p. 75. 19 April, 1480.

Egidius Bois, canon of Moray, in name of John Scamvel, abbot of Coupar, offered 100 fl. for his common services by reason of his provision by bulls, Rome, 18 kal. May, 9 Sixtus IV, and the five customary little services.

57. *Ibid.*, p. 292. 12 June, 1480.

From John Scamuel, 50 fl. for common service of the monastery of Coupar.

58. *Ibid.*, p. 253. 19 June, 1480.

Quittance to John Scanuel, abbot of Coupar, for 50 fl. as total payment of common service, etc.

59. *Fragmenta Scoto-Monastica*, pp. xxv-xxxvii; cf. *Cupar*, i. p. 86 sqq.; *Historical MSS. Commission's Report*, iv. Appendix, p. 518.

Statutes of the abbots of Coupar regarding their mills; records of courts held, 19 Jan., 1480/1-26 Feb., 1562/3.

60. *Aberbrothoc*, ii. 291. 24 Jan., 1485/6.

Letter of David, abbot and the convent of Arbroath, testifying, in reply to an enquiry by the abbot and convent of Coupar, that they have never paid an episcopal subsidy on their lands nor the third or fourth penny from their churches.

61. *Acta Dominorum Concilii* (in civil causes), ii. 1496-1501, p. 10. 21 June, 1496.

Anent the accione and cawse persewit be Robert Aysone of Tulymat agane Wilzeame Gilfellensone (and others) to freith releif and keip skathles the sade Robert Aysone at the handis of the abbot and convent of Cowper of the payment of fivescore of ky and oxin, price of the pece xls., and of the soume of twenti pundis yeirely of xj yeris for the avalis and profittis of the saidis gudis, quilkis wer spulzeit and takin fra the saidis abbot and convent thair hyrdis servandis and tennantis of thair landis of Percybe the saidis persones and thair complicis and optenit be the saidis abbot and convent apone the said Robert Aysone be the decret of the Lords of Consaile. . . .

62. *Ibid.*, ii. p. 353. 21 Jan., 1499/1500.

Action by the abbot and convent of Cowpar against Alexander Gordoun of Megmar, kt., for withholding the prices of 60 horses and mares spoiled by them and their tenants of the lands of Glenylay by James Beg. The abbot and convent compearing by dean Alexander Bernard, 'psallerare,' their procurator, and Alexander Gordoun compearing by Mr. Gilbert Hay, his procurator, the Lords discern Gordoun as surety for the said James to pay 26s. 8d. for each horse and mare and 6s. 8d. for the profit thereof in terms of an act of adjournal produced, extracted by Mr. Richard Lawsone.

63. *Registrum Episcopatus Brechinensis*, i. 110. 6 May, 1500.

Indenture between John, abbot and the convent of Coupar, and master Andrew Liel, treasurer of Aberdeen and pensioner of Brechin, whereby the latter has given, with the consent of the bishop and chapter of Brechin, to Coupar a seventeen years' tack of all the lands of Reidgothyne pertaining to the pensionary of Brechin.

64. *ADC.*, ii. p. 438. 17 Nov., 1500.

Action by John, Lord Drummond, against John, abbot of Cowper and the convent thereof, to exhibit the letters purchased by them against him 'that he teill nocht nor labour nocht certane landis pertenyng til him in heretage.' Both parties compearing, the Lords decern the letters of either party to be of no effect in time coming 'because thai ar procedit without cognicione of the cause' and

ordain that neither of the parties shall injure or vex the other ' be possessioun, teling or sawing of thair landis ferther than law will.'

65. *Registrum Secreti Sigilli*, i. 673. 19 April, 1501.

A Letter made to the abbot and convent of Cowpar—of remitt and discharge of all unlawis amerciaments and soumez of money quhatsumever that the tenandis and servitoris of the said venerable fader war adjudgit in . . . for the quhilk thai made finance in judgement and fand surete in our last justice—are haldin at Perth. . . .

66. *Ibid.*, i. 989. 16 Oct., 1503.

A Letter maid to the tennandis and servandis pertenyng to the abbot of Cowper, of remission and forgevinnes to thame of al maner of actioun and cryme that thai or ony of thame has committit or may be accusit of in ony wise, twiching the convocatoun (*sic*) of the kingis liegis and oppressioun and slauchter of ane ox or ony uther crime quhatsumevir that may be imput to thaim thairfore, done apoun the mure of Lasingtoun. . . .

67. *Ibid.*, i. 1363. 22 Nov., 1506.

Letter craving papal confirmation of the election of Robert, abbot of Glenluce, as abbot of Coupar.

68. *Ibid.*, i. 1364. 22 Nov., 1506.

Letter to the cardinal of St. Mark's on the same matter.

69. *Ibid.*, i. 1551. 18 Sept., 1507.

Precept of admission of William, abbot of Coupar, to the temporality of the said abbey.

70. *Ibid.*, i. 1566. 1 Nov., 1507.

A protectioun for dene William Turnbull, abbot of Cowper.

71. *Ibid.*, i. 2382. 14 March, 1511/12.

A protection and saufgard maid to the abbot and convent of Cowpar, thair men, tenentis, factouris, intromettouris, kirkis, landis, familiaris; to endure for a zere, etc.

72. *ADC.*, 1501-54, p. 76. 18 Feb., 1516/17.

Master Walter Mersar and master Patrick Middleton, vicar of Auchtermuchty, raised summons on William, abbot of Coupar, dean John Turnbull, his monk, master John Spens and Sir John Galloway. . . .

73. *Misc. of the Spalding Club*, v. p. 293. 3 Sept., 1521.

Tack by William, abbot and the convent of Coupar, to John Pylmoir and Katerine Nycholson, his spouse, of a toft, yard and crofts, ' with all freedomys and privileges of burgh and barronry

sicklyk as the laiff of our burgh of Kethik has,' at a yearly rent of 20s. with fuel in the Monkmuir and two cows' grass in the common-ties of the Baitchelhill and Gallowraw, they doing duties to the mill of Keithick.

74. *Formulare*, i. 236. Date uncertain.

Summons by Andrew and Robert Forman, dean of Glasgow, apostolic subdelegates, to witness the absolution of William, abbot of Coupar, from the sentence of excommunication passed against him at the instance of Robert, abbot of Melrose.

75. *Ibid.*, i. 237. Date uncertain.

Process of absolution following on the preceding.

76. *ADC.*, 1501-54, p. 197. 22 Feb., 1523/4.

Ordinance in presence of the Governor that Robert of Melrose, father-abbot of the Cistercians in Scotland, with the 'yong abbot' of Newbattle, the abbots of Dundrennan and Culross, Lord Gray and the master of Ruthven, sheriffs of Forfar and Perth, should go to the abbey of Coupar and administer as if he were abbot, warning the brethren to revoke their election of dean John Spens, made without advice of the Crown and contrary to its privileges and to choose according to the Governor's nomination; 'and geif thai contempne or refusis . . . to proceid agane thaim be censuris of halikirk and geif neid beis to transport the said contempnaris furth of the said abbacy, puttand thaim in uthir placeis of the samyn ordour and to put uthir weil avisit religious men of the said ordour thairintill for uphalding and manteinyng of goddis service.' The sheriffs are to obey the father abbot for the execution of the premises 'as invocatioun of secular power to assist to him in his jurisdiction spirituale, quhilk sall be imput na cryme nor charge to thaim in tyme cuming nochtwithstanding ony effect may happin to follow . . . and that the said abbot have power and commissioun of my lord archbisshop of Sanctandros . . . as he will divis.' The lords . . . supersede all actions concerning Gray or the master of Ruthven until March 8.

77. *Formulare*, i. 233. Date uncertain.

Process by archbishop Forman of absolution of a monk of Coupar guilty of sacrilege and theft.

78. *Ibid.*, i. 46. Date uncertain.

Robert, abbot of Melrose and commissary general of the Cistercian order in Scotland (deputed by the father-abbot of Cîteaux), to the subprior, convent and monks of Coupar. He narrates the

indult of Innocent VIII for delay in provision during eight months after the vacancy of bishoprics and of monasteries valued about 200 fl. gold of the *camera* in order to await the supplications of the Scottish king and states that Leo X by bulls and briefs declared his intention to observe the indult in the case of benefices of the value specified (howsoever vacant) and granted that provisions made to them without consent of the crown by the pope or *per quoscunque alios electores postulatōres ordinarios patres abbates* should be held null by all judges, even cardinals and apostolic auditors ; but on the death of W. T., abbot of Coupar, the subprior and convent proceeded without licence from the crown to elect a monk, Alexander Spens, who was unsuitable for the office, and applied for confirmation to the said abbot of Melrose as father abbot and commissary general of the Cistercian order in Scotland. Lacking full knowledge of the indults and other circumstances he granted confirmation, but now, finding his action prejudicial to the crown and the indults and after consulting legal opinion, he annuls the election and confirmation and orders a new election under royal licence, appointing three Cistercian monks of Melrose conjunctly to intimate the cassation at Coupar and order reduction of the election (with formal renunciation by A. S. if need be by procurators at Rome), to cause new election of a candidate nominated by the crown, send letters patent thereupon to the pope and see that the administrators appointed by the archbishop of St. Andrews are obeyed, with power to impose censures and at the instance of the crown to cite disobedients before the father abbot to be declared liable to the pains contained in the acts of parliament they have infringed and to answer charges by the king's advocate.

79. *Ibid.*, i. 30. c. 1525.

Notarial instrument whereby master Thomas Hay, canon of Aberdeen, appoints procurators to appear in the Roman court and there, in the event of his promotion to the monastery of Coupar, now vacant by the death of William Turnbull . . . to consent to the reservation of an annual pension of 100*l.* of the fruits of the said monastery to J. S., a clerk of St. Andrews diocese.

80. *Ibid.*, i. 34. c. 1525.

Notarial instrument whereby master Donald Campbell, clerk of Lismore diocese, appoints three procurators to consent, in the event of his promotion to the Cistercian abbey of Coupar (vacant as above), to the reservation of a pension, under apostolic authority, of 100 marks Scots . . . to J. S., clerk of St. Andrews diocese.

81. *ADC.*, 1501-54, p. 252. 17 Oct., 1526.

Dean Alexander Spens, monk of Coupar, was put to the horn for pursuing his title to the abbey and was charged to renounce his right, the brethren being ordered to renounce their election of him. Some fifteen religious (six named) have been put to the horn. The lords ordain all but Spens to be relaxed and have the wand of peace 'that thai may pas hame to thar abbay and do divine service in to the samin eftir the forme of thar fundacioun'; they must not assist Spens against crown privileges and acts of Parliament thereanent.

82. *Ibid.*, p. 310. 13 May, 1529.

The whole fruits and profits of the lands, kirks and rents of Coupar abbey, 1529-31 inclusive, have been set for 2000 marks annually by the 'yc[on]omyis' with advice of master Donald Campbell, abbot nominate, to Sir John Campbell of Caldor and master David Campbell.

83. *RSS.*, ii. 1725. 20 July, 1535.

Ane protectioun, respit and saufgard maid to Don[ald], abbot of Couper and xv uthiris, in the common forme; and to indure for twa zeris immediatlie following the first day of October in the zeir of God im^m v^c and xxxv zeris, at the quhilk day the said abbot tendis to pas furth of the realme, etc.

84. *Bamff Charters*, 46. 9 Sept., 1535.

Instrument of settlement of marches between Donald, abbot of Coupar and the convent thereof, and John Cummyng of Culty, for himself and as procurator of the abbot and convent of Dunfermline.

85. *RMS.*, iii. 625. 13 Feb., 1543/4.

Precept of a charter of confirmation of a feu-charter granted by Donald, abbot of Coupar and the convent, to John Campbell and Elizabeth Blaklok, his spouse, of the ferry boat of Baitschele along with 11½ acres of the lands of Baitschele.

86. *ADC.*, 1501-54, p. 561. 14 Jan., 1546/7.

The Governor, with advice of the Lords of Council, ordained Fowlis, clerk register, 'to geif the authentik copyis of all privilegeis and faculteis grantit be our haly faderis papis of Rome in tymis bigain to the crown of Scotland and kingis tharof to ane reverend and venerable fadir in God, Jhone, bishop of Dunkeld and Donald, abbot of Cowper. . . .'

87. *Ibid.*, p. 566. 25 May, 1547.

Collectors for the College of Justice allege that Donald, abbot of Coupar, owes 35*l.* yearly for eleven years and a term. . . . Coupar is

to produce his acquittances on July 15. (On 4 Feb., 1549/50, the abbot has paid 280*l* (p. 598).)

88. *Ibid.*, pp. 595-6. 17 Dec., 1549.

Registered agreement (11 Dec.) between Donald, abbot of Coupar, having current tacks of kirks of the bishopric of Dunkeld and the gift of the temporality *sede vacante*, and master James Hepburn, dean and vicar general of Dunkeld, who shall cause John Stewart of Arntuly, bailie of the temporal lands, to do justice when required by the abbot or his two chamberlains, escheats and unlaws to belong to the abbot. . . . Hepburn shall also give the abbot ordinary letters for the teinds of bishopric kirks north of the Forth according to the abbot's tack, the abbot accepting five specified chaplains as his factors. . . .

89. *Bamff Charters*, 64. 31 Jan., 1560/1.

Instrument of sasine of John Spalding, son and apparent heir of James Spalding, proceeding upon a feu-charter by Donald, abbot of Coupar and his convent, to the said John of the half of the lands of Grange of Airlie.

90. *Misc. of the Spalding Club*, ii. pp. 347-8.

Obits of the Hays of Errol buried at Coupar.

91. *HMC. Rep.*, iv. App., p. 518.

Mentions certain late Coupar charters among the MSS. of Lord Wharncliffe, including the original charter to John Campbell of the boat of Baitschele, 6 Oct., 1541, confirmed in 85 *supra*.

APPENDIX II

THE ABBOTS OF COUPAR

FULC: The *Chronicle of Holyrood* (S.H.S. ed., pp. 143-4) has the following entry under the year 1164:

'The convent came to Coupar and was reverently received and the abbot (namely F[ulco]) blessed by Gregory, bishop of Dunkeld.'

See the editor's notes, *ibid.*, p. 144. Fulc, abbot of Coupar, witnesses a charter of William the Lion, 1165-70 (*RPSA.*, p. 223). The Holyrood chronicler gives the date of his death as 20 Dec., 1170 (*op. cit.*, pp. 151-2).

RALPH is said to have succeeded Fulk (*ibid.*, p. 152). He is described as a monk of Melrose and was blessed by Richard, bishop of St. Andrews, at Coldingham, 2 Feb., 1170/1 (*Chron. Mailros*, p. 84). He witnesses charters of William the Lion, 1178-80 (*Aberbrothoc*, i. 21), 1180 (*APS.*, i. 66*) and later (*REM.*, 6, 42; *Melros*, 111), as well as a charter of Patrick de Ridale (*Melros*, 166). Ralph died 1 Aug., 1189 (*Chron. Mailros*, p. 98; *Chron. of Holyrood*, p. 172), and was succeeded, according to both chroniclers, by

ADAM, subprior of Melrose. He is found witnessing a charter of Symon, bishop of Dunblane (*Aberbrothoc*, i. 211). He resigned in 1194 (*Chron. Mailros*, p. 102) and

ARNOLD, prior of Newbattle, succeeded. He witnesses a charter of William the Lion (*Scon*, 30); also an agreement between Richard, bishop of Moray and Duncan, earl of Fife (*REM.*, 16), and undated charters of Richard le Waleis (*Melros*, 69) and Gilbert, earl of Strathearn (*Lib. Ins. Missarum*, p. xxiv). There is no record of his demission of office.

WILLIAM, master of the *conversi* at Melrose, was made abbot of Coupar, 15 Jan., 1200/1, and became abbot of Melrose, in 1202, in succession to abbot Ralph, appointed bishop of Down (*Chron. Mailros*, p. 104).

UDARD, abbot of Coupar, witnesses a charter of William the Lion, 1203-5 (*REM.*, 18). He died in 1207 (*Chron. Mailros*, p. 107) and

RICHARD succeeded. He appears 1207-9 (*Charters*, xx), the first abbot to be mentioned in the Coupar charters. Richard witnesses a charter of William the Lion (*REA.*, i. p. 13); also a charter of Malcolm, earl of Athole (*Dunfermelyn*, 147). He retired in 1209 (*Chron. Mailros*, p. 109), to be succeeded by

ALEXANDER, whose tenure of office was much longer than that of his predecessors. He appears in 1212 (*Charters*, xxi); is mentioned as one of the Scottish abbots who, in 1218, sought protection against Gualo and obtained absolution during the interdict (*Chron. Mailros*, p. 133); acknowledges the obligation for a payment to Cîteaux, Jan., 1219/20 (*SHR.*, viii. p. 173); and is mentioned, 1220 (*Charters*, xxvi). This abbot witnesses charters of Alexander II, 19 May, 1223 (*REG.*, i. 128), 3 April, 1234 (*REM.*, p. 464; *Lib. Ins. Missarum*, p. xxix). He also witnesses a charter of William, earl of Buchan, and Margaret, his spouse, c. 1221 (*Aberbrothoc*, i. 130); is arbiter in a cause between Newbattle and Holyrood, 1223 (*Neubottle*, 127); appears in a charter, 4 July, 1225 (*Scon*, 83); and witnesses undated

charters (*ibid.*, 190; *Melros*, 282). In 1240, he is said to have 'left the pastoral charge' (*Chron. Mailros*, p. 150) and was succeeded by

GILBERT, a monk of Coupar, who witnesses a charter, 1 Nov., 1241 (*Melvilles*, iii. p. 5, No. 11). He died as he was returning from the General Chapter of the Order and was buried at St. Rémy, 10 Oct., 1243 (*Chron. Mailros*, pp. 155-6).

WILLIAM DE BININ, prior of Newbattle, was made abbot, 29 Nov., 1243 (*ibid.*, p. 156). Myln attributes to him the writing, while prior, of the life of John Scot, abbot of Newbattle (*Vitae*, p. 8). He witnesses a charter of Alexander II, 5 April, 1244 (*Aberbrothoc*, i. 252), and appears also, 15 April, 1257 (*Charters*, lxx). William resigned office in the chapter-house at Melrose, 29 Sept., 1258 (*Chron. Mailros*, p. 184).

WILLIAM, cellarer of Coupar, was his successor (*ibid.*). He appears in a charter, along with W., prior of Coupar, 1261-7 (*Dunfermelyn*, 220). Although he is said to have been deposed in 1272 (*Scotichronicon*, ii. p. 115; *Extracta*, p. 111, says erroneously 1253), William, abbot of Coupar—who may, of course, be yet another abbot of that name—witnesses a charter of Alexander III, 20 July, 1283 (*Oliphants*, 5), and this date is compatible with the earliest mention of his successor,

ANDREW DE BUCHAN, to whom the earliest dated reference is 20 April, 1284, when Alexander III begs credence of Edward I for him as royal envoy (Bain, *Calendar*, ii. 250). [He and his convent enter into an agreement with Inchaffray at a date which is given as the Nativity of St. John the Baptist (24 June), 1202 (*Lib. Ins. Missarum*, 49; *Inchaffray*, cxi); this date is clearly erroneous, but the amending of it to 1282 (see *Inchaffray*, p. 102, n.) is conjectural and probably mistaken; Hugh, abbot of Inchaffray, who appears in the same writ, does not appear with certainty till 25 and 31 Oct., 1284 (*ibid.*, p. 251)] [*HMC. Rep.*, Mar and Kellie MSS., i. p. 4, notes an entry in an old rental of a charter by Donald, earl of Mar, witnessed by Andrew of Ruthwen (*sic*), abbot of Coupar, along with William, archbishop (*sic*) of St. Andrews. 'Ruthwen' is evidently an error for 'Buchan' and William (Fraser) is the contemporary bishop of St. Andrews. Donald, earl of Mar, is described (*loc. cit.*) as *floruit* 1283-97. Andrew witnesses another of his charters (*Spalding Club Misc.*, ii. p. 313)]. We find Andrew as a witness to a charter of Alexander Comyn, earl of Buchan, a. 1289 (*Lindores*, ccxxiv), and he was apparently an auditor of Exchequer in 1289 (*Exch. Rolls*, i. p. 49). He swore fealty to Edward I in the church of Perth,

24 July, 1291 (Bain, *Calendar*, ii. 124), while he and his convent appear as collectors of the papal tenth, 31 March, 1294 (*Charters*, LXIV). Andrew is evidently the abbot of Coupar who has an English safe-conduct, 16 May, 1296 (Bain, *op. cit.*, ii. 741); on the following 28 Aug., he and his convent took the oath of fealty to the English king (*ibid.*, ii. 196); and, on 2 Sept., he has a letter to the sheriffs of Perth and Forfar for the restitution of lands (*Rot. Scotiae*, i. p. 24b). On 17 Dec., 1296, a papal letter intimates his appointment as bishop of Caithness in succession to bishop Adam (*CPR.*, Letters, i. p. 569). See further Dowden, *Bishops*, p. 240.

ALAN was probably his successor. He is evidently 'A . . . abbas de Cupro' who witnesses a charter of David de Inchesyrech, c. 1300 (*Spalding Club Misc.*, ii. p. 315); and likewise the abbot who has a safe-conduct for his journey to the general chapter at Cîteaux, 23 July, 1304 (Bain, *Calendar*, ii. 1574). He is named in a charter, 3 Sept., 1305 (*Charters*, LXXXI), in the same month as that in which he attended, as a Scottish commissioner, designed but unnamed, Edward I's parliament at Westminster (Bain, *Calendar*, ii. 1691). On 20 Jan., 1305/6, Edward I, understanding that the abbot of Coupar is in debt to the merchants of the society of the Pullici and Rembertini to the extent of 180 merks, commands that amount to be arrested (*ibid.*, ii. 1740). Alan grants a charter of *inspexisse*, 25 Sept., 1309 (*Panmure*, ii. p. 156), and appears in two charters regarding the church of Alvah, 20 and 28 Jan., 1314/15 (*REA.*, i. pp. 41, 42, 43). He also appends his seal to an undated charter of Eva, lady of Kelor (*RMS.*, i. App. 1, 77).

JOHN ORWELL is the next abbot named. The earliest mention of him is in a Coupar charter, 21 March, 1324/5 (*Charters*, CVI) and he witnesses charters of Robert I, 5 March, 1325/6 (*Carnegies*, ii. no. 33, p. 484), and 5 March, 1326/7 (*Lennox*, ii. 211). Orwell is presumably the abbot of Coupar who acts as auditor of Exchequer in 1327 and again in 1337 (*Exch. Rolls*, i. pp. 59, 452). He witnesses a charter of John, prior of St. Andrews, a. 1328 (*Spalding Club Misc.*, ii. p. 317), is no doubt the abbot who receives part of the bishop of Brechin's pension, 1329 (*Exch. Rolls*, i. p. 158), and is mentioned, in 1332, as one of the Scottish magnates who have come to the king of England's peace (*Chron. Lanercost*, p. 269). Abbot John has an English safe-conduct, 22 Jan., 1335/6, as Scottish envoy returning to Scotland with letters of Edward III, the papal nuncio and the king of France (*Rot. Scotiae*, i. p. 395b). He is apparently the abbot of Coupar acting as auditor of the chamber-

lain's accounts, 7 Jan., 1337/8 (*Chamb. Rolls*, i. p. 257), and is named as present in that capacity, 13 April, 1340 (*ibid.*, i. p. 260). His last appearance on record seems to be, 17 June, 1341, when he witnesses a charter of David II (*Aberbrothoc*, ii. p. 541). There is a mention of him in *Charters*, xcv, which cannot be dated and is evidently an error.

LAMBERT, abbot of Coupar, appears in a charter, 10 Dec., 1356 (*Panmure*, ii. p. 232).

WALTER, abbot of Coupar, appears 19 July, 1387, as a party to a dispute regarding the church of Kettins (*Yester Writs*, 36).

JOHN, abbot of Coupar, appears as a witness, 26 Aug., 1395 (*Moray Charters*, Box 32, Div. IV, Bundle 3, No. 63). He is mentioned in a decret of perambulation, 2 June, 1403 (*Moray MS.*, f. 2); and in a papal letter, 6 June, 1403, which adverts unfavourably on his character and rule and confirms the jurisdiction of the abbot of Melrose over him, although he is a papal chaplain (*Charters*, cxx). He is probably John de Ketnes, described as deprived of the abbey in a supplication, 22 May, 1419 (*Supplices.*, p. 52).

WILLIAM appears as abbot in an obligation to pay 10*l.* to Cambuskenneth from Glenisla, 16 Sept., 1405 (*Cambuskenneth*, 106). He was probably William de Ledhuys, who, following on John de Ketnes' deprivation, had been elected by the convent and seeks papal confirmation of his election, 22 May, 1419 (*Supplices.*, p. 52). The statement made in *Cupar*, i. p. 36, that he was present at a council at Perth, 16 July, 1420, is purely conjectural. The record (*REB.*, i. 29) which mentions the abbot of Coupar as attending the council gives neither the abbot's Christian name nor his surname.

THOMAS appears as abbot in a notarial instrument, 6 May, 1428 (*Charters*, cxxv). This was probably Thomas de Furde, who had resigned the abbey by his procurator, a. 26 Aug., 1429 (*CPR.*, viii. p. 110). [*CPR.*, viii. p. 144, gives a papal letter of the same date which also mentions Furde's resignation and indicates that William Ledhous, then dead, had also been a claimant to it.] It is possible that Furde, who is called in these papal letters 'monk' (? of Coupar), continued to be a member of the community after relinquishing his insecure tenure of the abbot's office; Thomas de Furde appears as prior of Coupar, 29 Feb., 1452/3 (*Charters*, cxxxvi).

WILLIAM DE BLARE had provision of the abbey made to him, 26 April, 1429, by the same brief as indicates Furde's resignation (*CPR.*, viii. p. 110); and, on the same date, a further brief validates

this provision if the abbey was void by the death of William Ledhous (*ibid.*, viii. p. 144). Common services were paid on his behalf as abbot of Coupar, 18 Jan., 1429/30 (*Benefices*, p. 11 ; cf. p. 12). He is described in the papal briefs as abbot of Kinloss ; and, according to Ferrerius, Blair, who was a doctor of decrees and originally a monk of Coupar, held the abbacy of Kinloss from 1401 till about 1430 (*Historia*, p. 29). Blair appears as abbot of Coupar in that abbey's charters, 31 Aug. and 29 Oct., 1433 (*Charters*, cxxvii, cxxviii), and is frequently on record thereafter. He is said by Ferrerius (*op. cit.*, p. 29) to have died, 17 Oct., 1445, in which year he appears, 17 April (*Charters*, cxxxiv) and 28 June (*REB.*, i. 56) and, as a commissioner-depute to hear causes and complaints, 2 July (*HMC. Rep.*, xv. App., Pt. viii, p. 45). But there is a strong presumption that Ferrerius is in error ; for abbot William appears in a feu-charter, 18 Dec., 1446 (*Cupar*, i. p. 125), and with his convent made an agreement with Thomas Stewart of Grandtully, 10 July, 1449 (*Grandtully*, i. 14) ; he appears, likewise, 1 Oct., 1451 (*Charters*, xii), and 29 Feb., 1452/3 (*ibid.*, cxxxvi). It is possible but improbable that this is another abbot of the same Christian name ; a papal letter of 10 July, 1460 (*CPR.*, xi. p. 416), speaks of the provision of Thomas Livingstone on the voidance of Coupar by the death of William de Blare.

THOMAS DE LEVINGSTONE, commendator. The most famous name in the list of abbots of Coupar. His ecclesiastical career has been fully discussed elsewhere, *e.g.* *Cupar*, i. pp. 48-82 ; and, with a wealth of interesting detail, *Copiale*, pp. 490-1, etc. Here it is only necessary to mention, in the main, the facts of his connection with the Cistercian order and, in particular, with the abbey of Coupar. It is probably Livingstone who is described as the son of a married man and an unmarried woman (*CPR.*, viii. p. 181). He was a B.A. of St. Andrews, 1413 (*St. AUR.*, p. 1), and M.A., 1414 (*ibid.*, p. 8) ; he matriculated, as a student of theology, at Cologne, 1423 (*Keussen, Matrikel*, i. p. 253), is said to be of the Benedictine order and appears as a bachelor of theology (presumably of Cologne), 1424 and 1425 (at which date he is called a Cistercian monk) (*ibid.*, i. p. 253, n.). On 22 June, 1422, he paid common services on his appointment as abbot of Newbattle (*Copiale*, p. 490) but, 28 July, 1430, it is presumably he who is still described as a monk of that house and has a dispensation to be promoted to dignities of the Cistercian order (*CPR.*, viii. p. 181). When he became abbot of Dundrennan is uncertain, but in that capacity he was incorporated at the Council of Basle, 14 Nov., 1432 (*Copiale*, p. 490) ; the benefice is said to have

become void by his deprivation, 10 April, 1441 (*Benefices*, p. 129). It is likewise uncertain when he obtained the *commendam* of Coupar; but he appears as bishop in the universal church and administrator of Coupar, 20 Feb., 1455/6 (*Panmure*, ii. p. 236), and is mentioned in a papal letter, 16 April, 1456, as holding Coupar along with the bishopric of Dunkeld and the parish church of Kirkinner (*CPR.*, xi. pp. 113-4). His commendatorship must have been brief. On 17 July, 1459, being past his seventieth year and stricken with blindness, he obtained, as a result of a supplication to the pope, a coadjutor for life, William Strathquhyn, monk of Coupar (*ibid.*, xi. p. 388), who, however, did not succeed him. A court of Thomas Levynghston, 'bishop and commendator of Coupar,' is said to have been held, 18 Jan., 1460 (*Cupar*, i. p. 130), but there are difficulties in the way of accepting this date, even if it means 1459/60. Livingstone was probably dead before 4 Oct., 1459, when

JOHN DE HUDTON, abbot of Coupar, paid annates by his agents (*Benefices*, p. 276). Hudton was subprior of Coupar, 29 Feb., 1452/3 (*Charters*, cxxxvi); and having been elected abbot on the death of Livingstone, petitioned the pope for the confirmation of his election, whereupon mandate was issued to the bishop of Dunkeld to investigate the case and, if satisfied, to provide Hudton, 10 July, 1460 (*CPR.*, xi. p. 416). Hudton, however, had resigned the benefice before 5 Aug., 1461, when

DAVID BANE had provision of it (*Charters*, cxxxvii). Bane is described as monk of Coupar—he appears as cellarer, 26 Feb., 1452/3 (*ibid.*, cxxxvi)—and bachelor of theology. It is uncertain whether he is to be identified with David Bane, so-called abbot of Deer, whose petition to the pope, arising out of a rival claim to the benefice, led to the appointment of mandatories to decide the case, 9 June, 1458 (*CPR.*, xi. p. 344); and who, as a member of the Cistercian order, appears, 12 Aug., 1460, as having entered into an agreement whereby he resigns his claim to Deer, on condition of his receiving from that abbey a yearly pension of £20 until he obtains provision and possession of another monastery and £2000 for costs of the suit (*ibid.*, xi. p. 585). Bane appears as abbot in many feu-charters from 25 Sept., 1462 (*Cupar*, i. p. 135). On 28 May, 1464, he and the convent of Coupar, on their supplication, obtained an appointment of papal mandatories to investigate their claim to have paid in full their dues to Cîteaux (*CPR.*, xi. p. 678). On 7 June of the same year, Bane has an indult to wear the mitre (*Charters*, cxxxviii) and, on 18 June, an indult for a portable altar (*CPR.*, xi. p. 678). He figures in decreets of perambulation, 24 July

and 13 Aug., 1466 (*Charters*, cXL, cXLI). Ferrerius speaks of him—'a learned man and at that time visitor of his order throughout the whole province of Scotland'—as having presided at the election of James Guthrie, cellarer of Coupar, to the abbey of Kinloss, presumably in 1467 (*Historia*, p. 31). He is mentioned in a notarial instrument, 18 July, 1474 (*Charters*, cXLIII). On 28 Feb., 1475/6, payment is made for his Triennial Visitation (*Benefices*, p. 330). Bane appears with his convent as granting tacks till 10 Dec., 1479 (*Cupar*, i. p. 230). *Fragmenta Scoto-Monastica*, p. xxvi, prints the record of a court of abbot David Bane, held by his bailie-depute at Coupargrange, 8 May, 1488; but this date must be an error.

JOHN SCHANWELL was his successor. He was a monk of Coupar as appears from records, 29 Jan., 1471/2, and 3 Oct., 1479 (*Charters*, cXLIII, cXLVI). Schanwell had provision of Coupar, as abbot-elect, 14 April, 1480 (*Benefices*, p. 75). On 19 April of that year, part of his common services are paid (*ibid.*, p. 75); his dues for Triennial Visitation, 23 April (*ibid.*, p. 331); a further instalment of common services, 12 June (*ibid.*, p. 292); and he has a quittance for them, 19 June (*ibid.*, p. 253). [If we may credit Ferrerius (*Historia*, pp. 32, 33), there may have been a rival aspirant to the benefice in James Guthrie, abbot of Kinloss.] Schanwell is frequently on record. He appears in a lease, 24 April, 1483 (*Cupar*, i. p. 236), and is mentioned in an almost unbroken series of charters from 18 June, 1486 (*Charters*, cL), to 10 Aug., 1505 (*ibid.*, cLXI). The latest mention of him in records seems to be 16 May, 1506 (*Cupar*, i. p. 257). The dating as 1511 (*ibid.*, i. pp. 259-60) of a charter in which he appears cannot be accepted; investigation of the source has shown that the date was originally 1505 and that it had been altered in a contemporary hand to 1511. His burial slab, unearthed in Coupar Angus churchyard in 1869 and now preserved in the parish church, dates his death, 24 (?) Oct. (ix (?) Kal. Nov.), 1506 (see Greenhill, 'Notes on Incised Scottish Slabs,' *PSA.*, lxxxviii (1944), pp. 81-5, for a full description of it). Schanwell is said to have been commissioned to visit and reform the Scottish Cistercian monasteries, 1484-92 (*Cupar*, i. p. 95, citing *Harleian MS.* 2363); and he is called by Ferrerius 'vir cum dignitate insignis' (*Historia*, p. 62).

[*Thomas Ogilvy*, third son of Sir John Ogilvy of Lintrathen (*ob.* 1489), is stated to have been 'chanter of Dunkell and afterwards abbot of Cowpar' (*Scots Peerage*, i. p. 113, citing Nisbet, *Heraldry*, i. 302). There is no evidence of an abbot so named within this period.]

ROBERT: On 22 Nov., 1506, James IV wrote to the pope asking that the postulation as abbot by the convent of Robert, abbot of Glenluce, might be confirmed or that provision be made to him anew of the abbey (*RSS.*, i. 1363). Although he appears, Whitsunday, 1507, as abbot of Coupar (*Cupar*, i. p. 262), his tenure of the benefice, for whatever reason, was brief.

WILLIAM TURNBULL has a precept of admission under the Privy Seal to the temporality of Coupar abbey, 18 Sept., 1507 (*RSS.*, i. 1551), and a charter of royal protection, 1 Nov. of that year (*ibid.*, i. 1566). He had previously been abbot of Melrose (provided, 1 Feb., 1503/4) and, according to Ferrerius, was compelled by Thomas Chrystal, abbot of Kinloss and visitor of the Scottish Cistercian monasteries, at the instigation of James IV, to remove to Coupar (see *Cupar*, i. pp. 98-9). He appears frequently in leases from 24 July, 1508 (*ibid.*, i. p. 272), to 22 Feb., 1522/3 (*ibid.*, i. p. 303), and probably at an uncertain date in the same year (1523) (*Charters*, CLXVII). His absolution from the sentence of excommunication passed against him at the instance of Robert, abbot of Melrose, is mentioned in undated writs (*Formulare*, i. 236, 237). Turnbull was dead *a.* 22 Feb., 1523/4 (*ADC.*, 1501-54, p. 197).

Following on the death of Turnbull, there was considerable delay in filling the benefice and more than one claimant appears:

Formulare, i. 30, is a notarial instrument (dated by the editor, *c.* 1525) whereby master Thomas Hay, canon of Aberdeen, appoints procurators to appear in the Roman Court and there, in the event of his promotion to Coupar, vacant by the death of William Turnbull, to consent to the reservation from the fruits of the monastery of an annual pension of 100*l.* to J. S., clerk of St. Andrews diocese.

ALEXANDER SPENS, who appears as cellarer of Coupar, 16 Jan., 1501/2 (*Charters*, CLVII), and is one of the monks attesting a lease, 3 Sept., 1521 (*Spalding Club Misc.*, v. p. 293=*Cartae Variæ*, p. 111), had been elected abbot *a.* 22 Feb., 1523/4, on which date the Lords of Council ordain that Robert, abbot of Melrose, father-abbot of the Cistercians in Scotland, with the 'yong abot' of Newbattle and the abbots of Dundrennan and Culross, Lord Gray and the master of Ruthven, sheriffs of Forfar and Perth, should go to Coupar abbey and administer it as if he were abbot, warning the monks to revoke the election of dean John (*rectius* Alexander) Spens, made without advice of the Crown and contrary to its privileges, and to choose according to the Governor's nomination. Recalcitrant members of the convent are to come under ecclesiastical censures

and, if need be, to be removed to another house of the same order ; and the sheriffs, if called on, are to give the aid of the secular power (*ADC.*, 1501-54, p. 197). It transpires from *Formulare*, i. 46, that Robert, abbot of Melrose, who had confirmed Spens's election, made after the death of Turnbull by the subprior and convent, without licence from the Crown, was forced to annul the election and confirmation and to order a new election, under royal licence, of a candidate nominated by the Crown. [On 7 Feb., 1523/4, a messenger is dispatched with a letter to the abbot of Melrose to send monition on the elect of Coupar (*LTA.*, v. p. 234).] On 17 Oct., 1526, dean Alexander Spens had been put to the horn for pursuing his title to the benefice and was charged to renounce his right, while the brethren were ordered to renounce their election of him ; fifteen religious had been put to the horn but the Lords of Council grant relaxation to all but Spens, on condition that they do not assist him against Crown privileges and acts of Parliament (*ADC.*, 1501-54, p. 252). A charter of 5 Aug., 1539 (*Charters*, CLXXII), shows that Spens, who had evidently retired to Dundrennan, had claimed a pension of 30*l.* from Coupar and had been accused of taking away jewels and other property of the abbey and records an agreement of 24 July of the same year whereby he is to have a pension of 15*l.* so long as he is at Dundrennan and 30*l.* if he returns to Coupar ; further, having declared that he had no part in removing the abbey's property, he undertakes to help in its recovery and, by restoring account books, to assist in reclaiming debts owing to the abbey at the time of Turnbull's death.

DONALD CAMPBELL was eventually the successful claimant to the benefice and the last of the regular abbots of Coupar. He was the fourth son of Archibald, second earl of Argyle, and may be ' Donaldus Campbel, nationis Albaniae,' who was incorporated at St. Salvator's College, St. Andrews, in 1522 (*St. AUR.*, p. 218). On 31 May, 1525, it is recorded of Colin, the third earl, that

' the said Erle [of Argyle] writeth specially at this tyme for the preferment of his broder to an abbasy here and the yong King hath adressed furth his letters for the same purpous. . . ' (*H. VIII State Papers*, iv. p. 374.)

Formulare, i. 34, gives a notarial instrument whereby Donald Campbell, clerk of Lismore diocese, appoints procurators to consent, in the event of his promotion to the abbey of Coupar, to the reservation of a pension of 100 marks to J. S., clerk of St. Andrews diocese (cf. *supra*). On 14 June, 1526, the king, with consent of the Estates,

ratified the letters of commendation sent to the pope for provision of master Donald Campbell to the abbey of Coupar (*APS.*, ii. p. 302). Campbell appears as abbot-nominate, 13 May, 1529, when the whole fruits of the abbey for 1529-31 were set, by his advice, to Sir John Campbell of Cawdor and master David Campbell (*ADC.*, 1501-54, p. 310). Shortly after, James V expresses his satisfaction at the appointment of the new abbot. In a letter, 10 Jan., 1529/30, to Peter, cardinal of Ancona, he thanks that prelate for his action regarding Coupar; it has put an end, he says, to a long suit, shown the monks how to proceed in a like case and preserved the royal right (*Tynninghame Letter Book, GRH.*). We find Campbell with his convent obtaining a letter from James, archbishop of St. Andrews, certifying their exemption from episcopal subsidies, 10 April, 1532 (*Charters, CLXVIII*); and, on 31 July of that year, agreeing to make their contribution to the royal subsidy (*Cupar*, i. p. 314). On the following 5 Aug., he is one of the signatories of a letter reporting to the king on the visitation of the universities (*UCR.*, ii. p. 181). Letters of James V to Francis I, 30 Sept., 1531, and to the abbot of Cîteaux and the general chapter of the order, 1 March, 1531/2, show that the king's professed desire to have Cistercian abuses remedied had resulted in the sending of Symon, abbot of Chaalis, to visit the Scottish houses, but this abbot had fulminated certain sentences of excommunication and interdict and departed (*Tynninghame Letter Book, GRH.*). Whether at the king's further instigation or otherwise, Cîteaux had appointed Donald, abbot of Coupar, and Walter, abbot of Glenluce, as commissaries of the chapter-general, in which capacity they are found issuing letters to Andrew, abbot of Melrose, 1 Oct., 1534, ordering him to give obedience to certain reforms ordained by the abbot of Chaalis (Karoli-locus) (*Harl. MS.*, 2363 (3)). For a detailed account of the process, see Campbell, *Balmerino*, pp. 227-30. Donald Campbell is very frequently mentioned in Coupar charters and state records; an account of his appearances in Parliament and other minor events of his public career is given, *Cupar*, i. p. 100 *sqq.* On 20 July, 1535, he has a royal protection for two years from 1 Oct., when he intends 'to pas furth of the realme' (*RSS.*, ii. 1725). We find him as judge-arbiter in a dispute between Sir John Campbell of Cawdor and James Ogilvy anent the lands of Strathnairn, 21 and 22 July, 1542 (*Thanes of Cawdor*, pp. 165-6). On 24 July, 1543, he signs the Cardinal's 'Secret Band' (*Hamilton Papers*, i. p. 631) and is mentioned as a member of the new Council of State on the following 15 Sept. (*ibid.*, ii. p. 46). For the political background of this part of Campbell's career, see *Scottish Corresp.*

Mary of Lorraine, passim. On 26 Aug., 1546, Queen Mary requested from Henry VIII a safe-conduct for Donald, abbot of Coupar, to pass through England into France (*Cal. Scottish Papers*, i. p. 58); and he was expected in England on some business of State, 17 Oct., 1546 (*H. VIII State Papers*, v. p. 567). Before August, 1548, he had been nominated by Arran for the see of Glasgow, but the negotiations, interrupted by the death of the nuncio, were without result ('Some Papal Bulls among the Hamilton Papers,' *SHR.*, xxii. p. 34). Meanwhile, 6 Nov., 1547, he had a letter under the Privy Seal of the gift of the temporality of the see of Dunkeld (*RSS.*, iii. 2531). His aspirations after this bishopric, however, were again in vain, for, after delay and litigation, Robert Crichton had obtained it by 12 April, 1554 (see Dowden, *Bishops*, pp. 91-2). It may have been in connection with this vacant benefice that Campbell was in France from at least April, 1551, till after Whitsunday, 1552 (*Charters*, cxciii; *Cupar*, ii. pp. viii., 250). Campbell was present at the Provincial Council held at Edinburgh, 27 Nov., 1549 (*Statutes*, p. 86). He appears as keeper of the Privy Seal from 29 June, 1554 (*RMS.*, iv. 941). We find him, 6 June, 1555, appealing against the imposition by John, archbishop of St. Andrews, of a charitable subsidy on the abbey's churches of Meathie and Airlie (*Charters*, cxcv). Campbell made a third unsuccessful attempt to obtain a bishopric—Breachin—about 1558 (see Dowden, *Bishops*, pp. 190-1). In this connection, it may be noted that whether or not the pope was induced to allow him to hold Coupar *in commendam* and to change his habit, as is stated in Row's letter, 11 May, 1559 (quoted, Dowden, *op. cit.*, p. 191), a letter of Croft to the English Privy Council reporting on the progress of the Scottish Reformation, 19 May, 1559, says that Argyle's brother, the abbot of Coupar, has put on 'secular weed' (*Cal. Scottish Papers*, i. p. 212). This in itself would not suffice to prove that Campbell had identified himself with the Reformed faith; and of the date of his transfer of allegiance there is no explicit indication, except that (as is noted, *Cupar*, i. pp. 110-111) he was present at the Convention of Estates, in August, 1560, which ratified the Reformed Confession of Faith, abolished the pope's jurisdiction in Scotland and prohibited saying or hearing of mass. His signature is, however, appended to an undated writ which specifies 'the pointes that the congregatioune desyris of my lord of Cowper,' viz.:

'Imprimis that he incontinent reforme his place of Cowper Putting down and birnyng oppinlie all Idolis and Imagis and tubernaculis tharin destroying and putting away the altaris And

that na mess be thair done heiraftir nowthir privilie nor opinly. And that the superstitiouse habit of his monkis with their ordour ceremoneis and service as you call it be removit. And that na prayeris be usit in the kirk but in the Inglishe tounge And thai according to the scriptouris of God.

Item that my lord with all his freindis and folkis at his hale powar assist and mayntein in counseles conventionis and parliament als wele as uther wyse the furth settin of the evangell of cryst and meynteinyng the congregatioune in thair leberte and to the doune putting of al ydolatrie abhominations and papistrie. And that his folkis at this present and at all utheris tymis being requirit pass fordwart with thair congregatioune to the forth-setting of the glorie of god. And alsua that my lord in all placis of his dominioune sall endewvyr himself to the forthesattin and executioun of the premissis.

Item that ane wryting contenyng the heids abufwrittin as thai ar heir contenit subscrivit with my lordis hand be send incontinent to the congregatioune togidder with this samyn tollaratione.'

(' Two Papers from Argyll Charter Chest,' *Scottish Hist. Review*, xxi. pp. 142-3.)

Campbell appears on record and held the office of keeper of the Privy Seal till at least 16 Dec., 1562 (*RMS.*, iv. 1436). He died between the latter date and 20 Jan., 1562/3, when Archibald, earl of Argyle, justice general, has a letter granting him the

' tua pairt of all and sindrie the males, fermes, gressumes, fruitis, rentis and proffittis of the abbacie of Cowper and tua pairt of the landis, kyrkis . . . of all termes bigane sen the deceis of Donald, last abbot thairof.' (*RSS.*, xxxi. 61.) (I owe this quotation to the late Mr. James Beveridge.)

Campbell had several illegitimate children (*Cupar*, i. p. 111, *q.v.*).

LEONARD LESLIE (I), commendator. On 24 Aug., 1565, a letter under the Privy Seal is granted to master Leonard Leslie of the gift and disposition of the abbacy of Coupar (*Charters*, cxcvi). This letter is said to have been given in consideration of the service to the Crown of John, earl of Athol, who, on 30 March, 1567, has tacks of abbey lands and teinds (*ibid.*, ccxlviii, ccxlix). For Leslie's descent see *Cupar*, i. p. 113. The statement that ' at the Reformation he became a Protestant and married ' (cited, *ibid.*, p. 114) calls for the following comments : there is no evidence of the date when he became a Protestant and his only association with the Reformed Church is that he was a commissioner of Parliament for provision

of ministers and stipends, 29 Nov., 1581 (*APS.*, iii. p. 211), a post in that period not incompatible with the fact that he is mentioned as holding, in addition to the commendatorship of Coupar, the rectory of Aberlour, from 3 May, 1570 (*Laing Charters*, 851), to 26 Sept., 1595 (*Charters*, ccxcvi). Of Leslie's 'marriage,' likewise, there is no direct evidence. But he had several natural sons: Walter, who appears, 3 May, 1570 (*Laing Charters*, 851); and Leonard and Archibald, who are mentioned with him, 15 Sept., 1571 (*ibid.*, 863). Further, a charter of 17 Dec., 1574, shows that Leonard and Alexander Leslie were his sons by Elizabeth or Bessie Ramsay, daughter of Alexander Ramsay, portioner of Gallowraw (*Charters*, cclxii). On 28 Feb., 1572/3, Walter Leslie had royal letters of legitimation (*RMS.*, iv. 2121) and probably the commendator's other sons had the like; for Alexander Leslie, who became minister of Mortlach (*Charters*, ccc1; *Fasti*, vi. 326), is called lawful son of Leonard Leslie, 20 Oct., 1581 (*Charters*, cclxxii), and appears with his brothers, Andrew (*ibid.*) and James (*ibid.*, ccc1); while Leonard, yr., is called lawful eldest son of Leonard Leslie, 10 Dec., 1596 (*ibid.*, ccxcvii). The elder Leonard is at the horn, 26 Sept., 1595 (*ibid.*, ccxcvi). He is described as deceased in a charter, 24 June, 1603 (*ibid.*, cccii); but this conflicts with the statement on the stone commemorating him in Bendochy church which declares that he died at the age of 81 on 11 June, 1605. The stone is inscribed as follows:

'Cenotaphivm memorabilis M. Leonardi Leslie doni (*rectius domini*) de Cupro qui obiit aetatis suae anno 81 die 11 mensis Ivnii 1605.

Insignem tituli misis et honore docebunt

Aetas longaeum te mors te vita beatum.'

It bears, above, the initials M. L. L. (Magister Leonard Leslie) and B. R. (Bessie Ramsay) flanked on the right by the arms of Ramsay and Crichton and on the left by those of Leslie and Caddell with the legend 'Ex morte vita.' There is a possibility that the date given in the inscription is an error for 1603, but this must remain an open question.

LEONARD LESLIE (II) had a precept for infestment in the spirituality of the abbey, 7 Feb., 1595/6 (*Charters*, ccxcvii), but, 10 Dec., 1596, grants a procuratory for resigning the benefice in the hands of John, earl of Athole (*ibid.*, ccxcvii), and, 16 March, 1597/8, grants another procuratory for resigning it in the hands of the king (*ibid.*, ccxcix).

ANDREW LAMB, 'minister of the Gospel of Jesus Christ,' had letters of gift under the Great Seal of the abbacy of Coupar, 24 March, 1603 (*Charters*, cccii). On 1 June, 1605, James VI gave him a further charter of it under the Great Seal (*ibid.*, cccv). But, in July, 1606, the Estates ratified the erection of it into a temporal lordship for James Elphinstone; and, 24 Jan., 1607, Lamb granted procuratory for resigning it in the hands of the king in Elphinstone's favour (*ibid.*, cccvi) and, again, on the following 21 March (*ibid.*, cccvii). For Lamb's career, see *Cupar*, i. p. li. Meanwhile,

PATRICK STIRLING had charters under the Great Seal erecting him abbot and commendator of Coupar, 20 May, 1607, and 16 Jan., 1608 (*Charters*, cccviii, cccix); and he is found, 27 July, 1607, seeking redress against Stewart of Grandtully and others who have threatened to force him from possession of the abbey (*PCR.*, xiv. pp. 533-4) and, 30 July following, against William Stewart, uncle of the earl of Athole, who has seized it (*ibid.*, xiv. pp. 539-40). Stirling, however, did not make good his claim to the abbey. On 20 Dec., 1607, James Elphinstone had a crown charter of its lands, place and teinds, which were incorporated into a temporal lordship with the title of Lord Coupar (*RMS.*, vi. 2002).

APPENDIX III

ADDITIONAL REFERENCES TO THE ABBEY OF COUPAR

The following mentions of abbots of Coupar as well as certain references which have a bearing on the history of the abbey are derived from the standard collection of Cistercian statutes—J. M. Canivez, *Statuta Capitulum Generalium Ordinis Cisterciensis*, 1116-1786—to which access was obtained by the editor through the kindness of Dr. L. W. Sharp of Edinburgh University Library after the typescript of the present work was in the printer's hands. It may be stated that in the six volumes issued by Canivez up to 1938 and covering the period to 1542 references to Scottish Cistercian houses are by no means numerous. In particular, there is no mention of Coupar from 1281 to 1489 and no reference to Scottish houses between 1281 and 1433. The statutes, indeed, suggest that during the fourteenth and part of the fifteenth centuries the Scottish monasteries were through force of circumstances—*e.g.* the Hundred Years' War—isolated from continental Cistercianism and

that only towards the Reformation were contacts with the mother-house of Cîteaux effectively renewed. Among the many elections recorded as confirmed by the chapter-general none are of Scottish abbots nor are any of the abbots of Coupar mentioned by name in the statutes.

(The year given is that of the chapter-general at which the statute was made. The number in brackets is that given by Canivez in the sequence of statutes passed by each chapter-general. Inverted commas indicate a translation; otherwise an abstract is given.)

1195.

- I. (57) 'The complaint of the abbot of Coupar is referred to the abbot of Clairvaux.' (*Statuta Cap. Gen.*, i. p. 190.)

1243.

- II. (44) 'The complaint of the convent of Cîteaux against the abbot of Coupar is referred to the abbots of Fountains in England, of Rievaulx and of Beaulieu Regis for settlement or adjudication. . . . The abbot of Rievaulx will intimate this to his colleagues.' (*Ibid.*, ii. p. 267.)

(Cf. *Charters*, XLIX, the date of which must be 1243-1249.)

1249.

- III. (53) 'The abbot of Coupar who, by deliberate lying, bore his testimony to a certain monk under [his] seal that he was a monk of our mother house of Cîteaux when he was no such thing will do penance for a slighter fault for three days, one of them on bread and water and for twenty days will be out of the abbot's stall. The abbot of Newminster will intimate this to him.' (*Ibid.*, ii. p. 345.)

1266.

- IV. (52) 'The abbots of Neubur (*sic*; ? Newbattle), Coupar and Caret (*sic*; ? Caldra), who have rashly presumed to seal the process of deposition [against the abbot of Holmcultram], will be out of the abbot's stall for forty days and perform a three days' penance for a slighter fault, one of these [days] on bread and water. . . . If the said deposed abbots have acted as abbots, both they and their adherents should know that they have incurred the sentence of excommunication issued by the general chapter.' (*Ibid.*, iii. p. 45.)

1273.

- V. (39) 'The petition of the abbot of Coupar, who desires to stay away once from the chapter, is granted.' (*Ibid.*, iii. p. 122.)

1273.

- VI. (53) 'The petition of the abbot of Coupar, who desires that he may hold the feast of St. Medan in his house with two masses, if asked with the consent of his house is granted.' (*Ibid.*, iii. pp. 123-4.)

1281.

- VII. (54) 'The petition of the abbot of Coupar, who desires to stay away once from the chapter, is granted in deference to the . . . king of Scotland.' (*Ibid.*, iii. p. 214.)

1489.

- VIII. (73) 'Since, as is vouched by the statement of the abbot of Cîteaux [at] the present chapter general, . . . James de Breuquet, procurator general of our whole order at the Roman *curia*, led by certain urgent [and] necessary causes, for the defence of the rights and liberties of the Order, for the prosecution of some cases both at the . . . Apostolic see and in regard to . . . the king of Scotland, at the instance of brother John Hirdman, monk of the monastery of Coupar . . . and procurator in the Roman *curia* of the monastery of Melrose, obliged himself at the bank for six thousand gold ducats; therefore lest the aforesaid . . . James the procurator should incur any loss from this obligation, the present chapter general appointed the abbot of Coupar as judge in this matter, giving him sanction, full power and special mandate for compelling the said abbot of Melrose and his convent . . . to pay the said sum of six thousand ducats at the appointed terms or at least of causing the said . . . procurator to have effective quittance from this obligation and the said chapter general gives sanction and full power to the said abbot in Coupar to grant permission to the abbot and convent of Melrose . . . to receive the aforesaid sum or part thereof on loan from anyone and for the same to pledge their monastery or its possessions, [which are] nevertheless recoverable, or its moveable and immoveable goods etc., strictly enjoining the same abbot of Coupar, in virtue of saving obedience and under

pain of excommunication, to carry out the commission without delay and diligently, with the full power of the order.' (*Ibid.*, v. pp. 702-3).

1491.

- IX. (33) ' . . . Because . . . it has been brought to the notice of the chapter general by letters of the king of Scotland that the monasteries and places of the order stand much in need of visitation and reform,' the chapter general empowers the abbots of Coupar and Melrose and Culross to visit all monasteries of both sexes and religious houses (*loca regularia*). (*Ibid.*, vi. p. 16.)

1511.

- X. (32) The abbots of Melrose, Coupar and Deer are appointed by the chapter general to enquire into the lands, pastures and small demesnes of Newbattle and to authorise the abbot and convent thereof to grant leases or tacks of the same 'after the custom of the country.' (*Ibid.*, vi. p. 406.)

1518.

- XI. (35) The chapter general gives commission to the abbot of Glenluce for the next three years to carry out the visitation and reform of all Scottish monasteries of the Cistercian order. (*Ibid.*, vi. 532.)

1530.

- XII. (67) Following on his negligence, the chapter general annuls the commission of the abbot of Melrose as visitor of the order in Scotland and appoints in his stead the abbot of Glenluce. (*Ibid.*, vi. p. 689.)

1530.

- XIII. (68) The chapter general further appoints the abbot of Glenluce to collect the sums levied on Scottish monasteries as contributions to the needs of the order. 'The names of the monasteries of the present commission with the assessments of the same, which are described according to the usage of French money, are these : of Melrose, 10 ducats ; of Dundrennan (*Don-drenant*), 3 ducats ; of Newbattle (*Newbott* alias *de Nova ocrea*), 3 ducats ; of Kinloss, 2 ducats ; of Coupar, 3 ducats ; of Culross *alias* St. Serf's (*Culros* alias *de Sancto Servano*), 2 ducats ; of Glenluce (*Vallis lucis* alias *Glenluce*), 2 ducats ; of Sweetheart *alias* New Abbey, 1 ducat. The others underwritten are left to the aforesaid com-

missary to be assessed after consideration of the value of the monasteries: "de Standalo, de Hichaten vel Orcades, de Glenlucz, de Ancaria, de Loco S. Eduardi, de Hadrington, de Northveruik, de Coldestrene, de Elis, de Mamival, de Elchok, de Bothfynz. . . ." (*Ibid.*, vi. pp. 689-90.)

(In the above list of houses still to be assessed, 'Standalo' is Saddell in Kintyre; 'Hichaten vel Orcades' may be Eynhallow in Orkney; 'Glenlucz' appears to be a repetition of Glenluce; 'Ancaria' cannot be identified; 'Locus S. Eduardi' would seem to be Balmerino under another name; while the remainder are the Cistercian nunneries of Haddington, North Berwick, Coldstream, Eccles, Manuel, Elcho and St. Bathan's.)

1533.

- XIV. (14) ' . . . The present chapter general, considering the labours, outlays and zeal for religion of the abbot of Chaalis, professor of sacred theology, visitor in England and Scotland by commission of the chapter general in 1531, commends, ratifies and confirms what has been done by him in the aforesaid visitation. . . .' (*Ibid.*, vi. p. 713.)

(Cf. p. 277 *supra.*)

1533.

- XV. (47) The abbots of Coupar and Glenluce are appointed visitors of Scottish Cistercian houses of both sexes for a period of five years. (*Ibid.*, vi. p. 720.)

1535.

- XVI. (32) ' The present chapter general, being duly informed of the citation made to the abbot of the monastery of Melrose . . . for the second day of the selfsame chapter general by the abbots of Coupar and Glenluce, commissaries of the same chapter general, on which day the said abbot of Melrose did not compear, [and] desiring to proceed in courteous and proper fashion against the said abbot [who has been] cited, continues on many grounds the aforesaid citation till the second day of the next chapter general, enjoining the said abbots of Coupar and Glenluce, commissaries general of the Cistercian order in Scotland, to make known to him the said continuation of the citation and again cite him or cause him to be cited and unfeignedly compel the self-

same abbot of Melrose and the other abbots and monks of the Cistercian order to observe the monastic life and holy ordinances given them by the abbot of the monastery of Chaalis, commissary general of the order in the year . . . 1531, allowing, however, the said commissaries, the abbots of Coupar and Glenluce, at their discretion, to make until the next chapter general, if it seems to them expedient, some reasonable modifications not contrary to the decrees of the church, the statutes of the fathers and the vows of religion on those matters which affect the indispensable vow of poverty; of which modifications and the aforesaid citation they shall be bound to inform our most reverend lord of Citeaux and the *diffinitores* at the next chapter general. . . .' (*Ibid.*, vi. p. 739.)

(Cf. p. 277 *supra.*)

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REPORT OF THE FIFTY-NINTH ANNUAL MEETING OF THE SCOTTISH HISTORY SOCIETY

THE FIFTY-NINTH ANNUAL MEETING OF THE SOCIETY was held in the Caledonian Hotel, Edinburgh, on Wednesday, 9th January 1946, at 5 P.M. Dr. G. M. Trevelyan, O.M., President of the Society, occupied the Chair.

The Report of the Council was as follows :—

The Council regret that the volume for 1943-44, *Monymusk Papers*, is not yet in the hands of members. Although the manuscript was sent to the printers in January 1944, conditions in the printing trade have been such as to cause prolonged and repeated delays at every stage. As all the proofs have been passed for press since September, it is hoped that the book may be issued before long.

The manuscript of the *Coupar Angus Charters*, to be the volumes for 1944-45 and 1945-46, has also been with the printers for some months, but is not yet in proof. These charters, which cover approximately the period from the reign of William the Lion to the Reformation and are mainly concerned with the extensive lands of the abbey in Perthshire, Angus and elsewhere, form one of the largest collections of Scottish Cistercian records accessible to the historian.

For subsequent years Dr. Gordon Donaldson is at work on a volume of *Accounts of Collectors of the Thirds of Benefices 1561-1595*, and Mr. R. L. Mackie is engaged in completing with Dr. C. Macrae the *Letters of James III and James IV* which Professor Hannay was editing at the time of his death. Professor Dickinson is preparing a volume of *Aberdeen Burgh Court Records*. The Council contemplate the issue of another Miscellany volume in the near future, to include, from the MacDowall of Logan papers in the Register House, the record of a barony court sitting as a court of admiralty.

At the request of the Conference of Allied Ministers of Education: Books and Periodicals Commission, the Council have presented sets of the Society's Third Series to the Universities of Warsaw, Cracow and Prague. They have also presented a set to the University of Caen.

Dr. H. W. Meikle has retired from the chairmanship of the Council on completing the normal period of four years. The Council desire to record their appreciation of his services in that capacity. Professor J. D. Mackie has been elected in his place.

Mrs. Annie I. Dunlop and Mr. H. M. Paton retire in rotation from the Council at this time. The Council recommend their re-election and the election of Dr. Meikle in place of Professor Mackie.

The Society has lost 13 members during the year by death or resignation, while 13 new members have joined. The total membership, including 136 libraries, is now 416.

The Society has now been recognised by the Inland Revenue as entitled to exemption from tax. Members (other than Libraries) can, therefore, if they so wish, materially assist the Society, without additional cost to themselves, by granting a Deed of Covenant to pay for seven years, or for life, which-

ever period shall be the shorter, such a sum as, after deduction of income tax at the standard rate in force at the due dates of payment, will amount to £1, 1s. This would enable the Society to recover the income tax from the Inland Revenue and thus increase its annual income. Members would continue to pay one guinea as at present. It is not proposed that the subscriptions for the year 1945-46, which became due in November 1945, should be dealt with in this way. A form of deed with full explanations will be issued before the subscriptions for 1946 become payable.

An abstract of the accounts for 1944-45, as audited, is appended.

Professor J. D. Mackie, C.B.E., Chairman of the Council, moved the adoption of the Report and Accounts. After emphasising the regret of the Council at the inevitable delays in the issue of the Society's volumes he went on to outline the programme of future publications, mentioned the gifts made to the libraries of Continental Universities, and paid tribute to the work done by Dr. Meikle as Chairman. He ended with an appeal for additional members.

Mrs. Annie I. Dunlop, O.B.E., D.Litt., in seconding the adoption, said that the forthcoming volumes would cover Scottish History from the Middle Ages to comparatively recent times.

The President then delivered an address on 'Society in Roman Britain.' Roman Britain, he said, was only the prelude to the drama of English history, of which the first scene must be England after the Saxon conquest. The Romans did not found England as Caesar founded France. In our history Roman cities and villas were an alien interlude : all the more was imagination stirred when one came on the

bases of Mediterranean colonnades scattered on Northumbrian moors and mosaic pavements buried in Cotswold woods. The social life of the province was divided into two parts—the civil zone of the Midlands, the South and the East, where stood the towns and villas that carried Roman civilisation into the countryside, and the military zone, where the army of occupation, based on the fortress-towns of York, Chester and Caerleon, patrolled wild Wales and the Pennine moorlands and guarded the great wall that stretched from Solway to the mouth of Tyne. This distinction answered to the primary geographic difference which since earliest ages had dictated the place and character of human settlement.

Even in the favoured south-east not very much was done to reclaim new lands. Cultivation was still confined to downs free of forest or to regions where the woodland could easily be cleared and to ground that was not water-logged, yet had springs near the surface. The Romano-Britons would not drain the rich valleys nor go out with the axe against the dense forests that covered most of East Anglia and the Midlands. But if the denser forests set a limit to Roman agriculture, nothing could turn aside the Roman road. The imperial highways were the chief weapon of Rome's military and political rule. The straight Roman road was not intended to join village to village or to help the local needs of agriculture but to run from city to city or from fort to fort.

The old tribal system and its loyalties were dovetailed in with the new imperial administration. The Roman towns did not grow; they were made. They were built sometimes on the sites of the British towns they replaced, oftener on new ground, always on one or more of the new roads. They were the centres of the tribal administration, which was carried on by Romanised Britons in basilicas and pillared forums of the

Mediterranean type. They had public baths and amphitheatres and columned temples as in Italy, but in trade and population they remained the merest country towns, ranging from two to five thousand inhabitants. When they began to decay in the middle of the third century, Rome's policy changed. Henceforth the rural villa with its farm life was regarded as a better means of Romanising the countryside. The inhabitants of our island refused to learn town life from the Romans and never afterwards learnt it from anyone else. London with its cosmopolitan port was the one great exception to the economic failure of the Roman cities. Its site had been well chosen for commercial reasons at the point where the maritime commerce of Northern Europe could penetrate farthest by water. It was a noble city of stone and brick with perhaps fifteen thousand inhabitants of different races.

Depicting life in a typical tribal capital, such as Silchester or Verulam about A.D. 200, Dr. Trevelyan described the plan of streets and houses with mosaic floors, frescoed walls and hypocausts, the slaves, the baths, the amphitheatre and the temples of many cults. The townees even of the working-class could talk a debased Latin; and many could read and write: the illiterate farmers used some native dialect. There were temples of many cults. Now that political Druidism was stamped out, Rome smiled on all deities alike, save only that jealous God of the Jews. He went on to depict the life and economy of a rural villa with its dwelling-house and open fields where wheat was the most usual crop, but some attempts were made to grow vines. Except iron, linen and pottery, little was needed from the world outside. It bore some resemblance to a country house with its home farm in later England and its owner's life to that of a squire. But the greater part of the population still lived as of old in isolated

farms of a primitive kind or in native village communities, where little progress was made out of poverty and barbarism. Roman influence only exceptionally affected the houses of native villages; in most cases the round huts showed little change from earlier times.

As the fourth century advanced, rural society began to break up. Raiding bands from Ireland and the coasts of Northern Europe, joined by many of the poorer and wilder Britons, sacked and burned the houses of the rich. The framework of society was loosened and the food-supply of the towns upset. The roads were unsafe and trade came to an end. When, early in the fifth century, the legions were withdrawn, the alien civilisation of Rome was already sick to death. Britain 'went native' again. Roman society showed a peculiar helplessness in the face of disorder, raiding and invasion, for it was not, like the Saxon and Norman society of later times, based on the principle of local self-defence. When the Empire's outer guard was broken and marauding bands came pouring over the civilised part of Britain, its inhabitants were helpless to protect themselves.

The permanent northern boundary of the Empire was the great fortified stone wall of Hadrian. In its forts was a great profusion of third-rate sculpture but none of the artistic luxury of Southern Britain. Its garrison represented most races of the northern half of the Empire. There was a large Romanised village attached to each of the forts and at rare intervals behind the wall a group of circular huts of native farmers. Soldiers and civilians perhaps made up a total of fifty or sixty thousand people 'on the Wall.' The Romans patrolled the British seas with their war-galleys. Late in the third century a dozen fortresses were erected along 'the Saxon shore' from the Isle of Wight to the Wash, each of

which could hold 500-1000 soldiers. London was now supplied with a river-wall. A sea-fortress was also erected at Holyhead and another at Cardiff to protect the Severn against Irish pirates.

The total population was difficult to estimate: scholarly conjecture placed it between half a million and one million. Certainly there were many fewer than at the end of the Saxon period when a vast acreage of the best land had been won from the wilderness. The greater number of Roman soldiers in Britain were of Teutonic or Celtic stock: their children must usually have had British mothers. The proportion of Mediterranean blood infused into Roman Britain was small: what racial addition was made came chiefly from Northern Europe.

In conclusion, the President said they must not think of Roman Britain as a reproduction of Italy with her flourishing cities and her vineyards and olive-groves, but rather of the Romano-Britons as scattered groups of not very efficient pioneers camped out amid the wilderness. A few of them were men of a high but foreign civilisation; many were not civilised at all; many betwixt and between. But all were fighting an uphill battle with the forces of enveloping nature, still too strong for man.

A vote of thanks to Dr. Trevelyan for his address and for his services to the Society during his two years' presidency was accorded on the motion of Dr. H. W. Meikle, C.B.E., who spoke of the charm and knowledge with which the President had lectured and of the love of the country which ran through all his writings.

ABSTRACT ACCOUNT of CHARGE and DISCHARGE
of the INTROMISSIONS of the HONORARY
TREASURER for the year from 1st November
1944 to 31st October 1945.

CHARGE.

I. Cash in Bank at close of Account for year ended 1st November 1944—		
1. Sum at credit of Savings Account with Bank of Scotland	£137 19 6	
2. Sum at credit of Current Account with Bank of Scotland	136 17 9	
	£274 17 3	
3. Cash in hands of Bank of Scotland to meet current postages	0 6 10½	
	£275 4 1½	
II. Subscriptions received	427 7 0	
III. Past publications sold (including postages recovered from purchasers)	46 16 6	
IV. Interest on Savings Account with Bank of Scotland	2 5 7	
V. Sums drawn from Bank Savings Account	
VI. Sums drawn from Bank Current Account	£429 7 1	
		£751 13 2½

DISCHARGE.

I. Cost of printing Publications during year.	£307 17 4
II. Miscellaneous Payments, including Bank's postages	36 12 0
III. Sums lodged in Bank Savings Account	<u>£87 5 7</u>
IV. Sums lodged in Bank Current Account	<u>£474 3 6</u>
V. Funds at close of this Account—	
1. Balance at credit of Savings Account with Bank of Scotland	£225 5 1
2. Balance at credit of Current Account with Bank of Scotland	181 14 2
	<u>£406 19 3</u>
3. Cash in hands of the Bank of Scotland to meet current postages	0 4 7½
	<u>407 3 10½</u>
	<u>£751 13 2½</u>

EDINBURGH, 20th November 1945.—I have examined the Accounts of the Honorary Treasurer of the Scottish History Society for the year from 1st November 1944 to 31st October 1945, and I find the same to be correctly stated and sufficiently vouched.

WM. ANGUS,
Auditor.

Scottish History Society



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1st November 1946

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