CHARTERS OF THE ABBEY OF COUPAR ANGUS

VOL. I

THIRD SERIES

Scottish History Society

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VOL. I

CHARTERS I TO CXVIII

1166-1376

1947

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CHARTERS I TO CXVIII

1166-1376

Transcribed and Edited by

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PREFACE

THE present edition of the charters of the abbey of Coupar Angus may justly be regarded as comprising one of the largest collections of Scottish monastic records and the most considerable group of Scottish Cistercian documents published for over a hundred years. As an assemblage of Cistercian writs it is, in extent, second only to the volumes containing the charters of Melrose, the mother-house of Coupar, which were issued by the Bannatyne Club in 1837.[1] Moreover, the publication of the Coupar charters fills a gap in the records of Scottish religious houses which for long was considered impossible of being repaired. The great majority of the charters and particularly of the earlier writs of this abbey were assumed, like those of the Cistercian houses of Deer, Kinloss, Culross, Sweetheart, Dundrennan and Glenluce and the nunneries of that order (except North Berwick and Coldstream), to have been lost beyond recall. Thus, Cosmo Innes declared in the preface to *Origines Parochiales* :

> 'The Cistercian Abbey of Coupar in Angus had a Register which was noted by Sir James Balfour and quoted more lately by the more accurate Sir James Dalrymple at the beginning of last (*i.e.* the eighteenth) century. It is not now known to exist. A fragment of an abridgement is now at Panmure '[2];

while the compilation called *Fragmenta Scoto-Monastica* contains, according to its editor,

> 'all that seems to remain of this Abbacy.'[3]

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[1] *Liber Sancte Marie de Melros.*

[2] *Op. cit.*, i. Pref., p. xxxiii. The abridgement is a transcript of the *Breviarium.* See *Cartae Variae* among Antiquaries' MSS., H.M. General Register House.

[3] *Op. cit.*, p. 15.

Jervise, likewise, lamented

> 'that the sad deficiency of records regarding the Abbey of Coupar will prevent us from giving anything like a full history of that interesting place.' [1]

In 1854, the *Bannatyne Club Album*, No. III, under the heading of 'Chartularies, quoted by Antiquaries of last (*i.e.* the eighteenth) century and which are still in existence,' referred to the chartulary of Coupar Angus in the same terms as did Cosmo Innes. But it added:

> 'Many of the Original Charters are extant in neighbouring Charter-rooms.' [2]

No chartulary or register of Coupar abbey has yet been found. But its original charters have come to light—and not merely in neighbouring charter-rooms—in ever-increasing numbers during the past hundred years; and the 'sad deficiency' of its records was ended by the discovery, in the twentieth century, of the main *corpus* of the abbey's charters. The history of Coupar abbey can now be drawn from a considerable and varied array of sources.

In 1879 and 1880 there appeared under the auspices of the Grampian Club two volumes, edited by the Rev. Charles Rogers, which bore the misleading title, 'Register of Cupar Abbey,' but were described on the title-pages as 'Rental Books of the Cistercian Abbey of Cupar-Angus with the Breviary of the Register.' The contents of these volumes are: records of leases of abbey lands and churches from 1443 to 1538; a further series of feu-charters from 1539 to 1559; and a rental of the monastery of the year 1542—all drawn from MSS. in H.M. General Register House. To these that editor added the abbreviate of the ancient register of the abbey from Sir James Balfour's

[1] *Memorials of Angus and Mearns*, p. 393. [2] *Op. cit.*, p. 15.

transcript in the Advocates' (now the National) Library; the rental of the abbey from the Books of Assumption; some charters from originals in H.M. General Register House; some from the transcript known as the Brockie MS. at Blairs College; a number from originals in the charter-room of the Earl of Airlie at Cortachy; and—most significant of all—'Notes of Inventory in possession of E. A. Stuart Gray, Esq., of Gray and Kinfauns, the title of which is "Inventar of Writts belonging to John Lord Balmerinoch etc. . . ."' Under this heading it is stated:

> 'In the Table of Contents, Bundle I is thus described: "A Bundle of Old Writts of the Abbacy, not Inventar'd, not being legible."'[1]

It does not appear that Rogers attempted to trace the writs mentioned in this old inventory. Had he done so, an important discovery might have been forestalled.

In 1912, Dr. Maitland Thomson stated in his Prefatory Note to Dowden's *Bishops of Scotland*:

> 'Special mention must be made of the recently discovered charters of Coupar Abbey in possession of the Earl of Moray'[2];

and notes from these sources appear in that work added to those accumulated by Bishop Dowden. There is no doubt that the charters of the abbey of Coupar, which thus came to light in the present century, were those to which reference is made in the old inventory quoted by Rogers—the entries in that inventory descriptive of charters in Bundle II (which the compiler apparently found illegible) prove this, for all the charters noted are among the Moray muniments and are given in the present publication. The Coupar charters, long regarded as lost, were discovered at

[1] *Cupar*, ii. p. 300.

[2] *Op. cit.*, p. vii.

Darnaway Castle, Morayshire, during the preparation of the present inventory of the writs lodged in the muniment room there; and I am indebted to the late Earl of Moray for the information that the inventory was begun in 1905 and completed in 1908. Dr. Maitland Thomson, about this time, transcribed or abstracted many of the newly-discovered charters, as can be seen from his note-books in the Register House. The explanation of the presence of the Coupar charters among the Moray muniments is supplied by Rogers's statement that, in 1755, James, seventh earl and nephew of the last lord Balmerino (on whom the title and lands of the lordship of Coupar had devolved), purchased the property of Coupar. It is from the muniment room at Darnaway that the bulk of the material now published is derived. A few of these charters, dealing with the relations of Coupar and Cîteaux, were communicated by Dr. Maitland Thomson, shortly after their discovery, to the Rev. James Wilson, and incorporated by the latter in an article, 'Original Charters of the Abbey of Coupar, 1219-1448,' which appeared in the *Scottish Historical Review*, x. pp. 272-86; and another is included in *Highland Papers*, ii. p. 223; otherwise, they have not hitherto been printed. It may be added that several charters (decreets of perambulation) have been taken from a MS. volume found at Darnaway in 1942 and cited *infra* as 'Moray MS.'[1]

The editor in adding material from sources other than the Moray charters has endeavoured to avoid encroaching on Rogers's and other publications. But it was found that Rogers had by no means exhausted the charters referring to Coupar among the Airlie writs at Cortachy

[1] This volume is enclosed in a modern case marked: 'MS. Saec. xv; Perambulatio Facta inter Cloqwhat et Drumy; Diocese (*sic*) of Coupar Angus.' But although this MS. contains several charters referring to Coupar, it emanated from the abbey of Scone.

Castle. Unfortunately, a number of Coupar items mentioned in the inventory at Cortachy have been lost or mislaid. All, however, that were accessible out of the considerable number ignored by Rogers have been transcribed or abstracted for the present collection and missing charters are described in terms of the relative entries in the inventory.

Owing to war conditions, it has not been possible to investigate the Coupar charters relating to the lands of Keithick which are in the possession of the Earl of Wharncliffe. Some account of these is given in *Mackenzie-Wharncliffe Deeds* and the Fourth Report of the Historical Manuscripts Commission.[1] It is hoped that these may be available for eventual publication in one of the Society's miscellany volumes. In the present collection are included a number of writs from sources in H.M. General Register House and the National Library of Scotland. Charters of a date *post* 1550 are reduced to English abstracts unless there is some special reason for their being given in full.

It will be observed that the present collection contains an almost continuous chronological series of charters from 1166-70 till the earlier fourteenth century. A scrutiny of the *Breviarium*, printed in Rogers's *Cupar*, reveals, however, that many Coupar charters mentioned therein are not now extant and, in particular, that two charters of Malcolm IV and a considerable number granted by William the Lion and Alexander II have disappeared. Not more than twenty-five [2] of the ninety-eight writs entered in the *Breviarium* appear among the charters now available. It may also be remarked that the extant Coupar records include few papal bulls and only one bull of doubtful authenticity confirming the abbey's posses-

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[1] The MSS. of Lord Wharncliffe are dealt with *op. cit.*, p. 518.

[2] Of this number three are uncertain.

sions. Likewise, the only comprehensive crown charter of confirmation, that of Alexander II, is a dubious and garbled document.

The appendices comprise a list of Coupar records already in print (excluding in the main those which appear in Rogers's volumes to which the present work is complementary) and notes on the abbots in which it has been sought to amplify the data given in the (often irrelevant) 'Historical Notices of the Abbots' contributed by Major-General A. Stewart Allen to the *Register of Cupar Abbey*. It should be mentioned that the name of the abbey is given in the form *Coupar*, as the place-name is usually spelt thus and in this form is distinguished from *Cupar*-Fife. To devise a consistent system of reference to other place-names has been found impossible; if these are given sometimes in their modern form sometimes under one or other of their medieval guises, this, it is hoped, will not prove confusing. A map has been deemed unnecessary—where a place has been identified, sufficient indication of its location is provided by the notes.

The transcription of these charters was all but complete in September, 1939. Since that date, the editing of the volumes has been inevitably interrupted and retarded; and limitations have been placed on commentary and annotation by the fact that access to certain works, particularly those dealing with the Cistercian order, has been difficult and often impossible. The editor is conscious of certain consequent deficiencies and trusts that these will be regarded with indulgence. He desires to record the Society's and his own special indebtedness to the late Rt. Hon. the Earl of Moray for facilities and help most generously given; likewise, to express thanks to the Rt. Hon. the Earl of Airlie; to Mr. W. Munro; and to Mr. W. Irving. The staff of the Historical Department, H.M. General Register House, among whom it will not be in-

vidious especially to mention Mr. C. T. McInnes, have rendered invaluable aid. The Cambridge University Press has kindly granted permission to quote the works of Dom David Knowles; and while considerations of space forbid detailed acknowledgement of the many other obligations incurred in the preparation of these volumes, the editor is not unmindful of the varied services that have been rendered him, and for all of these he is deeply grateful.

D. E. E.

NOTE ON THE METHOD OF EDITING

EXIGENCIES of space have made it necessary, in the opinion of the Council of the Society, that the charters, which were originally transcribed in full, should be abbreviated in many cases by the excision of words and phrases which are 'common form,' honorific or otherwise recurrent and redundant. An endeavour has, however, been made to keep on the side of safety and to omit no significant word or phrase. Editorial omissions are indicated by points; indecipherable words or blanks in the originals are indicated by asterisks. Square brackets in the text indicate a letter or letters missing or obscured and restored by the editor; bent brackets mark the extension of a word abbreviated or incomplete. Proper names represented by initials have not invariably been extended when their identification is obvious or given in the accompanying note. With some misgivings, the editor has followed the originals in their punctuation and use and disuse of capitals. It should be added that a Coupar charter found only in a notarial transumpt is given its normal place in the chronological sequence and its date is placed before the date of the incorporating writ. (By an oversight No. CXVII has been placed as at present. It would more appropriately follow No. XCV.) Items enclosed in square brackets are charters of which only a fragment or an abstract can be given.

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CHARTERS I TO CXVIII (1166-1376) . . . 1

REFERENCES AND ABBREVIATIONS

Aberbrothoc	Liber S. Thome de Aberbrothoc (Bannatyne Club).
ADC., II. 1496-1501	Acts of the Lords of Council in Civil Causes, Vol. II.
ADC., 1501-54	Acts of the Lords of Council in Public Affairs, 1501-54.
Anderson, *Early Sources*	A. O. Anderson, Early Sources of Scottish History.
Antiqs. of Aberdeen and Banff	Illustrations of the Topography and Antiquities of the Shires of Aberdeen and Banff (Spalding Club).
APS.	The Acts of the Parliaments of Scotland (Record Commissioners).
Archaeol. Scotica	Archaeologia Scotica or Transactions of the Society of Antiquaries of Scotland (early volumes).
Archbps. of St. Ands.	Herkless and Hannay, The Archbishops of St. Andrews.
Auct. Chart. Univ. Paris	Auctarium Chartularii Universitatis Parisiensis (ed. Denifle and Châtelain).
Bain, *Calendar*	Calendar of Documents relating to Scotland.
Balcarres Papers, II.	Foreign Correspondence with Mary of Lorraine from the Balcarres Papers, 1548-57 (Scottish History Society).
Balmorinach	Liber de Balmorinach in Chartularies of Balmerino and Lindores (Abbotsford Club).
Bamff Chs.	Bamff Charters and Papers (ed. J. H. Ramsay).
Beauly	The Charters of the Priory of Beauly, etc. (Grampian Club).
Benefices	The Apostolic Camera and Scottish Benefices, 1418-88 (ed. A. I. Cameron) (St. Ands. Univ. Publ., 35).
Blackfriars of Perth	The Blackfriars of Perth (ed. Milne).
Breviarium	Breviarium Antiqui Registri Monasterij de Cupro in Anegus in *Cupar*, i. pp. 319-51.
Buccleuch	The Scotts of Buccleuch.

Cal. of Scottish Papers	Calendar of the State Papers relating to Scotland and Mary Queen of Scots.
Calchou	Liber S. Marie de Calchou (Bannatyne Club).
Caldstrem	Chartulary of the Cistercian Priory of Coldstream (Grampian Club).
Cambuskenneth	Registrum monasterii S. Marie de Cambuskenneth (Grampian Club).
Campbell, *Balmerino*	J. Campbell, Balmerino and its Abbey (1899 ed.).
Carnegies	History of the Carnegies, Earls of Southesk.
Cart. S. Nich.	Cartularium ecclesiae S. Nicholai Aberdonensis (New Spalding Club).
Cartae Variae	Transcripts in H.M. General Register House.
CCM.	Collegiate Churches of Midlothian. See *Soltre.*
Ch. Chest of Earldom of Wigtown	Charter Chest of the Earldom of Wigtown, 1214-1681 (Scottish Record Society).
Chamb. Rolls	Accounts of the Great Chamberlains of Scotland (Bannatyne Club).
Chs. etc. of the Royal Burgh of Dundee	Charters, Writs, etc., of the Royal Burgh of Dundee.
Chron. of Holyrood	The Chronicle of Holyrood (Scottish History Society).
Chron. Lanercost	Chronicon de Lanercost (Bannatyne and Maitland Clubs).
Chron. Mailros	Chronica de Mailros (Bannatyne Club).
Copiale	Copiale Prioratus S. Andree (ed. J. H. Baxter) (St. Ands. Univ. Publ. 31).
CPR.	Calendar of entries in the Papal Registers (Rolls Series).
Crosraguel	Charters of the Abbey of Crosraguel (Ayrshire and Galloway Archaeol. Assoc.).
Cupar	Rental Book of the Cistercian Abbey of Cupar-Angus (Grampian Club).
Diurnal	A diurnal of remarkable occurrents, etc. (Maitland Club).
Douglas Bk.	The Douglas Book.
Dowden, *Bishops*	J. Dowden, The Bishops of Scotland.
Dowden, *Med. Church in Scotland*	J. Dowden, The Medieval Church in Scotland.
Dryburgh	Registrum cartarum abbacie Premonstratensis de Dryburgh (Bannatyne Club).

Dunfermelyn	Liber cartarum abbatie . . . de Dunfermelyn (Bannatyne Club).
Earls of Haddington	Memorials of the Earls of Haddington.
EHR.	English Historical Review.
Elphinstones	The Elphinstone Family Book of the Lords Elphinstone, Balmerino and Coupar.
Epp. Reg. Scot.	Epistolae Regum Scotorum (ed. Ruddiman).
ESC.	Lawrie, Early Scottish Charters.
Eubel, *Hierarchia*	Eubel, Hierarchia Catholica medii aevi.
Exch. Rolls	Exchequer Rolls of Scotland (Rolls Series).
Extracta	Extracta ex variis cronicis Scocie (Abbotsford Club).
Ferrerius, *Historia*	Ferrerii historia abbatum de Kynlos (Bannatyne Club).
Fittis, *Eccl. Annals of Perth*	R. S. Fittis, Ecclesiastical Annals of Perth.
Formulare	St. Andrews Formulare (Stair Society).
Fowler, *Cist. Statutes*	Fowler, Cistercian Statutes.
Frag. Scoto-Monastica	Fragmenta Scoto-Monastica.
Frasers of Philorth	The Frasers of Philorth.
Grandtully	The Red Book of Grandtully.
Grants	The Chiefs of Grant.
GRH. Abbreviates	Abbreviates of Feu-Charters of Kirklands in H.M. General Register House.
GRH. Chs.	Charters in H.M. General Register House.
Hamilton Papers	The Hamilton Papers (Rolls Series).
Handbk. of Brit. Chronology	Handbook of British Chronology.
H.P. ; Highland Papers	Highland Papers (Scottish History Society).
HMC. Rep.	Historical Manuscripts Commission's Report.
H. VIII State Papers	State Papers of King Henry VIII (Record Commissioners).
Illust. of Scottish History	Illustrations of Scottish History (Maitland Club).
Inchaffray	Charters, etc., relating to the Abbey of Inchaffray (Scottish History Society).
Inchcolm	Charters of the Abbey of Inchcolm (Scottish History Society).

Inventaire Chronologique ; Inv. Chron.	Inventaire chronologique de documents relatifs à l'histoire d'Écosse, etc. (Abbotsford Club).
Keussen, *Matrikel*	Keussen, Die Matrikel der Universität Köln.
Kinlos	Records of the Monastery of Kinloss (Society of Antiquaries Publ.).
Knowles, *Mon. Order in England*	Dom D. Knowles, The Monastic Order in England.
Knowles, *Relig. Houses of Med. England*	Dom D. Knowles, Religious Houses of Medieval England.
Laing Chs.	Calendar of the Laing Charters.
Lawrie, *Annals*	Lawrie, Annals of the Reigns of Malcolm and William, Kings of Scotland.
Lennox	The Lennox.
Lib. Ins. Missarum	Liber insule Missarum (Bannatyne Club).
Lib. S. Crucis	Liber cartarum S. Crucis (Bannatyne Club).
Lindores	Chartulary of the Abbey of Lindores (Scottish History Society).
Lundoris	Liber S. Marie de Lundoris in Chartularies of Balmerino and Lindores (Abbotsford Club).
Macfarlane's Geog. Colls.	Geographical Collections relating to Scotland made by Walter Macfarlane (Scottish History Society).
MacKinlay, *Dedications*	J. M. MacKinlay, Ancient Church Dedications in Scotland (Scriptural ; non-Scriptural).
May	Records of the Priory of the Isle of May (Socy. of Antiqs. Publ.).
Med. Latin Word-List	Medieval Latin Word-List from British and Irish Sources.
Melros	Liber S. Marie de Melros (Bannatyne Club).
Melvilles	The Earls of Melville, etc.
Menteith	The Red Book of Menteith.
Misc. SHS.	Miscellany volume of the Scottish History Society.
Myln, *Vitae*	Myln, Vitae Dunkeldensis ecclesiae episcoporum (Bannatyne Club).
N. Durham	Raine, History and Antiquities of North Durham.

Neubotle	Registrum S. Marie de Neubotle (Bannatyne Club).
New Stat. Acct.	New Statistical Account of Scotland.
Northberwic	Prioratus Cisterciensis B. Marie de Northberwic munimenta (Bannatyne Club).
Oliphants	The Oliphants in Scotland.
Orig. Paroch.	Origines parochiales Scotiae (Bannatyne Club).
Panmure	Registrum de Panmure.
Passelet	Registrum monasterii de Passelet (Maitland and New Clubs).
Patrick, *Statutes*	See *Statutes*.
PCR.	Register of the Privy Council of Scotland (Rolls Series).
Pitfirrane Writs	Inventory of Pitfirrane Writs (Scottish Record Society).
Prot. Bk. of James Foulis	Protocol Book of James Foulis, 1546-53 (Scottish Record Society).
Prot. Bk. of Thos. Johnsoun	Protocol Book of Dominus Thomas Johnsoun, 1528-78 (Scottish Record Society).
Prot. Bk. of Nicol Thounis	Protocol Book of Nicol Thounis, 1559-64 (Scottish Record Society).
REA.	Registrum episcopatus Aberdonensis (Maitland and Spalding Clubs).
REB.	Registrum episcopatus Brechinensis (Bannatyne Club).
Recs. Scottish Ch. Hist. Socy.	Records of the Scottish Church History Society.
REG.	Registrum episcopatus Glasguensis (Bannatyne and Maitland Clubs).
Reg. C.C. of Crail	Register of the Collegiate Church of Crail (Grampian Club).
Reg. Hon. de Morton	Registrum Honoris de Morton (Bannatyne Club).
Reg. S. Egid.	Registrum cartarum ecclesie S. Egidii de Edinburgh (Bannatyne Club).
REM.	Registrum episcopatus Moraviensis (Bannatyne Club).
Rent. Dunkeldense	Rentale Dunkeldense (Scottish History Society).

Rent. S. Andree	Rentale Sancti Andree (Scottish History Society).
Rep. on State of Parishes	Reports on the State of certain parishes in Scotland (Maitland Club).
RMS.	Registrum Magni Sigilli Regum Scotorum (Rolls Series).
Robertson, *Index*	W. Robertson, Index of Records of Charters.
——	Roll of Edinburgh Burgesses, 1406-1700 (Scottish Record Society).
Rot. Scotiae	Rotuli Scotiae (Record Commissioners).
RPSA.	Liber cartarum prioratus Sanctiandree in Scotia (Bannatyne Club).
RSS.	Registrum Secreti Sigilli Regum Scotorum (Rolls Series).
SCB. Fife	The Sheriff Court Book of Fife (Scottish History Society).
Scon	Liber ecclesie de Scon (Bannatyne Club).
——	Scotichronicon (ed. Goodall).
Scottish Corresp. Mary of Lorraine	The Scottish Correspondence of Mary of Lorraine (Scottish History Society).
Scottish Eccles. Soc. Trans.	Transactions of the Scottish Ecclesiological Society.
Scrymgeour Inventory	Inventory of Documents relating to the Scrymgeour Family Estates, 1611 (Scottish Record Society).
Soltre	Registrum domus de Soltre necnon ecclesie collegiate S. Trinitatis, etc. (Bannatyne Club).
SP.	The Scots Peerage.
Spalding Club Misc.	Miscellany Volume of the Spalding Club.
Statutes	Statutes of the Scottish Church (Scottish History Society).
St. AUR.	Early Records of the University of St. Andrews (Scottish History Society).
Stirling Burgh Chs.	Charters and Documents relating to the Royal Burgh of Stirling, 1124-1705.
Stirlings of Keir	The Stirlings of Keir.
Supplications	Calendar of Scottish Supplications to Rome, 1418-22 (Scottish History Society).
Thanes of Cawdor	Book of the Thanes of Cawdor.

Tyninghame Letter Bk.	Tyninghame Letter Book ; MS. and abstracts in H.M. General Register House.
UCR.	Universities Commission's Report (1837).
Wemyss	Memorials of the Family of Wemyss of Wemyss.
Yester Writs	Calendar of writs preserved at Yester House (Scottish Record Society).

INTRODUCTION

DESPITE its customary name, the burgh of Coupar Angus is situated in Perthshire, a short distance from the boundary between that county and the county now called Angus,[1] about sixteen miles north-east of Perth and on the south side of the broad and fertile valley of Strathmore. The visitor to the quiet country town may be pardoned if he does not suspect that it might well have possessed the attraction of Melrose or Jedburgh ; for the once 'great and stately'[2] abbey of Coupar has virtually disappeared and only an arch and buttress remain as a fragment of the monastic buildings. From this lack of picturesque ruins testifying to its former splendour, from the fact that it has no romantic associations and from the imperfect knowledge (for want of records) of its history, Coupar abbey does not enjoy nor confer upon the vicinity any such celebrity as is attached to the abbeys of the Borders or of Galloway. Yet, of the eleven Scottish houses of the monks of Cîteaux,[3] Coupar was in its day one of the larger and more opulent ; and the present charters, if they assist us but little to picture the once-famous structure, enable us to realise the extent of the abbey's possessions and add considerably to our acquaintance with its career.

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[1] The change of the official name of the county from Forfarshire to Angus was made as recently as 1928.

[2] So described, *Macfarlane's Geog. Colls.*, iii. p. 223.

[3] Rogers's list (*Cupar*, i. p. vii.) includes Holmcultram, which was a Scottish foundation in Cumbria and Mauchline, which was not an abbey but probably an outlying grange of Melrose. It has been suggested that there was a twelfth Cistercian house at Eynhallow in Orkney (see MacKinlay, *Dedications* (Scriptural), p. 149). Rogers's further statement that there were thirteen Cistercian nunneries in Scotland is an exaggeration (see my art. 'The Nunneries of Medieval Scotland,' *Scottish Eccles. Soc. Trans.*, xiii., Pt. II., p. 22 *sqq.*).

The Site of the Abbey

The location of the monastery of Coupar was to the south of the present town and, apparently, in a different county. 'The abbey is situated in Angus and the town in Perthshire,' says an unidentified contributor to *Macfarlane's Collections*, 'and they are disjoyned by a small Water.'[1] That it stood approximately where the parish church now stands is the most that can be said—the situation of the abbey church and the extent of the conventual buildings cannot now be precisely ascertained. Coupar abbey is stated, *e.g.* by Rogers,[2] to have been erected 'most probably' on the site of a Roman camp; but Mr. O. G. S. Crawford, in his Rhind Lectures of 1943, has 'provisionally rejected' the supposition of Roman remains at Coupar.[3] To envisage its medieval setting, we must leave out of account the present town of Coupar Angus (which, in any case, owes its existence to the previous presence of the abbey) and the well-cultivated, well-wooded district surrounding it (which made Ouchterlony of Guinde say of Coupar that 'it has been a very sweet place and lyes in a very pleasant countrey'[4]) and consider the implications of the choice of this region for the settlement of Cistercian monks. The white monks habitually chose valleys for the site of their houses and Coupar may be regarded as in the valley of the river Isla, which flows about a mile to the north of the abbey. It is more difficult but necessary to see the community at Coupar as a typical Cistercian colony set down in a part of the country as yet isolated, neither populous nor cultivated, and awaiting the monastic pioneers who would set about reclaiming it from the wild.

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[1] *Geog. Colls.*, iii. p. 223. [2] *Cupar*, i. p. xxi.

[3] In a letter he declares: 'It would be quite safe to say that there is no evidence of Roman work at Coupar Angus.'

[4] *Macfarlane's Geog. Colls.*, ii. p. 36.

The Foundation of the Abbey; its Connection with Melrose

The foundation-charter of Coupar abbey has not been preserved; but there is no reason to doubt the unanimous statement of the chroniclers that the founder was King Malcolm IV.[1] These likewise agree in attributing the foundation to 1164, the *Chronicle of Melrose* supplying the additional detail that it took place on 12 July of that year.[2] It has, however, been shown that a charter of King Malcolm, granting his land of Coupar to the monks,[3] must be dated 1161-2;[4] and the date 1164 may be taken as applying to the year in which the foundation was complete. According to the account given in the *Scotichronicon*, Waltheof, abbot of Melrose, Malcolm's uncle, instigated the king to proceed to this foundation. It is said that Malcolm promised him to found a Cistercian abbey and as the place assigned Coupar. The foundation was for a while deferred 'on account of certain unavoidable matters of business which arose.' Meanwhile, Waltheof died in 1159,[5] and the sending of an abbot and convent to inaugurate the new house devolved on his successor.[6] That these arrived at Coupar in 1164, as the Holyrood chronicler states,[7] is consonant with a foundation projected somewhat earlier. The number of monks accompanying Fulk, the abbot of the new monastery, is unknown. It was not till 1204 that a statute of the Cistercian chapter-general ordained twelve at least as the number of monks who, with the abbot, were to be sent to a new establish-

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[1] *Scotichronicon* (ed. Goodall), i. pp. 348, 453; *Extracta*, p. 73; *Chron. of John Smyth* in *Kinlos*, pp. 5, 13; and elsewhere.

[2] *Chron. Mailros*, p. 78.

[3] *Breviarium*, 1.

[4] *Chron. of Holyrood*, pp. 144-5 n.

[5] *Chron. Mailros*, p. 76.

[6] *Scotichronicon*, i. p. 348. *Chron. of Holyrood*, p. 144 n, shows that *Scotichronicon* repeats the Life or Legend of Waltheof as given in *Acta Sanctorum*.

[7] *Chron. of Holyrood*, pp. 143-4.

ment ;[1] and the further condition, then laid down, that the place selected for settlement was to be equipped with houses, books and other necessities [2] could hardly, even if it had been in vogue, have applied to Coupar. Noteworthy is the fact that Coupar is the latest of the group of Cistercian foundations made in the first flush of the order's enterprise in Scotland. Melrose, founded in 1136, sent colonies to Newbattle (1140), Dundrennan (1142), Kinloss (1150) and Coupar (1164). Thereafter, the course of Cistercian foundations is slower and more sporadic: Glenluce (1190), Culross (1217), Deer (1219), Balmerino (1229), Saddell (*a.* 1250).[3] The incidence of the foundation of houses of white monks was probably affected by the act of the general chapter of 1152 forbidding new plantations of the order. Dom David Knowles has noted that it checked the diffusion of the Cistercians in England ;[4] and it may well have contributed, somewhat belatedly, to the slowing down of the pace of their increase in the neighbouring kingdom.

That Coupar was a daughter-house of Melrose appears from the chronicler's account of Waltheof as the promoter of the new foundation ; and in the earliest extant charter of the abbey it is stated that the monks' tenure of Aberbothrie will be as free from secular exaction as is the tenure by the monks of Melrose of any possessions of their church.[5] In conformity with one of the outstanding usages of Cistercian monasticism, the abbot of its parent-abbey became *ipso facto* father-abbot of Coupar, charged with the duty of visiting it annually (when he was entitled to take the place of the local abbot) and of presiding at

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[1] Fowler, *Cist. Statutes*, p. 20. [2] *Ibid.*

[3] Saddell was, however, outwith the main stream of Cistercian colonisation in Scotland. Its monks are supposed to have come from Russin, in the Isle of Man (Macmaster Campbell, *Saddell Abbey*, p. 9).

[4] *Relig. Houses of Med. England*, p. 40. [5] *Charters*, No. 1.

abbatial elections ;[1] and, in 1403, we find the abbot of Melrose obtaining from the Pope confirmation of his authority over the abbot of Coupar, when the latter had claimed exemption from his jurisdiction.[2] Only in the sixteenth century, as a result of interference in the name of the Crown, does the abbot of Melrose abate the right which he had exercised under the Cistercian constitution of confirming an abbatial election made by the convent of Coupar.[3]

The Original Possessions of the Abbey ; the Erection and Dedication of its Church

Our knowledge of the original endowments given to Coupar abbey by the founder is limited by the paucity of very early records. The abbreviates of King Malcolm's charters [4] speak of his granting the monks all his land of Coupar and certain easements of all his forests, with coal (or charcoal) for their own use. Further, a dubious bull of confirmation declares that his donations were the grange of Coupar with the church situated therein, the grange of Balbrogie, Tullyfergus, Drimmie, the easements of his forest and fishings on the Ericht and the Isla ; [5] and a later charter (1518) refers to the grant by Malcolm of a fishing with its privileges on the latter stream.[6] We may assume that Malcolm's endowment covered at most the elementary needs of the new community—land, building

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[1] On visitation by the father-abbot, see Fowler, *Cist. Statutes*, pp. 13, 14, 59-62 ; on the election of abbots, *ibid.*, pp. 63, 121. It is worth noting that, on 12 August, 1318, Edward II, considering that Holmcultram (in Cumberland), a daughter-house of Melrose, could not elect a successor to its late abbot, Robert, without the presence of the abbot of Melrose, grants the latter and two fellow-monks a safe-conduct to attend the election (Bain, *Calendar*, iii. 605).

[2] *Charters*, No. CXXX.

[3] *Formulare*, i. 46. See under ' Alexander Spens ' in Appendix II.

[4] *Breviarium*, I, 2.

[5] *Charters*, No. XIII.

[6] *Ibid.*, No. CLXIII.

material, fuel, food. From the earliest charters of William the Lion we obtain more definite data. That king bestowed upon the monks Aberbothrie, to the north of Coupar and Campsie, some distance to the south-west of it.[1] More significant, his second charter of donation, 1171-8, conveys to them half a carucate (about sixty acres) of land 'to make a site for the abbey.'[2] This grant, no doubt, enabled the monks to proceed to a step for which they were now ready—the erection of the permanent buildings of the monastery and especially of its church.

Hitherto, there had probably been no church in the area between Bendochy on the north and Kettins on the south; and the mention of a church situated in the grange of Coupar (in Pope Celestine's alleged bull) is, in all likelihood, a somewhat clumsy piece of 'common form.' Such territory as that in which the Cistercians made their colony was, ecclesiastically, a 'no man's land,' not overtaken by the development of the parochial system and—unproductive and without inhabitant—as yet outwith the incidence of teinds;[3] and the statement of *Fasti Ecclesiae Scoticanae* that 'the church of Coupar in Angus formed a prebend belonging to the archdeacon of Dunkeld'[4] is unwarranted. The suggestion has been made by Bouterwek that an entry in the *Chronicle of Holyrood* may be taken to mean: 'The church of St. Mary of Coupar began to be built on 24 August, [1173]';[5] but, although this interpretation of

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[1] *Charters*, Nos. I, II. [2] *Ibid.*, No. II.

[3] This was true not only of land in the immediate vicinity of an abbey but sometimes of its outlying lands. Thus, there was a church or chapel at Mauchline, *a.* 1178 (*Melros*, 73*), within Melrose's land of Kylesmuir. It did not receive parochial status till 1315 (*ibid.*, 407), a development thus explained by the editor of *Melros*: 'When the monks were about to demise to tenants the lands of Kyle given to them by the Steward and thereby to give up their immunity from the payment of tithe, they had the lands erected into a distinct parish of Mauchline, of which the rectory vested in themselves' (*ibid.*, i. p. xxviii). [4] *Op. cit.*, v. p. 258.

[5] See A. O. Anderson, *Early Sources*, ii. p. 277.

the chronicler's statement falls into line with the royal grant of a site during that decade, it can only be treated as conjecture. There is, however, a further entry in that chronicle which indicates that, in 1186, the church had reached the stage of being in use and that conventual buildings had been erected; it tells that, on 17 November of that year, 'the peace of holy church' was violated at Coupar on the part of Malcolm, earl of Athole, by the beheading of an outlaw and his nephew before the altar, while fifty-eight others were burned in the abbot's dwelling.[1] The church was eventually dedicated on 15 May, 1233,[2] in the same year as the monastic churches of Newbattle and Arbroath.[3] This does not mean that it was only then completed; dedication, as the records of Bishop David de Bernham's activities in that regard bear witness, frequently took place at a considerable interval from the time of the church's coming into use for worship.[4] An interesting charter of Alexander II, dated 9 July, 1233, shows that the king, in accordance with the usual custom, had given an endowment to the church—certain lands in Glenisla—on the occasion of its dedication.[5] Like all Cistercian churches, it was dedicated to the Blessed Virgin.[6] Lastly, it is to be emphasised that it was the church of the monastic community—an *ecclesia conventualis* as contrasted with an *ecclesia parochialis*.

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[1] *Chron. of Holyrood*, pp. 170-1.

[2] *Chron. Mailros*, p. 143.

[3] *Scotichronicon*, ii. p. 59.

[4] An extreme instance emerges in the history of the abbey of Cambuskenneth. Although that house was founded by David I, the abbey church, its two graveyards, chapter-house and cloister were not dedicated till 11 July, 1521 (*Cambuskenneth*, 92). See also my art. 'The Dedications of Bishop David de Bernham,' *Recs. Scot. Ch. Hist. Soc.*, viii., Pt. II., p. 100.

[5] *Charters*, No. XLI. A parallel is King Edgar's grant at the dedication of the church of Coldingham (*Early Scottish Charters*, xx.).

[6] A statute of somewhat later date ordains that all the churches of the order are to be so dedicated (Fowler, *Cist. Statutes*, p. 18).

The Growth and Organisation of the Abbey's Possessions

1. *Benefactors and Benefactions.*

From the time of William the Lion to the time of Robert I, *i.e.* for a period of over two hundred years, we can trace from its charters the steady accumulation by Coupar abbey of property and privileges. This development was fostered by the bounty of numerous donors: successive members of the royal house; representatives of the landed families—the Hays (its principal benefactors), the earls of Athole, the Fentons, Cambruns, Inchmartins, Kinrosses, Munfichets and others; one, at least, of the bishops of Dunkeld; as well as men, like Adam White of Forfar, of lesser social standing. These benefactions, in most cases, profess to be made in alms from pious motives; they testify to the prevailing belief in the special efficacy of monastic prayers by which the donors' souls might profit.[1] It may be noted that specific references in the charters to the reception of lay benefactors into fraternity of the house are of somewhat rare and late occurrence. The case of Malcolm, son of Eugenius of Dunkeld, who, making a donation to Coupar, after 1232, of 'a third of a third part of his substance in moveables,' gives his body to be buried in the monks' graveyard,[2] illustrates a donor's desire to be accorded a privilege akin to fraternity; and, about 1238, Malcolm, canon of Dunkeld, in consideration of his desisting from a suit against the monks, is awarded the prayers and benefits of the whole Cistercian order.[3] Again, certain prominent benefactors, members of the Hay family, Thomas of Galloway, earl of Athole and Alan Durward, who were buried at Coupar, may well have been

[1] This efficacy was presumed to be the outcome of the superior sanctity of the 'religious' life.

[2] *Charters*, No. XL.

[3] *Ibid.*, No. XLIII.

admitted to *fraternitas*, although their reception is unrecorded. The earliest explicit mention, however, of a grant of fraternity occurs in a charter of William de Hay, lord of Aithmuir, after 1305, and is in the following characteristic terms :

> 'Moreover, since the monks have granted me, as a brother of their chapter in my life as in death, a full share freely in all their masses and prayers, likewise in all good spiritual works, I, William de Hay, hale in body and sound in mind, appoint and, binding myself to it by these presents, bequeath my body to be buried in the chapter-house of the selfsame monks of Coupar, wherever on the north side of Forth death shall have closed my last day.' [1]

Likewise, about 1306, we find Sir Henry de Inchmartin of that ilk making a donation to Coupar in view of his reception into fraternity of the monks' chapter and of all their order.[2] A later instance comes from an outside source : in 1449, Thomas Stewart of Grandtully gives a concession by reason of the monks' prayers for himself and his successors and on account of his confraternity in the monastery.[3]

Despite the profusion of early donations, not all of the many acquisitions made by the monastery were necessarily gifts. There is probably no recognisable instance in the Coupar records of what Mr. T. A. M. Bishop has noted in the case of English Cistercian houses [4]—transactions which, recorded as gifts, conceal sales of land to the monks. Yet one may suspect that the desire to create or consolidate a Cistercian *enclave* in a certain district led to the obtaining of territory by an ostensible lease involving an annual

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[1] *Charters*, No. LXXXII. [2] *Ibid.*, No. LXXXVII.
[3] *Grandtully*, i. p. 11.
[4] 'Monastic Granges in Yorkshire,' *English Hist. Review*, li. p. 201.

reddendo, which was virtually a purchase by instalments or deferred payments.[1] It is noteworthy that, within this period, donations to the abbey took the form, mainly, of lands with the rights (fishings, access to water, woods, grazings, peatmosses) attached to them; of privileges, such as free passage through the territory of neighbouring lairds—important for the transit of men, beasts and material to the abbey and its granges; facilities for the making of a road [2] or for bringing water to the abbey; [3] and occasionally, and in small amount, of money.[4] The donation of churches and their revenues was, significantly, a later development.

Although Coupar, during this era of almost continuous endowment, was given a few outlying possessions, *e.g.* the toft in Renfrew and fishing on the Clyde bestowed by Alan, son of Walter the Steward and the land of Murtle in Mar, its properties, in accordance with Cistercian policy, tended to become localised within certain areas: in the vicinity of the abbey; to the south-west of Coupar in the direction of the Tay; to the north, where its lands extended into the glens, Strathardle, Glenshee and, particularly, Glenisla; in the Carse of Gowrie, where William de Hay's donation of Ederpolles was greatly augmented by his kinsmen and successors; in Athole, where a succession of donations, in the first half of the thirteenth century, put the monks in possession of Tholaw, Murthly, Invervack, Imath and Dunfallandy; in Angus, where Airlie, Kincriech, Clintlaw and other lands were acquired before the end of the same century. Occasionally, we find them negotiating an excambion in their favour, *e.g.* that arranged with Saher de

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[1] Airlie (No. XXI and n.) is probably a case in point.

[2] *Charters*, No. XXXVII. [3] *Ibid.*, No. LXIII.

[4] Including grants of money for a specific purpose, *e.g.* Geoffrey, son of Richard's donation for the lighting of the high altar (*ibid.*, No. XLIV) and Alan Durward's donation for a pittance (No. LXI).

Quincy whereby a chalder of grain payable in Fife is exchanged for a rent payable, more conveniently, in Angus.[1]

2. *The Application of the Cistercian System.*

In this period of the extension of the abbey's possessions, we may observe certain features of its development which are characteristic of a community of white monks. Cistercian monasticism, ere it came to Scotland, and no less ere it made a colony at Coupar, had inevitably modified the primitive austerity of its rule, typical of a Puritan, world-renouncing reform of Benedictinism. The outstanding and significant elements of its organisation, however, remained; and the abbey of Coupar, during the period of its growth, was clearly designed to become a self-sufficing unit—economically as well as ecclesiastically independent—within a self-contained monastic group. The characteristic feature of the Cistercian economy was applied to its newly-acquired lands—the formation of granges or monastic farms, manned by *conversi* or lay-brothers who did the work of reclamation, building, cultivation, shepherding.[2] A dubious record of 1198, which purports to be a bull of Celestine III,[3] speaks of the granges of Coupar, Balbrogie and Aberbothrie as among the possessions of the abbey which the Pope confirms. There is no means of

[1] *Charters*, No. XIX.

[2] Neither granges, as a system of organising monastic lands nor *conversi*, as an integral part of the *personnel* of a monastery, were Cistercian innovations. But such was the part they played in the white monk economy that they became characteristic of the order. 'The term *grangia*,' says Mr. T. A. M. Bishop, 'strictly means a granary and is naturally extended to the land from which produce was derived. . . . By a still wider extension . . . a grange may denote any large outlying monastic farm' ('Monastic Granges in Yorkshire,' *EHR.*, li. p. 193). The granges of Coupar were no doubt, for the most part, sheep-farms. On *conversi*, whose original function was to free the choir-monks from manual labour that they might cultivate the 'religious' life, see Knowles, *Mon. Order in England*, pp. 194, 203, 214-15; Hamilton Thompson, *English Monasteries*, p. 17.

[3] *Charters*, No. XIII.

knowing whether these granges had indeed been instituted by that date; they were certainly in existence later. Evidence that the system was in being by 1215 comes from an entry of that year in the *Melrose Chronicle*:

> 'On the sixteenth day before the kalends of November (17 Oct.), one of the best granges in Coupar, full of grain, was burned and in it the granger, a *conversus*, through neglect of a badly fixed candle.' [1]

About 1220, William de Munfichet gave to the abbey, in settlement of a controversy, extensive privileges including pasturage for forty beasts from Keithick and sixty cart-loads of turf for the work of the grange of Keithick, to be received by the *conversi* there.[2] The first reference to the important grange in the Carse of Gowrie, Carsegrange in the parish of Errol, occurs about 1225 when a causeway was being made to it; [3] after 1305, William de Hay, lord of Aithmuir, grants to the monks, their lay-brothers (*fratribus suis conversis*) and their men the privilege of free passage through his land to the site of the cruives which he has given them on the shore of the Tay and of carrying their goods 'from the water of Tay through my foresaid land to the grange of Carse.' [4] Again, the monks' lands of Airlie and Kincriech in Angus became the seat of granges. These outposts thus ranged, more or less, north, south, east and west of the abbey.[5] As early as 1225, there is an indication in an English record that the lands of Coupar were able not only to contribute to its needs but to augment its income. Already, like many other Cistercian houses, it was interested in the trade in wool; for,

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[1] *Chron. Mailros*, p. 121.
[2] *Charters*, No. XXX.
[3] *Ibid.*, No. XXXVII.
[4] *Ibid.*, No. LXXXII.
[5] Granges, according to early statutes of the order, were to be within a day's journey of the mother-house (Knowles, *op. cit.*, p. 214) and at least two Burgundian leagues (a *leuga* was one mile 2003 feet) distant from one another (Fowler, *Cist. Statutes*, p. 21).

on 11 April of that year, Henry III gave leave to the abbot of Melrose to send a vessel to Flanders with wool and other merchandise ; and a similar licence is granted for a vessel of the abbot of Coupar.[1]

3. *The Consolidation of the Abbey's Property.*

We note, within this period of expansion, the strong position which the abbey achieved both in the matter of possessions and of prestige. The monks lost no opportunity of consolidating their property and securing their rights ; and, in this, they could count on the support of the Crown ; while the feudal magnates were disposed, on points of controversy, to make concessions to the monastery's advantage. Thus, the dispute with William de Munfichet (mentioned above), arising apparently out of debatable marches between his land and Coupar's, was settled with a considerable accession to the abbey's rights of pasturage ;[2] and, in 1289, John Comyn, who might have proved an intractable neighbour, waived in their favour his rights in Invervack.[3] Laymen who showed a disposition to molest the monks could be brought by constraint to a more amicable frame of mind. A charter of 1302 shows that Eustace, lord of Rattray, who had done violence to certain *conversi*, submitted himself to ecclesiastical jurisdiction and was ordered to undergo penance in the monastery's chapter and to promise, thereafter, that for his lifetime he would be a loyal friend to the monks.[4] The *quondam* offender is found, shortly afterwards, making his peace with the monks by giving them a benefaction.[5]

In the earlier years of the thirteenth century, such controversies as arose in regard to the abbey's new posses-

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[1] Bain, *Calendar*, i. 904.
[2] *Charters*, No. xxx.
[3] *Ibid.*, No. lxii.
[4] *Ibid.*, No. lxxii.
[5] *Ibid.*, No. lxxiv.

sions more frequently involved religious houses holding lands adjoining those of Coupar than neighbouring laymen. The monks were at variance with the Augustinian canons of Scone concerning the marches between the former's land of Campsie and the latter's lands of Cambusmichael and Crag;[1] and again concerning the marches between Drimmie (held by Coupar) and Clenkatyn (held by Scone).[2] About the same time (*c.* 1221), the abbey had a contention with the Benedictine monks of Dunfermline, who held the lands of Couparmaculty (Couttie) and Bendochy;[3] and, in 1246, agreement was reached with the abbey of Arbroath (of the order of Tiron) regarding certain teinds of Adory (Auchindory) in dispute between the two houses.[4] Such controversies were perhaps inevitable at a time when the principal rivals of a monastery in the acquisition and development of desirable territory were communities belonging to other orders but actuated by a like ambition. More especially, however, they were the result of the Cistercians' seeking to give effect to the principle of isolating their houses, lands and *personnel.*

The Abbey's Relations with the Parish Churches

1. *Compromises on the Payment of Teinds.*

The earlier Coupar charters record a series of agreements between the abbey and certain parish churches in regard to teinds—such documents, it has been noted, appear in every Cistercian chartulary.[5] These agreements are

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[1] *Ibid.*, No. xxiv.
[2] *Ibid.*, No. xxxiv.
[3] *Ibid.*, No. xxxii.
[4] *Aberbrothoc*, i. 365.
[5] T. A. M. Bishop, 'Mon. Granges in Yorkshire,' *EHR.*, li. p. 210. There are several instances in the charters of the abbey of Melrose, *e.g.* Melrose makes an agreement with the church of Dunbar, in 1173, regarding the teinds of the possessions of two of its Lammermuir granges (Edmunston and Hertisheuede) (*Melros*, 50), and there are similar arrangements with

another outcome of the policy of isolation; in this case, they were designed to fend off dealings with the secular clergy. But they are also an admission that the lands from which these teinds were payable were not *novalia*, *i.e.* lands that were unreclaimed. By a privilege granted to the order by Innocent II and frequently reiterated by his successors, such lands were exempt from the payment of teinds; [1] and this is emphasised when Ardbreck, bestowed upon the monastery by John, bishop of Dunkeld, is described as 'free and quit' of this obligation.[2] In these cases, the policy pursued by the abbey was to reach a series of compromises with the parish churches whereby teind was commuted for an agreed sum or, it might be, for a token payment. The claim on the monastery was admitted; but, even so, the parish clergy were in no position to drive a strict bargain with their aloof monastic 'parishioners.' Before 1198, the teinds of Ederpolles in the parish of Errol were commuted for an annual payment of two silver marks; [3] about the same time, those of their land in the parish of Rattray were fixed at ten shillings; [4] and those of Keithick in the parish of Cargill at a silver mark.[5] Again, on 1 May, 1201, Coupar agreed to pay to the church of Blair yearly a stone of wax for the teinds of Ledcassy and Persie.[6] Most of these agreements were later to be revised or, at least, challenged. About 1220, the agreement with the church of Cargill was extended to cover the possibility of the leasing by the monks of their land of Cambusadon and its fishings, in which event an

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the churches of Hownam (*ibid.*, 129, 281), Maybole (*ibid.*, 246), Maxton (*ibid.*, 246), Dumfries (*ibid.*, 317) and Westerkirk (*ibid.*, 314).

[1] On this immunity, which extended to lands brought under cultivation by their own labour and expense, the Cistercians set much store. It is frequently mentioned in papal bulls. See also Fowler, *Cist. Statutes*, p. 42, etc.

[2] *Charters*, No. IX.

[3] *Ibid.*, No. III.

[4] *Ibid.*, No. VI.

[5] *Ibid.*, No. VII.

[6] *Illust. of Scottish History* (Maitland Club), xi.

additional pound of wax was to be paid for the teinds of the indwellers there.[1] A charter of 9 July, 1238, shows that Malcolm, canon of Dunkeld, on behalf of his church (*i.e.* the cathedral church of Dunkeld), which held the church of Rattray, had made a complaint to the Pope against the monks of Coupar regarding the teinds due from their lands in Rattray, presumably on the ground of the inadequacy of the payment received from the abbey. On the production, however, by the monks to the papal mandatories of the former agreement, Malcolm consented to withdraw his claim; and the monks—out of their satisfaction, no doubt, that the existing good bargain stood unimpaired—granted him (as previously noted) the prayers and benefit of the whole Cistercian order.[2] Again, in 1248, when Coupar had acquired additional lands in the Carse of Gowrie, a new agreement was made whereby they were to pay to the church of Errol three and a half silver marks and two pounds of incense for the teinds of all their lands in that parish.[3]

2. *The Appropriation of Churches.*

As has already been indicated, no definite evidence is forthcoming that the revenues of parish churches were among the original or early endowments of Coupar abbey. This type of benefaction figures prominently among the donations bestowed at the inception of houses of other orders. But the absence of it at the time of foundation and during the earlier career of this Cistercian house may be accounted for by the influence of the primitive principle of the order thus expressed by Dom David Knowles:

> 'They renounced all income from the possessions of the church, such as private churches, advowsons, rights

[1] *Charters*, No. XXVIII. [2] *Ibid.*, No. XLIII. [3] *Ibid.*, No. LIV.

to customary offerings, altar and burial dues and all tithes.'[1]

The same authority speaks of the owning of churches and patronages as an abuse on which Pope Alexander III had (*c.* 1170) issued a bull to the Cistercians of England; but the custom, he adds, continued to extend.[2] In any case, Coupar was debarred from being granted churches in its immediate vicinity; for Bendochy was held by Dunfermline (although it was soon to be in the hands of Coupar); Kettins was held by the Trinitarians; and Cargill was a mensal church of Dunkeld. We shall see that the acquisition or attempted acquisition of a church by the monks was often conditioned by the fact that they came to hold the land in which it was situated. These cases of appropriation or attempted appropriation are worth noting in some detail.

The first, that of Airlie, is of considerable interest because of its unusual implications; and although the charters dealing with the vicissitudes of its acquisition and possession have already been published, with commentaries by Dr. James Wilson and Sir A. C. Lawrie, in the *Scottish Historical Review*,[3] they call for fresh discussion. When Dr. Wilson printed in volume viii. of that periodical the record of January, 1219/20, from the Cîteaux deeds at Dijon, whereby Alexander, abbot of Coupar, and his convent certified that they were under obligation to pay yearly to Cîteaux thirty marks, which Alexander, king of Scots, had given[4] as a procuration for the abbots on the fourth day of the chapter-general, Sir A. C. Lawrie contributed a

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[1] *Mon. Order in England*, p. 656. [2] *Ibid.*

[3] *SHR.*, viii. pp. 174-7; x. pp. 275-86.

[4] Lawrie (*op. cit.*, viii. p. 177) expresses his suspicion of the phrase describing the king's motive: 'pro remedio anime sue, etc.' But it has parallels, *e.g.* it appears in a charter of Ralph de Clere to Kelso (*Calchou*, 349).

note relating the royal gift to the part played by the Cistercians in resisting Gualo, the legate, who, for political reasons, had laid the king and realm of Scotland under interdict in 1217—the white monks defied that papal emissary by taking their stand upon their order's privileges and continuing to celebrate mass.[1] Again, when the Coupar charters concerning the king's donation and its sequel were published in volume x., Dr. Wilson re-emphasised this point :

> 'In 1218, when the trouble was at its height, the abbot of Cupar was one of the Scottish abbots summoned to Rome for disregarding the legate's orders . . . but the upshot of the negotiation, little of which is told us, was altogether in Scotland's favour. The abbot of Cupar's participation in diplomacy of this nature enables us in a measure to understand the favour that King Alexander bestowed on that house. . . . The association of Cupar and Cîteaux in the same grant appears to predicate an alliance in the same transaction. . . .'[2]

Actually, the abbot of Coupar is not stated to have been 'summoned to Rome.' The Melrose chronicler, whom Wilson purports to follow, relates :

> 'In the same year (1218), on the Lord's annunciation (25 March), master Walter of Wisbech gave orders by mandate of the said legate and by his authority . . . that all monks of the Cistercian order without exception throughout the kingdom of Scotland should cease from celebrating divine offices. But the abbots (namely Ralph of Melrose, Adam of Newbattle, Alexander of Coupar, Hugh of St. Serf) placed all they had under the

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[1] *Chron. Mailros*, p. 132, where it is also stated that Alexander was absolved on 1 December of that year. [2] *SHR.*, x. p. 274.

peace of God and the protection of the lord pope; and went to the said legate at York, where . . . they with difficulty obtained for themselves the grace of absolution.'[1]

Likewise, the abbots of Cîteaux and Clairvaux had, in the previous year, appealed to the pope against the exactions and the interdict imposed by Gualo on their order.[2] Thus, it may have been that Alexander made this donation (the source of which is not specified in 1219/20) to Cîteaux, by the agency of Coupar, out of a sense of obligation to those who had been protagonists of resistance to the pro-English legate. But it was not till *c.* 1226 that the king made possible the implementing of his grant by bestowing upon Coupar the church of Airlie from which, according to his charter, they were to pay

'yearly on our behalf to the chapter of Cîteaux as the procuration of the chapter-general on the fourth day twenty pounds sterling, reserving to Robert de Haya the tenure of the same church for his lifetime.'[3]

How did Airlie come to be the source of this subsidy? We become aware that the monks had a say in this matter as well as the king. The fact that Alexander's other numerous donations to the abbey belong, so far as they can be dated, to the latter part of his reign, seems to suggest that this early grant was made by him for a special reason; but a study of the earlier charters concerning Airlie reveals that the royal donation, whatever may have prompted it, chimed in with monastic policy.

In 1201, a charter of David Ruffus grants the monks 'Ierlin' along with Kincriech.[4] Perhaps his donation gave the monks no more than a footing in this territory; at all

[1] *Chron. Mailros*, p. 133.
[2] *Ibid.*, p. 129.
[3] *Charters*, No. XXVII.
[4] *Ibid.*, No. XI.

events, we find them obtaining a lease of the abthane (identified in the endorsement with the grange) of Airlie from the bishop of St. Andrews in 1212.[1] Now, in 1220, they enter into an agreement with Robert de Haya, who was probably a layman holding the rectory, for a lease of 'his church' of Airlie, on the understanding that they will provide a chaplain to serve it.[2] Shortly after—*c.* 1226—Alexander grants them the church, with the obligation of the payment to Cîteaux attached to its possession.[3] Wittingly or unwittingly, the king was conniving at the monks' stratagem—that the appropriation of a church, a breach of their rule, should be condoned by making it the means of subsidising a bounty to the chapter-general of the order. Likewise, they were willing to act nominally as the king's agents in order to further (and disguise) their real object—the acquisition of the church of a parish where they held land and were bent on founding a grange. Having obtained the appropriation of Airlie, the monks had gone a step further than compromising on the payment of teinds; from being teind-payers they had contrived to become teind-receivers. The destination of the revenues of Airlie was to involve them in various transactions and controversies with Cîteaux; and from the records of these it is clear that they regarded the obligation attached to this church as an incubus. From time to time, during the next two centuries, they struggled to evade it, to get quit of it, until, in 1448, the chapter-general, in consideration of a lump sum of four hundred gold crowns to be paid over by the monks—and it appears to have been paid despite the 'poverty' which they pleaded as an excuse for the

[1] *Charters*, No. XXI. [2] *Ibid.*, No. XXVI.

[3] *Ibid.*, No. XXVII. It is noteworthy that the first church appropriated to Melrose—Hassendean, for long an isolated example—was given to that abbey by Jocelin, bishop of Glasgow, with the counsel and grant of William the Lion, on a pious pretext, viz. 'for the entertainment of the poor and pilgrims coming to the house of Melrose' (*Melros*, 121).

arrears of the yearly payments—released them from the obligation [1] and gave them their long-cherished desire: to have the revenues of Airlie at their own disposal.

About the same time (*c.* 1221), one of the clauses of an agreement with Dunfermline was that they should hold of the latter house the church of Bendochy (in whose parish they also held lands) at a rent of two and a half silver marks.[2] It was not, however, until another half-century had passed that they set about acquiring the church of the parish which probably then comprised the lands of Kincriech and Lour bestowed upon them, *c.* 1260, by Henry, son of Adam de Lur.[3] The course they followed has many parallels in monastic records. Before March, 1285/6, they obtained from Hugh de Abernethy the patronage of this church—Mathylour or Meathie; and, before the death of William de Lamberton, bishop of St. Andrews, on 20 May, 1328, it was appropriated to the monastery.[4] Between 1305 and 1309, they also obtained the patronage of the church of Fossoway, with two acres of land adjoining it; [5] and this church, 1320-28, became theirs *in suos proprios usus*.[6] Towards 1308, Marjory, countess of Athole, gave to them the patronage and the church lands of Alvah in Banffshire; [7] about 1320, Henry, bishop of Aberdeen, granted that the monks might appropriate it,[8] though this did not mature for half a century. The case of Glenisla is a reversion to the policy of acquiring the church of a parish where they held a group of lands. We have seen that King Alexander II bestowed upon the abbey various lands in that glen in 1233 [9] and these were augmented by donations of Sir John Kinross, 1301-9.[10] Now, in 1311, Coupar made

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[1] *Charters*, No. CXXXV. [2] *Ibid.*, No. XXXIII. [3] *Ibid.*, No. LIX.
[4] *Ibid.*, No. CXII. This church was still in the hands of a rector, *c.* 1300 (*ibid.*, No. LXVIII). [5] *Ibid.*, No. LXXXV. [6] *Ibid.*, No. CIII.
[7] *Ibid.*, No. XCV. [8] *Ibid.*, No. CI. See also note, p. 248.
[9] *Ibid.*, No. XLI. [10] *Ibid.*, Nos. LXX, LXXVI, LXXVIII.

an agreement with Cambuskenneth whereby the patronage of the church of Glenisla was granted to them, with reservation of a payment of ten pounds yearly to the latter abbey ;[1] and a charter of 1404[2] and other records indicate that it passed wholly into their hands. The account of Coupar's attempts to acquire other churches may be completed here, although it takes us outwith the earlier period of the abbey's history. One parish in which they had large landed interests was Errol. About 1331-3, Gilbert de Hay the constable granted them the patronage of the parish church, with the lands belonging to it and the chapel of Inchmartin ;[3] and, on 29 March 1351, they obtained from Clement VI a bull annexing to the abbey that church and chapel, on the demission of the rector.[4] Since Errol had rectors, by provision, in 1359, 1395 and *a.* 1412,[5] it would appear that the monks did not succeed in exercising the patronage, still less in securing the appropriation of this church. At all events, on 28 February, 1434/5, they had to resign all right to Errol in favour of James I's foundation, the Charterhouse at Perth.[6] Two further churches were likewise sought in vain. A record of 19 July, 1387, arising out of a dispute, shows that among the parties claiming the church of Kettins by sale was the abbot of Coupar ; but the Trinitarians were confirmed in possession of it.[7] Again, on 26 July, 1389, the Pope granted to the monks, on their petition, the church of Turriff,[8] a well-endowed benefice in the same region as Alvah ; but the annexation did not take place.[9]

The implication of these appropriations is that, by the fourteenth century, the Cistercians had fallen into line

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[1] *Charters*, No. XCVI.
[2] *Ibid.*, No. CXXI.
[3] *Ibid.*, No. CXIII.
[4] *Ibid.*, No. CXIV.
[5] *CPR.*, Pet., i. pp. 339, 592, 598.
[6] *Charters*, No. CXXXI.
[7] *Yester Writs*, 36.
[8] *Charters*, No. CXIX.
[9] See note to *ibid.*, No. CXIX.

with other orders in acquiring the teinds and other rights of parish churches, thus diverting revenues from the parish clergy and obtaining a considerable power over their appointment. For the service of these churches they are found making no less hard bargains than other regulars throughout the land. The church of Meathie, to take but one instance, is to be served, on its appropriation, by a perpetual chaplain paid at the minimum rate of 100s. a year.[1]

3. *Chapels.*

One point worthy of notice is that there were several chapels situated in the lands held by Coupar, viz. St. Mary's in Carsegrange; St. Ninian's in Keithick; St. Adamnan's in Campsie; St. Mary's in Balbrogie; St. Mary's in Cally.[2] The origin of these chapels is somewhat obscure; but their existence cannot be regarded entirely as a coincidence and they are described as 'belonging to the monastery.'[3] Parallel instances are found: *e.g.* on the lands of Melrose in Ayrshire, outwith any defined parochial area, there was a church or chapel of St. Michael in Kylesmuir which, in 1315, was given parochial status;[4] and on the land of Balmerino, in a similar undefined area and not far from the abbey, was the chapel of St. Ayle, which was granted what were virtually parochial rights in 1435.[5] It is probable that such chapels came into being as the land held by the abbey was reclaimed and worked no longer by its *conversi* but occupied by its employees and tenants; and a Cistercian statute seems to contemplate their erection on monastic lands and stipulates that they are not to be served by monks.[6] These chapels in Cistercian territory were not parochial chapels in the ordinary sense, situated

[1] *Charters*, No. CXII. [2] *Cupar*, ii. p. 207. [3] *Ibid.*
[4] See p. xxviii, *supra*. [5] *Balmorinach*, p. 63.
[6] Fowler, *Cist. Statutes*, p. 71.

in an outlying part of a parish and linked to its mother-church, but, apparently, independent and anomalous ecclesiastical foundations. Their priests were appointed by and responsible to the abbey;[1] and to it, likewise, accrued the offerings made in the chapels which, in the case of Carsegrange, were considerable enough to be a source of controversy with the Carthusians of Perth in 1474.[2]

The Abbey during and after the War of Independence; the Change in its Economy

The period of the War of Independence marks the point in its history when the abbey of Coupar had reached the height of its prosperity; it had steadily accumulated possessions and privileges; its prestige stood high. The same period also marks the beginning of its decline. Although, during the course of the struggle with England and somewhat later, the monks were still receiving benefactions, the tale of donations begins to fall away and soon ceases. Likewise, a radical change, involving the virtual abandonment of Cistercian principle, is soon to be apparent in the administration of the abbey's extensive property.

During this period, the magnates of Scotland are found now on one side, now on the other. It is not surprising that the monks display a similar inconsistency. In 1294, the abbot and convent of Coupar were acting as deputes of the bishop of Carlisle in the collection of the papal tenth—levied nominally as a subsidy of the crusades but actually granted to the English king—and taking steps to recover arrears from recalcitrant highland clergy.[3] They were not, however, the only community to engage in this invidious task; it had previously been performed by the

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[1] See, however, a note to No. CXLVIII.

[2] *Charters*, No. CXLIII.

[3] *Ibid.*, No. LXIV.

religious of Arbroath.[1] An English record of 1295-6 shows that 'forfeited money of Scotsmen' had been lodged at Coupar abbey;[2] and, on 1 August, 1306, the Prince of Wales thanks Sir Aymer de Valence for the protection afforded to the abbot and convent of Coupar 'for which they have much commended him' and

> 'begs him to see that no damage is done to their crops and other goods and to befriend them in all matters.'[3]

Scottish churchmen, however, ultimately rallied to the side of Bruce; and, two years later, the monks of Coupar had sought the good offices of King Robert who, on 5 October, 1308, confirmed a large number of donations made to them.[4] The monks found in him the last of their royal benefactors and the present charters record some of his concessions.[5] Sir Gilbert de Hay, the king's constable, likewise manifested his interest in the monastery[6]—the last of his line to make donations to the monks.

As the century proceeds, a new pretext for concessions—the monastery's unhappy circumstances—begins to appear. About 1320, Henry, bishop of Aberdeen, out of compassion for the monks' poverty through eventualities of wars, empowers them to accomplish the appropriation of the church of Alvah.[7] Likewise, about 1320-8, Maurice, bishop of Dunblane, consents to the appropriation of the church of Fossoway—

> 'because we have observed, with the eye of pious compassion, that the monastery of Coupar, . . . through diverse hazards of wars and other chance occurrences, will be very greatly bereft in its buildings and other things needful for divine worship and this life. . . .'[8]

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[1] *Charters*, No. LXIV.
[2] Bain, *Calendar*, ii., p. 264.
[3] *Ibid.*, ii. 1809.
[4] *Cupar*, ii. p. 286.
[5] *Charters*, Nos. C, CVIII, CXI.
[6] *Ibid.*, Nos. LXXXIII, LXXXIV, XCIV, CXIII.
[7] *Ibid.*, No. CI.
[8] *Ibid.*, No. CIII.

These are the first inklings in the charters of a significant change in the monastery's fortunes. There can be no doubt that from about this time, *i.e.* from, approximately, the time of David II's accession, a period not only of transition but of increasing adversity befell the abbey of Coupar. No precise reason for this can be assigned. It is tempting to suppose that, as in England, the Black Death, which came to Scotland in 1350, had a devastating effect upon the monasteries. But the records of Coupar, which from about the time of its foundation to the end of the reign of Robert I are abundant, become sparse and infrequent for the remainder of the fourteenth century; and it is difficult to elicit from them more than the general suggestion that the monastery fared ill in that time of recurrent war, weak government and lawlessness. Allow as we may for exaggeration in its appeals *ad misericordiam*, we cannot overlook the indications in charters, towards the end of the fourteenth century and at the beginning of the fifteenth, of the state of depression and embarrassment into which the abbey had fallen. Thus, the bull of Clement VI (29 March, 1351), granting to the monks the annexation of the church of Errol, shows that their plea was based not on the anticipation but on the experience of misfortune; their house, according to this record,

> 'was, through diverse hazards of wars, exceedingly impoverished in its buildings without and within and in other things necessary for divine worship and human life and irretrievably deprived of many of its accustomed revenues'; [1]

and a similar plea of dilapidated buildings and shrunken revenues, made in support of their petition for the appropriation of the church of Turriff, is mentioned in a bull of

[1] *Charters*, No. CXIV.

26 July, 1389.[1] An imperfect record of 14 November, 1404, seems to indicate that they obtained remission of a payment to the chapter of Brechin from their church of Glenisla ostensibly on account of the meagreness of that church's fruits.[2] In 1405, they are much in arrears with the payment to Cambuskenneth of a *pensio* from Glenisla [3] and, in 1408, with the payment of their dues to Cîteaux, which grants them a modified remission,

> 'hearing with pitying ears of the lamentable desolation of the abbey of Coupar.' [4]

Finally, it was still on the ground of its poverty that Coupar obtained, in 1448, conditional release from further payments to Cîteaux.[5]

The experience of decline during this period was not confined to this one community nor yet, indeed, to the Cistercian order. The great age of monasticism in Scotland and elsewhere was past and veneration for the 'religious' life, which had prompted so many donations to the regular clergy, going out of fashion.[6] We may partially account for the change which, within the fourteenth century, overtook the white monk houses and altered their character by attributing it to the diminution of monastic and especially of Cistercian prestige. This change is marked by the disappearance of the *conversi*, who are not mentioned in Coupar records after 1305 and who went out of existence generally during the same century.[7] Men were not now attracted to this semi-monastic life; and, since the services of these lay-brothers were no longer available, the Cis-

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[1] *Charters*, No. CXIX.
[2] *Ibid.*, No. CXXI.
[3] *Ibid.*, No. CXXII.
[4] *Ibid.*, No. CXXIII.
[5] *Ibid.*, No. CXXXV. In this case, the plea was somewhat less convincing. The abbey's poverty is attributed, *inter alia*, to 'floods of the sea.'
[6] With the exception of the mendicant orders.
[7] They are said to have disappeared in England after 1349 (Hamilton Thompson, *English Monasteries*, p. 34).

tercians gave up the working of their own lands and leased them to tenants. Further, the pioneering impulse of the order had inevitably spent itself; the Cistercians were no longer in any sense colonists; their economy had become static; like the monks of other endowed orders, they had become and were henceforth landlords on a large scale, subsisting on rents. The handing over to secular tenants of monastic lands with due safeguards is contemplated by a Cistercian statute.[1] But leases occur very exceptionally in the earlier records of Coupar. The monks leased a toft in Forfar, 1207-9, to Richard White of Dundee,[2] and, 1244-54, there is a reference to Ewen MacPole holding Tulloch *ad firmam* from the abbey.[3] Likewise, in 1304, John Barber has a lease of land in the township of Montrose.[4] But what was the exception until the fourteenth century had become in the succeeding century and later the rule; and no doubt we may take it as a sign of what was impending that, as early as 21 March, 1324/5, letters of the bishops of St. Andrews, Glasgow, Dunkeld and Dunblane and the abbots of Dunfermline, Arbroath, Holyrood, Scone and Paisley certify that they have seen the bull of Boniface VIII exempting the Cistercians from payment of teinds on land, cultivated or uncultivated, granted to others.[5] Certain of these prelates, on the same date, also declare that the abbot of Coupar had displayed this bull to the bishop of Dunkeld.[6]

Perhaps we may reckon the lease of the abbey's land and fishing at Renfrew, in 1326,[7] as the first symptom of the new vogue. The earliest instance, however, in the Coupar records of a lease, within the period when these had become general, is a charter of 1434 granting John Tosschoch, thane of Glentilt, a tack of Tulloch.[8] The so-called rental-

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[1] Fowler, *Cist. Statutes*, p. 91.
[2] *Charters*, No. xx.
[3] *Ibid.*, No. l.
[4] *Ibid.*, No. lxxv.
[5] *Ibid.*, No. cv.
[6] *Ibid.*, No. cvi.
[7] *Ibid.*, No. cvii.
[8] *Ibid.*, No. cxxix.

books,[1] covering a period from 1443, show the system of granting tacks in full swing; and it is to be noted that the system extended to the parish churches appropriated to the monastery; we find the churches of Meathie and Bendochy 'farmed' about the middle of the fifteenth century.[2] It is worth remarking here that the rental-books or registers of tacks, abounding as they are in details of lands and churches held by the abbey, belong emphatically to a time when the Cistercian characteristics of Coupar were largely in abeyance; nor should we place too much stress on the stipulations made in feu-charters as illustrating the monks' zeal or efficiency as landlords. Many of the conditions of tenure laid down in these charters are derived from acts of parliament and are more or less 'common form,' paralleled in the records of other religious houses.

Coupar and Cîteaux

The relations of Coupar with Cîteaux have already been mentioned in connection with the appropriation of the church of Airlie. It may be well to consider what additional information is available regarding the relations of this Scottish abbey with the mother-house of the closely-knit Cistercian order. According to a Cistercian statute, the abbots of Scotland, like those of Ireland and Sicily, were bound to attend the chapter-general every fourth year only, instead of annually as in the case of the abbots of other lands.[3] In 1243, Gilbert, abbot of Coupar, died on his journey home from the general chapter.[4] In 1297, the abbot and his retinue, returning to Scotland presumably from that conclave, have an English safe-conduct;[5]

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[1] Published in the *Register of Cupar Abbey*.
[2] *Cupar*, i. pp. 120, 121.
[3] Fowler, *Cist. Statutes*, p. 47.
[4] See App. II.
[5] Bain, *Calendar*, ii. 961.

and, in 1303, a monk of Coupar has a safe-conduct to go to Cîteaux on business of the abbey.[1] The main recorded dealings, however, of Coupar with the mother-house were concerned not so much with matters of discipline or government as with matters of finance; they are, in fact, later developments of the situation created by Alexander II's grant of 20*l.*, as a procuration for the abbots on the fourth day of the general chapter, payable by the monks of Coupar from the revenues of Airlie. This church was granted to the monks, 1220-6. About twenty years later, a letter addressed by Geoffrey, bishop of Dunkeld, to the abbots of Rievaulx, Fountains and Beaulieu, in England, judges in a controversy between Cîteaux and Coupar, indicates that Cîteaux had claimed the whole income of Airlie and the bishop supplicates that the mother-house will demand no more than the twenty pounds to which it is entitled.[2] The dispute, which had probably arisen on payments from Airlie being made for the first time or coming due on the death of the rector, lasted till 1246, when a charter of the abbot of Melrose shows it had been settled on the understanding that Coupar would pay twenty marks to Cîteaux for losses and expenses and thereafter twenty pounds annually.[3] We hear no more of this payment till 1408, when the abbot of Cîteaux released Coupar from arrears of it in consideration of a sum of forty francs and also remitted ten pounds of the annual payment for the next twenty years.[4] The final stage of these transactions occurs in 1448, when Cîteaux virtually gave up the attempt to exact this payment annually from Coupar. On 14 September of that year, the chapter-general, 'regarding sympathetically the poverty of the monastery,' gave it quittance and exempted

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[1] Bain, *Calendar*, ii. 1368, 1383, 1399.
[2] *Charters*, No. XLIX.
[3] *Ibid.*, No. LI.
[4] *Ibid.*, No. CXXIII.

it in perpetuity from the payment of twenty pounds, on condition that Coupar remitted to Cîteaux by Christmas four hundred gold crowns.[1] That this sum was paid appears from a papal letter of 28 May, 1464, which shows that the abbot and convent had taken the precaution of petitioning the pope to confirm their liberation from further annual remittances.[2] Henceforth, apart from the mention, in 1506, of Thomas, monk of Cîteaux, as commissary of the abbot of that house on the occasion of the election of Robert, abbot of Glenluce, as abbot of Coupar,[3] there is no evidence of any direct connection of the mother-house of the order with the monastery of Coupar. But when, towards the end of the fifteenth century, the chapter-general resumed its interest in Scotland, the abbots of Coupar were more than once, from 1491 onwards, appointed as visitors of Scottish Cistercian houses ; and, in particular, we find Donald Campbell empowered to act in this capacity in 1533 for a period of five years and concerned, in 1534 and 1535, as commissary of the chapter-general, in the ' reform ' of the abbey of Melrose.[4]

The Abbots of Coupar ; their Election

It is difficult to say how far the rule of the *Carta Caritatis*, that the abbot was to be chosen from the house itself or from its descendants,[5] was applied in the earlier elections of their head by the monks of Coupar. Some of these abbots undoubtedly came from other Cistercian houses ; the previous career of certain others cannot be traced ; and, until the fifteenth century, only two of the abbots-elect, Gilbert and William, are known with certainty to have been members of the community. But from the time of William de Blare, who was provided in 1429, the

[1] *Charters*, No. cxxxv.
[2] *CPR.*, xi. p. 678.
[3] *RSS.*, i. 1363.
[4] See Appendix III.
[5] Knowles, *Mon. Order in England*, p. 636.

abbot's office was mainly held by former monks, even when it was filled by papal provision. It should be noted that Blare succeeded after a period when there had been rival claimants to the headship of Coupar and when insecure tenure of office by the abbot could hardly have conduced to the good government of the house. Originally a monk of Coupar, he was brought from Kinloss, over which he had presided; and it is significant that, during his administration, the record of leases granted by the abbey begins to be systematically kept. As the typical business-like ecclesiastic of the age, he may well have promoted the apparent (if temporary) revival of the fallen fortunes of the monastery in the middle years of the fifteenth century. On his death, Coupar had the experience of a few years' rule by an aged commendator, the celebrated Thomas Livingstone—the only commendator who appears in the abbey's annals before the Reformation. Thereafter, papal provision, while it did not coincide with the monks' choice of John Hudton, was given successively to David Bane and John Schanwell, who were both members of the community. King James IV appears to have used his influence to secure the provision to Coupar of Robert, abbot of Glenluce, in 1506, and of William Turnbull, abbot of Melrose, in 1507. But, on Turnbull's decease before February, 1523/4, the monks of Coupar chose Alexander Spens, their cellarer, as abbot; and this exercise of their right of election promptly embroiled them with the *caucus* in power at this stage of James V's minority. The Lords of Council are found ordering the revocation of Spens's election, and Donald Campbell, as ostensible nominee of the Governor, but, more significantly, a younger brother of the earl of Argyle, was thrust upon the abbey. Campbell was the last of the regular abbots of Coupar.[1]

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[1] The above is mainly a *précis* of the facts given at length in App. II.

The Monks and the Bishops

So far as the present charters show, the relations of the abbey of Coupar with its diocesan and other Scottish bishops during the earlier centuries of its career were amicable and untroubled by such controversies as arose elsewhere, *e.g.* over the exemptions from episcopal authority claimed by the regulars. Coupar belonged to an order which had attained a high degree of immunity from episcopal jurisdiction ; and the Scottish bishops accepted this situation the more readily because the Cistercians at first held no churches and kept themselves sedulously apart from the sphere of the secular clergy. The bishops, however, were concerned not merely to perform the routine duties required of them by the community, *e.g.* the blessing of abbots and, more particularly, the confirmation of donations and the ratification of agreements. We find John I (' the Scot '), bishop of Dunkeld, giving the tenure of Ardbreck (and latterly of Cambusadon) to Coupar at the beginning of the thirteenth century,[1] a grant apparently regarded as of some worth since the monks agreed to pay yearly a pound of incense to the chapter of Dunkeld for their approval of it ;[2] while William de Malvoisine, bishop of St. Andrews, gives them, in 1212, a lease (which ultimately passed into permanent possession) of the abthane of Airlie.[3] Later, the bishops are found sanctioning the appropriation of churches to the abbey, *e.g.* 1320-8, when Maurice, bishop of Dunblane, enables them to take full possession of the church of Fossoway ;[4] and, in 1326, William de Lamberton, bishop of St. Andrews, concedes to them a reduction of episcopal dues from the church of Mathielour.[5] The disposition of the bishops was on the

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[1] *Charters*, Nos. IX, XXVIII. [2] *Ibid.*, No. XV.
[3] *Ibid.*, No. XXI. [4] *Ibid.*, No. CIII. [5] *Ibid.*, No. CIX.

whole benevolent; the monks could look to them both for support and for concessions.

The situation had altered by the fifteenth century when controversy arose regarding the bishops' demands upon the monastery in respect of its appropriated churches; and the first hint of resistance to actual or possible episcopal claims appears in a charter of 29 October, 1433. This document reiterates an old concession of the bishop of Brechin to the canons of Cambuskenneth that he will not visit the church of Glenisla with more than twelve horses.[1] That church had now passed into the hands of Coupar; and the monks, who about this time were engaged in a dispute with the vicar,[2] were no doubt seeking to safeguard themselves against any diminution, through the exaction of increased procurations, of revenues accruing to them from it. Tension between the monastery and the episcopate developed, however, more especially over charitable subsidies (*caritativa subsidia*) levied by bishops on the parish churches held by the abbey and, with more dubious authority, on lands held by it in alms. Dowden's explanation of these subsidies may be quoted:

> 'There were occasions when a call might be made by a bishop for a "subsidy" or "benevolence" (*caritativum subsidium*), not unlike the casualty known as an "aid" (*auxilium*) claimed on certain occasions by feudal superiors from their vassals. A bishop, on his promotion, had heavy expenses to meet by reason, always, of his payments to the Pope, the cardinals and the officials of the Roman *curia* and, frequently, of the journey with his retinue to the Apostolic See and his stay at Rome or Avignon. Hence a subsidy on such

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[1] *Charters*, No. CXXVII. This was a considerable concession; see Dowden, *Med. Church in Scotland*, pp. 118-19.

[2] *Ibid.*, No. CXXVI.

occasions was sometimes claimed from the parish churches.' [1]

It may be noted as relevant to the subsequent history of the contention between Coupar and the bishops that the subsidy had been claimed from Arbroath, in respect of its appropriated churches, by the bishop of Brechin; and the following writ discloses the characteristic outcome of the bishop's demand:

'To al and syndry . . . John Ogilvy of Lumtrethin knycht (and three others) sendis gretyng. . . . Sen it is medful . . . to ber witnesing to the suthtfastnes . . . and specialy betuex . . . Patric . . . bischop of Brechin and Malcome . . . abbot of Abirbrothoc tharfor it is that we . . . declarys . . . in our lawteis that we war present . . . the xxi day of Marche . . . a thousand four hundreth sexty and thre yeris within the toun of Dunde quhen . . . the said lord bischop allegit and askyt subside of certane kyrkis of the abbotis . . . of Abirbrothoc . . . within the dioce of Brechin . and the said abbot denyit . . . sayand that he . . . aucht na subside for thai said kyrkis and . . . that he na yhit nane of his predecessouris gef neuir na subside to the said byschopis predecessouris thir hundreth and tventy yeris bygane and mar and . . . that he wald nocht put that abbay in ony thrildom mar than his predecessouris did of befor. Neuirtheles the said abbot said that for my lord of Sanctandrois sak that was his promotour and at the said byschop of Brechin was sey der to hym his brothir son that for fauour and kindnes of hym and als for help . . . and consale of the said byschop of Brechyn . . . in tym to cum to hym his conuent and abbay in thar rychtwys materis . . . cessand all debatis . . . betuix the . . . byschop . . . abbot and

[1] Dowden, *Med. Church in Scotland*, p. 121.

conuent for al the tyme that he is bischop of Brechin the said abbot of his avn fre will has promittit thank and gratitud to the said byschop . . . in his necessite for thyr causis forsaid. And than the said byschop . . . thankyt the said abbot tharof rycht hartly and quhat supple that he makis hym he takis in weray thank for na maner of thryldom and has promittit in his lawte . . . that he sal kep and fulfil in all thyngis this appoyntment. . . .'[1]

The significance of this record is that it illustrates the general attitude of the monasteries to this type of episcopal demand: denial of any obligation of payment; assent to the making of a voluntary contribution. Likewise, it exemplifies episcopal willingness, conditioned by the need of money, to accept monastic aid on that footing.

The first indication in the Coupar records of controversy on the question of subsidies occurs in a charter of 26 September, 1477, whereby James Livingstone, bishop of Dunkeld, in regard to a levy on their church of Bendochy, recognises the monks' immunities and grants that any subsidy given by them is voluntary and if possible to be refunded.[2] The monks spared themselves no pains to fortify their resistance to episcopal claims. Thus, the charters of Arbroath preserve the reply by that house (made on 24 January, 1485/6) to an enquiry on the part of Coupar as to whether the former had ever paid an episcopal subsidy on its lands or a third or fourth penny from its appropriated churches. The answer is emphatically that Arbroath has never done so.[3] On 1 February following, the monks obtain from the bishop of Brechin and his chapter the significant admission that neither he nor his predecessors have been used to exact a subsidy from their church lands or any other church lands in the diocese nor

[1] *Aberbrothoc*, ii. 150. [2] *Charters*, No. CXLV. [3] *Aberbrothoc*, ii. 291.

the third or fourth penny from the church of Glenisla or any other and that any assessment made by him on his promotion or by his predecessors has been on a charitable basis.[1] Coupar now proceeds to incorporate in a record of 18 June, 1486, not only the admission made by the bishop of Dunkeld in regard to the church of Bendochy and by the bishop of Brechin in regard to the church of Glenisla, but also charters in similar terms by the bishop of Dunblane in respect of the church of Fossoway and by the archbishop of St. Andrews regarding the churches of Meathie and Airlie.[2] Finally, an instrument of 17 July of the same year records at length the result of the interrogation of certain senior members of the community regarding the subsidies claimed in respect of the church of Bendochy by the bishops of Dunkeld and, in particular, their testimony (communicated to the bishop's procurators) that these payments were not of long standing and had been acts of grace.[3] The monks appear to have succeeded in establishing their claim to immunity; the attempt to exact a subsidy from their lands was apparently dropped and the bishops had to content themselves with the proceeds of levies on churches paid on a voluntary basis. Not until 1532 was the question revived—in that year, James Beaton, archbishop of St. Andrews, raising a subsidy, had required a contribution from the abbey in respect of its churches and had been met with refusal; but the monks elicited from him a charter recognising their immunity and undertaking to ask only an advance which was voluntary and liable to repayment.[4] Finally, in 1555, a lengthy instrument sets forth the terms of an appeal by Donald, abbot of Coupar, against the imposition by John, archbishop of St. Andrews, of a charitable subsidy, amounting to 433*l.* 6*s.* 8*d.* upon the monas-

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[1] *Charters*, No. CXLIX.
[2] *Ibid.*, No. CL.
[3] *Ibid.*, No. CLI.
[4] *Ibid.*, No. CLXVIII.

tery's churches of Airlie and Meathie. The abbot founds on admissions of immunity by the archbishop's predecessors and a further instrument (endorsed on the former) contains that prelate's certification that these admissions were known to him.[1] The issue of the controversy is unknown. But it is evident—up to a point not far distant from the abbey's dissolution—that whenever these episcopal exactions from the revenues of their churches were mooted, the monks put themselves in a posture of defence and repudiated any obligation to accede to demands by which the bishops sought to relieve their own financial stringency.

The Monastery before the Reformation

The present charters yield comparatively little information regarding the state of the monastery in the earlier part of that century which saw its career come to an end. There are a few instances of friction with neighbouring lairds, as when the monks, in 1501, accused Lord Drummond before the Lords of Council of interfering with their right of pasturage in the moor of Cargill and Layston,[2] and when, in 1518, they took action to prevent an intrusion by Cuming of Couparmaculty upon their fishing on the river Isla.[3] But occasions of controversy over violation of their rights or trespass upon their property were largely obviated by following the common monastic policy of appointing laymen as bailies on their lands. These officials, who held the abbot's courts either in person or by depute and were agents between the monastery and its tenants, were chosen from one of the baronial families holding lands in the vicinity of the abbey's territory; and the selection of them may be taken as a measure not only

[1] *Charters*, No. cxcv.
[2] *Ibid.*, No. clvi.
[3] *Ibid.*, Nos. clxii, clxiii.

of convenience but of conciliation, designed to secure their support of the monastery and the safeguarding of its interests. We find Sir James Ogilvy of Airlie as bailie of Coupar in 1465 and Archibald, his son, in 1489,[1] and, in the succeeding century, the office became virtually hereditary in the members of the house of Airlie—James, Lord Ogilvy of Airlie, and his son, James, are appointed to it in 1522,[2] and, in 1539, James, Lord Ogilvy, and his heirs are given this jurisdiction in the abbey's lands in Forfarshire and Perthshire, Athole being excepted from it.[3] The significance of the passing of this office into the hands of a specific landed family often was that the stewardship of monastic lands proved eventually to be the first step towards possessing them after the Reformation. This, somewhat exceptionally, did not happen in the case of Coupar.

In the opening years of the sixteenth century, *i.e.* from 1501 onwards, it would appear from the Lord High Treasurer's accounts that work was proceeding on the fabric of the church or conventual buildings, as payments are made to masons and wrights employed at Coupar;[4] and there is likewise a stipulation attached to a tack of 1511 that the tenant will pay 'for his gersum vj merkis til our lady werk.'[5] Whether this was a restoration or an addition to the existing structure cannot be said; but there was probably more involved than the repair of dilapidations.

The final stage of the abbey's active career as a Cistercian house is reached with the appointment of Donald Campbell as its abbot. That this was done under colour of the interest of the Crown in monastic reform but, more pertinently, to provide for a clerical brother of the earl of

[1] *Ibid.*, Nos. CXXXIX, CLIII.
[2] *Ibid.*, Nos. CLXVI, CLXVII.
[3] *Ibid.*, No. CLXXIII.
[4] *LTA.*, ii. pp. 128, 401, 465; iii. p. 345.
[5] *Cupar*, i. p. 278.

Argyle (who was of the faction then in power) admits of little doubt. The circumstances of Campbell's advent to the abbotship, given in Appendix II, need not be entered upon here in any detail. But it should be remarked that this ostensible *protégé* of the Crown was not at the time of his appointment a religious and that room was only made for him as head of the monastery by getting rid of the nominee of the monks; nor was he a likely protagonist of monastic reform. Abbot Donald, indeed, was of a pattern not uncommon in the period; he signalised his coming to office by consenting to a two-years' lease of the fruits of the abbey to Sir John Campbell of Cawdor, his grasping brother and master David Campbell, one of his own illegitimate children; he was an assiduous candidate for bishoprics and employed in affairs of State. Doubtless, the task of an abbot, no matter of what character or abilities, was in this period difficult enough; and Campbell had at once to show a certain subservience to the Crown and to secure the interests of his abbey, objects which were often incompatible but which he contrived more or less adroitly to reconcile. In an outside source, we find him with his convent agreeing, in 1532, to pay the abbey's contribution to the royal subsidy for the College of Justice.[1] On the other hand, there is evidence in the charters that his administration of the temporal affairs of Coupar was judicious—witness his negotiation with his dispossessed rival, Alexander Spens, in 1539 and the engaging of the latter's help to recover missing property of the abbey.[2] But his activities in the matter of monastic reform, until a late point in his career, were among other religious than those of his own community.

The problems which beset the Church within this period did not pass by the monasteries. The monks were involved

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[1] *Cupar*, i. p. 314.

[2] *Charters*, No. CLXXII.

in fresh difficulties as landlords. Miss I. F. Grant has shown that the feuing of church lands, *i.e.* the granting of these lands not for a limited and prescribed period but in heritable tenure, was accelerated towards the middle of the sixteenth century as a result of the papal subsidies obtained by the Crown;[1] and the resort of Coupar to this expedient—'the beginning of a rapid dissolution in the landed property of the Church'[2]—is illustrated in 1539 by the grant of the lands of Clintlaw and Auchindory to James Ogilvy *in feudifirma seu emphiteosi et hereditate*[3] and the grant of the lands of Alvah and Inverichnie to Sir Walter Ogilvy of Dunlugus on similar terms.[4] A charter of the same year, confirming by papal authority the grant to James Ogilvy, furnishes an example of a tardy safeguard which had apparently been adopted in this century (when there are other instances) against the reckless alienation of church lands.[5] The same feu, as concerning Cistercian property, is further ratified not only by the convent but by the abbot of Balmerino, as a Cistercian abbot-collateral and the commissary of the father-abbot of Melrose.[6] Likewise, the endeavours made in the sixteenth century to rehabilitate a decadent Church inevitably affected the monasteries. We note, more especially, attempts, with the approbation of the Crown, to amend the 'religious' life of the white monks in Scotland. Already, towards the end of the previous century, John Schanwell, abbot of Coupar, appears to have been concerned in the reform of the Scottish Cistercian monasteries;[7] and it

[1] *Social and Econ. Development of Scotland before 1603*, p. 268. Miss Grant's book may be consulted for the context of the development of feuing.

[2] R. K. Hannay, *SHR.*, xxiii. p. 30, quoted Grant, *op. cit.*, p. 269.

[3] *Charters*, No. CLXXIV.

[4] *Ibid.*, No. CLXXXII.

[5] *Ibid.*, No. CLXXXIII. See also note to that charter.

[6] *Ibid.*, No. CLXXIII. It may be noted that the abbot and convent (*ibid.*, No. CLXXIV) invoke acts of Parliament and the safety of the realm in justification of feuing these lands. Cf. Grant, *op. cit.*, p. 269, etc.

[7] See Apps. II and III.

was perhaps as a potential reformer that William Turnbull was brought from Melrose to Coupar, at the instigation of James IV, in 1507. We discover, in the succeeding reign, what figures as the main abuse in Cistercian houses—the custom, which had grown up contrary to monastic 'collectivism,' of granting the monks separate portions (as well as separate gardens) for their maintenance. When the abbot of Chaalis was sent to visit Scottish houses about 1530, at James V's request, the abuse with which that prelate was chiefly occupied, as appears from his dealings with Melrose, Newbattle and Balmerino, was this of monks' portions.[1] Donald Campbell was one of the commissaries of the Cistercian chapter-general entrusted with the task, in 1534, of securing the obedience of the abbot of Melrose to the reforms which the French abbot, as the result of his visitation, had ordained. But, although allusion is made, in 1539, to 'statutis and cartis of visitatioun and reformatioun left be the visitoris' and to the sustenance assigned to 'the reformit brether of the . . . Abbay,'[2] there is no explicit evidence of abbot Donald's having attempted to reform his own house, where portions were in vogue, until the eve of the Reformation. An important charter of 15 October, 1553, is obviously aimed at remedying that abuse. It records the resolve of the community—

> 'to lead a regular life and to order our manners according to the reformers of the Cistercian order; and specially that all the fruits, income and provision of the monastery of Coupar be possessed and used in common by us, Donald, abbot and convent . . .';

and proceeds to appoint the method of administration of

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[1] See Campbell, *Balmerino*, p. 227 *sqq.*, for details; also *Formulare*, i. 261, for a Newbattle record which reveals that, in consequence of the abbot's refusal to grant them larger portions, the monks had gone on strike.

[2] *Charters*, No. CLXXII.

the abbey's income. In a further enactment of the same date, the convent make nominations to the various offices in the abbey, including the priorship which had been for some time vacant.[1] This gesture of reform may have been inspired by the Council of Trent. But it came too late to eliminate the system of portions, for these were still held by members of the dwindling convent after the Reformation ;[2] and it was impotent as a means of restoring the 'religious' life of the community. We may add that, in 1557, there is an indication that the abbey buildings were in an unsatisfactory state ; for, on 22 April of that year, the lands of Wester Bogsyde were feued to Thomas Ogilvy of Wester Craig

> 'in consideration of certain sums paid by [him] . . . for the use of the monastery, for the repair of the church and the ruinous houses of the same.'[3]

The Monastery after the Reformation

Campbell, it appears, was prepared to become commendator of Coupar in the event of his obtaining the bishopric of Brechin about 1558. But although this did not come to pass, he had abandoned his monastic character in 1559 and apparently thrown in his lot with the Reformers. An undated document (given in Appendix II) embodying the injunctions of the Lords of the Congregation for the 'incontinent' reform of Coupar abbey bears his signature. On his death about the end of 1562, Archibald, earl of Argyle, obtained a grant of part of the abbey's revenues. But the Campbells had rivals for the permanent possession of it. When Leonard Leslie is granted the *commenda* of Coupar in 1565, he appears as a nominee of John, earl of

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[1] *Cupar*, ii. p. 109. [2] See p. lxvii, *infra*.

[3] *Cupar*, ii. p. 135. This type of pretext, common in the records of other houses, *e.g.* Melrose, is exceptional in the records of Coupar.

Athole (himself a brother-in-law of abbot Donald), whose services to the Crown are thus recompensed and who, in 1567 and later, has a further requitement in obtaining tacks of the abbey's lands and teinds. Athole died in 1579. In 1581, James, master of Ogilvy (abbot Donald's grand-nephew), was given a crown charter of certain lands as well as the bailiary of Coupar ; [1] and thus the second of the aspirants to the possession of the abbey appears upon the scene. The course of events is obscure, but an English record of 27 August, 1591, shows that the rivalry of Campbells and Ogilvies had resulted in bloodshed ; Robert Bowes writes to Burghley :

> ' . . . Upon controversy betwixt the earl of Argyle and Lord Ogilvie for the " seignorie " of Cowpar abbey, the master of Ogilvie, understanding that the dean of Brechin was keeping the court for Argyle, " did take and ruffle the Deane with such disgrace " that some men of Argyle's killed fifteen or sixteen of Ogilvie's tenants in the rescue of their goods carried away by Argyle's (*sic*) men. In revenge the master of Ogilvie slew four of the Campbells dwelling with him.' [2]

The contemporary earl of Athole was also waiting his opportunity. Another letter of Bowes, written to Sir Robert Cecil on 22 May, 1594, declares :

> ' Montrose and the master of Gray are employed to offer Athole in convenient order the erection of the abbacy of Coupar ' ; [3]

and when Leonard Leslie (II), on 10 December, 1596, resigned the abbacy in the king's hands, he did so in favour of John, earl of Athole, and dame Marie Ruthven, Athole's spouse.[4] The abbey, however, after being held for a brief

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[1] *Charters*, No. CCLXXIII.
[2] *Cal. of Scottish Papers*, x. p. 566.
[3] *Ibid.*, xi. p. 344.
[4] *Charters*, No. CCXCVIII.

period by Andrew Lamb, one of king James VI's chaplains, and after an attempt by the earl of Athole's uncle to seize it, was erected into a temporal lordship for James Elphinstone, who had a crown charter of it on 20 December, 1607. The further vicissitudes of its possessions may be studied in the introductions to Rogers's volumes.

How many monks the community at Coupar comprised cannot be ascertained until the third decade of the sixteenth century, when the signatures of the abbot and convent are found appended to feu-charters. The maximum number on record appears in a charter of 1539, which is attested by the abbot, prior and twenty-one other religious.[1] The later writs of the monastery show that the monks were not violently dispossessed on the suppression of the monastery but continued to act as the 'convent' in such matters as the attestation of leases. By 1588, a number of the monks had died and the portions of the late prior, sub-prior and ten monks are granted, on 10 September of that year, by royal letters of gift under the Privy Seal, to the children of Robert Abercromby, the king's master-saddler;[2] and the further gift of a deceased monk's portion to a son of the commendator is recorded on 30 June, 1592.[3] We do not find monks' signatures after this date. On 21 March, 1607, the convent is said to be 'all now deceist'[4]—it was probably extinct by the end of the previous century.

The fate of the abbey buildings at the Reformation and in the years succeeding it remains obscure. There is no record of an attack on the monastery by Reformers; but the account given in by the chamberlain of the abbey, in 1563, suggests that the fabric had suffered considerable destruction, since provision is made for preserving the

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[1] *Charters*, No. CLXXIV.
[2] *Ibid.*, No. CCLXXXVI.
[3] *Ibid.*, No. CCXCII.
[4] *Ibid.*, No. CCCVII.

'tymmer' of the church and steeple and for gathering the slates in the cloister for safe keeping.[1] In certain localities, *e.g.* Melrose, the abbey church was maintained in use as the church of the parish; but the fact that it was found necessary to provide for the erection of a new church at Coupar in 1618[2] seems to imply that the abbey church was regarded as beyond repair. A reflection on its state in the earlier seventeenth century is supplied by the words of Habakkuk Bisset, who, writing in 1622, speaks of

> 'that fair and exceding greit monument of the abbay and abbacie of Cowper in Angus as the (auld) Rewynous wallis thairof zit dois schaw.'[3]

Coupar, it should be noted, had no daughter-house. King Alexander II's confirmation-charter (a somewhat garbled document) ratifies donations for the maintenance of two monks who were to celebrate in a chapel on an island in Forfar loch;[4] but no further reference to this foundation has been traced and it cannot be regarded as a 'cell' of Coupar. Likewise, Adam, 'abbot of Forfar' and the 'monks of Forfar,' who figure in an item of the *Breviarium*,[5] owe their alleged existence, in all likelihood, to scribal errors.[6]

A Note on Manuscripts, etc., associated with Coupar

In one Scottish Cistercian community—Kinloss—cultural activities were revived and pursued with some assiduity in the century before the Reformation.[7] No account survives to show whether at Coupar there was at any time a comparable interest in learning or cultivation

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[1] *Cupar*, ii. p. 280.
[2] *Ibid.*, ii. p. 304.
[3] *Rolment of Courtis*, ii. p. 194.
[4] *Charters*, No. xxv.
[5] *Op. cit.*, 42.
[6] See note to No. x.
[7] See *Kinloss*, p. xiv, etc.

of it by the monks. Father Hay, no doubt, speaks of the monks as seeking books, in the fifteenth century, for 'their famous library';[1] but there is no other definite evidence of that library's existence. At most it can be said that certain manuscripts and one early printed book testify to their association with Coupar. Moreover, the fact that the abbey possessed these manuscripts cannot be taken to imply that it boasted of an active *scriptorium* of which all these were the products. The inference is permissible that certain of the manuscripts and the book are survivals of a collection made by the monks and forming in some sort their conventual library; but, even so, no conjecture of its size can be attempted. The items are as follows:

(1) The *Chronicle of Holyrood* in the present series, where the editors have shown that Coupar must have played a part in the compilation of that work. The reader is referred for details to their learned introduction; but the following statements may be quoted here:

> 'The presumption is that Coupar acquired a copy of the Holyrood chronicle at some time not earlier than 1171 and possibly not much later than the end of 1186: that Coupar entries were inserted in the text at 1164 and 1170; and that the end of the extant chronicle, at least from 1186 onwards, was composed at Coupar.'[2]
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> 'It appears that *K* (the Karlsruhe MS. of the chronicle) may have been kept at Coupar until the second half of the fourteenth century or later.'[3]

(2) Two MSS. in the Vatican Library, described in the publication, *Specimen Pages of Two Manuscripts of the Abbey of Coupar-Angus in Scotland, with a Short Description by H. M. Bannister, M.A.* (Rome, 1910). The first of these (MS. Vatican Palat. Lat. 65) is a 'glossed Gallican Psalter

[1] *Inchcolm*, p. 246. [2] *Chron. of Holyrood*, p. 38. [3] *Ibid.*, p. 47.

in "Irish" script of, at earliest, the second half of the twelfth century.'[1]

> 'It had previously been in the library of the Cistercian abbey of Coupar-Angus . . . the name of this house appears in various hands of the thirteenth and fourteenth centuries in at least six places as *Liber Sancte Marie de Cupro* (once *Cupre*).'[2]

The other (MS. Vatican Regin. Latin. 694) is 'a copy of Bede's *Historia Anglorum* and the *Purgatorium S. Patricii* written about A.D. 1200 and probably at Durham.' Certain characteristics 'suggest the thirteenth century or the beginning of the fourteenth as the date of the inscription *Liber Sancte Marie de Cupre*.'[3]

(3) The version of the *Scotichronicon* known as the *Book of Coupar* in the National Library of Scotland (formerly the Advocates' Library), Edinburgh (MS. 35.1.17). Father Hay's introduction to this MS. has been printed in *Charters of the Abbey of Inchcolm*[4] in the present series. According to his account, it was written by Peter, a canon of Inchcolm, in the seventeenth (*sic*; ? seventh)[5] year of James II's reign and, having been purchased by William, earl of Orkney and Caithness, was transferred, in 1445, to Coupar, where it remained till 1559.[6] Hay gives no authority for his statements; but there is no good reason for doubting that the abbey did acquire this copy of a noted chronicle. The MS. bears the inscription *Liber Monasterii S. Marie de Cupro*.

(4) A fifteenth-century MS. entitled *Pseudo-Turpini historia de vita Caroli magni et Rollandi eius nepotis*, listed

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[1] *Op. cit.*, p. 9.
[2] *Ibid.*, p. 11.
[3] *Ibid.*, p. 13.
[4] *Op. cit.*, pp. 245-8.
[5] The date given in Hay's account is impossible if, as he says, the MS. reached Coupar in 1445. The seventeenth year of James II's reign was 21 Feb., 1452/3–20 Feb., 1453/4. The seventh regnal year was 21 Feb., 1442/3–20 Feb., 1443/4.
[6] *Inchcolm*, pp. 246-7.

by Prof. J. H. Baxter among the Scottish MSS. at Wolfenbüttel (Cod. Helmst. 927). It is marked *Liber s. Marie de Cupro*. See *Copiale*, p. xiv.

(5) A copy of Duns Scotus, *Scriptum super quartum librum Sententiarum a Thoma Penketh emendatum* (Venice, 1481), which was acquired by the National Library of Scotland in 1941. It is inscribed *Liber monasterii B[ea]te marie de cupro* (also *Liber beate Marie de Cupre*) and on a fly-leaf is written 'Magister L. Leslye,' *i.e.* the name of the sixteenth-century commendator.

(6) A *Kalendarium* in Edinburgh University Library (MS. 126) described as 'Cistercian with a few Scottish entries,' the latter including the dedication of the abbey church on 15 May. It is dated 1482 (?) and bears on f. 1 the inscription *Liber beate Marie de Cupro* in a fifteenth-century hand. See *Catalogue of MSS. Edin. Univ. Lib.*, pp. 201-2.

There are probably extant other MSS. and books associated with the abbey of Coupar.

THE CHARTERS OF THE ABBEY OF COUPAR ANGUS WITH NOTES

I

1166-70.

W. Rex Scottorum Omnibus probis hominibus tocius terre sue clericis et laicis Salutem. Sciant presentes et futuri me dedisse et concessisse et hac carta mea confirmasse deo et ecclesie de Cupre et monachis ibidem deo seruientibus aberbotherin per rectas diuisas suas in liberam et perpetuam elemosinam Ita libere et quiete sicut alias tenueras (*sic*) suas de me liberius et quietius tenent. Volo itaque et firmiter precipio ut monachi predicti prefatam aberbotherin in bona pace teneant et possideant ita liberam et quietam ab omni seculari exaccione sicut monachi de Melros aliqua ecclesie sue beneficia liberius et quietius et pacificentius et honorabilius tenent et possident in terra mea. Testibus Dauid fratre meo. Nicholao cancellario. Waldeuo Comite. Duncano Comite. Ricardo de Moreuilla constabulario. Waltero filio Alani dapifero. Dauid olifard. Seiherio de quinci. Roberto de quinci apud pert.

Seal missing. Endorsed : de aberboth[er]in.

Moray Charters, Box 32, Div. IV, Bundle I, No. 2.

I

Charter by William, king of Scots, granting Aberbotherin to the monks of Coupar.

This charter is noted, *Breviarium*, 4.

Aberbotherin : Aberbotherie is south of Alyth. The Grange of Aberbothrie lies nearer Coupar Angus, on the right bank of the Isla.

The witnesses are well known :

Dauid fratre meo : David, earl of Huntingdon, third son of earl Henry. See *Scottish Kings*, p. 65.

Nicholao cancellario : He was royal chamberlain before becoming chancellor and in that capacity witnesses charters of Malcolm IV (*e.g. Spalding Club Misc.*, v. p. 242 ; *Cupar*, i. p. 319). In 1159, as chamberlain

of the king of Scots, he visited the Roman court on King Malcolm's behalf (*Chron. Mailros*, p. 76). In 1165, Malcolm made him chancellor (*Chron. of Holyrood*, p. 148, *q.v.* for footnotes). He died in 1171 (*Chron. Mailros*, p. 84). Nicholas appears frequently as a witness of charters of the reigns of Malcolm and William.

Waldeuo Comite : Waltheof succeeded his father, earl Gospatric (third earl of Dunbar, although, as *Scots Peerage* points out, he never uses that title) in 1166 (*Chron. Mailros*, p. 80). He granted pasture in Lammermuir to Melrose (*Melros*, 76) ; appears as a hostage under the treaty of Falaise, 8 Dec., 1174 (Bain, *Calendar*, i. 139) ; witnesses numerous charters of King William (*e.g. REM.*, 3 ; *Yester Writs*, 2, 3 ; *Spalding Club Misc.*, ii. p. 303 ; *ibid.*, v. p. 242 ; Bain, *Calendar*, i. 165 ; *May*, 12 ; *Aberbrothoc*, i. p. 329). His wife, Alina, died 20 Aug. 1178 (*Chron. Mailros*, p. 89). He himself died in 1182 and was succeeded by his son, Patrick (*ibid.*, p. 92). See *Scots Peerage*, iii. p. 251.

Duncano Comite : According to *Scots Peerage*, iv. pp. 6-7, succeeded his father (Duncan) in 1154. He witnesses many charters, usually as ' Duncanus Comes ' without mention of his earldom of Fife, during the reigns of Malcolm IV and William the Lion. Mentioned as a hostage under the treaty of Falaise, 8 Dec. 1174 (Bain, *Calendar*, i. 139). Earl Duncan was justiciar during William's reign (mentioned in that capacity, *e.g.* 1172-78 and 1199-1200 (*Inchaffray*, p. 153, vi)). On 17 June, 1203, papal confirmation is given to an agreement between him and the church of St. Andrews regarding the patronage of certain churches (*CPR.*, Letters, i. p. 14). Earl Duncan had custody of land in Northumberland for which he accounts, 1188 and 1189-90 (Bain, *Calendar*, i. 191, 202). He died in 1204 (*Chron. Mailros*, p. 105).

Ricardo de Moreuilla constabulario : Son of Hugh de Moreville. He witnesses a charter of David I (Bain, *Calendar*, i. 29) and many of Malcolm IV and William the Lion. De Moreville was constable of Scotland from 1163-89 (*Lindores*, p. 232). He is mentioned as holding the lands of Bosegate and Whissendine in England (Bain, *op. cit.*, i. 294, 500, 513, 576). He was a hostage under the treaty of Falaise, 8 Dec., 1174 (*ibid.*, i. 139). He died in 1189 (*Chron. Mailros*, p. 98). His wife, Avicia, who died 1 Jan., 1191/92, and his son and heir, William, are mentioned (*ibid.*, pp. 97, 99) ; likewise, his daughter, Helena, married to Roland of Galloway (Bain, *op. cit.*, i. 294), who succeeded him as constable (*Extracta*, p. 82). De Moreville granted the church of Saltoun to Dryburgh with other donations (*Dryburgh*, 7, 8, 92, 97), a site for the hospital of Lauder, *c.* 1170 (*ibid.*, p. 267 ; *HMC. Rep.*, v. App., p. 613), and, along with his wife and heir, the land called Park to Melrose, 1188 (*Chron. Mailros*, p. 97). He also granted to St. Leonard and the poor of the hospital of St. Peter of York Richard de Colingham with all his land, *a.* 1189 (*GRH. Chs.*, 13).

Waltero filio Alani dapifero : According to *Scots Peerage*, i. p. 10, he appears in English records, *c.* 1154, but Walter, son of Alan, witnesses charters of David I, *c.* 1135 (*ESC.*, c, ci), and frequently thereafter. A charter of Malcolm IV grants him the stewardship as he had held it from

King David (*Passelet*, p. 441). He died in 1178 (*Chron. Mailros*, p. 88). Walter was the founder of Paisley abbey.

Dauid olifard : According to *Oliphants*, p. i, ' the first of the name in authentic record.' See *ibid.*, pp. i-iv, for a sketch of his career. He is said to have been godson and namesake of King David (*Scots Peerage*, vi. p. 524) whose charters as well as those of Malcolm and William the Lion he is found witnessing. Olifard is called justiciar during William's reign (*RPSA.*, p. 218 ; *Scon*, 34 ; *N. Durham*, xxxvii, xlv ; *Dunfermelyn*, 61, 63). He died or, at least, is mentioned until, 1170 (*Oliphants*, p. iv). Olifard was the donor of a carucate in Smailholm to Dryburgh, *c.* 1160 (*Dryburgh*, 109) ; of a teind of Crailing mill to Jedburgh (*RMS.*, i., App. i. 94) ; and of a threave of grain from each ploughgate of his lands to Soutra (*Soltre*, 2). See also *ESC.*, p. 397.

Seiherio de quinci : Son of Robert de Quinci and Orabile, his wife. This is an early mention of him. He became earl of Winchester in 1207 or 1208 (*Cupar*, i. p. 322 ; *Lindores*, p. 235 ; *Inchaffray*, p. xlix) and had lands both in Scotland and England. He appears frequently in charters of the period. Saher de Quincy is mentioned as proposed Scottish envoy, 1190 (Bain, *Calendar*, i. 329), and, again, as emissary of the English king to the Scots (*Scotichronicon*, i. p. 525). On 20 Dec., 1218, Henry III granted a safe-conduct till the feast of the Nativity of St. John the Baptist next ' for the ship that S[aher] earl of Winchester is fitting out in Galloway to go to Bristol for his intended voyage to Jerusalem ' (Bain, *op. cit.*, i. 703). Evidently he died on Crusade in 1219 or 1220. In a charter of 10 Oct., 1220, there is a reference to ' Saher, late earl of Winchester . . . before he set out for the Holy Land ' (*ibid.*, i. 779), and to his reputed death in a record of 21 July, 1220 (*ibid.*, i. 772), while, on 9 Aug. of that year, the crops etc. of his bailiary are to be delivered to his widow, Margaret (*ibid.*, i. 773). He was a benefactor of various Scottish abbeys (see *RPSA.*, pp. 225, 291 ; *Dunfermelyn*, 66, 154, etc.) ; *Cambuskenneth*, 70, 71, 73 ; *Lib. S. Crucis* 37 ; *Inchaffray*, xxxviii ; *infra*, xviii, xix) as well as of the hospital of Brackley in Northamptonshire (*Inchaffray*, p. xlix).

Roberto de quinci : Father of the foregoing (*RPSA.*, pp. 255, 291 ; *Dunfermelyn*, 154), to be distinguished from his grandson of the same name. He witnesses at least one charter in the reign of Malcolm IV (*Melros*, 39) and many charters of William the Lion. He appears as justiciar, 1165-77 (*Passelet*, p. 76 ; cf. *RMS.*, i. 233 ; *Calchou*, 388). According to the *Scotichronicon* (cited Lawrie, *Annals*, p. 328) he died in 1200 ; and, 1207-13, his widow, Hawise, made a donation for his soul to the House of Jerusalem in England (Bain, *Calendar*, i. 555). It seems clear that Orabilis, daughter of Nes, was his first wife. Lawrie regards Eva, mentioned as his widow (*Melros*, 40, 49), as his second wife ; whether she is identical with Hawise cannot be ascertained. Robert de Quincy was a benefactor of Inchcolm (*Inchcolm*, ii.) as well as Coupar (No. xviii). See further Anderson, *Early Sources*, ii. p. 494 n. ; *Lindores*, p. 232 ; *Inchaffray*, p. lxxxvi ; Lawrie, *Annals*, p. 328.

II

1171-8.

W. . . . Rex scotorum omnibus . . . . salutem Sciant presentes et futuri me dedisse . . . . deo et beate marie de Cupre . et monachis . . . . dimidiam carrucatam terre ad situm abbacie sue faciendum et kamsy scilicet chaciam meam cum tota wastina mea que ad illam pertinet. Tenendam et habendam eis in puram et perpetuam elemosinam. Ita libere et quiete . plenarie et honorifice . sicut aliqua elemosina tocius terre mee liberius et quiecius . plenius et honorificentius . tenetur et possidetur. Volo itaque et precipio ut predicti monachi predictam terram et chaciam et wastinam habeant et teneant in liberum forestum. Ita ut nullus infra eandem terram sine predictorum monachorum licencia secet aut uenetur super meam plenariam forisfacturam decem librorum. Preterea concedo eis ut quieti sint in perpetuum de illo annuo redditu qui mihi singulis annis de eadem terra soluebatur . ad waitingam meam faciendo quantum ad eandem terram pertinebat die qua eis predictam terram in puram et perpetuam elemosinam donaui. Testibus Hugone capellano meo . Hugone Ridel . Philippo de Valoniis . Waltero de Berkelei camerario . Roberto de Berkelei . Gilberto de vmfrauille . Osberto Olifard . Roberto de laundele . Herberto de camera. apud Cherletona.

Seal missing. End.: Carta Regis Willelmi de kamsy in liberum forestum.

Moray Charters, Box 32, Div. IV, Bundle I, No. 4.

II

Charter by William, king of Scots, granting to the monks of Coupar a half carucate of land to make a site for their abbey and Kamsy, *i.e.* his chase, with the waste-land belonging to it, these to be held in free forest.

This charter is noted, *Breviarium*, 12.

Ad situm abbacie faciendum: See Introduction, p. xxviii.

Kamsy : Campsie, on the right bank of the Tay, in the parish of Cargill. Rogers, who speaks of it as one of the abbot's country seats, describes it as about three miles S.W. of Coupar (*Cupar*, i. p. xlv). The distance is actually about eight miles. Campsie is mentioned in later charters.

Chaciam meam : As late as November, 1496, James IV was on a hawking

expedition in Perthshire and ' payments " to the feryar of Kinclevin " and of Bendochy on Isla, enable us to follow his movements in quest of sport towards Coupar-Angus ' (*LTA.*, i. p. cxliii).

In liberum forestum : See Cosmo Innes, *Scotch Legal Antiquities*, p. 41 ; *Melros*, i. p. xv.

Waitingam : A food-rent (*Med. Latin Word List*, s.v.). The word appears in a charter of William the Lion to Coldingham : ' Illas uiginti marcas que mihi debent annuatim de Watinga quam Prior et Conuentus de Coldingham mihi debent de terris suis de Coldingham ' (*N. Durham*, LVIII). See Cochrane-Patrick, *Med. Scotland*, p. 81.

Witnesses :

Hugone capellano meo : Probably the royal chaplain of that name who was intruded into the see of St. Andrews, 1177 or 1178 (see Dowden, *Bishops*, p. 9). If this identification is correct, he is to be distinguished from Hugh de Sigillo (or Sigillis), the king's clerk, who became bishop of Dunkeld, probably in 1214 (*ibid.*, p. 53) ; and from Hugh de Roxburgh, chancellor of Scotland, who succeeded Jocelin in the see of Glasgow, 1198 (according to *Extracta*, p. 83), and who died in 1199 (Dowden, *op. cit.*, p. 299). All the above appear as witnesses to many charters of King William nor is it possible to distinguish them by their designation, *e.g.* the second (de Sigillo) is called ' chaplain ' (*REM.*, 203) and ' clerk ' (*Scon*, 25). It may, however, be taken that the present Hugh (the chaplain) is a witness of earlier charters of this reign. The identity of all the witnesses of this name can, at best, only be partially established as rigorous dating of King William's charters is difficult.

Hugone Ridel : Witnesses charters of Malcolm IV and William. He was one of the Scottish hostages under the treaty of Falaise (Bain, *Calendar*, i. 139) and had land in Northamptonshire (cf. *ibid.*, i. 193). Ridel granted the church of Cranstoun to Kelso for the soul of King David and of his own son, Hugh (*Calchou*, 316). His widow, Sibilla, is mentioned, *c.* 28 Oct., 1233 (Bain, *op. cit.*, i. 1195).

Philippo de Valoniis : Witnesses many of William the Lion's charters and some of Alexander II. He was chamberlain for a considerable part of the former's reign. He seems to appear in that capacity, 1166-71 (*Yester Writs*, 1), but Walter de Berkeley was chamberlain at the date of the present charter and later (*infra*). De Valence was, however, chamberlain, 1188-9 (*Yester Writs*, 15), and later. According to the *Scotichronicon*, ii. p. 34, Alexander II, after Epiphany, 1215 (probably 1214/15 and thus shortly after his coming to the throne), made him chamberlain ' ubi ad modum existentem in vita patris sui.' He was one of the Scottish hostages under the treaty of Falaise (Bain, *Calendar*, i. 139). He died 5 Nov., 1215 (*Chron. Mailros*, p. 121). His son, William, had a charter from William the Lion of the lands of Benvie and Panmure which his father had held (*Panmure*, ii. p. 132). De Valence was the donor of an annualrent to Paisley (*Passelet*, pp. 310, 412) and gave Coupar an acre in Stinchinhaven, *c.* 1215 (*Cupar*, ii. p. 283). See further *Inchaffray*, p. 269 ; *Lindores*, p. 235.

Waltero de Berkelei camerario : A frequent witness to charters of William the Lion and during his reign. Contrary to the opinion expressed by A. O. Anderson, I venture to suggest that Berkeley preceded Philip de Valence (the previous witness) as chamberlain. King William granted him, as chamberlain, the lands of Neutoun, *c.* 1176 (*Oliphants*, 1); he witnesses, as chamberlain, a royal charter to Inchaffray, 1172-78 (*Inchaffray*, p. 153); and, while chamberlain, grants the church of Inverkeilor to Arbroath, 1178-80 (*Aberbrothoc*, i. 54). He is mentioned without designation in a charter, 1191-94 (*Lindores*, p. 284). Berkeley was one of the Scottish hostages under the treaty of Falaise (Bain, *Calendar*, i. 139).

Roberto de Berkelei : Witnesses at least one charter during the reign of Malcolm IV (*Melros*, 39) and many charters of King William and during his reign. Along with his wife, Cecilia, he grants a carucate of land in Makerstoun to Melrose (*ibid.*, 90).

Gilberto de vmfrauille : Witnesses charters of David I (*May*, 2), Malcolm IV (*e.g. Dunfermelyn*, 35, 40; *Neubotle*, p. xxxvi; *Calchou*, 376, 380; *Carnegies*, ii. p. 476; *REG.*, i. 12) as well as some of William (*e.g. Yester Writs*, 2, 3 (1166-82); *Lib. S. Crucis*, 27; *REG.*, i. 29; *Cupar*, i. p. 323). He was a benefactor of Cambuskenneth (*Cambuskenneth*, 25, 80, 86). A later Sir Gilbert de Umfraville married Matilda, countess of Angus, in 1243 (*Chron. Mailros*, p. 155).

Osberto Olifard : Witnesses charters of William the Lion (*Cupar*, i. p. 323; *HMC. Rep.*, ii. App., p. 166 (*c.* 1180)). Either son or brother of David Olifard (*Scots Peerage*, vi. p. 505). From the proceedings of a synod held at Perth, 11 April, 1206, it transpires that he held the lands of Arbuthnot and had been sheriff and forester of Mearns; also that he had gone on crusade (*Spalding Club Misc.*, v. p. 210). It is probable that he did not return from the east (*Oliphants*, p. v, *q.v.*).

Roberto de laundele : Witnesses undated charters of William the Lion (*RPSA.*, p. 227; *Calchou*, 401). He and his spouse, Muriel, grant six bovates in Broxmouth to Kelso, *c.* 1174 (*Calchou*, 322).

Herberto de camera : Witness of many of King William's charters as late at least as 1 March, 1202-14 (*Melvilles*, iii. 10). His son, Adam, is a witness with him of a crown charter, *c.* 1204 (*Buccleuch*, ii. 371).

Cherletona : Is this Charltoun in the vicinity of Montrose (mentioned, 4 Aug., 1420 (*RMS.*, ii. 167)) ?

III

ante 1198.

Cyrographum

Hec compositio facta est inter ecclesiam de Cupre et ecclesiam de Erole in presencia domini Rogeri sancti andree electi assensu et consilio clericorum suorum et consensu tocius capituli sui apud pert . Scilicet quod monachi de

Cupre singulis annis persoluent ecclesie de Erole duas marcas argenti pro omnibus decimis pertinentibus ad terram de Ederpolles quam dominus Willelmus de Haia in puram et perpetuam elemosinam . ecclesie de Cupre dedit in parochia de Erole . et carta sua confirmauit . vnam scilicet marcam ad festum sancti martini: et unam ad pentecosten . vt autem hec compositio rata et inconcussa permaneat in posterum: predictus Rogerus sancti andree electus eam sigilli sui munimine roborauit . Testibus his Arkenbaldo abbate de Dunfermelin . Gwidone abbate de Lundoris . Gileberto priore de sancto andrea . Magistro Ranulfo officiali . Magistro Willelmo de hales . Magistro Johanne . Magistro marchisio . Magistro Radulfo . Magistro ysaac . clericis domini electi . et Ricardo capellano domini electi . Waltero capellano domini regis . Magistro adam de pert . Stephano persona de Erole . Symone decano de pert . Johanne decano de forfare . Johanne decano de kyngor . Adam persona de Blare . ferhhardo capellano de ketenes . et toto capitulo apud pert.

Seal missing. End.: Compositio R. electi . de kars . de decimis de Ederpolles; (in later hand) Compositio inter ecclesias de cupro et erol in presencia rogeri electi sancti andree de omnibus decimis de ederpollis pro duabus marcis.

Moray Charters, Box 32, Div. V, Bundle II, No. 40.

III

Charter recording an agreement made between the church of Coupar and the church of Errol in presence of Roger, elect of St. Andrews, with the consent of his clergy and chapter, viz. that the monks of Coupar will pay yearly to the church of Errol two silver marks for all the teinds belonging to the land of Ederpolles which Sir William Hay granted to Coupar in the parish of Errol.

Hay's charter has not survived but is noted, *Breviarium*, 46. William the Lion's charter confirming it is given, *Spalding Club Misc.*, ii. p. 304 =*Cupar*, ii. p. 284 (also *Breviarium*, 47).

Rogeri sancti andree electi: Roger was elected at Perth, 13 April, 1189, but was not consecrated till 10 Feb., 1198/9 (Dowden, *Bishops*, pp. 10, 11). Thus the date of this charter cannot be fixed with precision within that decade.

Ederpolles: This place has not been located.

Willelmus de Haia: According to *Scots Peerage*, iii. p. 555, 'William

de Haya, first of the surname in authentic record, does not appear till after 1160.' A charter of Malcolm IV which he witnesses (*Spalding Club Misc.*, v. p. 242) is dated by the editor 1151-53, but this is undoubtedly too early. He is a witness of other charters of Malcolm IV (*e.g. Scon*, 5, 15) and of many charters of William the Lion and during his reign. Hay appears as ' pincerna ' in a charter of King Malcolm (*Spalding Club Misc.*, v. p. 242) and during the reign of King William (*e.g. RPSA.*, p. 313; *Cupar*, i. p. 320). His wife, Eva, and their sons, David, William, John, Thomas, Malcolm and Robert, appear in later Coupar charters. Hay was a hostage under the treaty of Falaise, 8 Dec., 1174 (Bain, *Calendar*, i. 139). He was granted Errol by a charter of King William (*Spalding Club Misc.*, ii. p. 303). He died soon after 1201 (*Scots Peerage*, iii. p. 556). Hay granted to the hospital of St. Andrews a carucate of land in Pitmilly (*RPSA.*, p. 313). See Frazer, *Golden Bough*, Part ii. Vol. ii. pp. 283-4, for the tradition that the fate of the Hays was bound up with the mistletoe which grew on a certain oak.

Witnesses:

Arkenbaldo abbate de Dunfermelin: Third abbot of Dunfermline, died 1198 (*Dunfermelyn*, p. xi; *Chron. Mailros*, p. 103; *Scotichronicon*, i. p. 513). See *Inchcolm*, p. 110.

Gwidone abbate de Lundoris: For an account of him and a discussion of his dates, see *Lindores*, pp. 301-3.

Gileberto priore de sancto andrea: Gilbert is described as third prior but the accounts of him make it difficult to ascertain the dates of his succession and demission. According to *Scotichronicon*, i. pp. 367-8, he succeeded Walter, who had resigned through ill-health, but died two years later, whereupon Walter resumed his former office. Two mentions of him in records are hard to tally with his alleged two years of administration. He and his convent make an agreement with the Culdees of St. Andrews (*RPSA.*, p. 319) which is witnessed, *inter alios*, by Roger, bishop of St. Andrews, consecrated 15 Feb., 1198/9 (Dowden, *Bishops*, p. 11), and Matthew, bishop of Aberdeen, who died 20 Aug., 1199 (*ibid.*, p. 100), and must be assigned to the half-year between these dates. On the other hand, G., prior of St. Andrews, witnesses a charter of bishop William de Malvoisine (*Aberbrothoc*, i. 150), who was not postulated to St. Andrews until 20 Sept., 1202 (Dowden, *Bishops*, p. 12). It is, of course, possible that G.=Galterus.

Magistro Ranulfo officiali: Witnesses charters of Roger, elect of St. Andrews (*RPSA.*, p. 45). He also witnesses charters of Roger, as bishop (*ibid.*, p. 154; *Aberbrothoc*, i. 146, 147), and an agreement between bishop Roger and Arbroath (*Aberbrothoc*, i. 148). The fact that master Ran[ulph], archdeacon, witnesses a charter of bishop Roger and early charters of bishop William (*RPSA.*, pp. 153, 155, 156) suggests that the present witness may have held that office.

Magistro Willelmo de hales: Witnesses charters of bishop Roger (*RPSA.*, p. 153; *Yester Writs*, 7; *Aberbrothoc*, i. 146, 147; *Calchou*, 425 (as bishop's chaplain), and an agreement between bishop Roger and Arbroath, 1198

(*Aberbrothoc*, i. 148); also charters of Bernard de Hauden, *c.* 1214 (*Calchou*, 206), and Jonathan, bishop of Dunblane, 1196-98 (*Aberbrothoc*, i. 212).

Magistro Johanne : A man of this name witnesses charters of Richard, bishop of St. Andrews, 1165-78 (*RPSA.*, pp. 134, 136, 139). A master John also appears as archdeacon of Lothian in charters of bishops Roger and William (*ibid.*, pp. 153, 155).

Magistro marchisio : Witnesses No. IV *infra.* Perhaps Marchesius de Ambini who witnesses charters of bishop Roger (*RPSA.*, pp. 153, 154).

Magistro Radulfo : Master Ralph, the official, witnesses a charter of bishop Roger (*RPSA.*, p. 153). He may have succeeded Ranulf in this capacity if the latter was made archdeacon.

Magistro Ysaac : Witnesses charters of bishop Roger (*RPSA.*, p. 154; *Aberbrothoc*, i. 146; *Calchou*, 425, 431) and of bishop William (*Lindores*, CVIII; *RPSA.*, p. 156); also, as clerk of St. Andrews, an agreement between the bishops of St. Andrews and Glasgow and Kelso abbey in presence of the cardinal-legate, John, 1201 (*REG.*, i. 93) and another between the convent of St. Andrews and the archdeacon, 1212 (*RPSA.*, p. 315). He gave evidence at a synod held at Perth, 11 April, 1206 (*Spalding Club Misc.*, v. p. 210). He also witnesses charters of Walter, son of Alan, the Steward (*ibid.*, p. 258), and of Duncan, earl of Fife (*N. Berwic*, 6).

Ricardo capellano domini electi : This Richard, as chaplain, witnesses charters of bishop Roger (*Aberbrothoc*, i. 146, 147) and an agreement between bishop Roger and Arbroath (*ibid.*, 148); also, as clerk to the elect of St. Andrews, a charter of Henry, earl of Athole (*RPSA.*, p. 246). He may be Richard, clerk to bishop William, who witnesses a charter of Reginald de Warenna, 1216 (?)-34 (?) (*Lindores*, LXX).

Waltero capellano domini regis : Frequently witnesses charters of William the Lion (*e.g. RMS.*, ii. 804; *Inchaffray*, XXII; *REM.*, 18, 20; *Cambuskenneth*, 121; *Aberbrothoc*, 13, 33); as well as charters of Seier de Quincy (*Cambuskenneth*, 70) and Jocelin, bishop of Glasgow (*Melros*, 121). He was elected bishop of Glasgow, 9 Dec., 1207 (Dowden, *Bishops*, p. 301; *Extracta*, p. 84).

Magistro adam de pert : Witnesses charters of bishop Roger (*RPSA.*, p. 152); of Hugh, the chancellor, 1189-99 (*Aberbrothoc*, i. 80); of the abbots of Dunfermline and Dryburgh and the prior of Coldingham, *c.* 1208 (*Melros*, 133).

Stephano persona de Erole : Appears in No. IV; not found elsewhere.

Symone decano de pert : Witnesses charters of Turpin, bishop of Brechin, 1178-98 (*REB.*, ii. pp. 257, 258; *Aberbrothoc*, i. 177, 178). He and the following were rural deans or deans of Christianity.

Johanne decano de forfare : Witnesses charters of bishop William, 1204-11 (*Aberbrothoc*, i. 165), and an agreement between that bishop and Arbroath, 1204-11 (*ibid.*, i. 167); also, a charter of Gilchrist, earl of Angus, 1201-07 (*ibid.*, i. 44). He is evidently identical with John, dean of Angus, who appears in No. X *infra* and witnesses a charter of Eva and David Haya, her son, regarding Pitmilly (*RPSA.*, p. 314).

Johanne decano de kyngor ; Adam persona de Blare ; ferhhardo capellano de ketenes : John, dean of Kinghorn, Adam, parson of Blair and Ferhhard, chaplain of Kettins witness the two following charters but are not found elsewhere.

IV

a. 1198.

Omnibus sancte matris ecclesie filiis . . . . Rogerus . . . electus sancti Andree salutem . Sciant tam presentes quam futuri nos assensu et consilio clericorum nostrorum et consensu tocius capituli nostri apud pert concessisse et hac carta nostra confirmasse compositionem factam inter ecclesiam de Cupre et ecclesiam de Erole firmam et inconcussam inperpetuum tenendam . Scilicet quod monachi de Cupre singulis annis persoluent ecclesie de Erole duas marcas argenti pro omnibus decimis pertinentibus ad terram de Ederpolles quam dominus Willelmus de Haia predicte ecclesie de Cupre et monachis ibidem deo famulantibus in puram ct perpetuam elemosinam dedit . et carta sua confirmauit . vnam marcam scilicet ad festum sancti martini ⁄ et vnam ad pentecosten . vt autem hec compositio rata et inconcussa permaneat in posterum ⁄ eam sigilli nostri munimine roborauimus . Hiis testibus . Abbate de Dunfermelin . Abbate de Lundores . Gileberto priore de sancto andrea . Stephano persona de Erole . Magistro Ranulfo officiali . Magistro Ada (*sic*) de pert . Johanne decano de forfare . Magistro Willelmo de hales . Magistro Marchisio . magistro ysaac clericis domini electi . Adam persona de kingor . Waltero capellano domini regis . Symone decano de pert . Johanne decano de kyngor . Ricardo capellano domini electi . ferhar capellano de keteneis . adam persona de blare . et toto capitulo apud pert.

Seal missing. End. : Rogerus electus sancti andree ; (in later hand) Confirmacio rogeri electi sanctiandree composicionis inter ecclesias de cupro et erol de omnibus decimis de ederpolles pro duabus marcis.

Moray Charters, Box 32, Div. V, Bundle II, No. 41.

IV

Charter of Roger, elect of St. Andrews, confirming the agreement between the churches of Coupar and Errol.

The witnesses are found in No. III except for:

Adam persona de kingor : Adam, parson of Kinghorn, witnesses charters of William the Lion (*RMS.*, ii. 804); Seier de Quincy, earl of Winchester (*Lib. S. Crucis*, 37); Patrick, earl of Dunbar (*Caldstrem*, 3); and William, son of Patrick (along with earl Patrick) (*ibid.*, p. 47).

V

1198.

Omnibus sancte matris ecclesie filiis . . . . Rogerus . . . episcopus sancti Andree salutem. Sciant tam presentes quam futuri nos assensu et consilio clericorum nostrorum et consensu tocius capituli nostri apud pert concessisse et hac carta nostra confirmasse . compositionem factam inter ecclesiam de Cupre et ecclesiam de Erole firmam et inconcussam in perpetuum tenendam. Scilicet . . . (*ut in no. IV*) . . . . roborauimus. Hiis testibus . Arkenbaldo abbate de Dunfermelin . Gwidone abbate de lundors . Gileberto priore de sancto Andrea . Magistro Ranulfo officiali . Magistro Radulfo . * * * clericis domini episcopi et Ricardo capellano domini episcopi . Waltero capellano domini Regis . Magistro adam de pert . Stephano persona de Erole . Symone decano de pert . Johanne decano de forfare . Johanne decano de kyngor . Adam persona de kyngor . Adam persona de Blare . Ferhardo capellano de keteneis et toto capitulo apud pert.

Seal missing. End.: Carta episcopi sancti Andree de ederpolles. This charter is torn and stained.

Moray Charters, Box 32, Div. V, Bundle I, No. 2.

V

Charter of Roger, bishop of St. Andrews, confirming the agreement between the churches of Coupar and Errol.

This charter is practically identical with No. IV. But it belongs to a date after 15 Feb., 1198/9, when Roger was consecrated, for it refers to him as bishop. See, on these charters, Dowden, *Bishops*, pp. 11, 12.

The witnesses appear in Nos. III and IV.

VI

1195-1203.

Johannes . . . Dunkeldensis episcopus omnibus . . . . salutem. Sciant tam presentes quam posteri . nos concessisse et hac carta nostra confirmasse compositionem factam inter ecclesiam de Cupre . et ecclesiam de Retref . inperpetuum tenendam. Scilicet quod monachi de Cupre singulis annis persoluent ecclesie de Retref decem solidos . quinque ad festum sancti martini . et quinque ad pentecosten . pro decimis ad terram pertinentibus quam dominus Willelmus Rex predictis monachis in parochia de Retref dedit . His testibus . Nicholao abbate de Cambeskinel . Thoma senescallo domini episcopi . Raginaldo capellano domini episcopi . Gilleberto de Olepenno . Adam persona de foregru[n]d . Matheo decano de Retrefin . Bernardo capellano de Kerbille (*rectius* Kergille) . Roberto capellano de Tubremore . Nicholao capellano de Scone . Hugone Capellano de foregru[n]d et multis aliis.

The Bishop's seal appended is intact. End.: Confirmacio Johannis super decimis de Retref.

Moray Charters, Box 32, Div. V, Bundle I, No. 1.

VI

Charter by John, bishop of Dunkeld, ratifying the agreement between the church of Coupar and the church of Rattray, whereby the monks will pay to the church of Rattray yearly ten shillings for the teinds belonging to the land which King William gave to the monks in that parish.

See No. XLIII, which refers to this agreement.

Johannes . . . Dunkeldensis episcopus : John (I), bishop of Dunkeld, 1180-1203 (Dowden, *Bishops*, p. 51).

Ecclesiam de Retref : Rattray is on the other side of the river Ericht from Blairgowrie.

Pro decimis ad terram pertinentibus quam . . . Willelmus Rex predictis monachis in parochia de Retref dedit : The grant by King William to the monks of two carucates of land in the territory of Rattray is recorded, *Breviarium*, 13.

Nicolao abbate de Cambeskinel : Nicholas was abbot of Cambuskenneth, *c.* 1195—*a.* 1207 (*Cambuskenneth*, pp. xlix-l).

Thoma senescallo domini episcopi : Thomas the steward appears also in Nos. VII and VIII. He witnesses a charter of bishop John (*Dunfermelyn*, 126).

Raginaldo capellano domini episcopi : Reginald witnesses charters of

bishop John (*Inchaffray*, VII ; *Dunfermelyn*, 1 ; *Balmorinach*, 29) ; also a charter of Henry, nephew of bishop Richard (*Balmorinach*, 28).

Gilleberto de Olepenno : Witness to several charters of earl David (*Lindores*, IV, XI, XII, XIV ; *Aberbrothoc*, i. 83). His surname appears in various forms—Dolepain, Dolepene, de holepen, Olepain. He appears as witness to another charter of bishop John to Coupar (*Cupar*, i. p. 351).

Adam persona de foregru[n]d : Probably A., parson of Forgrund, who witnesses charters of Turpin, bishop of Brechin, 1178-9 (*REB.*, ii. pp. 257, 258). Adam is a witness of charters of Hugh, bishop of Dunkeld, 1215-21 (*Inchaffray*, XXVI) ; Reginald de Warrenne (*Lindores*, LXXII) and Henry, nephew of Richard, bishop of Dunkeld (*Balmorinach*, 28). It is uncertain which of the three Forgans—Forgan in Fife, Longforgan, Forgandenny—he held, but probably the second. Alexander, parson of Forgan (in Fife), appears during the episcopate of Hugh, bishop of St. Andrews, 1178-88 (*RPSA.*, p. 45), and had died before the grant of a charter regarding Forgan, by earl David, 1202-19 (*ibid.*, p. 237). The present witness appears also in Nos. VII and VIII.

Matheo decano de Retrefin : Matthew, dean of Rattray, witnesses an agreement between Scone and Coupar, 4 July, 1225 (*Scon*, 83). He appears in Nos. VII, VIII and IX.

Bernardo capellano de Kerbille : This parochial chaplain of Cargill witnesses charters of bishop John, along with Richard, his fellow-chaplain, *c.* 1199 (*Inchaffray*, VII), and alone, *c.* 1211 (*Aberbrothoc*, i. 88). He also witnesses charters of bishop Hugh (*Lindores*, XXXIV (*c.* 1214-19), XLIX (*c.* 1221) ; *Cambuskenneth*, 15) ; as well as an agreement between Scone and Coupar, 4 July, 1225 (*Scon*, 83). He appears also in Nos. VII and VIII.

Roberto capellano de Tubremore : Robert and Peter, chaplains of Tibbermore, witness a charter of bishop John (*Inchaffray*, VII), while Robert witnesses a charter of the same bishop, *c.* 1199 (*Balmorinach*, 29), likewise charters of bishop Hugh, 1203-10 (*Inchaffray*, XXIII), and of Henry, the bishop's nephew (*Balmorinach*, 28). He appears in Nos. VII and VIII.

Nicholao capellano de Scone : Not found elsewhere.

Hugone capellano de foregru[n]d : Not found elsewhere. Whether he was chaplain of the parish of which Adam (*supra*) was parson is not clear. Other and later instances occur of two priests of different status in the same parish, *e.g.* Walter Bel, rector of Craginche and Robert Dewar, vicar of the same parish, witness a charter, 4 Aug., 1442 (*RMS.*, ii. 346) ; while a papal letter of 19 June, 1445, shows that Richard de Crech had been rector and Stephen de Kenochtquy, vicar, contemporaneously, of Kilmany (*CPR.*, ix. p. 540).

VII

c. 1200.

Cirographum

Hec compositio facta est inter ecclesiam de cupre et ecclesiam de kergile In presencia domini iohannis Dunkel-

densis episcopi assensu et consilio clericorum suorum. Scilicet . quod monachi de cupre singulis annis persoluent ecclesie de kergile unam marcam argenti . dimidiam scilicet marcam ad festum sancti martini et dimidiam ad pentecosten . pro decimis ad terram de kethec pertinentibus ; quam dominus Willelmus Rex predictis monachis dedit in parochia de kergil et carta sua confirmauit. Hec autem compositio inter predictas ecclesias firma et inconcussa in perpetuum remanebit. His testibus. Waltero priore de insula. Magistro iohanne nepoti episcopi. Thoma senescallo domini episcopi. Reginaldo capellano episcopi. Eugenio clerico. Radulfo capellano. Ada persona de forgrund. Matheo decano de Retrefin. Bernardo capellano de kergile. Ernaldo capellano de migel. Roberto capellano de tubermore. Paulino de kergile.

Seal wanting. End. : Compositio super decimis de kethec inter cupre et ecclesiam de Kergil.

Moray Charters, Box 32, Div. IV, Bundle I, No. 14.

VII

Charter recording the agreement between the church of Coupar and the church of Cargill, in the presence of John, bishop of Dunkeld, whereby the monks will pay yearly to the church of Cargill one silver mark for the teinds belonging to the land of Keithick which King William gave to the monks in the parish of Cargill.

Johannis Dunkeldensis episcopi : See note to No. VI.

Kethec : Keithick, frequently mentioned in Coupar charters, lies to the S.W. of Coupar. An abbreviate of King William's charter of donation is given, *Breviarium*, 5. Dunfermline also had land in Keithick, granted to that abbey by Andrew, bishop of Caithness, 1146-1184 (*Dunfermelyn*, 123). This land, later called Little Keithick, was the subject of excambion (as well as the lands of Fordowy, etc.) with George, bishop of Dunkeld for the superiority of Logy, near Dunfermline, and certain annualrents, 7 April, 1506 (*ibid.*, 496).

Waltero priore de Insula : For an account of him see *Inchcolm*, p. 235. He was prior of Inchcolm until 1210, when he became abbot of Holyrood.

Magistro iohanne nepoti episcopi : Not found elsewhere. His 'nepotes' Simon and Robert appear, *c.* 1199 (*Inchaffray*, VII).

Thoma senescallo domini episcopi : See note to previous charter.

Reginaldo capellano episcopi : See note to previous charter.

Eugenio clerico : Witnesses charters of bishops Richard (II) (*Cambuskenneth*, 12 ; *Aberbrothoc*, i. 216), John (II) (*Inchaffray*, XXXII ; *Aber-*

brothoc, i. 217) and Hugh (*Lindores*, xxxiv), and of the latter along with his chapter (*ibid.*, xxxiii). He appears also in Nos. viii and ix.

Radulfo capellano : Witnesses charters of bishop Richard (*RPSA.*, p. 295 ; *Aberbrothoc*, i. 216) and is a witness, along with bishop John, to an agreement regarding the chapel of Ochiltree (*RPSA.*, p. 322). He appears also in Nos. viii and ix.

Ada persona de forgrund : Matheo decano de Retrefin ; Bernardo capellano de kergile : See notes to No. vi.

Ernaldo capellano de migel : Ernald or Arnold appears in Nos. viii and ix. Otherwise not found.

Robert capellano de tubermore : See note to No. vi.

Paulino de kergile : Not found except in No. viii.

VIII

c. 1200.

Johannes . . . Dunkeldensis episcopus . Omnibus . . . . Salutem . Sciant tam presentes quam futuri . nos assensu et consilio clericorum nostrorum concessisse et hac carta nostra confirmasse compositionem factam inter ecclesiam de cupro et ecclesiam de kergile inperpetuum tenendam . Scilicet quod monachi de cupro . . . . (*ut in no. VII*) . . . . dedit. His testibus . Waltero priore de insula . Magistro Johanne nepote episcopi . Thoma senescaldo domini Episcopi . Eugenio clerico . Radulfo capellano . Adam persona de forgrund . Matheo decano de retref . Bernardo capellano de kergil . Arnaldo capellano de migel . Roberto capellano de tybermore . Paulino de kergile.

Seal of bishop attached and intact. End. : Confirmacio Johannis Episcopi super decimis de kethec.

Moray Charters, Box 32, Div. V, Bundle II, No. 42.

VIII

Charter of John, bishop of Dunkeld, confirming the foregoing agreement between the church of Coupar and the church of Cargill.

The persons named are the same as in the previous charter.

IX

c. 1200.

Johannes . . . Dunkeldensis episcopus Omnibus . . . . salutem. Sciant omnes . . . . nos de communi capituli nostri

assensu Dompno abbati de Cupre et eiusdem loci conuentui dedisse . . . terram de Adbrec tenendam de nobis . . . . plenarie et honorifice per omnes suas rectas diuisas. in bosco. in plano. aquis. et pratis. et omnibus aliis asiamentis suis. libere. et quiete. a solutione decimarum et ab omni seruitio. et seculari exactione ad nos siue ad successores nostros pertinente: reddendo inde nobis annuatim et nostris successoribus; quinque marcas. Duas et dimidiam ad pentecosten: et alias duas et dimidiam ad festum sancti martini. his testibus. Thoma Senescallo. Magistro Johanne nepote nostro. Matheo decano. Radulpho et Raginaldo capellanis. A. persona de foregru[n]d. Bricio persona de Cref. A. persona de hudtrus (? huchtrus). helia de Alid. abraham de madernin. Nicholao de Scona. Ernaldo cap-[ellano] de miggil. Galfrido clerico de Maleuilla. Eugenio clerico. Willelmo Giffart.

Seal wanting. End.: De Adbrec. donatio prima.
Moray Charters, Box 32, Div. IV, Bundle I, No. 13.

IX

Charter by John, bishop of Dunkeld, granting the land of Adbrec to the monks of Coupar for a yearly rent of five marks.

Johannes . . . Dunkeldensis episcopus: See note to No. VI.

Adbrec: Ardbreck, not precisely located but frequently associated with Keithick (*Rentale Dunkeldense*, p. 25, etc.) and presumably in that locality.

Thoma Senescallo: See note to No. VI.

Magistro Johanne nepote nostro: See note to No. VII.

Matheo decano: No doubt, the dean of Rattray who appears in No. VI, *q.v.* and note.

Radulfo et Reginaldo capellanis: See notes to Nos. VI and VII.

A. persona de foregru[n]d: See note to No. VI.

Bricio persona de Cref: Brice, parson of Crieff, witnesses many Inchaffray charters, 1199-1223 (*Inchaffray, passim*). He also appears as witness to a charter of Walter, son of Alan (*Scon*, 125), and of Abraham, bishop of Dunblane, *a.* 1214 (*Aberbrothoc*, i. 213).

A. persona de hudtrus: 'Hudtrus' is probably Auchterhouse. This witness has not been found elsewhere.

Helia de Alid: Elias of Alyth; not found elsewhere.

Abraham de madernin: Abraham of Madderty; not found elsewhere.

Nicholao de Scona: not found elsewhere.

Ernaldo cap[ellano] de miggil: See note to No. VII.

Galfrido clerico de Maleuilla: Not found elsewhere. Evidently different

from Galfridus de Maleuil who witnesses charters of Malcolm IV and William the Lion.

Eugenio clerico : See note to No. VII.

Willelmo Giffart : Witnesses charters of William the Lion and probably a charter of Alexander II, 21 June, 1246 (*Carnegies*, ii. No. 25, p. 478). More than one man of this name appears on record in the earlier Middle Ages, *e.g.* William Giffard, who witnesses charters of countess Ada, 1153-78 (*Laing Charters*, 2 ; *RPSA.*, pp. 208, 209 ; *Dunfermelyn*, 151 (where he is called ' clericus ')) ; while Newbattle charters contain references to the land of William Giffard of Lauediston (*Neubotle*, 84) ; to William, son of Hugh Giffard (*ibid.*, 85) ; and to a grant by William the Lion to William Giffard of Stradhehhan (Strathaven) (*ibid.*, p. 288). The same king grants William Giffard a full toft in the burgh of Foreis, at Inverculan, etc., at the castle of Alyth and at Cluny, 1188-99 (*Yester Writs*, 5). The present witness is evidently William, son of Hugh Giffard (*supra*), who had a grant of Giffard Thelin and Polgauethin (Tealing and Powgavie), 1195-99 (*ibid.*, 6), which would give him a connection with Errol ; cf. *Breviarium*, 60. He appears as an envoy to King John of England, 1190 (*Lib. S. Crucis*, 329), and to Henry III, 30 Oct., 1200 (Bain, *Calendar*, i. 292). Maitland Thomson (*Inchaffray*, p. 268) calls him ' second of the Giffords of Yester,' and Thomas de Yestred quitclaims Nether Yestred in his favour, 1230-50 (*Yester Writs*, 13).

X

c. 1201—5 March, 1270/1.

Omnibus . . . Nicholas . . . abbas de Scona . magister Robertus de stuteuyle decanus dunkeldensis . et Robertus Thesaurarius eiusdem ecclesie salutem in domino. Nouerritis nos quoddam instrumentum non deletum . non cancellatum . nec in aliqua sui parte uiciosum in uerba que sequuntur uidisse et de uerbo ad uerbum legisse. Uniuersis . . . . Adam filius Abrahe de Lur salutem. Sciant presentes et posteri me dedisse . . . Dauid ruffo de forfar et heredibus suis quos de uxore susceperit sibi desponsata . kyncrey . que fuit Ede cum suis rectis diuisis . et ad incrementum quandam partem territorii de Lur . per istas diuisas scilicet . Ex occidentali parte magne vie que ducit de Innerarecthyn ad forfar usque ad diuisas inter Lur et Mathyn . ubi quidam fons oritur . et sicut riuulus qui exit de illo fonte descendit in Gethin . et sicut Gethyn descendit in Kerbec . et ex australi parte ubi quidam alius fons

oritur . qui est diuisa inter Lur et Innerarethin . et sicut riuulus qui exit de eodem fonte descendit in Kerbec. Totam hanc terram de kyncrey cum suis rectis diuisis et prefatam terram territorij de Lur ad incrementum datam per suas prenominatas diuisas tenebunt Dauid et predicti heredes sui de me et heredibus meis in perpetuum . In planis et pratis etc. . . . libere . . . ab omni consuetudine et exactione et seculari demanda cum communi pastura de Lur . reddendo mihi et heredibus meis annuatim duas marcas argenti et dimidiam . scilicet . vnam marcam et xl denarios ad pentecosten . et vnam marcam et xl denarios ad festum sancti martini . Et faciendo forinsecum seruicium domini Regis . quantum pertinet ad vnam dauach de kyncrey et quantum pertinet ad decimam partem duarum dauacharum in Lur . Et per hanc annuam solucionem duarum marcarum et dimidie et forinseci seruicii domini Regis sicut dictum est . liberi et quieti erunt ipse . Dauid . et heredes sui in perpetuum ab omnimodo alio seruicio et auxilio et consuetudine et exactione . et seculari demanda . que a me . et heredibus meis de predicto Dauid et heredibus suis de predictis terris aliquo iure communi uel priuato exigi poterint . Salua mihi et heredibus meis sede molendini mei . quod in congruenciori et utiliori loco predicte terre ex illa parte riuuli qua nunc sedet . scilicet . uersus forfar pro meo arbitrio poni debet. Preterea secundum quod predictus Dauid et heredes sui prenominati et homines eorum bladum suum prefate terre de kyncrey et bladum prefati incrementi de territorio de Lur . ad prefatum molendinum cum multura molent . si eis placuerit. Sin autem quicquid uoluerint faciant de ipso blado sine omni disturbacione et exaccione multure . Et ne aliqua contencio possit oriri inter nos uel homines nostros . concessi predicto Dauid et heredibus suis predictis omnem diem martis cum nocte sequenti ad molendinum si velint ad predictum molendinum nullo alio cum ipsis concertante . nec aliquid opus aut auxilium quod ad predictum molendinum pertineat . facere cogentur . Et si aliqua querela orta fuerit aduersus homines Dauidis uel heredum suorum ipsa querela tractari et determinari debet in curia mea et

heredum meorum in territorio de Lur. Et ipse Dauid et heredes sui iamdicti habebunt dimidium forisfacture hominum suorum . et ego dimidium et heredes mei . Et si aliqua querela orta fuerit inter homines Dauidis et heredum suorum tractari et determinari debet in curia sua et heredum suorum Et ipse Dauid et heredes sui habebunt totum forisfacturum hominum suorum . Quod si ipsa querela uenerit ad me per defectum ipsius Dauidis uel heredum suorum ⁊ tractari et determinari debet in curia mea de Lur et ipse Dauid et heredes sui habebunt dimidium forisfacture hominum suorum Et ego et heredes mei aliud dimidium. Hanc autem donacionem feci Dauidi et heredibus suis . illis videlicet tantum quos de uxore susceperit sibi desponsata. Si ucro contigerit quod heredem de sponsa ipsa non susceperit ⁊ concessi et liberam potestatem dedi prefato Dauid donandi idem tenementum deo et Ecclesie beate marie de Cupro in perpetuum et monachis ibidem deo seruientibus cum omnibus predictis libertatibus et aysiaments in hac carta prescriptis et prenominatis . salua suprascripta firma mea et forinseco seruicio domini Regis et salua sede et ductu aque molendini mei . Ego autem et heredes mei manutenebimus et warantizabimus . Dauidi et heredibus suis scilicet quos de propria sponsa susceperit. Sin autem monachis prenominatis terram predictam de kyncrey cum supranominato incremento territori de Lur cum prenominatis diuisis. Hiis testibus Rogero episcopo Sancti Andree . R. Episcopo de brechyn . R. Archidiacono Sancti Andree. Comite Duncano Comite G. Comite G. de Anegus. philippo ualoniis . Camerario . Willelmo Cumyn . J. decano de Anegus . Dauide de la hay . Willelmo de muhauch . Stephano de blar . Allexandro persona de Mualt Malcolmo de ketenes Willelmo clerico Regis de forfar . Thoma de Lundin . Michaele de Migyl . E. persona de neuet . Randulfo Capellano . R. de Bello . Randulfo de La haye . Roberto de Lorimer . Dauide filio hutredi clerico de perth . Willelmo et Jacobo fratribus eius . Dauide filio Gaufridi filii martini de perth et henrico fratre eius jacobo filio ketelli de perth . Cospatricio filio ricolot preposito de forfar . Adam filio aldredi et Ricardo fratre

eius Adam albo de forfar Nicholao de Bennochin . Willelmo de migyl fratre prioris de Cupro Ricardo et Adam filiis eius et multis aliis. In cuius rei testimonium presenti scripto sigilla nostra apposuimus. Datum apud Dunkeld Anno gracie . m° . cc° . Septuagesimo . Tertio Non . Martii.

Part of one seal remains. End. : Transumptum testimoniale de kyncrey cum incremento de lure datum dauid ruffi de forfar . cum marchiis bene notis suis sub sigillis abbatis de Scon et aliorum duorum.

Moray Charters, Box 32, Div. V, Bundle I, No. 24.

X

Charter by Nicholas, abbot of Scone, Master Robert de Stutevyle, dean of Dunkeld, and Robert, treasurer of Dunkeld, citing a charter of Adam, son of Abraham de Lur, whereby he grants to David Ruffus of Forfar, Kyncrey, and, in addition, part of the territory of Lur, for an annual payment of two and a half silver marks and the performing of the service of the king for a davach of Kyncrey and the tenth of two davachs of Lur, with exemption from other services, reserving for himself a site for his mill, at which David and his heirs may grind their grain of the lands of Kyncrey and Lur, if they so desire ; he has likewise granted to David and his heirs to spend every Tuesday and the following night at the mill, without any obligation of services to it. Any suit which shall have arisen against David's or his heirs' men will be settled in Adam's court in the territory of Lur, and David and his heirs will have half the forfeiture and Adam and his heirs half; and any suit arising among David's men or his heirs shall be settled in his or his heirs' court and David and his heirs will have the whole forfeiture. If any suit shall have come to Adam by default of David and his heirs, it will be settled in Adam's court of Lur, half the forfeitures to go to David and his heirs and half to Adam. In defect of heirs, David is empowered to bestow this holding on the monks of Coupar, with the above reservation of rent, military service and the site and water-course of the mill.

The date of this charter (and of No. LX) can be read as 5 March, 1270/1 or 7 March, 1273/4. The former date is taken because (1) Nicholas, abbot of Scone, was possibly in Rome at the latter date (see *infra*) ; (2) Robert de Stuteville was elected to the see of Dunkeld by 7 May, 1273, when the pope empowered three bishops to confirm his election and consecrate him (Dowden, *Bishops*, p. 58).

Nicholas . . . abbas de Scona : Succeeded abbot Robert who resigned in 1270 ; his appointment was evidently unpopular—' plus domini regis timore quam amore abbas effectus est ' (*Scotichronicon*, ii. p. 112). He appears as abbot, 30 July, 1272 (*Scon*, 119). Nicholas was elected bishop of Caithness, but his election is said to have been quashed by the Pope

owing to the abbot's intolerable lack of learning and faculty was given to make a new election, 4 June, 1273 (*CPR.*, Letters, i. p. 446; cf. *Scotichronicon*, ii. p. 112). He is said to have returned from the Curia in 1275 (*Scotichronicon*, ii. p. 122).

Magister Robertus de stuteuyle decanus dunkeldensis: See *Inchcolm*, p. 140.

Robertus Thesaurarius eiusdem ecclesie: Appears (if he is identical with the present Robert), 26 April, 1245 (*RPSA.*, p. 307), and is a witness of charters of William Blundus, 1236-49 (*Scon*, 94, 122), and of Hugh Giffard (*RPSA.*, p. 284).

Adam filius Abrahe de Lur: Grants three acres and a toft in Lour to St. Andrews priory (*RPSA.*, pp. 276, 342). He was apparently father of Henry de Neuith (see No. LIX). Lour, from which Abraham took his name, is Little Lour in the parish of Inverarity, to be distinguished from Lour in the parish of Forfar (cf. *Carnegies*, i. pp. xcv-xcvi).

Dauid ruffo de forfar: Witnesses Adam's charter to St. Andrews priory (*RPSA.*, p. 276). Evidently identical with David de Forfar who appears in No. XIII and witnesses charters, 1178-80 (*Aberbrothoc*, i. 90) and *c.* 1206 (*ibid.*, 140). No. LX shows that he was a crusader.

Kyncrey: Kincriech in the parish of Inverarity.

Inuerarechthyn: Inverarity.

Mathyn: The name survives as Meathie. There was a parish of Mathie or Mathielour, now incorporated in Inverarity (see *Cupar*, i. p. xlvii n.). For its church, see note to No. CXII.

Gethin: This name, apparently, has not survived.

Kerbec: The Kerbet water flows N.W. through the parishes of Inverarity and Kinnettles.

Witnesses:

Rogero episcopo Sancti Andree: See note to No. III.

R. Episcopo de brechyn: Ralph, bishop of Brechin, elected 1198 or 1199, consecrated 1202, according to Dowden, *Bishops*, p. 174, but cf. date of charter.

R. Archidiacono Sancti Andree: Perhaps identical with master Ranulf the official of No. III. Master Ranulf or Randulf witnesses charters of bishop Roger, 1 July, 1200 (*Cambuskenneth*, 59), and, undated (*RPSA.*, p. 153), as well as charters of bishop William (*ibid.*, pp. 106, 155, 156; *Dunfermelyn*, 110). He was present at a synod held at Perth, 11 April, 1206 (*Spalding Club Misc.*, v. p. 210). Ranulf died in 1209 (*Chron. Mailros*, p. 108) and was succeeded by master Lawrence the official.

Comite Duncano: Duncan, earl of Fife. See note to No. I.

Comite G.: Perhaps a duplication by the scribe of the name which follows. Otherwise impossible of identification.

Comite G. de Anegus: According to *Scots Peerage*, i. p. 162, Gilchrist, earl of Angus, first appears in 1198 and was apparently alive *c.* 1204 or later. He witnesses an indenture, 1198 (*Aberbrothoc*, i. 148), and, along with his son, Duncan, an agreement between the convent and the Culdees of St. Andrews, about the same date (*RPSA.*, p. 318). Earl Gilchrist

granted to Arbroath the churches of Monifieth, Murroes, Kirriemuir and Strathdicty, 1201-7, and land for founding an hospital at Portincraig (*ibid.*, 1, 41, 43, 44, 50). Duncan, earl of Angus, confirms these donations of his father, 1204-11 (*ibid.*, i. 47). Earl Gilchrist witnesses a charter of David Ruffus to Coupar (*Cupar*, i. p. 344).

Philippo ualoniis . Camerario : See note to No. II.

Willelmo Cumyn : Eldest son of Richard Cumyn ; married, in or before 1214, Marjory or Margaret, countess of Buchan, and became earl of Buchan in her right (*Scots Peerage*, i. p. 252). He appears in many charters of the period. Cumyn was justiciar during the reigns of William and Alexander II. He is mentioned as messenger of William the Lion to King John, 30 Oct., 1200 (Bain, *Calendar*, i. 292). Henry III granted William Cumyn, earl of Buchan, justiciar of Scotland, a weekly market at his manor of Thorenton in Tynedale, 20 June, 1221 (*ibid.*, i. 809). Cumyn died in 1233 (*Chron. Mailros*, p. 144). Walter Cumyn, later earl of Menteith, was his son (Anderson, *Early Sources*, ii. p. 497 n.). He founded the Cistercian abbey of Deer, 1219 ; confirmed the donation of the church of Kilrenny to Dryburgh, *c.* 1220 (*Dryburgh*, 18) ; along with his wife, Margaret, granted the church of Buthelny to Arbroath, 1221 (*Aberbrothoc*, i. 130) ; appears in a charter of William the Lion as having granted to Kelso land over which there had been controversy between him and that abbey (*Calchou*, 9) ; and granted a stone of wax to Glasgow Cathedral (*REG.*, i. 117).

J. decano de Anegus : John, dean of Angus, witnesses a charter of Eva and David de Haya, her son (*RPSA.*, p. 314) ; otherwise designed dean of Forfar, as witness to No. III, charters of Gilchrist, earl of Angus, 1201-1207 (*Aberbrothoc*, i. 44), and William, bishop of St. Andrews, 1204-11 (*ibid.*, i. 166), and an indenture between that bishop and Henry, abbot of Arbroath, 1204-11 (*ibid.*, 167).

Dauide de la hay : Eldest son of William Hay of Errol. He had a grant of Errol from William the Lion (*Spalding Club Misc.*, ii. pp. 304-5) during his father's lifetime and this was confirmed by Alexander II (*ibid.*, ii. pp. 305-6). Alexander II also confirms an agreement between William, bishop of St. Andrews, and David de Haia regarding the lands of Ecclesdouenauin and the patronage of the church of Errol (*ibid.*, p. 306). He witnesses charters of William the Lion and Alexander II and appears as sheriff of Forfar (*Aberbrothoc*, i. 64). In May, 1237, a controversy between him and Scone regarding the second teinds of his lands in the Carse of Gowrie was settled (*Moray MS.*, f. 1). He died between May, 1237, and 27 April, 1241, according to *Scots Peerage*, iii. p. 557 ; but No. XLII shows that he was dead when it was granted and it is *confirmed*, 18 April, 1241 (No. XLVI). Along with Eva, his mother, he gave St. Andrews a charter regarding Pitmilly (*RPSA.*, p. 313) and he made a grant to Lindores (*Lindores*, XXXVI ; cf. *ibid.*, p. 260), which is confirmed by his son, Gilbert (*ibid.*, LXXVIII), and to Inchaffray (*Inchaffray*, LXVIII). Hay also granted to Coupar a net on the Tay, for the souls of William, his father, and Ethua, William's wife, and Elena, his own wife, with consent of his heir,

Gilbert (*Spalding Club Misc.*, ii. p. 307; *Cupar*, ii. p. 284). Robert and Malcolm, his brothers, witness that charter. For his second wife, Eva, see note to No. XLII. He is mentioned in later charters, *e.g.* Nos. XLII, XLVI.

Willelmo de muhauch : Not identified.

Stephano de blar : Donor of Lethcassy to Coupar (*Cupar*, i. p. 333); witness of a charter of William de Haya to Coupar (*ibid.*, i. p. 336) and also of a charter of Donald, abbot of Brechin, 1204-11 (*Aberbrothoc*, i. 74 (*bis*)).

Allexandro persona de Mualt : Neither this man nor his parish have been identified.

Malcolmo de ketenes : Witnesses a charter of Stephen de Blar (*Cupar*, i. p. 333). He is also one of the witnesses of an agreement between Maurice, earl of Menteith, and his younger brother, Maurice, 6 Dec., 1213 (Bain, *Calendar*, i. 2276).

Willelmo clerico Regis de forfar : Not known unless William, clerk of Forfar, who witnesses an undated charter of Swan, son of Thor (*Scon*, 21), can be identified with him.

Thoma de Lundin : Appears in No. XVII as son of Malcolm de Lundin; king's usher and sometimes called simply 'Thomas Ostiarius' (*e.g. Inchaffray*, xx; *Aberbrothoc*, i. 1, etc.). He appears in the reign of William and early years of Alexander II. Thomas gave the church of Echt to Scone (*Scon*, 91); he also granted the church of 'Kynnern' and the wood of Trostach to Arbroath, 1203-14 (*Aberbrothoc*, i. 1, 60, 65), and, *c.* 1215, a further donation of two shillings yearly (*ibid.*, i. 141). He was evidently also a benefactor of North Berwick nunnery (*N. Berwic*, 10). See further *Inchcolm*, p. 118. Another Thomas, son of Walter de Lundin, appears (*RPSA.*, p. 264; *Cambuskenneth*, 37).

Michaele de Migyl : Appears also in No. XVI. He witnesses a charter of Adam, son of Abraham de Lur (*Cupar*, i. p. 344).

E. persona de neuet : Edward, parson of Nevay, appears also in No. XVI. Neuet is certainly Nevay, now joined to Eassie, rather than Neueth, now Roseneath (cf. *Orig. Paroch.*, i. p. 28).

Randulfo capellano : Witness to a charter of Adam, son of Abraham de Lur (*RPSA.*, p. 276).

R. de Bello : Not identified. He was probably 'of Balloch.'

Randulfo de la haye : Not mentioned in *Scots Peerage*. An undated memorandum refers to the house of Randulph de Haya beside 'Munobretum' (*RPSA.*, p. 27); and a charter of David de Haya has the phrase 'between Lornyn and the march of Randulph de Haya' (*Spalding Club Misc.*, ii. p. 307=*Cupar*, i. p. 339).

Roberto de Lorimer : Not found elsewhere.

Dauide filio hutredi clerico de perth : Willelmo et Jacobo fratribus eius : David does not appear in charters; but William, son of Huchtred, burgess of Perth, appears (*Scon*, 82) and James, son of Huchtred, figures in the same charter and elsewhere (*ibid.*, 86, 90, 97, 169).

Dauide filio Gaufridi filii martini de perth et henrico fratre eius : David

has not been found on record. Henry, son of Geoffrey, is mentioned as alderman of Perth (*Scon*, 97) and as provost of Perth (*ibid.*, 86, where Geoffrey of Perth is called 'clerk to the lord king'). He is also found witnessing, undesigned, several charters (*Scon*, 169 (along with his son, Geoffrey); *Dunfermelyn*, 149; *Aberbrothoc*, i. 215 (*a.* 1214)).

Jacobo filio ketelli de perth : One of the 'plegii' mentioned in a charter of William, son of Ketell of Perth, and Eva, his wife (*Scon*, 97); witness to an agreement between May and Duncan of Inchyra (*May*, 38).

Cospatricio filio ricolot preposito de forfar : Not found.

Adam filio aldredi et Ricardo fratre eius : Adam, son of Alden, witnesses a charter of John, the abbot, and the convent of Kelso, 1178 (*Aberbrothoc*, i. 2); of earl Patrick of Dunbar (*RMS.*, i. 839; *ibid.*, i. App. I, 19); and of earl Gospatric III of Dunbar (*N. Durham*, CXII). It is impossible to identify him precisely with the present witness. Richard, his brother, appears only in No. xx. '*Adino* filio Aldredi' of *Breviarium*, 42, is probably this witness under a garbled name.

Adam albo de forfar : Witnesses charters of Gilchrist, earl of Angus, 1201-7 (*Aberbrothoc*, i. 39, 41, 43, 44, 46), of Robert de Lundris (*sic*), son of the king, 1180-1214 (*ibid.*, i. 61), and of Umfrid de Berkeley, 1204-11 (*ibid.*, i. 89). There can be little doubt that the mysterious Adam, 'abbas de Forfar,' who appears in *Breviarium*, 42, as constituting the 'monks of Forfar' his heirs in the event of his dying childless, is none other than Adam Albus de Forfar. The 'monks of Forfar' may be the two Cistercians who were to serve the chapel on an island in Forfar loch (cf. No. xxv), but one would hazard the suggestion that the original charter had 'Coupar' not 'Forfar.'

Nicholao de Bennochin : Nicholas de Benauchin witnesses a charter of Thomas, earl of Athole (*Dunfermelyn*, 149). It is impossible to say whether he is to be identified with Nicholas de Benethyne who is found as a witness elsewhere (*Soltre*, 45; *Calchou*, 192, 193).

Willelmo de migyl fratre prioris de Cupro Ricardo et Adam filiis eius : None of these can be identified. They may have been related to Michael de Migyl, *supra*.

XI

1201.

Omnibus . . . dauid Ruffus de Forfare salutem. Sciatis me dedisse . . . deo et ecclesie beate marie de Cupre et monachis ibidem deo seruientibus quos pro salute corporis et anime domini mei Regis Willelmi et filii eius alexandri et pro salute anime mee mihi constitui heredes terram meam de kincref que fuit ede per suas rectas diuisas quam tenui de adam filio abrahe de lur . illo scilicet concedente et carta sua confirmante cum quadam parte territorii de

lur quam mihi dedit ad incrementum per suas nominatas diuisas . Scilicet . per has . ex occidentali parte magne uie que ducit de Inuerarethin ad Forfar . usque ad diuisas inter lur et mathin ubi quidam fons oritur et sicut riuulus qui exit de illo fonte descendit in Gethin . et sicut Gethin descendit in Kerbet . Et ex australi parte ubi quidam alius fons oritur qui est diuisa inter lur et inuerarethin . et sicut riuulus qui exit et eodem fonte descendit in kerbet . cum communi pastura de lur . tenendam sibi in liberam et perpetuam elemosinam . reddendo annuatim prefato ade et heredibus suis duas marcas argenti et dimidiam . unam marcam scilicet et xl^a^ denarios ad pentecosten et unam marcam et xl^a^ denarios ad festum sancti martini . pro omni seruicio . et consuetudine . et exactione sibi et heredibus suis pertinenti. Saluo forinseco seruitio domini Regis quantum pertinet ad unam dauac de kincref . et quantum pertinet ad decimam partem duarum dauacarum in lur. prout in carta prefati ade continetur . quam de ipso adam de prefato tenemento habui et prenominatis monachis de cupre sicut heredibus meis iterum ierlin una cum prenominata terra de kincref et incremento territorii de lur donaui . Hanc autem donationem feci eisdem monachis anno quo dominus iohannes cardinalis tituli sancti Stephani in celio monte missus est legatus in Scociam a latere summi pontificis Innocencii tercii et concilium apud perth tenuit iij^o^ Nonas decembris.[1] Illo legato testante et sigillum suum in testimonium appendente. His testibus. Rogero episcopo sancti Andree. Willelmo episcopo Glasguensi. Johanne episcopo Dunkelde. Raginaldo episcopo de Ros. R. abbate de Melros. H. abbate de Abrebrohoc. Ricardo de prebenda. Comite Dunecano. G. comite de Stradhern. Rogero de mortemer. Dauid de haya. et multis aliis.

Seals of Ruffus and the legate appended. End. : Carta D. Ruff⟨i⟩ de Kyncref.

Moray Charters, Box 32, Div. IV, Bundle I, No. 23.

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[1] At this point the charter continues in a new hand.

XI

Charter by David Ruffus of Forfar, making known that he has granted to the monks of Coupar, whom he has made his heirs, his land of Kincref which he has held of Adam, son of Abraham de Lur, with his (Adam's) consent and charter of confirmation, along with part of Lur, which Adam has given him additionally. Likewise, he has given to the monks Airlie along with the aforesaid lands. He has made this grant in the year when cardinal John was sent to Scotland and held a council at Perth on 3 December.

This charter is noted, *Breviarium*, 76.

For persons and places see notes to previous charter. 'Ede' is Adam, son of Abraham de Lur. Note that in No. LX it is stated that David made this donation to Coupar when about to go to Jerusalem, *i.e.* as a Crusader.

Ierlin : Airlie, mentioned here for the first time in Coupar charters.

Anno quo dominus iohannes cardinalis . . . missus est legatus in Scociam : Scotichronicon (i. p. 516) states that in 1201 cardinal John came as legate into Scotland 'and for three days in the month of December held a council at Perth.' *Chron. Mailros* (p. 104) and *Chron. Lanercost* (p. 1) mention the council as having been held by John de Salerno, cardinal-priest, in 1201 ; the month is not given in either. Cardinal John issues letters in 1201 while acting as legate in Scotland and Ireland, 'in a council held by us at Perth in Scotland on St. Nicholas' day (6 Dec.)' regarding a controversy between the bishops of St. Andrews and Glasgow and Kelso abbey (*Calchou*, 427). There is perhaps not a serious discrepancy between *Scotichronicon's* statement of the length of the council and the facts that the Coupar charter describes it as meeting on 3 Dec. and the Kelso charter suggests its continuance till at least 6 Dec. The legate, who attests the present charter, left Scotland in the following year for Ireland (*Scotichronicon*, i. p. 516).

Witnesses :

Rogero episcopo sancti Andree : See note to No. III.

Willelmo episcopo Glasguensi : William de Malvoisine, bishop of Glasgow, 1200-2 (Dowden, *Bishops*, p. 300), thereafter translated to St. Andrews.

Johanne episcopo Dunkelde : John (I), 'cognomine Scotus,' bishop of Dunkeld, 1183 (?)-1203 (*ibid.*, p. 51).

Raginaldo episcopo de Ros : Reginald, bishop of Ross, 1195-1213 (*ibid.*, pp. 210-211).

R. abbate de Melros : Ralph, abbot of Kinloss, succeeded Rayner as abbot of Melrose, 18 Sept., 1194 (*Chron. Mailros*, p. 102). He witnesses a charter of cardinal John, the legate, 6 Dec., 1201 (*Calchou*, 427=*REG.*, i. 93). Ralph became bishop of Down in Ireland, 1202 (*Chron. Mailros*, pp. 104, 191 ; *Chron. Lanercost*, p. 2) ; and in that capacity he blessed the abbots of Fountains, Furness and Calder at Melrose, 13 Dec., 1211 (*Chron. Mailros*, p. 111).

H. abbate de Abrebrohoc : Henry, described as second abbot of Arbroath

(*Aberbrothoc*, i. p. xiii), occurs frequently in that abbey's records. He appears as abbot at least as early as 1170, as witness to a charter of William the Lion (*REA.*, i. p. 13); he had been a monk of Kelso and, like his predecessor, received a charter quitclaiming him from obedience to that house, 1179 (*Aberbrothoc*, i. 3). He witnesses cardinal John's charter, 6 Dec., 1201 (*Calchou*, 427). He is called (*Aberbrothoc*, i. p. xiii) 'abbot till 1201 or later'; but he appears in a decreet of a synod at Perth, 11 April, 1206 (*Spalding Club Misc.*, v. p. 209), and as a papal mandatory, 20 March, 1207/8 (*CPR.*, Letters, i. p. 28).

Ricardo de prebenda : Witnesses, usually as king's clerk, many charters of William the Lion. He became bishop of Dunkeld in 1203 (Dowden, *Bishops*, p. 52).

Comite Dunecano : Duncan, earl of Fife. See note to No. 1.

G. comite de Stradhern : Gilbert, earl of Strathearn, who witnesses many charters of William the Lion, succeeded Ferteth, his father, who died in 1171 (*Scots Peerage*, viii. p. 241). He himself died in 1223 (*ibid.*, viii. p. 242). Gilbert was the founder of Inchaffray and a benefactor of Lindores (*Lindores*, xxx, etc.). For an account of him, see *Inchaffray*, p. lix *seq.*

Rogero de mortemer : Probably Roger 'de Mortuomari' who is called son of Constantine 'de Mortuomari,' 1202-4 (*Aberbrothoc*, i. 136). He witnesses charters of William the Lion and Alexander II. Mortimer is described as sheriff of Perth in a charter of King William (*Scon*, 46) and in that capacity was emissary of the Scottish king (William) to the king of England (*Scotichronicon*, i. p. 525). There is a reference to his wife, daughter of William de Breosa, 1210 (Bain, *Calendar*, i. 480). He is on record till at least 1218 (*Melros*, 101). Mortimer granted the church of Fowlis to Thomas, the parson, nephew of William Maule (*RPSA.*, p. 41).

Dauid de haya : See note to No. x.

XII

1190-1214.

Vniuersis sancte matris ecclesie filiis literas istas uisuris uel audituri[s] Walterus murdoch salutem. Sciant tam presentes quam futuri me pro salute domini mei regis Willelmi et domini alexandri filii eius et pro salute mea et sponse mee et antecessorum et successorum meorum concessisse . . . . monachis de cupro . . . donacionem illam quam petrus polloc fecit eis scilicet aisiamenta boscorum suorum materiem * * * omnibus aliis asiamentis domui de cupro necessariis. in puram et perpetuam elemosinam * * * heredibus meis ita libere . . . . sicut carta prefati [Petri] de eisdem asiamentis. test[atur] * * * ut predictum * * * donacionem meam sigilli mei munimine roboraui * * * mee

et sponse * * * pro uno monachorum. Hiis Testibus (*nomina desunt*).

This charter is much defaced. Seal missing. End.: Confirmacio Walteri Murdac de aisiamentis.

Moray Charters, Box 32, Div. IV, Bundle I, No. 24.

XII

Charter by Walter Murdoch confirming the grant which Peter Polloc made to the monks of Coupar of certain easements of his woods.

It may be presumed that this charter belongs to the time when the abbey buildings were under construction.

Walterus murdoch: Married to Muriel, daughter of Peter Pollock (*Kinlos*, p. xii), and mentioned along with her as a benefactor of Kinloss (*ibid.*, 6). He witnesses charters of William the Lion, 1189-92 (*HMC. Rep.*, v. App., p. 624), 1195-99 (*Yester Writs*, 6), and elsewhere (*e.g. Aberbrothoc*, i. 29; *N. Durham*, LIII). A man of this name appears as a donor of land at Orde to Paisley (*Passelet*, p. 412).

Petrus polloc: Witnesses charters of King William, 1172-8 (*REM.*, p. 454) and at other dates (*RMS.*, ii. 804; *Calchou*, 385); grants the haugh of Dundurcus and a fishing to Kinloss (*REM.*, pp. 456, 458=*Kinlos*, 4, 6) and witnesses charters of the men of Moray, 1187-99 (*REM.*, p. 5), and of Richard, bishop of Moray, 1189-99 (*ibid.*, pp. 11, 14). A man of this name grants Mearns to Paisley (*Passelet*, p. 98) and is a witness (*ibid.*, p. 176).

XIII

(*a.* 1198). *p.* 1201.

Johannes sola miseratioue diuina tituli Sancti Stephani in Celio monte presbyter cardinalis apostolice sedis legatus . Dilectis filiis Abbati et Conventui de Cupre . Salutem et Benediccionem in domino. Celestinus episcopus seruus seruorum dei . Dilectis filiis Abbati monasterii Sancte Marie de Cupre Eiusque fratribus tam presentibus quam futuris regularem uitam professis . in perpetuum. Religiosam uitam eligentibus apostolicum conuenit adesse presidium . ne forte cuiuslibet temeritatis incursus . aut eos a preposito reuocet . aut robur quod absit sacre religionis infringat. Eapropter dilecti in domino filij uestris iustis postulationibus clementer annuimus . et prefatum monasterium Sancte dei genetricis et uirginis Marie de Cupre . in

quo diuino mancipati estis obsequio . sub Beati Petri et nostra protectione suscipimus . et presentis scripti priuilegio communimus. In primis siquidem statuentes . ut ordo monasticus qui secundum deum et beati Benedicti regulam atque institutionem Cisterciensium fratrum in eodem monasterio institutus esse dinoscitur . perpetuis ibidem temporibus inuiolabiliter obseruetur Preterea quascumque possessiones quecumque bona idem monasterium inpresentiarum iuste et canonice possidet . aut in futurum concessione pontificum largitione regum uel principum . oblatione fidelium . uel aliis iustis modis prestante domino poterit adipisci . firma uobis uestrisque successoribus et illibata permaneant. In primis hec propriis duximus exprimenda uocabulis . Locum ipsum in quo prefatum monasterium situm est . cum omnibus pertinentiis suis. Ex dono Malcolmi regis Grangiam de Cubre cum ecclesia infra grangiam sita . cum pertinentiis suis . Grangiam etiam de balbrogin Tulifergus . Drumin . et aisiamenta foreste sue . scilicet . materiem . pasnagium . ad ignem necessaria . corticem . Aisiamenta more . et piscaturas aquarum uestrarum Ariht et Ylif. Ex dono regis Willelmi kethec per suas rectas diuisas cum omnibus appendiciis suis . et cum ecclesia infra eam sita . Grangiam de Aberbotherin cum ecclesia infra grangiam sita cum omnibus pertinentiis suis . Et duas carucatas terre in territorio de retrif . et kambusadony . asiamenta foreste sue . scilicet . materiem . pasnagium . Ad ignem necessaria . corticem . aisiamenta more . piscaturas etiam aquarum uestrarum . arith et ylif . et unum toftum in pert . et in eodem burgo unam domum lapideam. Ex dono comitis atholie aisiamenta foreste sue . materiem . ligna . cortice (*sic*). pasnagium per totam athodliam. Ex dono Willelmi de la Haie . Hederpolles per suas rectas diuisas. Ex dono Stephani de Blare Lethcassy. Ex dono Dauid de Forfare . terram suam de kincref . per suas rectas diuisas . et duos toftos in forfare . Necnon et terram quam tenetis de episcopo de dunkeldin . scilicet . adbrehc. Ex dono alani filii Walteri unum toftum in Remfriu . cum piscatura unius retis in clud. Et compositionem factam inter ecclesiam de Cupre . et herole . coram

R. episcopo de Sancto Andrea. Et compositionem inter ecclesiam de Cupre . et ecclesiam de kergille de decimis de ketehc . coram Johanne episcopo de dunkeldin. Sane laborum uestrorum quos propriis manibus aut sumptibus colitis . tam de terris quam incultis . siue de ortis et uirgultis . et piscationibus uestris . uel de nutrimentis animalium uestrorum . nullus de uobis decimas exigere . vel extorquere presumat. Liceat quoque uobis clericos uel laicos liberos et absolutos e seculo fugientes ad conuersionem recipere et eos absque aliqua contradictione retinere. Prohibemus insuper ut nulli fratrum uestrorum post factam in monasterio uestro professionem . fas sit absque abbatis sui licentia de eodem loco discedere. Discedentem uero absque communium litterarum cautione nullus audeat retinere. Quod si quis forte retinere presumpserit . licitum sit uobis in ipsos monachos . siue conuersos sententiam regularem proferre. Illud districtius inhibentes ne terras . seu quodlibet beneficium ecclesie uestre collatum . liceat alicui personaliter dari . siue alio modo alienari . absque consensu totius capituli . vel maioris partis et sanioris. Si que uero donationes uel alienationes aliter quam dictum est facte fuerint . eas irritas esse censemus. Ad hec prohibemus ne aliquis monachus . siue conuersus sub professione domus uestre astrictus . sine licentia et consensu abbatis et maioris partis capituli uestri pro aliquo fide iubeat . vel ab aliquo pecuniam mutuo accipiat . ultra precium capituli uestri prouidentia constitutum . nisi propter manifestam domus uestre utilitatem. Quod si facere presumpserit . non teneatur conuentus pro his aliquatenus respondere. Licitum sit preterea uobis in causis propriis . siue ciuilem siue criminalem contineat questionem . fratrum uestrorum testimoniis uti . ne pro defectu testium ius uestrum in aliquo deperire. Insuper auctoritate apostolica inhibemus ne ullus episcopus uel quelibet alia persona ad sinodos uel conuentus forenses uos ire uel iudicio seculari de uestra propria substantia . uel possessionibus uestris subiacere compellat . nec ad domos uestras ordines faciendi . causa tractandi . crisma consecrandi . uel aliquos publicos conuentus conuocandi

uenire presumat . Nec regularem uestri abbatis electionem impediat . aut de instituendo uel remouendo eo qui pro tempore fuerit contra statua Cisterciensis ordinis se aliquatenus intromittat. Si uero episcopus in cuius parochia domus uestra fundata est . cum humilitate et deuotione qua conuenit . requisitus . substitutum abbatem benedicere . et alia que ad officium episcopale pertinent . uobis conferre renuerit . licitum sit eidem abbati . si tamen sacerdos fuerit . proprios nouicios benedicere . et alia que ad officium suum pertinent excercere . et uobis omnia ab alio episcopo percipere que a uestro fuerint indebite denegata . Illud adicientes ut in recipiendis professionibus que a benedictis vel benedicendis abbatibus exibentur . ea sint episcopi forma . et expressione contenti . que ab origene ordinis noscitur instituta . ut scilicet abbates ipsi saluo ordine suo profiteri debeant . et contra statuta ordinis sui nullam professionem facere compellantur. Pro consecrationibus uero altarium uel ecclesiarum . siue pro oleo sancto uel quolibet ecclesiastico sacramento . nullus a uobis sub obtentu consuetudinis . uel alio modo quicquam audeat extorquere. Si hec omnia gratis uobis episcopus diocesanus impendat . Alioquin liceat uobis quemcumque malueritis catholicum adire antistitem gratiam et communionem sacrosancte romane sedis habentem . qui nostra fretus auctoritate uobis quod postulatur . inpendat. Quod si sedes diocesani episcopi forte uacauerit . interim omnia ecclesiastica sacramenta a uicinis episcopis accipere libere et absque contradicione possitis . Sic tamen ut ex hoc in posterum propriis episcopis nullum preiudicium generetur. Quia ucro interdum propriorum episcoporum copiam non habetis . si quem episcopum Romane sedis ut diximus communionem habentem . et de quo plenam noticiam habeatis . per uos transire contigerit . ab eo benedictiones uasorum et vestium et consecrationes altarium . ordinationes monachorum . auctoritate apostolice sedis accipere ualeatis. Porro si episcopi . uel alii ecclesiarum rectores in monasteria uestra vel personas inibi constitutas . suspensionis . excommunicationis . vel interdicti sententiam promulgauerint . siue etiam in mercenarios uestros pro eo

quod decimas non soluitis . uel aliqua occasione eorum que ab apostolica benignitate uobis indulta sunt seu benefactores uestros pro eo quod aliqua uobis beneficia . vel obsequia ex caritate prestiterunt . uel ad laborandum adiuuerint in illis diebus in quibus uos laboratis et alii feriantur . eandem sententiam protulerint . ipsam tanquam contra sedis apostolice indulta prolatam duximus irritandum . Nec littere ulle firmitatem habeant . quas tacito nomine Cisterciensis ordinis . et contra tenorem apostolicorum priuilegiorum constiterit impetrari. Preterea cum commune interdictum terre fuerit . liceat uobis nichilominus in uestro monasterio exclusis excommunicatis . et interdictis . diuina officia celebrare. Paci quoque ac tranquillitate uestre paterna in posterum sollicitudine prouidere uolentes . auctoritate apostolica prohibemus . ut infra diuisas locorum seu grangiarum uestrarum . nullus rapinam . seu furtum facere . ignem apponere . sanguinem fundere . hominem temere capere . vel interficere . vel uiolentiam audeat excercere. Preterea omnes libertates et immunitates a predecessoribus nostris Romanis pontificibus ordini uestro concessas . necnon libertates et exemptiones secularium exactionum a bone memorie Malcolmo . et Willelmo illustre Scottorum . regibus et principibus . vel aliis fidelibus rationabiliter uobis indultas . auctoritate apostolica confirmamus . et presentis scripti priuilegio communimus. Decernentes ergo ut nulli omnino hominum fas sit prefatum monasterium temere perturbare . aut eius possessiones auferre . uel ablatas retinere . minuere . seu quibuslibet uexationibus fatigare . sed omnia integra conseruentur . eorum pro quorum gubernatione ac sustentatione concessa sunt usibus omnimodis profutura . Salua sedis apostolice auctoritate. Si qua igitur in futurum ecclesiastica secularis ue persona hanc nostre constitutionis paginam sciens . contra eam temere uenire temptauerit . secundo . tertio ue commonita . nisi reatum suum congrua satisfactione correxerit . potestatis honorisque sui dignitate careat . reamque se diuino iudicio existere de perpetrata iniquitate cognoscat . et a sacratissimo corpore et sanguine dei et domini redemptoris nostri ihesu Christi aliena fiat .

atque in extremo examine diuine ultioni subiaceat. Cunctis autem eidem loco sua iura seruantibus sit pax domini nostri ihesu Christi . Quatenus et hic fructum bone actionis percipiant . et apud districtum iudicem premia eterne pacis inueniant. Amen.

Seal missing. Endorsed : Celestinus. etc. quam multa bona priuilegia et utilia ut patet infra. xix transsumptum.

Moray Charters, Box 32, Div. V, Bundle II, No. 64.

XIII

Bull of Celestine III confirming the possessions and privileges of the monks of Coupar.

There are several features of this document which bring it under suspicion. Sir A. C. Lawrie has observed : ' This professes to embody a bull by Pope Celestine who died in 1198. Cardinal John did not come as legate to Scotland until 1201, when David Ruffus gave a charter (confirmed in this confirmation), that is three years after Pope Celestine's death ' (*Scottish Historical Documents*; Transcripts and Notes by Sir A. C. Lawrie, vol. xiii. (Nat. Lib. of Scotland)). No. xi specifically refers to John as the legate of Innocent III. Further, the bull only exists in a transumpt of later date (fourteenth or fifteenth century) than the supposed original. Its style is peculiar—the greeting by which it is prefaced is followed abruptly by the text of the bull; while the legate's charters given elsewhere begin in the usual manner, *e.g. Calchou*, 427 :

> ' Johannes tituli sancti stephani in celio monte miseracione diuina presbyter cardinalis apostolice sedis <in Scocia et ybernia> legatus. Omnibus sancte matris ecclesie filiis . . .'

The conclusion consists of a single Amen with no attestations or date (this, however, is not unique; see *Balmorinach*, 58). The above considerations seem to justify the opinion that it is either forged or tampered with by the transcriber. Unlike other monastic chartularies, the Coupar charters contain only this one dubious example of a papal bull confirming the abbey's possessions.

Johannes . . . presbyter cardinalis . . . legatus : See note to No. xi.

Ex dono Malcolmi regis Grangiam de Cubre cum ecclesia infra grangiam sita : The precise terms of Malcolm's original endowment—except that it comprised the land of Coupar—are unknown. Alexander II's confirmation-charter (No. xxv) describes it merely as ' Coupar with its churches, lands, teinds and other pertinents.' That there was a church situated within the bounds of Coupar Grange is, at least, unlikely. See Introduction, p. xxviii.

Grangiam . . . de balbrogin : Balbrogie lies N.E. of Coupar.

Tulifergus : W. of Alyth.

Drumin : Drimmie, north of Rattray, on the right bank of the river

Ericht. It appears as in the hands of Coupar in a decreet of perambulation of 1223/4 (No. xxxiv). Perhaps only part of Drimmie was held by Coupar as, on 21 March, 1299/1300, Adam de Glenbachlach gave the monks a lease of all his land of Drimmie (No. lxvi).

Aisiamenta foreste sue : The grant of the easements of all his forests in Scotland (and of coal or charcoal, not mentioned in the present writ) appears in the abbreviate of one of Malcolm's charters (*Breviarium*, 2) and the confirmation-charter of Alexander II (No. xxv).

Piscaturas aquarum uestrarum Ariht et Ylif : There is a reference in a charter of 1518 to a charter of the fishery on the Isla granted by King Malcolm, the founder of the abbey (No. clxiii). The fisheries on the Ericht and the Isla are mentioned in a charter of Robert I, 5 May, 1326 (*Cupar*, i. p. 330).

Ex dono regis Willelmi kethec . . . cum ecclesia infra eam sita : See note to No. vii. There is no mention of a church in the abbreviate of William's charter (*Breviarium*, 5). Keithick is in the parish of Cargill, the church of which was appropriated to Dunkeld Cathedral (*Rentale Dunkeldense*, p. 16, etc.). There was, however, according to a sixteenth-century rental, a chapel of St. Ninian in Keithick (*Cupar*, ii. p. 207).

Grangiam de Aberbotherin cum ecclesia infra grangiam sita : See note to No. i. No church is mentioned in the king's charter of donation.

Duas carucatas terre in . . . retrif : William's charter of donation of two ploughgates in Rattray appears, *Breviarium*, 13.

Kambusadony : The locality of this place, also called Cambusadon, is uncertain but it was probably in the parish of Cargill. It is described in a charter of Hugh, bishop of Dunkeld, as having been granted, not by King William, but by his (Hugh's) predecessor, John (I), bishop of Dunkeld (No. xxviii).

Unum toftum in Pert et in eodem burgo unam domum lapideam : Alexander II's confirmation-charter includes two perches of land in Perth which the monks bought from William, son of Lene (No. xxv). It does not mention a toft or house in Perth. Coupar bought land in Perth at a later date (*Cupar*, i. p. 254) and evidently had other properties there, including an inn (*ibid.*, ii. p. 64).

Ex dono comitis atholie aisiamenta foreste sue : An abbreviate of the charter by Malcolm, second earl of Athole, to Coupar of wood for their buildings and other easements throughout the woods of all Athole is given, *Breviarium*, 27.

Ex dono Willelmi de la Haie Hederpolles : See notes to No. iii.

Ex dono Stephani de Blare Lethcassy : For Stephen de Blare see note to No. x. His charter appears, *Breviarium*, 35. Lethcassy, in the parish of Blairgowrie, is the subject, along with Parthesin (Persie), of an agreement between the church of Coupar and the church of Blair regarding teinds, 1 May, 1201 (*Illustrations of Scottish History* (Maitland Club), xi).

Ex dono Dauid de Forfare terram suam de kincref . . . et duos toftos in Forfare : See *supra*. There is apparently no other mention of the donation of two tofts in Forfar.

Terram quam tenetis de episcopo de dunkeldin scilicet adbrehc : This must refer to the donation by bishop John (No. IX).

Ex dono alani filii Walteri unum toftum in Remfriu cum piscatura unius retis in clud : Alan's charter of a toft in Renfrew and the fishing of a net in the Clyde, 1164-78, is given, *Illustrations of Scottish History*, XV. It is also abstracted, *Breviarum*, 92.

Compositionem factam inter ecclesiam de Cupre et herole : No. III.

Compositionem inter ecclesiam de Cupre et ecclesiam de kergille : No. VII.

The text of the remainder of the bull is in the usual style of such documents. Cf. *Balmorinach*, 58, for another Cistercian example.

XIV

1203-10.

Richardus . . . dunkeldensis episcopus Omnibus . . . Salutem. Sciant tam presentes quam futuri nos de communi capituli nostri assensu concessisse et hac carta nostra confirmasse . deo et ecclesie beate marie de Cupre et monachis . . . donationem illam quam pie memorie predecessor noster Johannes episcopus dunkeldrie illis fecit. scilicet de terra de adbrek tenenda de nobis et successoribus nostris in perpetuum. plenarie et honorifice. cum omnibus suis rectis diuisis. in bosco etc. . . . libere et quiete. a solutione decimarum et ab omni seruicio . et exactione seculari . ad nos siue ad successores nostros pertinente . reddendo inde nobis et successoribus nostris annuatim quinque marcas argenti . Scilicet duas et dimidiam ad pentecosten et alias duas et dimidiam ad festum sancti martini. His testibus Reinbaldo abbate de Scona. Waltero priore de insula. magistro Henrico archidiacono nostro. matheo officiali dunkeldensi. Dunecano decano adtholiae. matheo decano de retref. Radulfo capellano nostro. Lowis et iohanne clericis nostris. Eugenio clerico. A. persona de foregrund et multis aliis.

Seal missing. End. : Confirmacio Ricardi episcopi de Athbrec. Super prima donacione.

Moray Charters, Box 32, Div. IV, Bundle I, No. 16.

XIV

Charter by Richard, bishop of Dunkeld, confirming to the monks of Coupar bishop John's donation of Adbrek.

Richardus . . . dunkeldensis episcopus : Richard (II) de Prebenda, bishop of Dunkeld, 1203-10 (Dowden, *Bishops*, p. 52).

Johannes episcopus dunkeldrie : See note to No. VI. Bishop John's charter is No. IX.

Adbrek : See note to No. IX.

Libera . . . a solutione decimarum : See Introduction, p. xxxvii.

Reddendo inde nobis . . . quinque marcas argenti : In 1508, there is a record of a payment from the abbot and convent of Coupar for Ardbreck (*Rentale Dunkeldense*, p. 31).

Reinbaldo abbate de Scona : Reinbald, cellarer of Holyrood (not Scone as in *Scon*, p. x), succeeded in 1198 as abbot of Scone on Robert's resignation (*Scotichronicon*, i. p. 513). He witnesses charters of Robert de Ross, 1199 (*Aberbrothoc*, i. 38), William, bishop of St. Andrews (*Dunfermelyn*, 110), Gilbert, earl of Strathearn, *c.* 1200, and 1200 (*Inchaffray*, XVI, XVII), and appears in a decreet of a synod at Perth, 11 April, 1206 (*Spalding Club Misc.*, v. p. 209).

Waltero priore de insula : See note to No. VII.

Magistro Henrico archidiacono nostro : Witnesses charters of bishops Richard (*Inchaffray*, XXIII ; *Aberbrothoc*, i. 216) ; John (*Inchaffray*, XXXII ; *Aberbrothoc*, i. 88, 217) ; and Hugh (*Inchaffray*, XXXVI, XLVIII ; *Lindores*, XXXIV) ; and of Abraham, bishop of Dunblane (*Cambuskenneth*, 123). He appears as a papal mandatory, 20 Dec., 1211 (*Passelet*, p. 229). Master Henry also witnesses an agreement between Melrose and Sir William of Hunum, during the reign of William (*Melros*, 133). He appears in Nos. XV and XVI.

Matheo officiali dunkeldensi : Appears in No. XV ; not found elsewhere.

Dunecano decano adtholiae : Witness to a charter of John, bishop of Dunkeld, *a.* 1211 (*Inchaffray*, XXXII). He appears also in the following charter.

Matheo decano de retref : See note to No. VI.

Radulfo capellano nostro : See note to No. VII.

Lowis et iohanne clericis nostris : 'Ludovicus clericus noster' witnesses charters of Richard, bishop of Dunkeld (*Inchaffray*, XXIII ; *RPSA.*, p. 295 ; *Aberbrothoc*, i. 216). John likewise witnesses the first two of these charters.

Eugenio clerico : See note to No. VII.

A. persona de forgrund : See note to No. VI.

XV

1203-10.

Cirographum

Hoc cyrographum testatur quod monachi de Cupre soluent singulis annis . in die sancti columbe abbatis . unam libram incensi ecclesie de Dunkelden . In recognicione et

attestacione approbacionis et assensus canonicorum sancti Columbe Dunkeldensis ecclesie . Super donacione pie memorie Johannis episcopi dunkeldensis facta prenominatis monachis de terra de adbrec et confirmatione successoris eius domini Ricardi episcopi . sicut in scriptis eorum exinde confectis continetur . Hiis testibus . Reinbaldo abbate de Scona . Waltero priore de insula . magistro Henrico archidiacono magistro matheo officiali Dunkeldensi Duncano decano adtholie . Matheo decano de Retrif . Radulfo capellano . Lewis . Johanne . Thoma . clericis episcopi Ricardi . Eugenio clerico . et Willelmo filio eius . Adam persona de forgrund et multis aliis.

Seal missing. End. : Cirographum de una libra incensi de athbrec [redd]enda annuatim ecclesie dunkeldensi etc.

Moray Charters, Box 32, Div. V, Bundle I, No. 6.

XV

Charter testifying that the monks of Coupar will pay yearly on St. Columba's day a pound of incense to the church of Dunkeld in recognition and testimony of the approval and agreement by the canons of St. Columba's church, Dunkeld, regarding bishop John's donation of Adbrec and bishop Richard's confirmation.

Die sancti columbe abbatis : St. Columba's day is 9 June.

Reinbaldo abbate de Scona :
Waltero priore de insula :
Magistro Henrico archidiacono :
Magistro matheo officiali Dunkeldensi : } See notes to previous charter.
Duncano decano adtholie :
Matheo decano de Retrif :
Radulfo capellano :

Lewis . Johanne . Thoma . clericis episcopi Ricardi : For Lewis and John see notes to previous charter. Thomas has not been found elsewhere, unless he is Thomas the steward, who witnesses a charter of bishop John (*Dunfermelyn*, 126) and appears in Nos. VI-VIII.

Eugenio clerico et Willelmo filio eius : For Eugenius see note to No. VII. His son, William, is not otherwise mentioned.

Adam persona de forgrund : See note to No. VI.

XVI

1203-10.

Omnibus . . . . michael de migil salutem. Sciant presentes et futuri me pro salute anime mee et antecessorum

et successorum meorum dedisse . . . . deo et beate marie et domui de Cupro et monachis . . . . in perpetuam elemosinam totum ius quod ego uel heredes mei habuimus . uel habere debuimus uel potuimus . usque in medietatem marisci . sicut terra mea se extendit uersus partem del suth :/ et terra predictorum monachorum se extendit uersus partem del north . scilicet usque ad terminum terrarum * * * -arum qui uulgo dicitur fethincathe. Tenebunt autem idem monachi predictam medietatem marisci in perpetuum . liberam et quietam ab omni seruicio . consuetudine . et exaccione et reclamatione :/ sicut aliquam elemosinam liberius . . . . tenent et possident. Quod ut ratum et stabile sit in perpetuum :/ sigilli nostri munimine roboraui. Hiis Testibus . domino Ricardo episcopo dunkeldensi . magistro Henrico eius archidiacono . Adam de lur . Willelmo munfichet . Willelmo filio orm . malcolmo de ketenes . malcolmo uicecomite de gouerin . eduuardo persona de neue . Roberto capellano de perth . abraham de lur . Simone filio nostro . et simone fratre nostro . et multis aliis.

Seal missing. End. : Michael de miggel de marisco.

Moray Charters, Box 32, Div. V, Bundle II, No. 56.

XVI

Charter by Michael de Migil granting to the monks of Coupar all his right up to half of the marsh as far as his land extends on the south side and the land of the monks extends on the north side, namely to the limit of the lands commonly called Fethincathe.

This charter is noted, *Breviarium*, 71.

Michael de migil : See note to No. x.

Fethincathe : Not located.

Ricardo episcopo dunkeldensi . magistro Henrico eius archidiacono : Richard—not ' Robert ' as in *Breviarium*—is the correct reading of the bishop's name. For both see notes to No. xiv.

Adam de lur : Son of Abraham de Lur, *infra*. Appears in Nos. x and xi.

Willelmo munfichet : Maitland Thomson (*Inchaffray*, p. 279) notes that William the Lion granted Cargill to Richard de Muntfichet. The present witness attests a charter of Eschina, lady of Molle, during the reign of William the Lion (*Passelet*, p. 75) and witnesses charters of Alexander II (*e.g. Inchaffray*, liv ; *REM.*, p. 29 ; *Spalding Club Misc.*, ii. p. 306 ; *May*, 20 ; *Lib. S. Crucis*, 61) till at least 29 Oct., 1243 (*REG.*, i. 179). He is

mentioned as sheriff of Perth (*Scon*, 95). He appears also in No. xxx. Later members of the family appear in subsequent Coupar charters.

Willelmo filio orm : Witnesses charters of William the Lion (*Dunfermelyn*, 71); earl David, p. 20 March, 1198 (*Lindores*, viii); Donald, abbot of Brechin, 1204-11 (*Aberbrothoc*, i. 74 (*bis*)); and Adam Albus of Forfar (*Cupar*, i. p. 335). He is called constable in No. xx. There is a reference in a charter of William the Lion to that king's grant of part of Bleineslei to William, son of Oem (*sic*) (*Melros*, 93), while Adam and John, sons of Orm, also appear (*ibid.*, 137, etc.).

Malcolmo de ketenes : See note to No. x.

Malcolmo uicecomite de gouerin : Malcolm, sheriff of Gowrie, is not found elsewhere.

Eduuardo persona de neue : See note to No. x.

Roberto capellano de perth : Witnesses charters of Arnold, bishop of St. Andrews (*RPSA.*, p. 129), and William, prior of St. Andrews, 1177-88 (*Spalding Club Misc.*, ii. p. 318).

Abraham de lur : See note to No. x.

Simone filio nostro et simone fratre nostro : Not found elsewhere.

XVII

1204-07.

W. . . . Rex Scottorum Omnibus . . . . salutem. Sciatis me concessisse . . . . ecclesie sancte marie de Cupre et monachis . . . donacionem illam quam Thomas filius Malcolmi de lundin eis fecit de una marca argenti annuatim in elemosina percipienda de terra eius de Balmetiremahc cum communione petere eius iuxta lokendor et aisiamenta terre eius iuxta peteram illam secundum quod carta eius proportat. Quare uolo ut ipsi monachi in liberam et perpetuam elemosinam predictam marcam argenti de predicta terra de Balmetiremahc annuatim percipiant et habeant cum communione predicte petere et asiamentis iuxta peteram . Ita libere . . . . sicut carta predicti thome testatur. Saluo seruicio nostro. Testibus G. comite de mar. Waltero et Willelmo capellanis. A. vicecomite de Striuelin. malcolmo filio de Comite de Mar. Alexandro filio Thore. Dauid marescallo. Philippo de lundin apud Forfar. iii die Aprilis.

Endorsed : de marca thome ostiarii.

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

XVII

Charter by William, king of Scots, whereby he confirms to the monks of Coupar the grant which Thomas, son of Malcolm de Lundin, has made them of a silver mark annually of his land of Balmetiremahc, with the commonty of his peatmoss beside Lokendor and the easements of his land beside the peatmoss.

This charter is noted, *Breviarium*, 63. The original charter of donation is abbreviated, *ibid.*, 62.

Thomas filius Malcolmi de lundin : See note to No. x. Note that the endorsement calls him ' Ostiarius.'

Balmetiremahc : Rogers gives this as=Balmerino (*Cupar*, i. p. xv) ; and this identification is accepted by Campbell, *Balmerino*, p. 59. It seems, however, to the present editor that there are no good grounds for identifying this place with Balmerino ; it cannot be located.

Lokendor : This place, likewise, cannot be identified.

G. comite de mar : There is no valid evidence, according to *Scots Peerage*, v. p. 571, that Gilchrist was earl of Mar *a.* 1182. He witnesses charters of William the Lion. Gilchrist and not Gartneus is witness to another charter of Thomas the usher to Coupar (*Breviarium*, 62). There is no mention of him after 1211, but he may have survived till 1228 (*Scots Peerage*, v. p. 571). Gilchrist was founder of the priory of Monymusk to which he granted the church of Leochel (*RPSA.*, pp. 374, 375, 376). Following on a controversy with Brice, bishop of Moray, regarding the church of Aberchirder, he granted all right he had in that church to Arbroath, 1204-11 (*Aberbrothoc*, i. 206 ; cf. *ibid.*, i. 33).

Waltero et Willelmo capellanis : Walter and William, his chaplains, together witness charters of William the Lion (*e.g. Aberbrothoc*, i. 13, etc. ; *REG.*, i. 92) and are also found separately witnessing many of his charters. Walter was elected bishop of Glasgow, 9 Dec., 1207 (Dowden, *Bishops*, p. 301).

A. vicecomite de Striuelin : Alexander, sheriff of Stirling, appears also in No. xxv. For account of him see *Inchcolm*, p. 117, *Inchaffray*, p. 268.

Malcolmo filio de Comite de Mar : Malcolm, son of Gilchrist (called, by a wrong extension, Gartneus), earl of Mar, witnesses another charter of Thomas the usher (*Breviarium*, 62). *Scots Peerage* only mentions Malcolm, son of Morgrund, earl of Mar, *p.* 1207, etc. (*op. cit.*, v. p. 569).

Alexandro filio Thore : Witnesses charters of William the Lion, 7 July, *c.* 1200 (*Cambuskenneth*, 72) ; *c.* 1201 (*Inchaffray*, xviii) ; 1202-7 (*Yester Writs*, 8) ; *c.* 1204 (*Buccleuch*, ii. 371) ; and 10 April (year unascertained) (*REG.*, i. 92).

Dauid marescallo : David, the royal marshal, witnesses charters of William the Lion, 7 July, *c.* 1200 (*Cambuskenneth*, 72), and 16 April, *c.* 1205 (*Grants*, iii. 2), and witnesses charters of Alexander II (*e.g. N. Durham*, lx, lxii) until at least 16 July, 1237 (*Melros*, 207).

Philippo de lundin : Witnesses many charters of William the Lion. See *Inchaffray*, p. 270.

XVIII

a. 1207.

Seyrus de Quinci omnibus . . . . salutem. Sciant . . . me dedisse . . . . dei intuitu et pro salute anime mee . et parentum meorum deo et monachis sancte marie de cupre singulis annis unam ceudram frumenti . annuatim recipiendam a me et heredibus meis apud locres ad natale domini . quam pater meus Robertus de quincj eisdem dedit et concessit et sua carta confirmauit. Et ut hoc ratum et stabile sit . hoc presens scriptum sigilli mei impressione roboraui . Testibus . Roberto de Quincj . Stephano clerico . Waltero . Johanne senescallo meo . Dunecano filio hamelin . Dauid de haya.

Seal attached. End.: Seyrus de quinci de I ceudra frumenti.

Moray Charters, Box 32, Div. V, Bundle I, No. 3.

XVIII

Charter whereby Seyr de Quinci grants to Coupar annually a chalder of corn which his father gave them to be received each year at Leuchars at Christmas.

This charter has been dated on the assumption that it was granted before Seyr de Quinci became earl of Winchester in 1207 or 1208. It may indeed have been granted in the lifetime of his father, Robert, *a.* 1200.

Seyrus de Quinci : See note to No. I.

Apud locres : Leuchars, in Fife, came into the possession of the family of de Quincy through the marriage of Orabilis, daughter of Nes, son of William, to Robert de Quincy, Seyr's father. Nes granted the church of Leuchars to St. Andrews (*RPSA.*, p. 287) and Orabilis is called his daughter and heiress (*ibid.*, p. 336).

Pater meus Robertus de quincj : See note to No. I. Robert's charter of donation has not survived.

Roberto de Quinci : Seyr de Quincy had two sons named Robert. See *Inchaffray*, p. lxxxvii. Which of these is the present witness cannot be said. One of them died in the lifetime of his father. The younger Robert was married to Helen, widow of John, earl of Chester and Huntingdon, mentioned 18 Sept., 1238 (Bain, *Calendar*, i. 1447), and it is probably he who appears in English records from 10 Oct., 1220 (*ibid.*, i. 779) onwards.

Stephano clerico : Probably a different individual from Master Stephen who appears in No. XXI.

Waltero : Not identified.

Johanne senescallo meo : John witnesses in his capacity as steward a charter of Seyr de Quincy (*Dunfermelyn*, 154).

Dunecano filio hamelin : Witness to charters of Orabilis, daughter of Nes (who became Seyr's mother) (*RPSA.*, pp. 290, 291). In an undated charter, Seyr de Quincy warrants to Cambuskenneth the land of Duglyn 'against Duncan, the son of Hamelin and against all men' (*Cambuskenneth*, 70); and in another charter vouches that Duncan, son of Hamelin and Adam, his heir, had quitclaimed whatever right they had in that land, which land, with Duncan's consent, is made over to that abbey (*ibid.*, 73). A man of this name also witnesses a charter of Gilchrist, earl of Angus, 1200-07 (*Aberbrothoc*, i. 50).

Dauid de haya : See note to No. x.

XIX

p. 1207.

Omnibus . . . . ad quos presens scriptum peruenerit Saherus de Quinci Comes Wintonie Salutem in Domino. Nouerit Uniuersitas uestra me dedisse . . . . deo et Beate Marie et Ecclesie de Cupre et monachis . . . in puram et perpetuam elemosinam pro salute mea et antecessorum meorum unam marcam argenti singulis annis percipiendam. de redditu meo quem Rogerus Cementarius de Forfare et heredes sui debent mihi de terra quam tenent de me in gardin. hanc autem marcam argenti ego et heredes mei dedimus predictis monachis in escambium pro una celdra frumenti quam Robertus de Quinci pie recordationis pater meus et ego eisdem monachis cartis nostris concessimus. Quam scilicet predictam marcam prefatus Rogerus et heredes sui inperpetuum quolibet anno Domui de Cupro persoluent ad duos terminos anni. Scilicet ad pentecosten . dimidiam marcam et ad festum sancti martini dimidiam marcam. Ut uero hec carta rata et inconcussa permaneat eam sigilli mei munimine roboraui. Hijs testibus : Rogero de Quinci. Dauid de Haia. Fergus de Stratheren. Euerard de trumpintun. Johanne de Haia. Willelmo de Selforde. Bartolomeo filio Willelmi. Simone de Quinci. Alexandro de Setune. Alexandro de lambertun. Moricio de Kindeloch. Willelmo de fores. Waltero de Canteb- * * * et multis aliis.

Seal extant but broken. End. : Saherii de q[ui]nq[i] de j marca.

Moray Charters, Box 32, Div. IV, Bundle I, No. 22.

XIX

Charter whereby Saher de Quinci, earl of Winchester, grants to Coupar a silver mark yearly from the rent which Roger the mason of Forfar and his heirs give him from the land held by them in Gardin, in excambion for a chalder of grain which Robert de Quinci, his father, and the granter bestowed on Coupar (cf. No. XVIII), which mark Roger and his heirs will pay annually to Coupar.

This charter was granted after Saher's (or Seyr's) succession to the earldom of Winchester in 1207 or 1208.

Saherus de Quinci Comes Wintonie : See note to No. I.

Rogerus Cementarius de Forfare : Master Roger the mason of Forfar witnesses a charter of Ingelram de Balliol, *p.* 1180 (*Aberbrothoc*, i. 58), while his son, William, is a witness to a Scone charter during the reign of Alexander II (*Scon*, 84).

Gardin : Probably Gardyne in the parish of Kirkden. The abbey received an annualrent from Gardyn in the sixteenth century (*Cupar*, ii. p. 206).

Robertus de Quinci . . . pater meus : See note to No. I.

Rogero de Quinci : Son of Saher de Quincy and his successor in the earldom of Winchester, his elder brother, Robert, having predeceased his father. According to *Inchaffray*, p. lxxxvii, he was not styled earl till after his mother's death in Jan. 1235/6. He appears merely as Roger de Quincy, constable of Scotland, 20 April, 1236 (*Lindores*, XXII) ; but he is designed earl of Winchester, 6 Aug., 1236 (Bain, *Calendar*, i. 1286). He appears frequently as constable of Scotland and in that capacity grants Nicholas de Clacmanan, the king's brewer, the whole land of the constabulary of Clacmannan, *c.* 1264 (*GRH. Charters*, 54). Roger is frequently mentioned in English records from 21 July, 1220 (Bain, *Calendar*, i. 771). He seems to have been married twice : (1) to Elena, daughter of Alan of Galloway (*Inchaffray*, p. lxxxvii ; *REG.*, i. 168) ; (2) to Alienora, widow of William de Vallibus, according to a record of 17 Jan., 1252/3 (Bain, *Calendar*, i. 1909)—she is mentioned in two of Roger's charters (*Dryburgh*, 138, 139). Earl Roger died on St. Mark's day (25 April), 1264 (Bain, *Calendar*, i. 2360). He was a benefactor of various religious houses : St. Andrews, to which he granted the church of Lathrisk and the chapel of Kettle (*RPSA.*, pp. 336, 337) ; Lindores, to which he gave the church of Collessie (*Lindores*, CXXXI) ; as well as Inchaffray (*Inchaffray*, XLII), Newbattle (*Neubotle*, 133) and Balmerino (*Carnegies*, ii. p. 476, No. 24).

Dauid de Haia : See note to No. X.

Fergus de Stratheren : Fergus, son of Gilbert, earl of Strathearn, appears in Inchaffray charters from 1203-8 (*Inchaffray*, XXV) to *c.* 1247 (*ibid.*, LXXV). He is also found *c.* 1219 (*Laing Charters*, 5) and 1220-30 (*Aberbrothoc*, i. 87).

Euerard de trumpintun : Witnesses charters of Seyr de Quincy (*RPSA.*, p. 256 ; *Dunfermelyn*, 155) and of Roger de Quincy (*RPSA.*, p. 257 ;

Inchaffray, XIII) as well as a charter of Alexander II confirming Seyr's grant of the church of Gask to Brackley hospital, 1215-20 (*Inchaffray*, p. 158). There is a possible mention of him in the record of Henry III which commands Everard de Trumpinton to cause the lands of the late John, earl of Chester, to be extended (cf. note to preceding charter on Robert de Quincy), 8 Jan., 1238/9 (Bain, *Calendar*, i. 1462).

Johanne de Haia : Third son of William de Haya of Errol ; ancestor of the Hays of Naughton. Along with his brothers, David, Robert and Thomas, he witnesses a grant to Coupar (*Breviarium*, 60). John also witnesses charters of Alexander II and appears as sheriff of Fife (*Balmorinach*, 39) and Strathearn (*Lindores*, XXIII). He and his wife, Juliana de Lasceles, grant their right in a toft to Lindores (*ibid.*, LXVI) ; and, as John de Haya of Adnachtan, he makes Coupar a grant of a yare on the Tay and a toft in Adnachtan for the weal of his late spouse's soul and with consent of Peter, his son and heir (*Breviarium*, 67). See further Campbell, *Balmerino*, p. 487 ; *Inchaffray*, p. 275 ; *Lindores*, p. 242.

Willelmo de Selforde : Witnesses, often as their steward, charters of Saher (*Inchaffray*, XXXVIII ; *RPSA.*, p. 256 ; *Dunfermelyn*, 155 ; *Cambuskenneth*, 70) and Roger de Quincy (*Inchaffray*, XLII ; *RPSA.*, p. 257). He appears also in an indenture of 1222 (*Lib. S. Crucis*, 62).

Bartholomeo filio Willelmi : Not found elsewhere.

Simone de Quinci : It is difficult to identify this Simon and to establish his relationship with the de Quincys. The distinction of three different persons of this name made in the index to *RPSA.* is, however, probably illusory and the references seem to point to one individual. Simon de Quinci witnesses a charter of William, bishop of St. Andrews, regarding the grant of the church of Athnathan (Forgan) to the priory (*RPSA.*, p. 107) ; in a further version of the same charter (*ibid.*, p. 154), there is Simon de Quinci, ' clericus domini regis,' a designation given to him in another charter of bishop William (*Dunfermelyn*, 110). Again, in one bull of Innocent III, 24 Oct., 1206, Seir de Quinci is mentioned as having presented, contrary to the interests of St. Andrews, Simon de Quenci, ' clericus,' to the church of Leuchars ; and, in another bull of the same pope, 7 June, 1207, Simon, ' clericus,' is a party with Saer to a controversy with St. Andrews regarding this church (*RPSA.*, pp. 350, 351). Later, Symon was parson of Leuchars for, in that capacity, he witnesses charters of Seyer de Quincy and his son, Roger (*ibid.*, pp. 256, 257). Simon de Quinci, ' clericus noster,' witnesses another charter of bishop William (*Aberbrothoc*, i. 150) and an indenture between him and Arbroath (*ibid.*, i. 169). An undesigned Simon de Quincy witnesses two of Seier's charters (*Neubotle*, 66 ; *Cambuskenneth*, 71). If he is not identical with the frequently mentioned Simon, who was a churchman, it is possible that he is the present witness and a layman. The problem of his identity is still further complicated by the fact that Simon de Quinci witnesses an agreement between the bishops of St. Andrews and Glasgow and Kelso abbey in 1201 (*REG.*, i. 93), apparently as clerk of the bishop of Glasgow.

Alexandro de Setune : According to *Scots Peerage*, viii. p. 561, Alexander

Seton (II), son of Philip de Seton. He witnesses charters of Alexander II. Seton granted the land of Beath to Dunfermline (*Dunfermelyn*, 178). He appears also in No. XXII.

Alexandro de lambertun : Sir Alexander de Lamberton witnesses a charter of William, bishop of St. Andrews (*Passelet*, p. 119). It may be he who witnesses a charter of queen Ermengarde, 1214-34 (*Yester Writs*, 11) ; but another Alexander de Lamberton witnesses a charter of Roger de Quency, earl of Winchester, 22 Sept., 1257 (*RPSA.*, p. 336). Alexander, son of William de Lamberton, is recorded as confirming the church of Bourtie to St. Andrews, *a.* 1228 (*RPSA.*, p. 267).

Moricio de Kindeloch : Appears as a witness (*RPSA.*, p. 273), also in No. XXVI.

Willelmo de fores : Another retainer of the de Quincys who figures in a charter of Saher, *c.* 1218 (*Inchaffray*, XXXVIII), witnesses a charter of Roger, *c.* 1220 (*ibid.*, XLII), and appears along with Roger, *c.* 1262 (*Lindores*, XCI). He also appears as a witness (*RPSA.*, p. 293). A later William de Fores is on record (*REM.*, 117, 151).

Waltero de Canteb- * * *. This was probably Walter of Canterbury, but no other mention of him has been found.

XX

1207-09.

Omnibus . . . . frater Ricardus dictus abbas [de Cupro et] conuentus eiusdem loci salutem. Sciat uniuersitas uestra nos de communi consensu et a[ssensu tocius ca]pituli nostri concessisse . . . Ricardo albo de dunde toftum nostrum in for[fare illum] scilicet quod iacet inter terram Ricardi segard et Willelmi franceis . quod habemus ex dono ade albi d[e forfare] Tenendum sibi et heredibus suis de nobis libere et quiete ab omni seruicio consuetudine et exactione . salu[o] seruicio domini regis . Reddendo nobis inde annuatim unam libram cere et aliam libram cymini . ad festum sancti michaelis. Quod si idem Ricardus ex sponsa sua non habuerit heredem ⁊ predictum toftum remanebit sponse sue in uita sua . et post eius obitum ⁊ domui de cupro. Quod ut ratum sit et stabile ⁊ presentem cartam sigillo nostro appendente roborauimus. Testibus . Johanne decano . Willelmo filio orm constabulario . Willelmo clerico . Humfrido . iohanne iuuene . cospatricio . adam filio aldre . Ricardo fratre eius . udardo . Radulfo filio stori . Roberto filio storj . et multis aliis.

Seal attached. End.: Assedacio tofti recardo [albo] pro una petra (*sic*) cere et petra (*sic*) cumini. Part of this charter has been torn away.

Moray Charters, Box 32, Div. V, Bundle I, No. 16.

XX

Charter by abbot Richard and the convent of Coupar granting to Richard White of Dundee their toft in Forfar, lying between the land of Richard Segard and William Franceis, which they have by the gift of Adam White of Forfar, for a yearly rent of a pound of wax and a pound of cumin.

Ricardus . . . abbas : See Appendix II.

Ricardo albo de dunde : Not found elsewhere.

Toftum nostrum in for[fare] . . . quod habemus ex dono ade albi d[e forfare] : So far as is known there is no other record of the gift of a toft in Forfar by Adam White (Albus). The monks, however, may have come into possession of it after his death, as he constituted them his heirs (*Breviarium*, 42 ; cf. note to No. x). It is noteworthy that Ralph, chaplain of the king, granted them a tenement there in 1184 (*ibid.*, 43) and David Ruffus is mentioned in No. XIII as the donor of two tofts in Forfar.

Ricardi segard : Not found elsewhere.

Willelmi franceis : William le franceis witnesses charters of Hugh de Normanville, etc., during William's reign (*Melros*, 61, 92) ; and another (?) William franceis witnesses a charter of Robert de Brus, *c.* 1218 (Bain, *Calendar*, i. 707 ; cf. 704, 705). There is nothing to connect either of these men with Forfar.

Johanne decano : No doubt John, dean of Angus. See note to No. x.

Willelmo filio orm constabulario : See note to No. XVI.

Willelmo clerico . Humfrido . iohanne iuuene : None of these can be identified.

Cospatricio : Perhaps Cospatric, son of Richard, who witnesses a charter of Adam Albus (*Breviarium*, 42).

Adam filio aldre . Ricardo fratre eius : See note to No. x.

Udardo : Perhaps 'Vduardus,' the burgess, who witnesses a charter of Adam Albus (*Breviarium*, 42).

Radulfo filio stori . Roberto filio storj : Not identified.

XXI

1212.

Cyrographum

Anno domini m° cc° xii° hec conuentio facta fuit inter Dominum W. episcopum sancti Andree et inter Dominum A. abbatem et conuentum de cupre . scilicet quod idem

episcopus concessit et hac carta sua confirmauit abbati et conuentui de cupre totum abbathein de Erolyn per suas rectas diuisas . cum omnibus pertinenciis suis. Tenendum sibi ad firmam a festo sancti martini eiusdem anni. in xx annos completos. Reddendo sibi et successoribus suis in festo sancti martini singulis annis ij bisancos . et x petras casei. et xij malas scotticanas ordei iuxta quod antiquitus solui solebat. Ita libere et quiete pro omni seruicio ad ipsum episcopum pertinente. Saluo can domini malcolmi de ketenes et heredum suorum quem inde percipere solebat. Post finem uero predictorum annorum predicta terra redibit integre ad dominum episcopum nisi ex consensu eiusdem episcopi uel successorum suorum eam amplius tenere potuerint. Vt autem hec conuentio firma et inconcussa permaneat . appositione sigilli domini episcopi et domini abbatis de Cupre et malcolmi de ketenes roborata est. Hiis testibus. L. archidiacono sancti Andree. Petro capellano domini episcopi. magistro adam et magistro Stephano clericis episcopi . Johanne de hauwislc . Patricio homine malcolmi. et multis aliis.

Seal wanting. End. : Carta reddenda episcopo sancti andree pro grangia de erolin.

Moray Charters, Box 32, Div. IV, Bundle I, No. 17.

XXI

Charter recording an agreement between William, bishop of St. Andrews, and Alexander, abbot, and the convent of Coupar, viz. that the bishop has granted to the abbot and convent the whole abthane of Airlie for twenty years at a yearly rent of two bezants, ten stones of cheese and twelve Scottish sacks of barley, reserving the cain of Sir Malcolm de Ketenes and his heirs. At the end of twenty years, the land will revert to the bishop unless with the consent of himself and his successors the monks can continue to hold it.

See Introduction, p. xlii.

W. episcopum sancti Andree : William de Malvoisine, bishop of St. Andrews, 1202-38 (Dowden, *Bishops*, pp. 12-13).

A. abbatem : Alexander, abbot of Coupar. See Appendix II.

Totum abbathein de Erolyn : The abthane of Airlie, a name which would seem to indicate that it was once the seat of a Celtic religious community, is not otherwise mentioned ; but it is equated in the endorsement of this charter with the grange of Airlie, which continued to be held by Coupar

long after the expiry of the twenty years' lease and is mentioned in sixteenth-century rentals of the abbey (*e.g. Cupar*, ii. p. 201). Why it was in the hands of the bishop of St. Andrews is unknown. Airlie is mentioned earlier as part of the donation of David de Ruffus to the abbey (No. xi).

Saluo can domini malcolmi de ketenes : On Malcolm de Ketenes see note to No. x. It is not clear how he came to have an interest in Airlie.

L. archidiaconi sancti Andree : Chron. Mailros, s.a. 1209, states : ' Master Randolph the archdeacon of St. Andrews died ; and master Lawrence, the official, succeeded him ' (*op. cit.*, p. 108). While official, he appears in an agreement between May and Malcolm, the king's butler (*May*, 41) as witness to a charter of bishop William, 1204-11 (*Aberbrothoc*, i. 165), and as a papal mandatory, 20 March, 1207 (*CPR.*, Letters, i. p. 28). On his promotion to one of the two St. Andrews archdeaconries, he had evidently a colleague of the same name—d(ominus) Laurencius, archdeacon of St. Andrews, witnesses along with m(agister) Laurencius, archdeacon of St. Andrews, an undated charter (*RMS.*, ii. 110) ; and the former is found till *c.* 1220 (*Soltre*, 13). Master Lawrence attests a charter along with master J., archdeacon, *c.* 1220 (*Dryburgh*, 237) ; and is mentioned, 19 May, 1223, as archdeacon of St. Andrews along with William de Bois, archdeacon of Lothian, the chancellor (*REG.*, i. 128 ; *Aberbrothoc*, i. 106, etc.). He witnesses as archdeacon many charters of bishop William and at least one of bishop David de Bernham (*RPSA.*, p. 170) and frequently appears as a papal mandatory and judge-delegate. Dowden has an interesting note about him, *Lindores*, pp. lv-lvi.

Petro capellano domini episcopi : Witnesses many of bishop William's charters (*e.g. RPSA.*, p. 156 ; *Dunfermelyn*, 101, 102, 110, 111 ; *Aberbrothoc*, i. 154-169 ; *REA.*, ii. p. 266).

Magistro adam et magistro Stephano clericis episcopi : Master Adam has not been found elsewhere. Master Stephen, his clerk, witnesses charters of bishop William (*RPSA.*, p. 107 ; *Scon*, 54 ; *Dunfermelyn*, 110 ; *REA.*, ii. p. 266) as well as an agreement between Kelso and William de Vipont, 1203 (*Calchou*, 143).

Johanne de hauwisle : Witnesses a charter of bishop William, *a.* 1211 (*Lindores*, cviii), and an agreement between the prior and convent and the archdeacon of St. Andrews (*RPSA.*, p. 315).

Patricio homine malcolmi : Probably a dependant of Malcolm de Ketenes ; not found elsewhere.

XXII

1211-31.

Sciant omnes . . . quod ego Thomas de Galweia comes Atholie dedi . . . . deo et ecclesie beate marie de Cupre et monachis . . . pro salute anime mee antecessorum et successorum meorum totam terram illam que uocatur

Tholaw. per suas rectas diuisas. cum omnibus pertinenciis. libertatibus. et aisiamentis suis. Tenendam de me et heredibus meis in puram et perpetuam elemosinam ita libere . . . sicut aliqui uiri religiosi per regnum Scocie aliquam terram de dono alicuius comitis. militis. uel baronis in elemosinam concessam. liberius. . . . tenent uel possident. Hiis testibus Willelmo Olifart. Alexandro de Sethon. Reginaldo Const⟨abulario⟩. Roberto Crowe-f⟨ord⟩. Johanne de Loereng. Alano clerico comitis et multis aliis.

Seal missing. End. : Carta donationis Tho. de Gallaway de tholaw.

Moray Charters, Box 32, Div. IV, Bundle I, No. 19.

XXII

Charter of Thomas de Galweia, earl of Athole, granting to the monks of Coupar the whole land called Tholaw.

The date of this charter depends on the period of Thomas de Galweia's tenure of the earldom of Athole.

Thomas de Galweia comes Atholie : Son of Roland of Galloway and brother of Alan of Galloway (see *Neubotle*, 25). He became earl of Athole in right of his wife, Isabel, countess of Athole (see No. xxxix) about 1211 (*Scots Peerage*, i. p. 420). The editor's footnote to his confirmation-charter of William Olifart's donation of Innervac to Coupar states that he ' enjoyed the dignity a very short time—probably only a year ' (*Oliphants*, 3 (Gask Charters, 3)) ; and attributes his confirmation to *c.* 1230 as he died in 1231. But the (Gask) charter, like the present writ, may well be much earlier than *c.* 1230—the two would seem to be nearly contemporary for the witnesses are largely identical. Thomas de Galweia appears in English records from 1206-7 (Bain, *Calendar*, i. 395) to 1229-30 (*ibid.*, i. 1064) and is first mentioned therein as earl of Athole, 11 Dec., 1218 (*ibid.*, i. 702), when he has letters of safe-conduct for coming to do fealty to the king of England. His son, Maduff, appears in No. xxxix. On his death in 1231, he was buried at Coupar abbey (*Chron. Mailros*, p. 142 ; *Extracta*, p. 93). Thomas accompanied Alan, his brother, and Reginald, king of Man, to Man, 1228 (? 1229) (*Chron. Man*, i. p. 90, quoted Anderson, *Early Sources*, ii. p. 265). Along with countess Isabel, he grants a charter to Dunfermline (*Dunfermelyn*, 149) ; confirms a grant to Newbattle (*Neubotle*, 27, 32 ; cf. 25) ; and assents to William de Olifart's donation of Imath to Coupar (*Breviarium*, 28, 29).

Tholaw : Tulach, S. of Blair Athole.

Willelmo Olifart : As indicated above, earl Thomas confirms two donations—Invervack and Imath—made to Coupar by William Olifart, whom

he calls ' miles meus ' (*Oliphants*, 3). *Oliphants*, p. xi, which gives an account of him (*q.v.*) states that he appears on record between 1230 and 1260, but a footnote (*ibid.*, p. 2) speaks of William Olifart as the younger son of Walter Olifart, who witnessed with him several Coldingham charters, 1180-90 ; and there is a probability that the date of the present William should be taken as earlier than that given above. He witnesses charters of Alexander II until at least 20 April, 1248 (*Melros*, 237). Cf. the account of him, *Scots Peerage*, vi. p. 530.

Alexandro de Sethon : See note to No. XIX.

Reginaldo Const⟨abulario⟩ . Roberto Crowef⟨ord⟩ : Found only as witnesses of earl Thomas's (Gask) charter.

Johanne de Loereng : Witnesses earl Thomas's (Gask) charter and also a charter of William Olifart to Coupar (*Breviarium*, 28).

Alano clerico comitis : Found only as a witness to earl Thomas's (Gask) charter.

XXIII

Undated (forged).

Willelmus . . . Rex Scottorum Omnibus probis hominibus . . . . salutem. Sciatis me inspexisse ac veraciter intellexisse quamdam cartam Thome de Galweia comitis Atholie factam Religiosis viris abbati et conventui de Cupre non Rasam non abolitam non cancellatam nec in aliqua sui parte viciatam in hec verba Sciant omnes . . . (*ut in carta precedente*) [1] . . . Quam quidem Donacionem et concessionem in eadem contentas in omnibus et singulis punctis conditionibus et modis suis forma pariter et effectu approbo. Ratifico et presenti carta et confirmatione mea pro me et successoribus meis inperpetuum confirmo In cuius Rei testimonio presenti carte mee sigillum meum apponi feci. Testibus Johanne episcopo Glascuensi M. Episcopo Rossensi Alano abbate de Dunf⟨ermelyn⟩ Ricardo de morwill constabulario Waltero Olifert Alano senescallo Willelmo de lindesei Apud pert.

Seal missing. End. : Confirmacio regis Willelmi de Tolaw.

Moray Charters, Box 32, Div. IV, Bundle I, No. 3.

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[1] Except that the witness ' Johanne de Loreng ' of the original appears as ' Johanne de le loreng.'

XXIII

Charter of William, king of Scots, purporting to confirm No. XXII.

This charter is palpably spurious. Such a confirmation could only have been granted between the dates of Thomas's assumption of the earldom of Athole (*c.* 1211) and of King William's death (4 Dec., 1214). But Richard de Moreville, the constable, who appears as a witness, died in 1189 (*Chron. Mailros*, p. 98). Apart from this, there were no such bishops as John of Glasgow or M. of Ross during the reign of William.

XXIV

1214-29.

Perambulatio inter Nos[1] *et monachos de Cupro de Birys et Camsy.*

Nouerint omnes tam presentes quam futuri quod controuersia mota inter Abbatem et Conuentum de cupro ex una parte et Conuentum de Scona ex alia super limitibus terrarum de Camsy terra monachorum de Cupro . Et Cambusmichell et Crag terre canonicorum de Scona hoc fine perpetualiter conquieuit . S⟨cilicet⟩ quod monachi de Cupro tenebunt terram suam de Camsy . per eosdem limites per quos et sicut perambulatum fuit a predictis monachis et canonicis in presentia Domini Hugonis Episcopi Dunkeldensis et aliorum multorum proborum virorum Incipiendo . s⟨cilicet⟩ . a flumine de tay . per ductum Aratri et Aceruos lapidum et Cruces quas ipsi . per eosdem limites fecerunt terminando ad Reidfurde Et si quid vnquam habuerunt predicti canonici in terra illa que prefatis monachis remansit receptis . decem marcis et tribus acris terre in territorio Willelmi Wroche extra villam de perth dictis monachis imperpetuum quietum clamauerunt Et ad huius rei testimonium perhibendum dominus supradictus Hugo Dunkeldensis Episcopus Sigillum suum una cum sigillis partium apposuit Teste dicto domino Hugone et vtroque capitulo tam de Cupro quam de Scona.

Moray MS., ff. 1-2.

[1] *i.e.* the canons of Scone by whom this writ is recorded.

XXIV

Charter recording the termination of a dispute and the terms of an agreement between the abbot and convent of Coupar and the convent of Scone regarding the marches between Coupar's lands of Camsy and Scone's lands of Cambusmichell and Crag, viz. that Coupar shall hold Camsy according to those marches perambulated by the monks and canons in presence of Hugh, bishop of Dunkeld and others.

This charter appears with several variants, *Scon*, 57.

Birys : This land, mentioned in the heading but not in the text of the writ, adjoins Campsie and is in the parish of St. Martin's. I am obliged for information on this and other points in the charter to the Rev. John A. Honey, Cargill.

Camsy : See note to No. II.

Cambusmichell : S. of Campsie, on the right bank of the Tay. The canons of Scone held the church of Cambusmichael; the parish is now merged in St. Martin's (MacKinlay, *Dedications* (Scriptural), p. 344).

Crag : Probably Craigmakerran in St. Martin's parish.

Hugonis Episcopi Dunkeldensis : Hugh de Sigillo, bishop of Dunkeld, 1214-29 (Dowden, *Bishops*, p. 53).

Reidfurde : Redford, in the parish of St. Martin's.

Willelmi Wroche : Not mentioned elsewhere.

XXV

1214-38.

(*King Alexander the Seconde's Confirmation of the Fundation of Couper Abbey.*)

In Nomine Sancte et Individue Trinitatis patris filii et Spiritus Sancti Amen. Ego Alexander Dei Gratia Rex Scottorum Authoritate Regali ac Comitum Episcoporum et Baronum regni mei Consilio populo itaque adquiescente dedisse contulisse et pro perpetuo Confirmasse Deo et Sancte Marie de Cupro et Monachis ibidem deo Seruientibus et imperpetuum Seruituris omnes predecessorum [1] meorum donationes viz. Malcolmi regis fratris mei Cuprum Cum suis ecclesiis terris capellis decimis et aliis pertinentiis. Item asiamenta de omnibus suis forrestis Scotie. Item Carbones ad suos proprios vsus [.] ex donatione Regis Villelmi [2] patris mei Omnes Terras de Aberbothryne per

[1] MS., 'predidecessorum.'

[2] MS., 'Villielmi.'

omnes rectas suas diuisas Terras de Kethet per rectas diuisas suas Item Terras de Parthesin per suas rectas diuisas et illam Kalathin que [1] Mack-holffe tenuit per suas rectas diuisas excepta illa parte terre de Kalathyn que [2] est ex australi parte Aque de Ferdill versus Cloynin que [3] ad opus meum reseruaui. Item de dimidia Carrucata terre ad situm sue Ab[b]acie faciendum. Item de duabus carrucatis terre Mensuratis in Territorio de Retriffe iuxta terram ipsorum Monachorum de Cupro quas Comes Duncanus Justiciarius meus [4] Ceterique probi homines mei precepto iis mensurarunt. Item totum Maresium de Blair quod pertinebat ad dominium meum de Blair. Omnes Supradictas Donationes eisdem Monachis pro perpetuo Confirmo. Et iis insuper Do et Concedo in puram et perpetuam Elimosinam Decem Libras argenti quas solebamus recipere [5] annuatim de terra de Glenyliffe per manus Abbatis de Cupro. Dedi et concessi insuper decem Marcas [6] argenti annuatim ad sustentationem duorum Monachorum de Domo de Cupro qui perpetuo ministrabunt et diuina celebrabunt in Capella Sancte Trinitatis in Insula Nostra infra Lacum Nostrum de Forfar et quinque marcas [7] que restant de dictis decem libris concessimus Monasterio de Cupro ad Luminare eiusdem Monasterii. Concessimus Item dictis Monachis manentibus in dicta insula ad sustentationem eorundem communem pasturam in terra nostra de Tyrbeg ad sex vaccas et vnum equum Concessimus itaque dictis Monachis ut de terra Nostra de Tyrbeg rationabiliter habcant focale ad usus suos proprios et ad usus eorundem qui extra Insulam predicta animalia sua conseruabunt Confirmo iis itaque Abthyne per rectas diuisas suas ex donatione Willelmi regis patris mei. Item duas percatas terre in villa de perth quas predicti Monachi emerunt a Villelmo [8] filio Lene. Item terras de Edderpolls quas Willelmus de Haya iis dedit. Item donationem quam Richardus de La Batelle iis fecit de terra illa que est inter terram de Ederpolls et Inche-

[1] MS., 'qui.' [2] MS., 'qui.' [3] MS., 'qui.'
[4] MS., 'Justicia mea.' [5] MS., 'precipere.' [6] MS., 'mercas.'
[7] MS., 'mercas.' [8] MS., 'Villielmo.'

martyne que fuit in calumpnia inter Willelmum [1] de Haya et Richardum Ruffum. Item donationem [2] quam Stephanus de Blair iis fecit [Item donationem quam Thomas Hostiarius eiis fecit. Item donationem quam Dauid Ruffus iis fecit [3]] quos constituit hieredes suos de terra de Kyncreiffe. Volo itaque ut predicti Monachi de Cupro imperpetuum Liberi Sint ab omnibus Tolnagiis passagiis et Mercatibus et omnibus aliis Consuetudinibus et Liberam potestatem habeant Vendendi et Emendi per totum Regnum Meum. Precipio itaque ut Nullus [4] eos Namare possit pro alicujus debito vel forisfacto. Testibus Willelmo [5] Episcopo Sancti Andree Malcolmo Comite de Fyffe Willelmo [6] Cumin Comite de Buchan Roberto de London fratre nostro Waltero de Lindes⟨eia⟩ Galfrido [7] filio Richardi Johan[n]e de Haya Alexandro Vicecomite de Streuelin. Apud Scone. 17 die Martii.

Nat. Lib. MS. 33.2.5, p. 10.

XXV

Charter of Alexander (II), king of Scots, confirming certain possessions of Coupar abbey.

This charter is noted, *Breviarium*, 21. The question of its date presents considerable difficulties. On the one hand, it includes a donation of ten marks from Glenisla, etc. which is recorded, *Breviarium*, 23, and dated 18 July, 1234; but one of the witnesses to the present charter is William Cumin, earl of Buchan, who, according to *Chron. Mailros*, died in 1233. It is, of course, possible that *Breviarium*, 23, is the confirmation of a previous donation made earlier in Alexander's reign; and the Melrose chronicler may be in error (Alexander Cumyn, son of William, is called earl of Buchan from 1236-40 (*Lindores*, 248)). On the other hand, not only are the witnesses mainly those of the earlier years of Alexander's reign; the king's donations to Coupar, with the exception of that mentioned above, are not mentioned in it, *e.g.* his grant of the church of Airlie, 1220-26 (No. XXVII), and his grant of certain lands in Glenisla, 9 July, 1233 (No. XLI); nor do we find him confirming in this charter various donations made to Coupar during his reign and recorded in the present charters. The date of this charter must thus be left undetermined between the year of the king's accession (1214) and the year in which bishop

[1] MS., 'Willielmo.' [2] MS., 'donatio.'
[3] These words, omitted in this version of the charter, are supplied from *Breviarium*, 21. [4] MS., 'Nullum.' [5] MS. 'Willielmo.'
[6] MS., 'Willielmo.' [7] MS., 'Galfridio.'

William de Malvoisine died (1238). It is to be noted also that this charter, which has been transcribed in its present form by a somewhat unskilful scribe, reads in many places like an abbreviate of charters of donation—cf. the references to Malcolm IV as the king's 'brother' and to earl Duncan as 'my' justiciar; and several of its items are practically identical in wording with the relative entries in *Breviarium*. These and the references to charters in the present collection are given below. Both the present charter and the *Breviarium* are taken from the collections of Sir James Balfour, whose signature is appended to the former, which, he claims, 'concordat cum Autographo.' Too much stress need not be laid on this protestation; the charter, in its present form, can scarcely be regarded as a careful transumpt.

Donationes . . . Malcolmi regis . . . Cuprum Cum suis . . . . pertinentiis. Item asiamenta . . . . Item carbones . . . : See *Breviarium*, 1, 2.

Ex donatione Regis Willelmi . . . . Aberbothryne : See No. I.

Terras de Kethet : See *Breviarium*, 5.

Terras de Parthesin . . . et illam Kalathin que Mack-holffe tenuit . . . excepta illa parte terre de Kalathyn que est ex australi parte Aque de Ferdill versus Cloynin : Practically *verbatim* in *Breviarium*, 6. Parthesin is Persie (which now gives its name to a *quoad sacra* parish), on the left bank of the Black Water, N. of Blairgowrie. Kalathin is Cally. Mack-holffe is unknown. The part of Cally held by Coupar is evidently that still called Monks' Cally. The river Ferdill is the Ardle. Cloynin is Clunie, a parish lying W. of Blairgowrie—the land was a royal forest, hence the reservation.

Dimidia carrucata terre ad situm sue Abbacie faciendum : See No. III.

Duabus carrucatis terre . . . in Territorio de Retriffe : See *Breviarium*, 13. Retriffe is Rattray.

Totum Maresium de Blair : See *Breviarium*, 14; cf. *ibid.*, 20, which records an excambion of two and a half carucates in Great Blair for the common moor of Blair which the monks used; cf. also *Scon*, 67.

Decem Libras argenti . . . de terra de Glenyliffe . . . . conuersabunt : This lengthy item is practically identical with *Breviarium*, 23.

Glenyliffe : The explanation of this payment from Glenisla is uncertain. Alexander II made them other concessions in Glenisla (No. XLI).

Capella S. Trinitatis in Insula Nostra infra Lacum Nostrum de Forfar : This chapel of the Holy Trinity on an island in Forfar loch is apparently not mentioned elsewhere. Perhaps the somewhat unusual proposal for the establishment of a 'cell' of two Cistercian monks there did not mature. According to Pont's map, there were originally two islands in Forfar loch, on one of which—St. Margaret's inch—there was latterly a chapel dedicated to that saint and in the hands of Coupar (*Cupar*, ii. p. 207). In 1534, certain men are summoned before the Lords of Council at the instance of Coupar for the spoliation of trees on St. Margaret's inch (No. CLXIX). See MacKinlay, *Dedications* (non-Scriptural), p. 9; *HMC. Rep.*, ii. App., p. 185.

Tyrbeg : Torbeg appears on Pont's map slightly W. of Forfar and N. of Forfar loch. 'The lands of Tyrbeg . . . were bound to furnish the royal

household with three hundred cartloads of peats during the king's residence at Forfar ' (*Archaeologia Scotica*, v. p. 295).

Abthyne : The locality of this abthane cannot be ascertained nor is there any other record of King William's donation.

Duas percatas terre in villa de perth quas Monachi . . . emerunt a Villelmo filio Lene : See note to No. XIII. William, son of Lene, is not otherwise mentioned.

Terras de Edderpolls quas Willelmus de Haya iis dedit : See No. III.

Donationem quam Richardus de la Batelle . . . fecit de terra illa que est inter terram de Ederpolls et Inchemartyne que fuit in calumpnia inter Willelmum de Haya et Richardum de Ruffum : Breviarium, 50, records a charter of donation by Richard de la Battele to Coupar for the safety of the soul of his lord William del Haya and of his lord David de Haya, etc., of that land which his lord William del Haya gave him for his service and homage and which David, William's heir, confirmed, between Ederpolls, held by Coupar, and Inchmartin, which was in dispute between William del Haya and Radolph (*sic*) Ruffus. Richard de la Batelle is not otherwise mentioned unless he can be identified with Richard Batayl who gave twenty shillings for licence to agree with Archibald de Douglas and Alina, his wife, concerning a plea of land in Northumberland, 24 Aug., 1256 (Bain, *Calendar*, i. 395). Ederpolls and Inchmartin were both in the parish of Errol. The Blackfriars of Perth had a grant from the latter of four bolls of wheat and eight bolls of barley (*Blackfriars of Perth*, XVII). For William de Haya see note to No. III. Richard Ruffus is not otherwise known unless we can identify him with the individual of that name, ' man of the earl of Winchester,' who has a safe-conduct to go to Ireland, 5 April, 1237 (Bain, *Calendar*, i. 1318).

Donationem quam Stephanus de Blair iis fecit : Lethcassy ; see note to No. XIII.

[*Donationem quam Thomas Hostiarius eiis fecit*] *:* See No. XVII and notes.

[*Donationem quam Dauid Ruffus iis fecit*] *:* See No. XI and notes.

Willelmo Episcopo Sancti Andree : See note to No. XXI.

Malcolmo Comite de Fyffe : The difficulty of dating this charter makes it impossible to say with certainty whether this witness is Malcolm, earl of Fife, who succeeded his father, Duncan, *a.* 1204 (*Scots Peerage*, iv. p. 8), who witnesses charters of William the Lion and Alexander II, who was a benefactor of the bishopric of Moray (*REM.*, pp. 50, 52, 62, 63), of Scone (*Scon*, 6, 72) and of Dunfermline (*Dunfermelyn*, 144, 145), who was founder of Culross in 1217 (*Chron. Mailros*, p. 129) and who died in 1228 (*Scotich.*, ii. p. 58) or 1230 (*Chron. Mailros*, p. 142) ; or his nephew of the same name who succeeded him in the earldom and died in 1266. For a note on the latter, see *Inchcolm*, p. 128.

Willelmo Cumin Comite de Buchan : See note to No. X.

Roberto de London fratre nostro : Natural son of William the Lion. See *Inchcolm*, pp. 108-9.

Waltero de Lindes⟨eia⟩ : It is difficult to identify this witness as several men of this name appear on record within the period. See *Scots Peerage*,

iii. pp. 1-5. This is probably Walter de Lindesay, lord of Lamberton, *a.* 1200, sheriff of Berwickshire and justiciar (*ibid.*, iii. pp. 3, 4), who was dead *a.* 1222, in which year his widow married Philip de Valoignes (*Chron. Mailros*, pp. 139-40). Walter de Lindesay witnesses charters of Alexander II, including two of that king's charters to Coupar (*Cupar*, i. p. 329; ii. p. 282); and he may be identical with the 'familiar' of King Alexander who is sent on that king's business to the English court, 7 July, 1215 (Bain, *Calendar*, i. 629).

Galfrido filio Richardi : William the Lion confirms a grant by Patrick, the abbot, and the convent of Dunfermline of Balweary to Galfrid, son of Richard de Inuerkunniglas, *c.* 1204 (*Buccleuch*, ii. 371). He is called steward of Kinghorn in a charter of King William, 1204-14 (*Laing Charters*, 3), and witnesses charters of Alexander II (*Scon*, 68; *Ch. Chest of Earldom of Wigtown*, 1). Geoffrey appears as a benefactor of Coupar (No. XLIV).

Johan[n]e de Haya : See note to No. XIX.

Alexandro Vicecomite de Streuelin : See note to No. XVII.

XXVI

1220.

Cyrographum

Anno ab Incarnacione Domini . m° . cc° . xx° . facta est hec conuentio inter Dominum Alexandrum abbatem de Cupro et eiusdem loci conuentum ex una parte et Dominum Robertum de Haya ex alia Scilicet quod dictus Robertus de Haya dedit ad firmam dicto abbati et monachis de Cupro Ecclesiam suam de Erolin cum omnibus pertinentiis suis Tenendam omnibus diebus uite sue . Reddendo ei inde annuatim quadraginta marcas argenti scilicet viginti marcas ad festum Sancti martini . et viginti marcas ad Pentecosten. Sciendum uero est quod dicti monachi dederunt premanibus Prefato[1] Roberto . firmam Quatuor annorum scilicet Anni Domini millessimi cc[1] vicesimi . Primi . et vicesimi secundi . et vicesimi tertii . et vicesimi quarti. Ita quod predicti monachi soluere incipient firmam dicto Roberto . Anno . m° . cc° . xxv° ad festum Sancti martini . Preterea prefati monachi honestum prouidebunt Capellanum qui honeste deseruiet prefate ecclesie de Erolin . et Episcopo respondebunt de episcopalibus et

[1] *SHR.*, 'dicto' (a misreading).

ceteris eidem de jure pertinentibus . Hanc autem conuencionem bona fide et sine dolo tenendam ⁄ dictus abbas de Cupro pro se et conucntu suo coram Domino Willelmo Episcopo Sancti Andree firmiter promisit . et dictus Robertus de Haya pro se affidauit. vt autem hec conuentio rata et stabilis permaneat ⁄ Dominus Willelmus Episcopus Sancti Andree . et Magister Laurentius Archidiaconus Sancti Andree sigilla sua huic Cyrographo Cum Sigillis partium apposuerunt . Hiis Testibus . Roberto de Sancto Germano . Magistro Thoma de Tynemuh Magistro . Ricardo de Doure . Magistro Petro de Driburc . Domino Petro et Domino Simone Capellanis . Johanne de Haya . Hugone de Nidin Simone de nusi . Willelmo de Nidin . Mauricio de Kindeloch . Gibun de Haya . Ricardo Camerario . Ricardo de lidel . Ricardo de tuyford . et multis aliis.

Seals missing. End. : Contra Robertum de Haya de erolin ; (in later hand) Conuentio inter abbatem de Cupro et robertum de la haya de ecclesia de erolin.

Moray Charters, Box 32, Div. V, Bundle II, No. 58.

XXVI

Charter recording an agreement in 1220 between Alexander, abbot of Coupar and the convent thereof, and Sir Robert de Hay, viz. that Hay has leased to the abbey his church of Airlie for the period of his lifetime at a yearly rent of forty silver marks, on the understanding that the monks have paid beforehand to Hay the rent for the years 1221 to 1224 and will begin to pay the rent (again) at Martinmas, 1225. The monks will also provide a suitable chaplain and be responsible for episcopal dues.

Printed in *SHR.*, x. pp. 277-8. See Introduction, p. xlii.

Alexandrum abbatem de Cupro : See Appendix II.

Dominum Robertum de Haya : The connection of the Hays with Airlie is obscure. It would appear that the present Hay was the lay-rector of this church ; and it is tempting to identify him with Robert de Haya, son of William de Haya, who, jointly with his brother Malcolm, held the rectory of Errol and was succeeded in it by his brother David (*Lindores*, LXXIX). (Errol (Erole) and Airlie (Erolin) from the similarity of their medieval spelling may easily be confused ; but there is no doubt that it is Errol, in the Carse of Gowrie, which is mentioned in the Lindores charter —it refers to draw-nets on the sands, which can only be the sands of the Firth of Tay.) Dowden remarks that ' it is quite likely that neither Robert nor Malcolm was in Holy Orders . . .' (*ibid.*, p. 261) ; and although Robert

witnesses one charter as parson of Errol (*ibid.*, xxxvii), he is almost certainly Robert de Haya who witnesses many charters—often of members of his family or in association with them—without any indication of clerical status, from 1196-98, when he attests, as son of William de Haya, a charter of Jonathan, bishop of Dunblane (*Aberbrothoc*, i. 212).

Ecclesiam . . . de Erolin : This is the first mention in these charters of the church of Airlie. Airlie appears in David Ruffus's charter (No. xi) and the grange in No. xxi.

Willelmo Episcopo Sancti Andree : See note to No. xxi. Robert de Haya witnesses some of his charters (*RPSA.*, p. 155 ; *Dunfermelyn*, 110 ; *Passelet*, p. 118).

Magister Laurentius Archidiaconus Sancti Andree : See note to No. xxi.

Roberto de Sancto Germano : Robert de St. German, the king's clerk, witnesses a charter of William the Lion, 1211-14 (*Aberbrothoc*, i. 1). He appears as one of the familiars of the king of Scots sent as envoy to the English court, 7 July, 1215 (Bain, *Calendar*, i. 629), while Robert de St. German, clerk, has a safe-conduct to go to Scotland, 5 March, 1218/19 (*ibid.*, i. 717). He witnesses charters of William, bishop of St. Andrews (*RPSA.*, p. 107 ; *Dunfermelyn*, 102), and an agreement between the prior and convent and the archdeacon of St. Andrews, 1212 (*RPSA.*, p. 315).

Magistro Thoma de Tynemuh : Witnesses charters of bishop William, 1219-26, etc. (*Aberbrothoc*, i. 151 ; *Passelet*, p. 118), as well as a charter following on a bull, 7 Feb., 1220/1 (*Dunfermelyn*, 111), and a similar undated charter (*ibid.*, 225).

Magistro Ricardo de Doure : Witnesses a series of charters of bishop William, 1219-26 (*Aberbrothoc*, i. 151, 153-64), and a charter following on a bull, 7 Feb., 1220/1 (*Dunfermelyn*, 111).

Magistro Petro de Driburc : Witnesses, undesigned, charters of bishop William (*RPSA.*, p. 107 ; *Cambuskenneth*, 46) and as his clerk (*Aberbrothoc*, i. 153, etc.), in which capacity also he appears in a Monymusk charter, *c.* 1211 (*REA.*, ii. p. 266). Master Peter also witnesses a charter of Walter, son of Alan the Steward (*Passelet*, p. 18), and another of Roger, the prior, and the convent of Paisley (*ibid.*, p. 20).

Domino Petro et Domino Simone Capellanis : Peter, the chaplain, witnesses charters of bishop William (*RPSA.*, p. 156 ; *Dunfermelyn*, 101, 102, 110, 111) ; Simon, the chaplain, is also witness of bishop William's charters (*RPSA.*, pp. 157, 161, 170 ; *Scon*, 117 ; *Yester Writs*, 9).

Johanne de Haya : See note to No. xix.

Hugone de Nidin : Three generations of this family appear in charters whereby the present witness sells land in St. Andrews to the priory (*RPSA.*, pp. 284-5)—the present Hugh and his father and son of the same name. Hugh appears as a witness (*Dunfermelyn*, 111, 225) and in a papal letter, 7 Aug., 1220 (*CPR.*, Letters, i. p. 74). He granted his quarry at Nidyn, near St. Andrews, to Balmerino (*Balmorinach*, 46).

Simone de nusi : His surname is spelt Nysi, Noysy, Noisi, Nuisi, etc. He witnesses charters of bishop William (*RPSA.*, p. 161 ; *Cambuskenneth*,

46; *Lib. S. Crucis*, 47; *Aberbrothoc*, i. 151, etc.) as well as charters of Roger de Quincy, earl of Winchester (*Scon*, 79), of Elena, daughter of Alan of Galloway (*REG.*, i. 167), and of Roger and Elena, his wife (*ibid.*, i. 169). It is doubtful whether he is to be identified with Symon de Noys who appears (*RPSA.*, p. 266; *Panmure*, ii. p. 81) or Symon de Nusiaco who is a portioner in Lauder, according to a charter of bishop William (*Dryburgh*, 88). Simon de Noysi, parson of Ormiston, who is a witness in 1238 (*Inchaffray*, LXIV), is probably a different person.

Willelmo de Nidin: Perhaps a younger brother of Hugh (*supra*) and a cleric. A man of this name, undesigned, witnesses charters of Abraham, bishop of Dunblane and others (*Cambuskenneth*, 111, 225), and of David de Hastings (*ibid.*, 150). He may be the present witness; but William de Nydin, as clerk of the bishop, witnesses a charter of bishop William (*Aberbrothoc*, i. 151); again, as clerk of the king, William de Nithyn attests charters of Alexander II, 3 Feb., 1230/1 (*Balmorinach*, 1), 31 Aug., 1230 (*ibid.*, 36), and is mentioned elsewhere (*Scon*, 96; *Balmorinach*, 19); while William de Nidin, 'clerk of the lord chancellor,' also appears (*Passelet*, p. 105; *Aberbrothoc*, i. 117 (1231-2)). It is impossible to say whether there was more than one cleric of this name.

Mauricio de Kindeloch: See note to No. XIX.

Gibun de Haya: Not found under this name. But he may be Gilbert de Haya who appears in No. XLVII and later.

Ricardo Camerario: Richard, the bishop's chamberlain, witnesses charters of bishop William (*RPSA.*, pp. 107, 155, 156, 157; *Dunfermelyn*, 101, 102, 110), an agreement between the priory and the archdeacon, 1212 (*RPSA.*, p. 316), also a charter of Abraham, bishop of Dunblane and others, 7 Feb., 1219/20 (*Dunfermelyn*, 111, 225).

Ricardo de lidel: Witnesses a charter of bishop William (*N. Berwic*, 8) and a charter of Abraham, bishop of Dunblane and others, 7 Feb., 1219/20 (*Dunfermelyn*, 111, 225).

Ricardo de tuyford: Witnesses charters of bishop William to Dunfermline (*Dunfermelyn*, 102) and North Berwick (*N. Berwic*, 8).

XXVII

1220-26.

Alexander dei gratia Rex Scottorum Omnibus probis hominibus tocius terre sue clericis et laicis Salutem. Sciatis presentes et futuri nos consentiente venerabili patre Episcopo sancti Andree . dedisse concessisse et hac carta nostra confirmasse deo et ecclesie sancte marie de Cupre et monachis ibidem deo seruientibus . Ecclesiam de Erolin . cum omnibus iustis pertinenciis suis. Tenendam in puram et perpetuam elemosinam. Reddendo inde an-

nuatim ex parte nostra Capitulo Cisterciensi . ad procurationem capituli generalis quarto die . viginti libras sterlingorum . salua Roberto de Haya tenura eiusdem ccclesie in uita sua. Testibus Willelmo dc Boscho . cancellario . Comite Patricio Comite Malcolmo de fife . Alano filio Rollandi constabulario . Alexandro Vicecomite de striuelin . Waltero de Lindeseia . Johanne de Maccuswele . Thoma de Striuelin . clerico cancellarii. Apud Edenburch iii die Octobris.

Seal missing. End. : Donatio ccclesie dc Erolin.
Moray Charters, Box 32, Div. IV, Bundle I, No. 5.

XXVII

Charter of Alexander II whereby he grants to Coupar, with the consent of the bishop of St. Andrews, the church of Airlie, paying therefrom yearly on his behalf to the chapter of Cîteaux as a procuration for the fourth day of the general chapter twenty pounds sterling, reserving to Robert de Haya tenure of that church for his lifetime.

This charter is noted, *Breviarium*, 18, and is printed, *SHR.*, x. p. 275. The grant by King Alexander of the church to Coupar may be taken to have succeeded the attempt (recorded in No. xxvi) of the monks to obtain a lease of that church. That transaction may have failed ; at all events, the temporary arrangement is superseded by the present donation in perpetuity. See Introduction, p. xli. This charter must have been granted some time between the date of the preceding writ—1220—and the date of Thomas de Stirling's appointment as chancellor.

Reddendo . . . Capitulo Cisterciensi ad procurationem capituli generalis quarto die : See *SHR.*, viii. pp. 174-5, where it is noted that ' grants for the procuration of the abbots attending the general chapter . . . were by no means rare ' and that the fourth day was the concluding session of the chapter.

Roberto de Haya : See note to previous charter.

Willelmo de Boscho cancellario : A prominent figure in the reigns of William the Lion and Alexander II. See *Inchcolm*, pp. 110-11.

Comite Patricio : Fifth earl of Dunbar ; succeeded his father, Waldeve, in 1182 (*Chron. Mailros*, p. 92) and married Ada, daughter of William the Lion, in 1184 (*ibid.*). Patrick held the earldom for fifty years and died, 31 Dec., 1232, being buried in the church of St. Mary of Eccles (*ibid.*, p. 143). Earl Patrick witnesses charters of William the Lion and Alexander II. He figures in English records from 1187 (Bain, *Calendar*, i. 188) and his son, William, is mentioned as a hostage in England, 13 June, 1213 (*ibid.*, i. 574). He made donations to Melrose (*Melros*, 77) and Coldingham (*RMS.*, i. 839).

Comite Malcolmo de fife : See note to No. xxv.

Alano filio Rollandi constabulario : Succeeded his father, Roland of Galloway (ob. 19 Dec., 1200), as constable. He was the elder brother of Thomas of Galloway, who became earl of Athole (see note to No. xxii). Alan appears frequently in records. In English sources he is mentioned from *c.* 20 July, 1204 (Bain, *Calendar*, i. 343), onwards, is noted as having done homage to King John for lands in Ireland in 1210 (*Scotichronicon*, i. p. 531) and acted as representative of the Scottish king in swearing to an agreement between Scotland and England, 1211 (*ibid.*, i. p. 533). A papal mandate was issued to the archbishop of York and others to investigate Alan's affinity to his wife, 30 March, 1222 (*CPR.*, Letters, i. p. 89), and another mandate shows that the pope had invoked his help, 29 Nov., 1229 (*ibid.*, i. p. 122). Alan died in 1234 (*Chron. Mailros*, p. 144 ; *Scotichronicon*, ii. p. 59)—*c.* 2 Feb., 1233 (*Chron. Lanercost*, p. 42) ; 1233 (*Extracta*, p. 94)—and was buried at Dundrennan. He was a benefactor of Melrose (*Melros*, 79, 83) and of Kilwinning and Dryburgh (*Dryburgh*, 85). For a concise account of him, see Anderson, *Early Sources*, ii. p. 492 n.

Alexandro Vicecomite de striuelin : See note to No. xvii.

Waltero de Lindeseia : See note to No. xxv.

Johanne de Maccuswele : John de Maxwell witnesses some charters of William the Lion and many of Alexander II. He appears as sheriff of Roxburgh from the first decade of the thirteenth century (*Calchou*, 140, 207, etc.) and as chamberlain during the reign of Alexander II. Maxwell died and was buried at Melrose in 1241 (*Chron. Mailros*, p. 154). He was one of the familiars of the king of Scotland sent to the English king, 7 July, 1215 (Bain, *Calendar*, i. 629) ; and one of the Scottish barons who undertake to support King Alexander's oath to marry the sister of Henry III, 15 June, 1220 (*ibid.*, i. 762) ; he also witnesses King Alexander's charter granting a dower to his queen, Johanna, 18 June, 1221 (*ibid.*, i. 808).

Thoma de Striuelin . clerico cancellarii : His designation here as chancellor's clerk, which is paralleled *Reg. Hon. de Morton*, i., App., 2, fits in with the statement of the *Scotichronicon* (ii. p. 57) that Thomas de Strivelin, clerk or *socius* of William de Bosco, succeeded him as chancellor in 1226. He witnesses charters of Alexander II as ' clerk ' before succeeding Thomas, parson of Lilliesleaf, as archdeacon of Glasgow, in 1220 (*Chron, Mailros*, p. 140). On 15 Dec. of that year the pope, at the king's request, dispensed him to hold a plurality of benefices (*CPR.*, Letters, i. p. 77). Thomas's death is assigned by the chroniclers to the year after his succession to the chancellorship (1227) (*Chron. Mailros*, p. 141 ; *Scotichronicon*, ii. p. 57). But while he is found witnessing crown charters as archdeacon of Glasgow on 8 June and 12 Oct., 1225 (*Inchaffray*, liii ; *Balmorinach*, 4), and as chancellor from 12 Feb., 1225/6 (*REM.*, p. 459), to at least 26 Feb., 1226/7 (*RMS.*, ii. 2387), he attests as archdeacon of Glasgow a crown charter, 23 Sept., 1228 (*Soltre*, 28).

XXVIII

c. 1220.

Hugo . . . episcopus dunkeldensis omnibus . . . . salutem. Sciant tam presentes quam futuri nos de communi capituli nostri assensu et consensu concessisse et hac carta nostra confirmasse deo et ecclesie beate marie de cupro et monachis . . . donacionem illam quam pie memorie predecessor noster Johannes primus episcopus dunkeldie illis fecit scilicet de terra Cambesadon et piscationibus et omnibus aliis eidem terre pertinentibus et terram de adbrec cum omnibus pertinentiis suis sicut in carta dicti primi Johannis et confirmatione secundi Ricardi successoris eius continetur. Preterea confirmamus composicionem illam quam cum Johanne primo . et Ricardo secundo predecessoribus nostris fecerunt scilicet de decimis de ketheg que ad ecclesiam nostram de kergille pertinent . et sicut cum eis facta est . Reddendo scilicet camere nostre et successorum nostrorum singulis annis unam marcam argenti . dimidiam scilicet marcam ad pentecosten . et dimidiam marcam ad festum sancti martini. Ad hec autem adicimus concedentes et hac carta nostra confirmantes . ut si aliquando contigerit eosdem monachos terram suam de Cambesadona et piscationes ad firmam dimittere: ipsi monachi dabunt pro decimis inhabitantium ecclesie nostre de kergille unam petram cere ad pentecosten: annuatim quamdiu terram illam inhabitauerint et piscationes habuerint. Ipsi tamen inhabitantes recipient in ecclesia de kergille omnia spiritualia et eidem persoluent annuatim mortoria et omnes oblationes plene quamdiu dictam terram inhabitauerint et piscationes habuerint. Ut autem hoc instrumentum robur habeat perpetuum: Capitulum dunkeldie sigillum suum apposuit. Hiis testibus . Willelmo de edenham archidiacono dunkeldensi. Roberto de Raperslau precentore. Adam de prebenda. Gilberto persona de forgrund. Johanne de hetun. Willelmo de Clonin. Nazario. Willelmo de Lundors. Roberto de Cragin. Canonicis de dunkeldie. Matheo decano de Rettref.

Michaele capellano. Johanne filio Nazarii. Roberto camerario et multis aliis.

Seals of bishop and chapter attached. End.: Confirmacio Hugonis episcopi cum sigillo capituli de Cambusadoni et piscationibus et decimis de kethec.

Moray Charters, Box 32, Div. V, Bundle I, No. 7.

XXVIII

Charter of Hugh, bishop of Dunkeld, confirming to the monks of Coupar the grant made them by bishop John (I) of the land of Cambusadon and its fisheries and the land of Adbrec; likewise the agreement made between them and bishops John and Richard regarding the teinds of Keithick which belong to the (bishop's) church of Cargill; at a yearly rent of one silver mark; adding that if the monks let the lands of Cambusadon and the fisheries, they will pay for the teinds of the inhabitants to the church of Cargill a pound of wax yearly at Whitsunday, so long as these hold the land and fisheries, these also to receive the sacraments in the church of Cargill and to pay to it mortuaries and all offerings.

This charter is probably different from that noted, *Breviarium*, 97.

Hugo . . . episcopus dunkeldensis : See note to No. xxiv.

Donacionem illam quam . . . Johannes primus episcopus . . . fecit . . . de terra Cambesadon : John (I), 'cognomine Scotus,' bishop of Dunkeld, 1183-1203 (Dowden, *Bishops*, p. 51). Bishop John's charter has not survived. For Cambesadon see note to No. xiii.

Terram de adbrec . . . sicut in carta . . . primi Johannis et confirmatione secundi Ricardi continetur : Bishop John's charter is No. ix. Bishop Richard's is No. xiv.

Composicionem . . . cum Johanne primo et Ricardo secundo . . . de decimis de ketheg : See Nos. vii, viii. Bishop Richard's confirmation does not seem to be extant.

Camere : 'Camera' seems to mean here the episcopal treasury in charge of the 'camerarius' (chamberlain).

Willelmo de edenham archidiacono dunkeldensi : See *Inchcolm*, p. 119. An additional reference is that Sir William, archdeacon of Dunkeld, witnesses a charter, *c.* May, 1228 (*Laing Charters*, 6).

Roberto de Raperslau precentore : See *Inchcolm*, p. 119.

Adam de prebenda : Witnesses, undesigned, a charter of bishop Hugh (*RPSA.*, p. 297); as canon of Dunkeld, a charter of the same bishop (*Lib. S. Crucis*, 66); and, as dean, charters of bishop Geoffrey (*Inchaffray*, lxv (1238); *RPSA.*, p. 308). A later Adam de Prebenda, clerk to the king, rector of Lamington and holding the church of Fettercairn, appears, 27 Feb., 1263/4 (*CPR.*, Letters, i. p. 389).

Gilberto persona de forgrund : Witnesses a charter of bishop Hugh (*Lib. S. Crucis*, p. 53).

Johanne de hetun : Master John de Hedun, otherwise undesigned, is a papal mandatory, 20 April, 1247 (*CPR.*, Letters, i. p. 46). He witnesses, undesigned, charters of bishop Hugh (*Cambuskenneth*, 15 ; *Lindores*, XXXIV (*c.* 1228)) and the chapter of Dunkeld (*Lindores*, XXXIII (*c.* 1228)). As canon of Dunkeld, he is found witnessing bishop Hugh's charters, 1215-21 (*Inchaffray*, XXXVI) and *c.* 1221 (*ibid.*, XLVIII). ' Magister Johannes nepos meus de Hetun ' witnesses a charter of Hugh de Calduuer (*Scon*, 24).

Willelmo de Clonin : As canon of Dunkeld, witnesses charters of bishop Hugh, 1215-21, *c.* 1221 (*Inchaffray*, XXXVI, XLVIII). A man of this name (William de Cluny) witnesses a charter of Alexander II, 1214-18 (*Aberbrothoc*, i. 100), and is found as the king's clerk, *c.* 1214 (*ibid.*, 215) and 1236-46 (*Calchou*, 247). A later W. de Clony witnesses a charter of Radulf Maylle regarding Drengysland in Fowlis, Aug., 1261 (*GRH. Charters*, 51B).

Nazario : Nazarius the chaplain witnesses a charter of the chapter of Dunkeld and bishop Hugh's associated charter (*Lindores*, XXXIII, XXXIV). His son appears as a witness, *infra*.

Willelmo de Lundors : Witnesses also No. XXIX ; not found elsewhere. A later master William de Lundors, chancellor of Ross, appears *c.* 24 April, 1327-8 May, 1328 (*Yester Writs*, 21).

Roberto de Cragin : Master Robert de Cragyn (Craigie) witnesses a charter of bishop Hugh (*Aberbrothoc*, i. 218).

Matheo decano de Rettref : See note to No. VI.

Michaele capellano : Not identified.

Johanne filio Nazarii : Son of Nazarius, *supra*. Not found elsewhere.

Roberto camerario : The bishop's chamberlain. Witnesses charter of bishop John (*Dunfermelyn*, 127).

XXIX

c. 1220.

Hugo . . . dunkeldensis episcopus omnibus . . . salutem in domino. Sciant tam presentes quam futuri nos de communi capituli nostri assensu et consensu concessisse et hac carta nostra confirmasse compositionem factam coram pie memorie Johanne primo dunkeldense episcopo et a Ricardo secundo confirmatam predecessoribus nostris inter ecclesiam de Cupro et ecclesiam de Retthref super quibusdam decimis inperpetuum tenendam scilicet quod monachi de cupro singulis annis persoluent ecclesie de Retthref decem solidos argenti pro omnibus decimis ad terram pertinentibus quam Rex Willelmus pretaxatis monachis in parochia de Retthref dedit. Hiis testibus .

Magistro W. de edenham archidiacono dunkeldense. Roberto de Raperslau precentore. Adam de prebenda. Gilberto persona de forgrund. Johanne de hetun. Nazaro. Willelmo de Lynd[o]rs. Roberto de Craggin. Malcolmo filio eugenii. Roberto camerario. et multis aliis.

Seal attached. End.: Confirmacio Hugonis episcopi super compositionem factam inter Cupre et ecclesiam de Retref.

Moray Charters, Box 32, Div. V, Bundle I, No. 8.

XXIX

Charter whereby Hugh, bishop of Dunkeld, with the consent of his chapter, confirms to Coupar the agreement made in the presence of bishop John and confirmed by bishop Richard between the church of Coupar and the church of Rattray, viz. that the monks will pay yearly to the church of Rattray ten silver shillings for the whole teinds belonging to the land in the parish of Rattray given them by King William.

Hugo . . . dunkeldensis episcopus: See note to No. XXIV.

Compositionem factam coram . . . Johanne primo dunkeldense episcopo et a Ricardo secundo confirmatam . . . inter ecclesiam de Cupro et ecclesiam de Rettref: See No. VI. Bishop Richard's confirmation is not apparently extant.

With the exception of Malcolm, son of Eugenius, who appears as a benefactor of Coupar (No. XL) but is not otherwise known, the witnesses appear in the preceding charter.

XXX

c. 1220.

Cyrographum

Cunctis (?)[1] has litteras uisuris uel audituris Bricius et Johannes dicti de munimusk et de rostinot priores et Dionisius decanus de anegus eternam in domino salutem. Nouerit uniuersitas uestra nos mandatum domini pape in hec uerba suscepisse. Honorius episcopus seruus seruorum dei dilectis filiis de munemusk et de restinot prioribus et decano de forfar sancti andrec et aberdonensis diocesium salutem et apostolicam benedictionem. Dilecti filii abbas

[1] This word is faded.

et conuentus de cupro nobis conquerendo monstrarunt quod Willelmus de munifichct miles dunkeldensis diocesis super terris pascuis et rebus aliis iniuriatur eisdem. Ideoque discrecioni uestre per apostolica scripta mandamus quatinus partibus conuocatis audiatis causam et appellatione remota fine debito terminetis. facientes quod decreueritis per censuram ecclesiasticam firmiter obseruari . Testes autem qui nominati fucrint si sc gratia uel odio ucl timore subtraxerint per districtionem eandem cessante appellatione cogatis ueritati testimonium perhibere. Quod si omnes hiis exequendis potuieritis (*sic*) interesse duo uestrum ea nichilominus exequantur. Datum lateran̄. vi kal. nouembris pontificatus nostri anno iij. Huius igitur auctoritate mandati conuocatis partibus et impresentia nostra constitutis per multas altercaciones hinc inde litteras tandem sic inter eas conuenit. scilicet quod dominus Willelmus de munfichet per consilium amicorum suorum dedit . concessit et carta sua confirmauit deo et beate marie de cupro et monachis ibidem deo seruientibus imperpetuum plenariam pasturam ad quadraginta animalia de kethec extra diuisas de kethec super pasturam suam de uilla laysing ubicumque animalia sua siue hominum suorum pascunt. Dedit etiam eisdem monachis sexaginta bigatas turbe ad opus grangie de kethec . quas accipient conuersi de kethec uel homines eorum ut melius et comodius sibi uiderint competere super terra prefati Willelmi. Concessit insuper et dedit idem dominus W. prenominatis monachis ad opus suorum de Camsy plenariam pasturam ad triginta animalia extra diuisas ipsorum monachorum de kamsy super terram suam ubicumque animalia sua siu (*rectius* seu) hominum eorum pascunt Preterea uero dedit eisdem monachis prefatus dominus W. ad lumen ecclesie sancte marie de cupro singulis annis in puram et perpetuam elemosinam unam petram cere reddendam annuatim ad purificationem bcate marie uirginis. Concessit eciam ipsis monachis et hominibus eorum liberum transitum sine impedimcnto per uias et semitas super terram suam in bosco et plano et moris ad vehicula sua trahenda . et alias r[es suas] portandas et ducendas inter loca sua

maxime per illas uias que in carta sua nominantur. Concessit item eisdem monachis ut omnis materies eorum de nemore ueniens sine contradictione super terram suam applicet. et per eam libere deportetur ubi uoluerint. Ad hec autem omnia firmiter et bona fide . et sine dolo inpcrpetuum obseruanda . prescriptus dominus W. coram nobis sacramento prestito affidauit . Et dominus alexander abbas dc cupro pro se et conuentu suo firmiter promisit ita plane ut dicti monachi et prenominatus W. nullam aduersus et alterutrum de diuisis inter se ulterius mouebunt questionem. Sed utraque pars monachorum . scilicet et militis sepedicti ipsas easdem diuisas tam inter kethec et uillam Laysing quam inter Kamsy et kergille sicut eo die quo hec coram nobis facta sunt et concessa anno scilicet dominice incarnationis . m^{o} . cc^{o} . xx^{o} . circa festum sancti martini. tenuit et sicut ipse diuise proxima sequenti die sanctorum innocentium coram probis hominibus perambulate fuerunt et aratro fulcate: eas pacifice sine omni altercacione et molestia inperpetuum gaudendo possideat. Preterea uero sepedictus dominus W. post obitum suum corpus suum domui de cupro dedit sepeliendum si id quolibet modo congrue fieri potuerit. Ut autem ista inconcussam et perpetuam optineant firmitatem utramque partem huius cyrographi sigillorum nostrorum munimine duximus roborandam. Cum apposicione sigillorum abbatum de melros et de neubotle et de sancto seruano.

Two seals out of six remain. End.: Phillipus mwbra burgensis de Innerkethin dedit domino alexandro spens monacho de cupro hanc cartam.

Moray Charters, Box 32, Div. V, Bundle I, No. 5.

XXX

Charter of Brice, prior of Monymusk, John, prior of Restennet, and Dionisius, dean of Angus, following on a mandate of Pope Honorius III in consequence of a complaint by Coupar against Sir William Munifichet, recording an agreement whereby Sir William, on the advice of his friends, grants to Coupar free pasture for forty beasts from Keithick on his pasture of Layston: sixty cartloads of turf for the work of the grange of Keithick; pasture for thirty beasts beyond the monks' marches of Campsie on his land; a stone of wax annually at Candlemas for the lighting of the church

of St. Mary of Coupar; free passage and transit of wood through his lands. The parties promise to abide by the marches fixed between Keithick and Layston and between Keithick and Cargill about Martinmas, 1220, and perambulated on Innocents' day following. Sir William likewise gives his body for burial at Coupar.

No. XXXI—Munfichet's charter making these donations—has some slight differences of detail. The present charter is possibly later in date than the following charters by papal mandatories as John seems to have been prior of Restennet after Germanus.

Bricius et Johannes . . . de munimusk et de rostinot priores : Brice appears as a papal mandatory in Nos. XXXII, XXXIII. In a record, *c.* 1211, of an agreement between William, bishop of St. Andrews, and the Culdees of Monymusk, it is stated: 'There will accordingly be twelve Culdees and the thirteenth will be Brice whom the Culdees will themselves present to the lord bishop of St. Andrews so that he may be their master or prior' (*REA.*, ii. p. 265). John, prior of Restennet, is a papal mandatory in a dispute between William, rector of Gullane, and the nuns of North Berwick, *c.* 1224 (*Dryburgh*, 37). He probably succeeded Germanus (see No. XXXII) as prior.

Dionisius decanus de anegus : Also called dean of Forfar as appears from the papal letter incorporated in this charter. He appears also in Nos. XXXII, XXXIII. Dionisius witnesses a series of charters granted by William, bishop of St. Andrews (*Aberbrothoc*, i. 153-64); is a papal mandatory (as dean of Angus), *c.* 1224 (*Dryburgh*, 24) and (as dean of Forfar) *c.* 1225 (*ibid.*, 37). He appears as judge-delegate in an agreement between Coupar and Scone, 4 July, 1225 (*Scon*, 83), and witnesses charters of William Cumyn, earl of Buchan, *c.* 1221 (*Aberbrothoc*, i. 130), and of Ralph, abbot of Arbroath, and his convent, 1226-39 (*ibid.*, i. 306).

Willelmus de munifichet : See note to No. XVI.

Uilla laysing : Layston, W. of Keithick, in the parish of Cargill. A later William Munifichet grants the lands of Leisington to Bernard de Kergyll (*Oliphants*, 5).

Sexaginta bigatas turbe ad opus grangie de kethec quas accipient conuersi de kethec : The sixty cartloads of turf were presumably for the building of outhouses and walls. Granges, typical of the Cistercian system, were worked by *conversi* or lay-brothers.

Camsy : Campsie; see note to No. II.

Ad lumen ecclesie sancte marie de Cupro : An indication that the monks' church was built and in use although it was not yet formally dedicated.

Alexander abbas de cupro : See Appendix II.

Circa festum sancti martini : The date of the agreement is not indicated in the succeeding charter.

Die sanctorum innocentium : Holy Innocents' day is 28 Dec.

Abbatum de melros et de neubotle et de sancto seruano : The abbot of Melrose, father-abbot of Coupar, and the abbots of Newbattle and Culross were all heads of Cistercian houses and are thus brought in to secure Cistercian privileges.

XXXI

c. 1220.

Uniuersis . . . . Willelmus de Munfichet salutem in domino. Nouerit uniuersitas uestra me per consilium amicorum meorum dedisse . . . deo et beate Marie de Cupro et monachis . . . plenariam pasturam ad quadraginta animalia de kethec extra diuisas de kethec super pasturam meam de kergille . ubicunque animalia mea siue hominum meorum pascunt. Dedi etiam eisdem monachis sexaginta bigatas turbe ad opus Grangie de kethec quas accipient conuersi de kethec vel homines eorum ubi melius et commodius sibi uiderint competere super terram meam . Concessi insuper et dedi prenominatis monachis ad opus suorum de camsy plenariam pasturam ad triginta animalia extra diuisas de kamsy super terram meam ubicumque animalia mea siue hominum meorum pascunt. Preterea uero dedi eisdem monachis ad lumen ecclesie sancte marie de cupro singulis annis in puram et perpetuam elemosinam unam petram cere reddendam annuatim ad purificationem beate marie virginis . Concessi etiam ipsis monachis et hominibus suis liberum transitum sine impedimento per uias et semitas super terram meam in bosco et plano et moris ad ueicula sua trahenda et alias res suas portandas et ducendas inter loca sua maxime per has uias scilicet per uiam more que tendit ad furcas . et per viam que iacet iuxta uillam laising . et per uiam inferiorem que iacet iuxta aquam et pontem de hylif. Concessi insuper ipsis monachis ut omnis materies eorum de nemore ueniens sine contradiccione super terram meam applicet . et per eam libere deportetur ubi uoluerint. Hec autem omnia ego et heredes mei dedimus et concessimus domui de cupro libere et quiete plenarie et honorifice inperpetuum tenenda a nobis et possidenda. Ita plane ut nulla ulterius inter me et predictos monachos de diuisis inter nos tam de kethec quam de kamsi controuersia moueatur . Sed utrique prefati . scilicet monachi et ego ipsis eisdem diuisis inter kethec et kergille et inter kamsy et kergille sicut eorum probis hominibus perambulate fuerunt et

aratro fulcate. Anno scilicet dominice incarnationis . m° . cc° . xx° die sanctorum Innocentium ⁄ inperpetuum sine omni altercatione in pace gaudeamus. Preterea prius obitum meum et uxoris mce et heredis mei corpora nostra domui de cupro dedimus sepelienda . si id quolibet modo congrue fieri potuerit . Vt autem hec carta rata et stabilis et inconcussa inperpetuum perseueret ⁄ eam sigilli mei munimine roboraui . Hiis testibus . Willelmo abbate de Scona . Magistro Laurentio archidiacono sancti andree . Innocentio priore de Incheaffran . Willelmo de Waus . Jacobo hose . Heruico de kynros . Malcolmo de ketenes . Ricardo dispensatore de kerg[i]lle . Waltero de kercoc . Alano albo de kambus-* * * (Kambusbruce (?)) et multis aliis.

Seal attached. End. : Willelmi de Munfichet ; (in later hand) Carta Willelmi Munfichet de lx^ta^ bigatis turbe et communi pastura et de libero transitu per terras suas et de petra cere.

Moray Charters, Box 32, Div. V, Bundle II, No. 59.

XXXI

Charter whereby William de Munfichet grants to Coupar full pasture for forty beasts from Keithick beyond the marches of Keithick on his pasture of Cargill ; sixty cartloads of turf for the work of the grange of Keithick ; full pasture for thirty beasts beyond the marches of Campsie on his land ; a stone of wax annually at Candlemas for the lighting of the church of St. Mary of Coupar ; free passage through his lands especially by the moor road which leads to the crossroads and by the road which lies next to Layston and by the lower road which lies next the water and bridge of Isla ; and transit of wood through his land. These donations are made to obviate further controversy between him and the monastery and the parties will abide by the marches fixed between Keithick and Cargill and between Campsie and Cargill as perambulated on Innocents' day, 1220. Munfichet further grants his body and the bodies of his wife and heir for burial at Coupar.

It is probable but not certain that this is the writ which appears, *Breviarium*, 65. Notes to No. xxx applicable to the present charter are not repeated.

Extra diuisas de kethec super pasturam meam de kergille : The monks held Keithick by grant of William the Lion (see note to No. vii). In the previous charter, Munfichet's pasture is described as of Layston.

Uiam more que tendit ad furcas : The word ' furcae ' can mean either ' crossroads ' or ' gallows ' (*Med. Latin Word List*, *s.v.* furca). There was a possible site of gallows both north and south of Keithick and Layston—Gallowraw (Galray), N. of Coupar Angus ; and Gallowhill, to the S.E. of the present village of Cargill. See *NSA.*, x. p. 1170.

Hylif : The river Isla.

Willelmo abbate de Scona : William seems to have succeeded Reinbald as abbot of Scone (*Inchaffray*, p. 274 ; *Scon*, p. x). He witnesses a charter of Alexander II, 5 Jan., 1219/20 (*Inchaffray*, XL), several charters of Gilbert, earl of Strathearn, 1210-23 (*ibid.*, XXXIII, XXXIX (1219), XLIII, XLIV, XLV), charters of Abraham, bishop of Dunblane, *a.* 1214 (*Aberbrothoc*, i. 213, 214, 215), and of Hugh, bishop of Brechin, *c.* 1219 (*REB.*, ii. 260 ; *Aberbrothoc*, i. 186). He acts as mandatory under a papal letter of 7 Feb., 1219/20 (*Dunfermelyn*, 111, 225), at an unascertained date appears in a similar capacity (*ibid.*, 112), arbitrates in a controversy between Newbattle and Holyrood, 1223 (*Neubotle*, 127), attests agreements made by May (*May*, 38, 41) and is a party with his convent to an agreement with Coupar, 4 July, 1225 (*Scon*, 83).

Magistro Laurentio archidiacono sancti andree : See note to No. XXI.

Innocentio priore de Incheaffran : Innocent became prior of Inchaffray probably in 1220, in which year or 1221 he was raised to the dignity of abbot (*Inchaffray*, p. 250, *q.v.* for an account of him).

Willelmo de Waus : A man of this name, ' dominus de D. (? Dirleton),' appears (*Dunfermelyn*, 587). Willelmus de Vas is also found as witness to an undated charter (*Passelet*, p. 75).

Jacobo hose : Not found elsewhere.

Heruieo de kynros : Witnesses charters of William the Lion (*Inchaffray*, XVIII ; *Cambuskenneth*, 18 (the printed charter gives ' Henrico ' but reference to the facsimile confirms that the name is ' Herueio ') ; Bain, *Calendar*, i. 2275), and Alexander II (*Balmorinach*, 3 ; *Aberbrothoc*, i. 123) as well as an agreement between Maurice, earl of Menteith and his brother, 6 Dec., 1213 (Bain, *Calendar*, i. 2276=*Menteith*, ii. 7). A later Hervey de Kinross, canon of St. Andrews, appears in a papal letter, 21 May, 1280 (*CPR.*, Letters, i. p. 462).

Malcolmo de ketenes : See note to No. x.

Ricardo dispensatore de kerg[i]lle : Not found elsewhere. ' Dispensator ' here is probably a designation (steward) rather than a surname.

Waltero de kercoc : Alexander III confirms a donation by a later William Munificheth to Bernard de Kergylle of the land of Layston as Walter de Kyrtoch (*sic*) held it from the said William, 20 July, 1283 (*Oliphants*, 5). From the facsimile of this charter, the surname of Walter might equally well be read ' Kyrtoch ' or ' Kyrcoch.'

Alano albo de kambus- * * :* Alan White has not been identified nor has the place by which he is designed. The place-name has been conjecturally deciphered as ' Kambusbrunt ' and ' Kambusurunt ' but is advisedly left incomplete. ' Kambusbruce ' is an editorial guess.

XXXII

c. 1220.

Uniuersis . . . B. et G. Priores de Munemuske et Rostinot . et D. Decanus de Anegus Salutem in domino. Nouerit uniuersitas uestra nos mandatum Domini pape in hec verba suscepisse . Honorius episcopus seruus seruorum dei dilectis filiis de munemuske et de Rostinot Prioribus . et Decano de forfar Sancti Andree et Aberdonensis Diocesium Salutem et Apostolicam Benedictionem. Abbas de Cupro nobis exposuit conquerendo quod abbas et conuentus de Dunfermelin . et J. clericus Sancti Andree et Dunkeldensis Diocesium Super ecclesia de Bendectin et rebus aliis iniuriantur eidem . Ideoque discretioni uestre per apostolica scripta mandamus quatinus partibus conuocatis audiatis causam et appellatione remota sine debito terminetis . facientes quod decreueritis per censuram ecclesiasticam firmiter obseruari . Testes autem qui fuerint nominati [si se gracia] odio uel timore subtraxerint per censuram eandem appellacione cessante cogatis ueritati testimonium perhibere . Quod si non omnes hiis [exequendis potuer]itis interesse. Duo uestrum ea nichilominus exequantur. Datum Laterañ. ij. kal. nouembris pontificatus nostri Anno iij. Huius igitur auctorita[te mandati abba] tem et conuentum de Dunfermelin citauimus tam simplicibus quam peremptoriis edictis (?) ut juxta forma mandati Domini pape * * * Bendectin et Cubermacultin apparerent coram nobis. Abbati et conuentui de Cupro responsuri et juri petituri. Tandem uero post * * * abbatis et conuentus de Dunfermelin cauillationes. eorum multiplici contumacia coram nobis manifeste comprobata consilio iuris per-* * *-ie juris prcuio misimus predictum Abbatem et conuentum de Cupro in possessionem prcdictarum terrarum de Bendectin et Cubermacultin ca-* * * rei seruande. Idem uero Abbas et conucntus de Dunfermelin in sua contumacia persistentes nullam nobis inter annum cautionem optulerunt per quam sibi possessionis sue fieri deberct reformatio. Ea propter anno elapso secundo instantiam predicti abbatis et conuentus

de Cupro justiciam sibi fieri postulantium auctoritate Domini pape eosdem communicato consilio cum uiris prudentibus et jure peritis ex secundo decreto adiudicauimus in plenam possessionem predictarum terrarum de Bendectin et Cubermacultin Salua questione proprietatis Abbati et Conuentui de Dunfermelin.

Seals missing. Endorsement (faded): Judices delegati in (?) bendachtyne et cupyrmancultyn.

Moray Charters, Box 32, Div. V, Bundle I, No. 4.

XXXII

Charter of B. and G., priors of Monymusk and Restennet and D., dean of Angus, acting upon a mandate of Pope Honorius III, with reference to a complaint of Coupar against Dunfermline and J., clerk, regarding the church of Bendochy, whereby, in consequence of the contumacy of Dunfermline, they have placed Coupar in possession of the lands of Bendochy and Couparmaculty.

This charter is probably earlier in date than No. xxx as John was prior of Restennet later than Germanus.

B. et G. Priores de Munemuske et Rostinot : For Brice, prior of Monymusk, see note to No. xxx. Germanus, prior of Restennet, is also a papal mandatory, *c.* 1220 (*Dryburgh*, 42). He witnesses charters of William Cumin, earl of Buchan (*RPSA.*, pp. 251, 252) and of Marjory, countess of Buchan (*ibid.*, p. 253).

D. Decanus de Anegus : See note to No. xxx.

J. clericus . . . Dunkeldensis Diocesis : 'Johannes clericus noster' witnesses a charter of Richard, bishop of Dunkeld, 1203-10 (*Inchaffray*, xxiii) but there is nothing to connect him definitely with the present witness.

Ecclesia de Benedectin : The parish of Bendochy is in the immediate vicinity of Coupar Angus, to the north. Hugh, bishop of Dunkeld, seems to have confirmed the church of Bendochy to Dunfermline in a charter of which only the beginning is given (*Dunfermelyn*, 128).

Benedectin et Cubermacultin : The lands of Bendochy and Couparmaculty (now Couttie, N.W. of Coupar) were granted to Dunfermline by Andrew, bishop of Caithness, 1146-84 (*Dunfermelyn*, 123), and continued in its possession till the Reformation—Couparmaculty appears, in fact, in a Dunfermline charter, 20 June, 1606 (*ibid.*, p. 499), and Bendochy in a Dunfermline charter, 12 Feb., 1607 (*ibid.*, p. 499). The close proximity to Coupar of lands held by another abbey is noteworthy.

XXXIII

Cyrographum

c. 1221.

Omnibus . . . B. et G. de Munnemusc et de Rustinoth priores et D. decanus de Anegus et H. et H. de Kelchou et de Driburc abbates et T. prior de Coldiham Salutem. Duo paria litterarum domini pape suscepimus in hec uerba . Honorius Episcopus seruus seruorum Dei dilectis filiis [1] de munnemusc et de Rustinoth prioribus . et [1] decano de forfar sancti andree et aberdonensis diocesium . Salutem . et apostolicam benedictionem . Abbas de Cupro nobis exposuit conquerendo quod abbas et conuentus de Dunfermeline et J. clericus sancti andree et Dunkeldensis diocesium super ecclesiam de Bennauthin et rebus aliis iniuriantur eidem . Ideoque discretioni uestre per apostolica scripta mandamus quatinus partibus conuocatis audiatis causam . et appellatione remota fine debito terminetis . facientes quod decreueritis per censuram ecclesiasticam firmiter obseruari . Testes autem qui fuerint nominati . si se gratia odio uel timore subtraxerint ⁄ per censuram eandem appellatione cessante ⁄ cogatis ueritati testimonium perhibere. Quod si non omnes hiis exequendis potueritis interesse ⁄ duo uestra ea nichilominus exequantur . Datum Laterañ ij. kal. Nouembris pontificatus nostri anno tercio. Honorius etc. Dilectis filiis [1] de Kelchou et de [1] Driburc abbatibus et [1] priori de Coldiham diocesis sancti andree Salutem et apostolicam benedictionem. Querelam dilectorum filiorum abbatis et conuentus de Dunfermeline . recepimus continentem quod cum inter ipsos ex parte una . et abbatem de Cupro Cisterciensis ordinis . sancti andree diocesis ex altera super ecclesiam de Bennauthin et rebus aliis coram decano de forfar et coniudicibus suis auctoritate nostra questio uerteretur ⁄ ydem sentientes ex eo indebite se grauari . quod acta iudicum secundum generalis statuta concilii

[1] Spaces left for the initials of the mandatories which have not been inserted.

redigere noluerunt in scriptis ⁊ nostram audientiam appellarunt. Quocirca discretioni uestre per apostolica scripta mandamus . Quatinus si est ita ⁊ reuocato in statum debitum quicquid inueneritis prius appellationem huiusmodi temere attemptatum in causam ipsam iuxta priorum continenciam litterarum appellacione remota . ratione preuia procedatis . alioquin partes ad priorum iudicum remittatis examen . appellantes in expensis legitimis condempnantes. Quod si non omnes hiis exequendis potueritis interesse ⁊ duo uestrum ea nichilominus exequantur . Datum Lateranī ij. kal. Junii . pontificatus nostri anno quinto. Cum igitur auctoritate litterarum istarum coram nobis inter monachos de Cupro ex una parte et monachos de Dunfermeline ex altera . diutius questio uerteretur ⁊ tandem post multas altercationes eadem questio hoc fine inter eos amicabiliter conquieuit . videlicet quod abbas et monachi de Dunfermeline et homines sui terras quas habuerunt contiguas cum terris monachorum de cupro . scilicet Cupermaccultin . Bennauthin et Kethec ⁊ per easdem diuisas inperpetuum tenebunt pacifice ⁊ per quas eas tenuerunt ante litem motam inter illos. Ita tamen quod tota petaria que est inter Blare et Cupermaccultin et Bennauthin sicut perambulata fuit coram predictis abbatibus et aliis uiris fide dignis ⁊ dictis monachis de Cupro quieta remanebit inperpetuum . eo saluo quod homines de Bennauthin et Cupermaccultin singulis annis habebunt de eadem petaria ducentas karratas petarum per assignacionem monachorum de Cupro bona fide eis faciendam loco congruo et tempore oportuno. Habebunt insuper monachi de Cupro uiam per terras de Bennauthin et Cupermaccultin pro tempore competentem siue per terram siue per aquam . per quam uiam licitum sit eis et uecturis suis habere iter et actum ⁊ ad predictam petariam. Willelmus autem et archombaldus qui dictas terras tunc temporis de monachis de Dunfermeline . tenuerunt ⁊ tactis sacrosanctis ewangeliis pro se et heredibus suis iurauerunt . quod super predictis uia et petaria ⁊ predictis monachis nullam inperpetuum per se uel alios molestiam inferent uel grauamen. Tenebunt etiam sepe-

dicti monachi de cupro de prefatis monachis de Dunfermeline inperpetuum de assensu et uoluntate domini hugonis tunc episcopi Dunkeldensis . et eiusdem ecclesie capituli ꝯ ecclesiam de Bennauthin cum omnibus pertinentiis suis . Reddendo eisdem monachis de Dunfermeline annuatim duas marcas argenti et dimidiam ad duos terminos . medietatem scilicet ad pentecosten ꝯ et aliam medietatem ad festum sancti martini omnia honera predicte ecclesie aduenientia ꝯ inperpetuum sustinendo. Qui si quod absit aliquando a solutione predicte pecunie cessauerint ꝯ subiecerunt se iurisdictioni diocesani episcopi ut ipse eos non obstante appellatione possit compellere ad predictam solucionem faciendam Hanc autem amicabilem compositionem inperpetuum ualituram nos iudices delegati auctoritate domini pape . quam fungebamus in hac parte ꝯ confirmauimus . huic scripto in rei geste testimonium sigilla nostra apponenda . una cum sigillis domini H. diocesani episcopi et capituli Dunkeldensis et partium.

Six seals attached. End.: De benochtin; (in later hand) Sententia judicum ecclesie et de petaria.

Moray Charters, Box 32, Div. V, Bundle II, No. 44.

XXXIII

Charter of B. and G., priors of Monymusk and Restennet, D., dean of Angus, H. and H., abbots of Kelso and Dryburgh and T., prior of Coldingham, acting upon a mandate of Pope Honorius III, addressed to the first three (as in previous charter) regarding a complaint by Coupar against Dunfermline in respect of the church of Bendochy and another mandate addressed to the last three of the above regarding a complaint by Dunfermline against the decision contained in the previous charter, recording a settlement as follows: The monks of Dunfermline and their men will observe the marches of their lands adjoining those of Coupar, viz. Couparmaculty, Bendochy and Keithick as before the controversy arose; the whole peatmoss between Blair, Couparmaculty and Bendochy will remain in the hands of Coupar, except that the men of Bendochy and Couparmaculty will have yearly two hundred cartloads of peats from that peatmoss. The monks of Coupar will have a road to the peatmoss through the lands of Bendochy and Couparmaculty, the tenants of Dunfermline swearing to refrain from hindering them. Coupar will hold of Dunfermline the church of Bendochy, with the consent of Hugh, bishop of Dunkeld and his chapter, at a yearly rent of two silver marks.

This charter is printed in *Dunfermelyn*, 217.

B. et G. de Munnemusc et de Rustinoth priores . . . D. decanus de Anegus : See notes to Nos. xxx, xxxii.

H. et H. de Kelchou et de Driburc abbates : Herbert, secretary of Kelso abbey, succeeded Richard (who died, 2 Aug., 1221) as abbot. On 8 Sept., 1236, he resigned office and Hugh, a monk of the abbey, was elected in his stead ; but, in 1239, he was forced to resume office at the bidding of Otho the legate and only after Otho's arrival was he permitted finally to give up the abbacy (*Chron. Mailros*, pp. 138, 147, 148, 149 ; *Calchou*, pp. x-xi). Herbert witnesses a charter of Alexander II, 6 Feb., 1227/8 (*Melros*, 243), and has a charter from that king regarding the abbey's liberties, 1221-36 (*Calchou*, 15). Herbert witnesses a charter, 1221-39 (*Soltre*, 25), with his convent makes an agreement with Sir Alan de Montgomery, 26 March, 1221 (*Calchou*, 259), and grants charters, 1221-26 (*ibid.*, 457), and 4 May, 1235 (*ibid.*, 231). Hugh, abbot of Dryburgh, 1221-1228 (*Dryburgh*, p. xii), appears along with Herbert, abbot of Kelso, in an agreement following on a bull of Honorius III issued 13 May, 1217 (*Dunfermelyn*, 216). He is a papal mandatory, 1221 (*Calchou*, 259), and witnesses an agreement, 1226 (*REG.*, i. 140).

T. prior de Coldiham : Thomas de Nesbit, prior of Coldingham, 1219-1240 (Thomson, *Coldingham*, p. 119, *q.v.* for account of him). He is an arbiter in a controversy between Kelso and Sir Alan de Montgomery, 26 March, 1221 (*Calchou*, 259), witnesses a charter of Alexander II, 18 June, 1221 (Bain, *Calendar*, i. 808), and appears as a papal mandatory, 14 Jan., 1228/9 (*REG.*, i. 147), and as one of the magnates of the realm in an act of Parliament, 13 Oct., 1230 (*APS.*, i. p. 69).

Ecclesiam de Bennauthin : See note to previous charter.

Cupermaccultin Bennauthin et Kethec : See notes to previous charter.

Petaria que est inter Blare et Cupermaccultin et Bennauthin : The monks of Coupar held the marsh of Blair. See note to No. xxv.

Willelmus . . . et archombaldus : These tenants of Dunfermline are not otherwise recorded.

XXXIV

8 February, 1223/4.

Perambulatio facta inter Cloqwhat Et Drumy

Iste sint diuise Iurate et perambulate inter Clenkatyn terram canonicorum de Scona Et Drumyn terram monachorum de Cupro die veneris proximo post purificationem beate virginis Anno regni Regis Alexandri secundi decimo per preceptum eiusdem per Willelmum Cumyn comitem de buchane Iusticiarium Scotie coram multis militibus et aliis probis hominibus et (*rectius* de) Anegus et de

Goueryn presentibus . scilicet Incipiendo ab australi parte sicut riuulus descendit de nemore in Aquam de Arith inter blarendeyn et doldonengard per eundem Riuulum ascendendo versus Aquilonem usque ad claras Arbores quas Iusticiarius fecit ibi securibus signari Et de illis claris Arboribus usque Riuulum de Wethwed ex australi parte Et sic per Riuulum illum descendendo versus orientem usque in torrentem de Ony Et ex altera parte inter Clenkatyn et forestam domini regis de Alith est riuulus qui dicitur Aldendunetha Iurati sunt isti frater Robertus kanis . Gillemure de pethnekur . constabularius de inuerkoy . Bridyn macmartyn . marus de Goueryn Gillandres mak Gillarhyn frankyn de Scona Gillandres frater eius Gillecristes mak kynathe Gillis mak Gillemichel . Makerthar . Macbek mak malmartyn tyre.

Moray MS., f. 1.

XXXIV

Decreet of the perambulation made, on a precept by William Cumyn, earl of Buchan and justiciar, on the Tuesday after Candlemas, in the tenth year of King Alexander's reign, between Clenkatyn, the land of the canons of Scone and Drumyn, the land of the monks of Coupar.

Cloqwhat : Clayquhat, N. of Drimmie, on the right bank of the Black Water. Mentioned as one of the lands held by Scone in a charter of James II, 2 June, 1452 (*Scon*, 215).

Drumyn : See note to No. XIII.

Clenkatyn : Evidently the same as Cloncater, the grant of which by Scone to Gregory of Cambusmichael was ratified by Alexander II, *a.* 1232 (*Scon*, 63). Its precise locality cannot be ascertained but it was apparently part of the lands of Clayquhat.

Willelmum Cumyn comitem de buchane Iusticiarium Scotie : See note to No. X.

Aquam de Arith : The river Ericht.

Blarendeyn et doldonengard : Not located.

Riuulum de Wethwed : Not located.

Torrentem de Ony : This name may be a misreading for 'Olly' and indicate the Olies burn.

Forestam domini regis de Alith : The Forest of Alyth lies to the N. of Clayquhat and Drimmie.

Aldendunetha : Not identified. Different from Aldendonache in No. XLVIII.

None of the witnesses have been found elsewhere. Inuerkoy is probably Inverquiech on the right bank of the Isla E. of Alyth.

XXXV

1223-34.

Uniuersis . . . Fergus filius comitis de Stratheren salutem in domino. Nouerit uniuersitas uestra me pro salute anime mee et pro animabus antecessorum et successorum meorum concessisse et hac presenti carta mea confirmasse donationem illam quam dominus Robertus Comes frater meus fecit deo et beate marie de Cupro et monachis ibidem deo seruientibus de una plenaria bouata terre in territorio de Hureh ad sustentationem pontis de Hylif. Tenendam sibi de me et heredibus meis in puram et perpetuam elemosinam ita libere et quiete plenarie et honorifice sicut carta predicti domini R[oberti] comitis fratris mei et confirmacio domini Regis predictis monachis super prefata terra facte testantur. Et sciendum quod Dompnus abbas et monachi de Cupro pro bono pacis concesserunt mihi quod homines sui habitantes in predicta terra sequentur curiam meam et ibi respondebunt et iusticiam facient secundum leges terre Ita sane quod omnes forisfacture in quas predicti homines inciderint et omnes euentus qui eisdem in predicta curia mea cum aduersarijs suis litigando uel pacem cum eis faciendo uel aliis quomodocunque euenerint . predictorum abbatis et monachorum erunt. Notandum etiam quod ego non prohibeo dictos homines dicti abbatis de querela in curia mea mota cum aduersarijs suis pacem facere si quomodo de iure fieri possit. Si uero iudicium aque uel ferri uel diminutionis membrorum siue capitis dampnationis uel alterius mortis. eosdem homines subire oporteat. horum omnium executio per homines meos circa delinquentes complebitur. Ut autem hec mea confirmacio rata et inconcussa inperpetuum permaneat ⁄ paginam istam sigilli mei appositione roboraui. His testibus . Domino Innocentio abbate de Incheaffran . Gilleberto archidiacono de Stratheren . Dionisio decano de forfar . Magistro Luca . Johanne de haia . Malis senescallo de Stratheren . Johanne de bello . Willelmo clerico de haia . Rogero de Luuetot . et multis aliis.

Seal missing. End.: Fergus; (elsewhere) Confirmacio Ferg[usii] de una bouata terre in terra de hur non * * * que alia est melior.

Moray Charters, Box 32, Div. IV, Bundle I, No. 21.

XXXV

Charter of Fergus, son of the earl of Strathearn, whereby he confirms to Coupar the grant which his brother, Sir Robert, the earl, gave them of a full bovate of land in the territory of Hureh for the upkeep of the bridge of Isla. It is noted that the lord abbot and monks of Coupar granted him that their men dwelling in that land should make suit of his court so that forfeitures of these men will fall to the abbey and that he does not forbid the abbot's men from making peace with their adversaries in a complaint moved in his court if it can be done in accordance with right. If the judgement of water or iron or the loss of members or of beheading or otherwise of death is made against the abbot's men, his men will carry out the sentence.

Fergus filius comitis de Stratheren : See note to No. XIX.

Robertus Comes frater meus : Fourth earl of Strathearn; appears *c.* 1199 and succeeded his father, earl Gilbert, *c.* 1223. He died *a.* 1244 (*Scots Peerage*, viii. p. 244). See also *Inchaffray*, pp. lxi-lxii.

Hureh : Not located.

Hylif : The river Isla.

Domino Innoc[entio] abbate de Incheaffran : See note to No. XXXI.

Gilleberto archidiacono de Stratheren : Witnesses charters of Abraham, bishop of Dunblane, *c.* 1211 (*Inchaffray*, XXXI), and *a.* 1214 (*Aberbrothoc*, i. 213), also charters of earl Gilbert, 1201-18 (*Inchaffray*, XXXIII, XXXIV), Ysenda, his wife, 1221-23 (*ibid.*, XLVI), and of Robert both before, *c.* 1217 (*Lindores*, XXXI) and *c.* 1220 (*Inchaffray*, XLI), and after his accession to the earldom, 1223-4 (*ibid.*, LI, LII), 1223-31 (*GRH. Charters*, 19).

Dionisio decano de forfar : See note to No. XXX.

Magistro Luca : 'Lucas, clericus noster' witnesses charters of Abraham, bishop of Dunblane (*Cambuskenneth*, 123; *Aberbrothoc*, i. 213).

Johanne de haia : See note to No. XIX.

Malis senescallo de Stratheren : Malise, steward of earl Gilbert of Strathearn, witnesses an undated charter of Walter, son of Alan (*Scon*, 125).

Johanne de bello : A man of this name witnesses Scone charters (*Scon*, 89, 95).

Willelmo clerico de haia : William de Haia, 'clericus meus,' witnesses a charter of Gilbert, earl of Strathearn, 1210 (*Inchaffray*, XXVIII).

Rogero de Luuetot : Witnesses Inchaffray charters, 1226-34 (*Inchaffray*, LVI, LVII), charters of Fergus, son of earl Gilbert, 1233-4 (*Lindores*, XXVI), *a.* 1244 (*ibid.*, XXIV) (the former charter has a reference to the land of Roger de Luuethet, 'my knight'), and a charter of earl Robert to Lindores, 1233-56 (*ibid.*, XLIV). See *Inchaffray*, pp. lxxxii-lxxxiii.

XXXVI

a. 1225.

Uniuersis . . . . Symon Prior Ecclesie sancti Andree et eiusdem Loci Conuentus . . . Salutem . Nouerit uniuersitas uestra nos communi consensu et assensu Capituli nostri concessisse et hac presenti carta nostra confirmasse donationem illam quam Alexander Dei gracia Rex Scottorum . Et uenerabilis Pater Willelmus Dei gratia Episcopus sancti andree fecerunt deo et Ecclesie Beate Marie de Cupro . et Monachis ibidem deo seruientibus de Ecclesia de Erolin . Tenenda in puram et perpetuam elemosinam . saluis Episcopalibus et salua tenura Roberti de Haya . In uita sua . Reddendo inde annuatim Capitulo Cystercii uiginti libras sterlingorum ad procurationem generalis Capituli quarta die sicut in Cartis eorum continetur . Vt autem ista concessio robur perpetue firmitatis optineat : eam presentis pagine testimonio et sigilli nostri appositione roborauimus . Valete Teste toto Capitulo nostro.

Seal missing. End. : de herolin ; (in later hand) Confirmacio capituli sanctiandree de erolin.

Moray Charters, Box 32, Div. V, Bundle II, No. 50 (No. 51 is a duplicate).

XXXVI

Charter of Simon, prior, and the convent of St. Andrews confirming the donation of the church of Airlie by Alexander, king of Scots and William, bishop of St. Andrews, to the monks of Coupar, reserving the tenure of that church by Robert de Haya for his lifetime ; paying therefrom yearly to the chapter of Cîteaux twenty pounds sterling as procuration for the fourth day of the general chapter.

This charter is printed, *SHR.*, x. pp. 275-6.

Symon Prior Ecclesie sancti Andree : According to *Scotichronicon*, Thomas, who relinquished the office of prior in 1211 to become a novice at Coupar, was succeeded by Simon, a canon of St. Andrews, who, as a result of ' malignantium insidias et invidentium detractiones,' gave up the priorship in 1225 and became prior of Lochleven, where he held office for fourteen years (*op. cit.*, i. p. 368). He appears frequently on record, *e.g.* as a witness to charters of bishop William (*Aberbrothoc*, i. 153, etc. ; *Dunfermelyn*, 102) ; he also assents with his convent to that bishop's confirmation granted to Dunfermline (*Dunfermelyn*, 105) and in that bishop's

time appears in an agreement (*RPSA.*, p. 320). He is a judge-delegate, 1211-14 (*Lindores*, XLII). With his convent, he is a party to a controversy with master Patrick, master of the school at St. Andrews (*RPSA.*, p. 316); along with them, makes an agreement with Bernard Fraser of Drem (*ibid.*, p. 322); confirms the liberties of churches in the diocese, *c.* 1211 (*Calchou*, 434); makes an agreement with the archdeacon, 1212 (*RPSA.*, p. 315); and confirms a decision between Dryburgh and Kilwinning and Alan, son of Roland (*Dryburgh*, 87). Lyon's account of him (*St. Andrews*, i. pp. 108-9) is unsatisfactory.

For other persons and 'Erolin' see notes to No. XXVI.

XXXVII

c. 1225.

Sciant omnes hanc cartam uisuri uel audituri quod ego Ricardus kai cum consensu et assensu heredum meorum dedi et concessi pro salute anime michael de inchethore et heredum suorum et pro salute anime mee et antecessorum meorum in puram et perpetuam elemosinam operi calceti quod abbas et monachi de cupre faciunt quod uidelicet calcetum ducit a uilla de inchethore usque ad grangiam eorundem monachorum que sita est in territorio de cars . dimidium unius tofti qui iacet in uilla de Inchethore in orientali parte . cum una acra terre in territorio eiusdem uille que iacet in longitudine uersus orientalem plagam et occidentalem iuxta torrentem soht. Ita libere quiete plenarieque honorifice ⁄ sicut aliqua elemosina ex dono alicuius liberi hominis in regno Scocie. liberius. quiecius. et honorificentius. habetur uel possidetur. In cuius rei testimonium quia sigillum non habui . presentem paginam sigillis domini dauid de haia. et domini andree de striuelin clerici domini regis tunc temporis persone de inchethore feci roborari. Hiis testibus domino andrea de striuelin clerico domini regis. Gilleberto et Thoma sacerdotibus Michaele de stratun. dunecano iudice. Radulfo Rimur . et multis aliis.

One seal missing; part of another seal remains. End.: Carta ricardi kai de dimidio tofto in villa de inchtory. cum una acra terre iuxta torrentem de Soth.

Moray Charters, Box 32, Div. IV, Bundle I, No. 26.

XXXVII

Charter of Richard Kai whereby he grants for a causeway which the abbot and monks of Coupar are making, which runs from the vill of Inchture to their grange in the territory of Carse, half a toft which lies in the vill of Inchture on the east side along with an acre of land in the territory of the same vill which stretches towards the east shore and on the west to the Soht burn.

Ricardus kai : Not found elsewhere.

Michael de inchethore : Appears as a witness of undated charters (*RPSA.*, p. 270 ; *Lindores*, xxxviii ; *Cupar*, i. p. 341).

Inchethore : Inchture, in the carse of Gowrie.

Ad grangiam eorundem monachorum . . . in territorio de cars : Later called Carsegrange ; N.E. of Errol.

Soht : Unidentified. Can it mean the ' south ' burn ?

Dauid de haia : See note to No. x.

Domino andrea de striuelin clerico domini regis : Andrew de Striuelin witnesses as the king's clerk a charter of Alexander II, 24 June, 1224 (*Neubotle*, 122). Appears here and 1 Nov. 1241 (*Melvilles*, iii. 11) as rector of Inchture but witnesses charters of another Andrew, rector of Inchture (*Scon*, 58, 123). Cf. No. xlii.

Gilleberto et Thoma sacerdotibus : The identity of these is uncertain.

Michaele de stratun : Witnesses a charter of Walter Cumin, earl of Buchan, *c.* 1240 (*Aberbrothoc*, i. 309), and of Henry, son of earl David, 1 Nov., 1241 (*Melvilles*, iii. 11).

Dunecano iudice : Duncan the judge witnesses an indenture between Arbroath and Coupar, 16 Nov., 1246 (*Aberbrothoc*, i. 365), and a charter of William de Brechin, *c.* 1250 (*RMS.*, ii. 1358=*REB.*, i. 3). He appears as a juror in a charter, 17 Feb., 1250/1 (*Aberbrothoc*, i. 250) ; has a grant of the land of Betmulin, 1262-5 (*Douglas Bk.*, iii. 4) ; and witnesses indentures between Arbroath and Alexander, earl of Buchan, 11 Nov., 1265 (*Aberbrothoc*, i. 247, 311). It is difficult to believe that he is the same Duncan the judge who witnesses charters of Gilbert de Umfraville, earl of Angus, 1272 (*Douglas Bk.*, iii. 6), and Alexander, earl of Buchan, 1273-89 (*Lindores*, cxxiv). A third (?) Duncan the judge appears during the reign of Robert I (*RMS.*, i. App. 1, 29 ; App. 2, 434 ; ii. 3583, 3717).

Radulfo Rimur : Not identified.

XXXVIII

26 July, 1232.

Omnibus . . . . Andreas . . . Morauiensis episcopus . . . Salutem. Noueritis uniuersi nos de consilio uoluntate et assensu . Decani et capituli nostri dedisse concessisse et hac carta nostra confirmasse ad feodofirmam perpetuam

domui de Cupre [et monachis ibi]dem deo seruientibus et seruituris unam Dauach terre in strathardel . Tulahourene scilicet per rectas diuisas [suas et cum omnibus iu]stis pertinentiis suis quam nobis dedit . Duncanus filius Gilmichel mac adh in excambium terre nostre de Doleis [michel quare] uolumus ut predicta domus de Cupre . et monachi in eadem deo seruientes et seruituri predictam terram de [tulachourene per] rectas diuisas suas et cum omnibus iustis pertinentiis suis habeant et possideant et teneant de nobis et successoribus nostris ad feodofirmam perpetuam in terra in aquis in pratis etc. . . . . libere quiete plenarie et honorifice reddendo inde nobis et successoribus nostris singulis annis pro omni seruitio et exaccione ad nos uel successores nostros pertinentibus tres marcas sterlingorum legalium medietatem scilicet ad pentecosten et aliam medietatem ad festum sancti martini in hyeme proximo sequens faciendo forinsecum seruicium domini Regis quod pertinet ad predictam terram . termino huius conuencionis et feodofirme incipiente ad festum sancto martini in hyeme proximo sequens post confectionem huius scripture. In premissorum uero firmum et indubitabile testimonium . huic carte appensum est una cum sigillo nostro sigillum capituli nostri cum canonicorum subscriptionibus . Testibus . Thoma . priore de Urchard . Fratre Nicholao monacho vallis crescentis . Radulpho cappellano nostro . Willelmo cappellano de Elgin . Waltero cappellano de kinedward . Alexandro de Dufglas vicecomite de Elgin . Andrea Wysman . Simone de Orrobi . Thoma dispensatore seruientibus nostris . Actum anno gracie m° . cc° . trecesimo secundo . vii. kal. augusti.

✠ego simon decanus subscribo+

✠ego magister Willelmus precentor ecclesie sancte trinitatis de elgin subscribo+

✠Ego Johannes subdecanus subscribo

✠Ego Andreas episcopus canonicus subscribo✠

✠ego Lambertus morauiensis ecclesie subcentor subscribo

✠Ego Herchebaldus Canonicus de Croyn subscribo

✠Ego Willelmus canonicus morauiensis subscribo

✠Ego Eduuardus canonicus de [Muy subscribo]

✠Ego Johannes canonicus sancte Trinitatis d[e Elgyn subscribo]✠

✠Ego Andreas canonicus sancte Trinitatis de [Elgyn subscribo]+

✠Ego Robertus tesaurarius morauiensis ecclesie subscribo

+Ego Randulfus morauiensis Archidiaconus subscribo

✠Ego gilebertus canonicus ecclesie sancte trinitatis de Elgyn subscribo

+Ego Robertus Canonicus De Duppol subscribo

Seals attached, both incomplete. End.: Carta andree episcopi morauiensis et capituli de tulicurrene monachis de Cupro.

Moray Charters, Box 32, Div. V, Bundle I, No. 19.

XXXVIII

Charter of Andrew, bishop of Moray, whereby, with the consent of the dean and chapter, he grants in perpetual tack to the house of Coupar and the monks thereof a davach of land in Strathardel, viz. Tulahourene, which Duncan, son of Gilmichel Macadh, gave him in excambion for the land of Doleis michel, at a yearly rent of three marks sterling.

This charter presupposes a charter of the same date (26 July, 1232) by Andrew, bishop of Moray, whereby, with the advice and will and consent of the dean and chapter, he has granted to Duncan, son of Gillymichel M^c^ath, all his land of Dolays Mychel, which land he has given to the said Duncan in excambion for a davach of land in Strathardol which is called Petcarene. '. . . Testibus Thoma priore de Urchard . fratre Nicolao vallis crescentis . Radulpho . Symone et Mauricio capellanis nostris . Johanne et Andrea . Alexandro de Duglas . Andrea Wysman . Symone de Orroby . Thoma dispensatore . Waltero coco . Waltero marescallo servientibus nostris. . . .' The signatures of the chapter follow (*REM.*, p. 79).

Andreas . . . morauiensis episcopus: Andrew de Moravia, bishop of Moray, 1224-42 (Dowden, *Bishops*, pp. 148, 149).

Tulahourene : Tullochcurran on the west side of Strathardle. Whether Petcarene (*supra*) is to be identified with it, as obviously in the same locality, cannot be said.

Duncanus filius Gilmichel mac adh : Not found except in charter cited, *supra.*

Doleis [*michel*] *:* Dallas, S.E. of Forres, in Morayshire.

Thoma priore de Urchard : Urquhart was a Benedictine priory E. of Elgin. Prior Thomas appears frequently in *REM.*, from 18 March, 1226/7 (*ibid.*, 30). He witnesses a charter of Alexander II, 13 June, 1228 (*ibid.*, 109). He had ceased to be prior by May, 1237, at which date William, prior of Urquhart, appears as a witness (*ibid.*, 89).

Fratre Nicholao monacho vallis crescentis : Apart from the mention in the charter, cited *supra*, brother Nicholas appears as ' monachus vallis crescentis ' witnessing an agreement between bishop Andrew and Gilbert, son of the earl of Strathearn, 12 Sept., 1232 (*REM.*, 80=*Grants*, iii. 5), and a charter of bishop Andrew, 10 Oct., 1237 (*REM.*, 121). No satisfactory explanation of the designation ' vallis crescentis ' can be offered. Professor A. Hamilton Thompson has kindly informed me that the only house that bore the name ' Vallis Crescens ' was the Cistercian abbey of Valcroissant, near Die in Dauphiné and that it was a daughter-house of Bonneval (an early offshoot of Cîteaux), whose colonising efforts were confined entirely to the S.E. of France. ' I should think it extremely unlikely,' he declares, ' that any of its monks would be found in Scotland.' It is impossible to associate him definitely with Urquhart, which, in any case, was a normal Benedictine priory dependent on Dunfermline. The latter house has not been found under any such name which, in point of fact, is not likely to be applied to a Benedictine abbey (Dunfermline was sometimes called ' De monte infirmorum ') ; nor is ' vallis crescens ' applicable to Urquhart. Can it be that Nicholas was a monk of Pluscarden, a house of the order of Val de Choux, which, as Professor Hamilton Thompson says, ' might be supposed to deserve the epithet " crescens " ? '

Radulpho cappellano nostro : Appears in the charter, cited *supra* ; he also witnesses charters of bishop Andrew (*REM.*, 59, 61), an agreement between bishop Andrew and Walter de Moravia, 10 Oct., 1226 (*ibid.*, 120), and a charter of William Byseth to Beauly, 1231 (*Beauly*, p. 33).

Willelmo cappellano de Elgin : William the chaplain, also called William Stephani, chaplain, witnesses agreements between bishop Brice and John Byseth (*REM.*, 21, 51).

Waltero cappellano de kinedward : Walter, here described as (parochial) chaplain, witnesses, as vicar of the church of Kynedor, a charter of bishop Andrew, 11 Oct., 1232 (*REM.*, 82). Kinedward is the modern parish of King Edward in Banffshire.

Alexandro de Dufglas vicecomite de Elgin : Alexander de Douglas, along with his brothers, Hugh and Henry, witnesses charters of bishop Brice, *a.* 1222 (*REM.*, 21, 53). As sheriff of Elgin, he witnesses several charters between 1225 (*ibid.*, 28) and 10 Oct., 1232 (*ibid.*, 32).

Andrea Wysman : Witnesses agreements between bishop Andrew and

Walter de Moravia, 9 and 10 Oct., 1226 (*REM.*, 31, 120), and is found thereafter to July, 1244 (*ibid.*, 98).

Simone de Orrobi : Witnesses charters of bishop Andrew (*REM.*, 59, 64, 65, 66 (along with his brother, Gylbert), 79) as well as agreements between that bishop and Gilbert, earl of Strathearn, 12 Sept., 1232 (*ibid.*, 80), and Walter de Moravia, 7 Aug., 1235 (*ibid.*, 87). He also witnesses a charter of Alan Durward, 3 March, 1233/4 (*REA.*, ii. p. 269).

Thoma dispensatore : Probably the bishop's steward. Appears in charter cited *supra.*

Members of the chapter who subscribe the charter :

Simon decanus : As canon of Moy (before becoming dean), he witnesses an undated charter of bishop Andrew (*REM.*, 96). As dean, he witnesses charters of that bishop from the date of the present writ (*ibid.*, 82, 121, 212, etc. ; *Beauly*, p. 39). On bishop Andrew's death in 1242, Simon succeeded to the see of Moray (Dowden, *Bishops*, p. 149).

Andreas episcopus canonicus : Andrew subscribes a charter, 4 Sept., 1240, as bishop and canon of Fotherueys (*REM.*, 107). He appears regularly as one of the canons.

Magister Willelmus precentor : William is found on record as precentor from the date of the present charter (*REM.*, *passim* ; *RPSA.*, p. 327 ; *REA.*, ii. p. 268) until July, 1242 (*REM.*, 93). (There is a mention of Richard as precentor, 4 Sept., 1240 (*ibid.*, 92), but the charter may be misdated—1240 instead of 1244).

Johannes subdecanus : John the subdean appears only as subscribing bishop Andrew's charter, *supra.*

Robertus tesaurarius : Robert appears as treasurer from the date of the present charter till 4 Feb., 1248/9, when he subscribes a charter of bishop Simon (*REM.*, 214). See *REM.*, *passim* ; *RPSA.*, p. 327 ; *Beauly*, p. 39.

Lambertus . . . subcentor : Lambert is mentioned as succentor from 1225 (*REM.*, 28) to 4 Sept., 1240 (*ibid.*, 92).

Randulfus . . . Archidiaconus : Perhaps to be identified with Ranulphus who, as canon of Moray, witnesses a charter of bishop Andrew (*REM.*, 60). He appears as archdeacon from 1231 (*Beauly*, p. 33) to 4 Sept., 1240 (*REM.*, 92). Randulf witnesses a charter of Alexander II at Elgin, 13 July, 1228 (*ibid.*, 109).

Herchebaldus Canonicus de Croyn : Archibald appears as canon of Croy in the charter cited *supra* ; and in that capacity he witnesses charters of bishop Andrew on three occasions up to May, 1238 (*Beauly*, p. 39 ; *REM.*, 84, 212). He appears but seldom as compared with other contemporary canons. (' Ego archid̄ subscribo ' in *RPSA.*, p. 327, is perhaps an error for ' Ego Archib̄ subscribo.')

Gilebertus canonicus : Gilbert had evidently no prebend at this date nor had he obtained one by 3 March, 1233/4 (*REA.*, ii. p. 268). At a later date he is called canon of Duffus, in which capacity he witnesses a charter of bishop Andrew (*REM.*, 84). He is infrequently mentioned.

Willelmus canonicus : William, canon of Moray, *i.e.* without a prebend,

witnesses a charter of bishop Andrew, 5 May, 1226 (*REM.*, 69), and subscribes statutes in July, 1242 (*ibid.*, 93). Between these dates, we find William mentioned as canon of ' Dunbanne ' (*Beauly*, p. 39) and as canon of Petty on the same date as the present charter (*REM.*, 79) ; likewise, master William, canon of Moray, witnesses bishop Andrew's charters from 1226 (*ibid.*, 68, 59, 61). Again, William Agnus (? Lamb) witnesses charters of bishop Andrew (*ibid.*, 82) and of Alan Durward, 3 March, 1233/4 (*REA.*, ii. p. 268), as canon of Moray ; and as canon of Kingussy witnesses a charter of the bishop (*ibid.*, 84) and as canon of ' Ewyn ' a record, 5 March, 1238/9 (*ibid.*, 90). It is impossible to say how many of these references apply to the present William.

Robertus Canonicus de Duppol : Robert, canon of the church of the Holy Trinity, Spynie (*i.e.* before the removal of the cathedral church to Elgin), witnesses, as canon of Moray, an agreement in the time of bishop Brice (*REM.*, 51) and charters of bishop Andrew in 1226 (*ibid.*, 68, 69). He appears as canon of Duppol in the charter cited *supra* and as late as 4 Sept., 1240 (or probably 1244) (*ibid.*, 92). There was at least one other Robert in the chapter during this period—Robert de Duffus and Robert ' parvus,' canons of Moray, witness charters of bishop Andrew together (*ibid.*, 59, 64, 65) and are mentioned separately (*ibid.*, 61, 66).

Eduuardus canonicus de [*Muy*] *:* Edward appears as one of the canons at Spynie (*REM.*, 51). He frequently witnesses charters of bishop Andrew (sometimes as master Edward) and appears as canon of Moy in the charter cited *supra* and until 4 Sept., 1240 (or probably 1244) (*ibid.*, 92). Perhaps he succeeded Simon in the canonry of Moy on the latter's promotion to the deanery ; Edward appears as a canon, evidently without prebend, while Simon is canon of Moy (*ibid.*, 96).

Johannes canonicus : Witnesses bishop Andrew's charter cited *supra.* There are at least two men of this name in the chapter—John Bernardi, canon of Moray and John, canon of Duffus, both witness a constitution of bishop Andrew (*REM.*, 81) ; while John de Hedon, canon and John, canon of ' Adoyn,' witness a charter, 5 March, 1238/9 (*ibid.*, 90). Again, John, canon of Cromdale, subscribes a finding of the chapter, 4 Sept., 1240 (? 1244) (*ibid.*, 92) ; and John, canon of Duffus, subscribes statutes, July, 1242 (*ibid.*, 93).

Andreas canonicus : Andrew appears as a canon in 1226 (*REM.*, 68) and is probably Andreas de Bini, canon of Moray, who witnesses a constitution of bishop Andrew (*ibid.*, 81). Andrew, canon of Aberlour, witnesses a charter, 5 March, 1238/9 (*ibid.*, 90) ; while Andrew, canon of Moray, appears, 4 Sept., 1240 (? 1244) (*ibid.*, 92).

XXXIX

c. 1232.

Omnibus . . . Isabel comitissa atholie Salutem in domino. Sciant omnes . . . me in legia potestate pure viduetatis mee

concessisse . . . Deo et sancte marie de Cupro et monachis . . . pro salute anime mee et anime domini mei Thome Comitis Atholie et omnium antecessorum et successorum nostrorum Tolawch quam modo Farchar macholf tanquam firmarius de dictis viris religiosis tenet qui (*rectius* que) est iuxta Innervak per suas rectas diuisas cum omnibus iustis pertinenciis et libertatibus suis quam dominus meus Thomas Comes Atholie dictis ecclesie et monachis in puram et perpetuam elemosinam possidendam dedit et concessit. Tenendam et habendam dictis monachis de predicto domino meo et heredibus suis in perpetuum Ita libere . . . sicut carta eiusdem domini mei comitis prefatis monachis Inde data plenius in se proportat et testatur. In cuius Rei Testimonium huic presenti carte confirmacionis mee sigillum meum patenter apponi feci. Hiis testibus. M. comitissa matre mea. Domino Waltero Comin. Domino Roberto Mouvat. Domino G. de Bosco. Maduff filio comitis et multis aliis.

Seal intact. End.: Confirmacio Isabelle comitisse de Tolawch et vak per se.

Moray Charters, Box 32, Div. IV, Bundle I, No. 18.

XXXIX

Charter of Isabel, countess of Athole, whereby, in the lawful power of pure widowhood, she grants and confirms to Coupar Tolawch which Farchar Macholf holds as tacksman of the said monks and which Thomas, earl of Athole, gave to the abbey.

The date must be after 1231, the year of earl Thomas's death. This charter is summarised, *Breviarium*, 32.

Isabel comitissa atholie: Isabel, eldest daughter of earl Henry and his countess, Margaret, succeeded to her father as countess of Athole (*Scots Peerage*, i. p. 419). Her husband, Thomas of Galloway (see note to No. XXII), became earl of Athole in her right. Along with him, she granted a charter to Dunfermline (*Dunfermelyn*, 149). *Breviarium*, 34, records a grant by her, after Thomas's death (in 1231), of her land of 'Mortuth' (Murthly) to Coupar. The date of this donation is somewhat uncertain—it is given as the vigil of St. Lawrence, 1232; the day of St. Lawrence, archbishop and confessor, is 2 Feb., which would place the donation in 1232/3; the day of St. Lawrence, archdeacon and martyr, is 10 Aug. 'According to a recent writer (Sir Noel Paton), Isabella married secondly Alan Durward, who was earl of Athole in 1233-35. . . . It is assumed he

was earl in her right until her death in 1236. . . . No other evidence on this point has been found ' (*Scots Peerage*, i. pp. 421-2). The present grant, it may be noted, was made in her widowhood.

Thome Comitis Atholie : See note to No. XXII.

Tolawch : See note to No. XXII.

Farchar macholf : Not identified. Another Macholf is mentioned in No. XXV.

Tanquam firmarius : i.e. he held it for the payment of a rent.

Innervak : Invervack, W. of Blair Athole. Earl Thomas confirms the grant made by Sir William Oliphant to Coupar of Innervac beside Tholaw, *c.* 1230 (*Oliphants*, 3).

M. comitissa matre mea : ' [Earl] Henry's wife is referred to in various writs as Margaret the countess but it is not certain who she was ' (*Scots Peerage*, i. pp. 418-19). Margaret, countess of Athole, witnesses a charter of Henry, earl of Athole, to Dunfermline (*Dunfermelyn*, 148).

Domino Waltero Comin : Said to have become earl of Menteith in right of his wife in 1233 or 1234, but cf. *Balmorinach*, 1, where, as earl of Menteith, he witnesses a charter of Alexander II, 3 Feb., 1230/1. He is a very frequent witness of that king's charters. Earl Walter is present when countess Isabel makes her grant of Murthly to Coupar, 1232 (*Breviarium*, 34). He appears in English records as one of the Scots magnates who attest King Alexander's oath to marry Johanna, daughter of Henry III, 15 June, 1220 (Bain, *Calendar*, i. 762), and he also attests King Alexander's oath to Henry III, 1244 (*ibid.*, i. 1654). He accused certain people of betrayal, etc., 1251 (*Scotichronicon*, ii. p. 84) ; took the king out of the hands of his excommunicated councillors, 1257 (*ibid.*, ii. p. 91 ; *Chron. Mailros*, p. 183) ; and is said to have been poisoned by his wife, 1258 (*Scotichronicon*, ii. p. 92 ; cf. *CPR.*, Letters, i. p. 408). Comin is stated to have founded Inchmahome (*Scots Peerage*, vi. pp. 128-9) and he appears as a benefactor of Scone (*Scon*, 98). For accounts of him, see *Scots Peerage*, vi. p. 127 *seq.* ; *Inchaffray*, p. 275.

Domino Roberto Mouvat : Appears from about 1221 (*Aberbrothoc*, i. 130). Mowat witnesses charters of Alexander II, 23 Feb., 1234/5 (*REM.*, 114) and later ; is mentioned as justiciar, 29 and 31 Oct., 1241 (*REG.*, i. 179 ; *Blackfriars of Perth*, 1) ; appears as a juror at Forfar, 17 Feb., 1250/1 (*Aberbrothoc*, i. 250), and as sheriff of Forfar, 21 March, 1261/2 (Bain, *Calendar*, i. 2294).

Domino G. de Bosco : This is almost certainly Galfridus rather than Gulielmus de Bosco. (The latter died in 1231 and if the reference were to him, this charter would have to be dated accordingly.) Galfridus de Bosco (Geoffrey de Bois) was present when countess Isabel gave Murthly to Coupar, 1232 (*Breviarium*, 34). He had previously witnessed charters of earl Thomas (*Neubotle*, 27, 32). We find him witnessing charters of Alexander II, 31 Aug., 1227 (*Balmorinach*, 40), 21 March, 1240/1 (*Neubotle*, 157), and 8 April, 1249 (*N. Durham*, LXXXV). He also attests charters of John, son of Michael de Methkil, 1230/1 (*Wemyss*, ii. p. xlvii), and Alan Durward, earl of Athole, 1232-3 (*Aberbrothoc*, i. 128).

Maduff filio comitis: Maduff is not mentioned in *Scots Peerage.* Patrick, son of earl Thomas and countess Isabel, succeeded his father (*op. cit.*, i. p. 422).

XL

p. 1232.

Omnibus hanc paginam uisuris uel audituris . malcolmus filius eugenii de dunkeldan eternam in domino salutem . nouerint uniuersi me pro salute anime mee et animarum antecessorum et successorum meorum dedisse . concessisse . et presenti scripto confirmasse . deo et beate marie de Cupro et monachis . . . terciam partem tercie partis substantie mee mobilibus prius obitum meum . cum corpore meo in eadem domo in cimiterio monachorum sepeliendo . Dedi igitur et concessis (*rectius* concessi) eisdem monachis . ut heredes mei uel atornati . qui terram de murthelauht . quam de dictis monachis hereditarie teneo prius obitum meum habituri sunt ⁊ corpora sua prius decessum eorum cum tercia parte tercie partis substancie eorum in mobilibus prefate domui de cupro tribuant sepelienda . et firmam dicte terre de murthelauht . silicet tres marcas argenti in primo anno nomine soccagii duplicabunt. Quorum si facere noluerint ⁊ dicta terra de murthelauht ad dictos monachos reuertetur In cuius rei testimonium ⁊ presens scriptum sigillo meo roboraui . Testibus . Domino Roberto de haya . W . canonico de dunkelden . Willelmo de clonyn . petro de kergil et multis aliis.

Seal missing. End.: Carta malcolmi filij eugenii de Murtholath.

Moray Charters, Box 32, Div. V, Bundle II, No. 47.

XL

Charter recording that Malcolm, son of Eugenius of Dunkeld, has granted to the monks of Coupar a third of a third of his substance in moveables before his death with his body which is to be buried at that house in the monks' graveyard. He therefore grants to the monks that his heirs or representatives who shall have before his death the land of Murthelauht, which he holds hereditarily of the monks, shall give their bodies before their death to the house of Coupar to be buried there along with a third part of a third part of their substance in moveables and the

ferme of the said land of Murthelauht, viz. three silver marks which they will double the first year by way of soccage; failing which, the land of Murthelauht will revert to the monks.

The date is fixed approximately by the year (1232) of Isabel's donation of Murthly. See *infra*.

Malcolmus filius eugenii de dunkeldan: Appears as a witness in No. XXIX, and perhaps also in No. CXXVII.

Terciam partem tercie partis substantie mee . . . cum corpore meo . . . in cimiterio monachorum sepeliendo: Malcolm's intention evidently was that he should not be regarded merely as a benefactor of the monastery and thus be entitled to the benefit of the monks' prayers but that he should be received into virtual fraternity of the house and, to his soul's advantage, be buried as a kind of honorary monk. A 'third part of a third part' is mentioned as the proportion of an intestate's estate due to the Church (Patrick, *Statutes*, p. 46).

Murthelauht: Murthly in Athole was granted to Coupar by Isabel, countess of Athole, on the vigil of St. Lawrence, 1232 (*Breviarium*, 34; see note to previous charter), and her charter of donation is also noted (*ibid.*, 32). Murthly is in the parish of Weem, about a mile E. of Aberfeldy. Cf. the report on the 'parochin of Weyme,' 14 May, 1627: 'Thair is no kirklandis within the said parochin (except the fywe pund land of Murthlie haldin of the Abbacie of Cupar and the ministeris gleib)' (*Rep. on State of Parishes*, p. 187). There are several other places similarly named—three of these appear in the present charters: Murthly 'in Mar,' *i.e.* Murtle in Aberdeenshire, granted to Coupar, 1314-20 (No. XCVII); 'Morkloche' in Strathardle, which appears in No. CX and is called 'Murthlie,' 20 Jan., 1511/12 (*RMS.*, ii. 3682); Murthly S.E. of Dunkeld; Mortlach in Banffshire. A charter of agreement between William, abbot of Coupar, and Thomas Stewart of Grandtully is concerned with the marches of Murthly, belonging to the abbey, and Kyntuly, belonging to Stewart, 10 July, 1449 (*Grandtully*, i. 11).

Soccagii: For soccage see Cosmo Innes, *Scotch Legal Antiquities*, p. 55.

Domino Roberto de haya: See note to No. XXVI.

W. canonico de dunkelden: Probably William de Lundors. He attests Nos. XXVIII and XXIX.

Willelmo de clonyn: Attests No. XXVIII (see note).

Petro de kergil: Witnesses undated charters (*Scon*, 94, 122).

XLI

9 July, 1233—1 October, 1451.

In dei Nomine Amen Anno . . . millesimo quadringentesimo quinquagesimo primo / mensis vero octobris die prima Indictione decima quinta pontificatus . . . Nicholai . . . pape quinti anno quinto in mei Notarii publici et

testium subscriptorum presencia personaliter constitutus . . . Willelmus dei et apostolice sedis gracia Abbas monasterii de Cupro ordinis Cisterciensis Sanctiandree diocesis quandam cartam olim recolende memorie Alexandri Regis illustris sanam et integram / omni vicio et suspicione carentem / eiusque sigillo cauda dependente sigillatam michi notario publico subscripto tradidit in formam publicam redigendam / Cuius vero carte tenor sequitur et est talis / Alexander . . . Rex Scotorum omnibus . . . salutem / Sciant presentes et futuri nos dedisse . . . deo et beate marie et ecclesie de Cupre et monachis . . . in dotem eiusdem ecclesie quam dedicari fecimus terras subscriptas in glenylef Belatty ffrohym Cragneuethyn Innerthariadethin ffortouth / Tenendas et habendas eisdem monachis in liberam puram et perpetuam elemosinam per rectas diuisas suas in bosco et plano in terris et aquis in pratis et pascuis in moris et marresiis in stagnis et molendinis et cum natiuis dictarum terrarum et cum omnibus aliis iustis pertinenciis suis quietas ab omni exercitu auxilio consuetudine et omni alia exaccione seculari / Quare volumus et precipimus vt dicti monachi predictas terras teneant et habeant ita libere . . . sicut aliqui viri religiosi in regno nostro aliquas terras liberius . . . tenent et possident / Saluis nobis placitis et loquelis ad [curiam] nostram spectantibus / Concessimus eciam eisdem monachis vt dictas terras habeant in liberam forestam / Quare firmiter prohibemus ne [aliquis] sine eorum l[icentia] in dictis terris secet aut venetur super nostram plenariam forisfacturam decem librarum / Testibus W electo glasguensi Cancellario / W filio [Alani] senescalli justiciario Scocie J de mac[cu] swell Camerario Radulfo de campania J de haya Rogero filio glay / thoma de haya Alexandro de striuelyn apud stryuelyn nono die Julii anno Regni Domini Regis Nonodecimo / De et super cuiusquidem carte copia et tenore prefatus dominus Abbas per me notarium publicum subscriptum sibi fieri petiit publicum instrumentum / Acta fuerunt hec apud monasterium de Cupro Anno . . . quibus supra / presentibus . . . Willelmo Domino de hay[a c]onstabulario Scotie Waltero de haya fratre germano eiusdem

ac nobilibus viris thoma de blare de bothiok patricio de rettre de eodem Edmundo de haya filio et herede Edmundi de haya de leyis ac dominis Alexandro banerman et thoma Johnestoun presbiteris cum multis aliis testibus ad premissa vocatis pariter et rogatis Et in euidencius testimonium premissorum prefati dominus de haya thomas de blare et patricius de rettre huic presenti publico instrumento sua sigilla propria appenderunt ad robur et firmitatem omnium premissorum.

Et ego Johannes Idill clericus sanctiandree diocesis publicus auctoritate imperiali Notarius etc. . . . (*in communi forma*).

One seal remains. End. (faded): Instrumentum terrarum de Glenylef contiguas (?) terras eiusdem nominatim sub sigillis domini W. Hay constabularij et Johannis blayre de bothyoch.

Moray Charters, Box 32, Div. V, Bundle II, No. 81.

XLI

Instrument of 1 Oct., 1451, citing a charter of Alexander (II), king of Scots, whereby he grants to Coupar, for the endowment of its church, which he has caused to be dedicated, Belatty, Frohym, Cragneuethin, Innerthariadethin and Fortouth in Glenisla.

Breviarium, 15, notes King Alexander's charter.

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

In dotem eiusdem ecclesie quam dedicari fecimus : The dedication of the abbey church took place, 15 May, 1233 (*Chron. Mailros*, p. 143). *Scotichronicon*, ii. p. 59, notes that the churches of Newbattle, Arbroath and Coupar were dedicated in 1233 (*Book of Pluscarden*, p. 73, attributes these dedications to 1232). The custom of making an endowment on the day of a church's dedication was common. See my art. 'The Dedications of Bishop David de Bernham' (*Proc. Scottish Ch. Hist. Soc.*, viii. pp. 105-6).

Glenylef : Glenisla, in Angus.

Belatty : Bellaty, on the east side of the glen.

Ffrohym : Freuchie, on the east side of the glen, N.W. of Bellaty.

Cragneuethyn : Craignity, east of the glen, near the Isla's tributary, the Muckle Burn.

Innerthariadethin : Inverarity, on the east side of the glen—to be distinguished from Inverarity, S. of Forfar.

Ffortouth : Probably Forter, on the west side of the glen.

In liberam forestam : It is noteworthy that these lands in Glenisla are originally granted in free forest. The fact that they were later given in

tack to tenants (*Cupar, passim*) indicates that they had been reclaimed for pasture or cultivation.

W electo glasguensi Cancellario : William de Bondington, appointed chancellor, 1231 ; elected to Glasgow, 1232 or 1233 ; consecrated, 11 Sept., 1233 (Dowden, *Bishops*, p. 302).

W filio [Alani] senescalli justiciario Scocie : Walter, the third high steward, succeeded his father in 1204. He was appointed justiciar ' shortly after Candlemas ' in 1231 (*Scotichronicon*, ii. p. 59 ; *Scots Peerage*, i. p. 12 gives 1230 as the date of his appointment) and held office till his death in 1241 (*Chron. Mailros*, p. 151). Walter appears very frequently in records of Alexander's reign.

J de mac[cu]swell Camerario : See note to No. xxvii.

Radulfo de campania : Ralph de Champneys witnesses charters of Alexander II, 22 April, 1231 (*Dunfermelyn*, 80), 4 and 7 Feb., 1232/3 (*Melros*, 248 ; *Lib. S. Crucis*, 63). A man of this name appears as sheriff of Roxburgh in an undated charter (*Melros*, 282) and witnesses charters of Alan, son of Roland, the constable, 1210-12 (Bain, *Calendar*, i. 553), and at other dates unspecified (*Calchou*, 246 ; *GRH. Charters*, 308). He also appears in an agreement, 1214-49 (*REG.*, i. 148). Radulfus de Campania, ' miles,' who grants the patronage of the church of Worgis to Dryburgh, *c.* 1170 (*Dryburgh*, 64), was evidently an earlier member of this family.

J de haya : For John de Haya see note to No. xix.

Rogero filio glay : Roger, son of Glay, witnesses charters of Alexander II from 9 Oct., 1232 (*Bamff Charters*, 1) to 1 June, 1235 (*Oliphants*, 4). He also attests a number of charters granted by Walter, son of Alan, the Steward (*RPSA.*, p. 258 ; *Passelet*, pp. 19, 21, 22, 24, 66, 87, 401 ; *Melros*, 46, 62, 72, 81 ; *Balmorinach*, 21). Glai, ' nepos ' of Sir William Avenel, appears (*Melros*, 39, 40, 41) ; while William, son of Glay, is mentioned (*ibid.*, 204 ; *Lennox*, ii. 7 (*c.* 1240), 8 (*c.* 1248)). Roger, son of Glay, grants land in Innerwick to Melrose (*Melros*, 60).

Thoma de haya : Fourth son of William de Haya (*Scots Peerage*, iii. p. 556). He witnesses a charter of William the Lion (*Dunfermelyn*, 71) and charters of Alexander II from 1214-26 (*Aberbrothoc*, i. 107) to 20 March, 1238/9 (*ibid.*, i. 262). His brothers are frequently associated with him in attesting charters, *e.g.* John and Walter witness with him a charter of Alexander II, 3 Feb., 1230/1 (*Balmorinach*, 1), and David, Robert and John attest with him a charter of John Giffard of Polgavy (*Cupar*, i. p. 341). He is apparently on record as late as *c.* 1250 (*Soltre*, 36). Thomas appears as a benefactor of Soutra (*ibid.*, 17).

Alexandro de striuelyn : To be distinguished from Alexander, sheriff of Stirling, who witnesses somewhat earlier charters (Nos. xvii, xxv, xxvii) and probably different from master Alexander de Sterling who with Alexander the sheriff witnesses a charter, *c.* 1200 (*Cambuskenneth*, 104). The present witness attests charters of Alexander II from at least 12 March, 1225/6 (*Passelet*, p. 210). He also witnesses Gilbert de Hay's confirmation charter of the grant by Roger, son of Baudric, to Coupar

(*Cupar*, i. p. 340), and a charter of Fergus, son of Gilbert, earl of Strathearn, *a.* 1244 (*Lindores*, xxiv). In a charter of 22 Sept., 1241, he appears as constable of Roxburgh (*Calchou*, 239); he grants a charter regarding his chapel of Laurenciston, 5 Dec., 1243 (*RPSA.*, p. 280); and, *c.* 1244, he was one of the jurors for Walter Cumyn, earl of Menteith (Bain, *Calendar*, i. 2672), who, in turn, confirms a donation to Arbroath by Alexander, described as 'miles et fidelis meus,' whose charter is incorporated (*Aberbrothoc*, i. 309). We find Sir Alexander de Striuelin as a witness, *c.* 1258 (*Grants*, iii. 7), but it is uncertain whether he is the present witness. See further *Stirlings of Keir*, p. 6, where, however, Fraser seems to identify the present witness—Sir Alexander Striueling of Cawder—with the sheriff of Stirling.

Willelmo Domino de hay[a c]onstabulario Scotie: According to *Scots Peerage*, ii. p. 564, William Hay of Errol succeeded to the estates in 1436 and was created earl of Errol (according to Douglas) on 17 March, 1452/3, or (according to the *Auchinleck Chronicle*) on 12 June, 1452. 'The earl was alive on 15 Nov., 1461, so that the date of his death in the Errol obits, 24 Aug., 1460, must be wrong. The true date is probably October, 1462.' The same authority says of an earlier Sir William Hay of Errol, constable, that he succeeded his father in 1406 and died 'in crastino Pentecostis, 1436,' and that he had a son, Walter. There seems little doubt, however, that *Scots Peerage's* account of the present William is defective and has not noted that he was constable and that he had a brother, Walter. He was evidently the grandson of Sir William and son of Gilbert de Haya, who died shortly after his father, William, in 1436. The present witness appears as constable, 20 Sept., 1447 (*RMS.*, ii. 400), and in that capacity he has, along with his spouse, Beatrice, a crown charter of Inchyra, 17 March, 1449/50 (*ibid.*, ii. 328). As earl of Errol, lord de Hay and constable, he makes a donation to the Blackfriars of Perth, 20 Aug., 1452. This donation is to be transferred to Coupar or the church of Errol if the stipulated services are not performed (*Blackfriars of Perth*, xiv). He makes a further donation to the Blackfriars, 21 July, 1459 (*ibid.*, xv). His widow, Beatrice Douglas, founded a mass for his soul, 12 March, 1481/2 (*Spalding Club Misc.*, ii. pp. 324-5).

Waltero de haya fratre germano eiusdem: Walter de Haya has not been noticed elsewhere.

Thoma de blare de bothiok: Thomas Blare of Rodyok (*sic*) has a safe-conduct from Flanders to Scotland, *c.* 17 Nov., 1460 (Bain, *Calendar*, iv. 1311). Thomas Blare, son and heir of Alexander Blare of Balthiok, who witnesses a charter, 20 May, 1487 (*RMS.*, ii. 1689), was perhaps a grandson of the above; and it is probably he, rather than the present witness, who is a member of an assise, 3 Oct., 1495 (*Aberbrothoc*, ii. 354), and has a licence to go on pilgrimage to Amiens, 9 July, 1497 (*RSS.*, i. 103).

Patricio de rettre de eodem: Patrick Rattray of that ilk is arbiter of a perambulation, 27 July, 1456 (*Aberbrothoc*, ii. 105), and a witness, 15 and 20 July, 1459 (*Blackfriars of Perth*, xxix, xxx).

Edmundo de haya filio et herede Edmundi de haya de leyis: Edmund de

Haya, lord of Leys (in the parish of Errol), gives a donation to the Friars Preachers of Perth, 15 July, 1459 (*Blackfriars of Perth*, xxix).

(*Domino*) *Alexandro banerman :* Sir Alexander Banerman, chaplain, witnesses an acquittance of Walter the Hay, 4 May, 1449 (*GRH. Charters*, 317), and letters of William, earl of Errol, 14 Dec., 1456 (*HMC. Rep.*, v. App., p. 625).

(*Domino*) *thoma Johnestoun :* Probably the same as the notary of that name who appears in 1452/3 (No. cxxxvi). The revenues of the church of Bendochy were let to Sir Thomas Johnson at Whitsunday, 1443 (*Cupar*, i. p. 121).

Johannes Idill . . . notarius : Idill practised in Dundee where he attests numerous instruments between 1420 (*Scrymgeour Inventory*, 57) and 27 July, 1452 (*ibid.*, 225). He is apparently the same as master John Idill, notary, who appears under that designation from 20 Dec., 1424 (*Douglas Bk.*, iii. 64) to 31 Jan., 1451/2 (*REB.*, ii. p. 316), and who witnesses charters at Dundee, 17 July, 1445 (*RMS.*, ii. 769), and 17 Nov., 1449 (*ibid.*, ii. 409). A certain John Ydyl determined at Paris, 1398 (*Auct. Chart. Univ. Paris.*, i. col. 764) ; was licensed, 1399 (*ibid.*, i. col. 797) ; and incepted, 1399 (*ibid.*, i. col. 798). John Idyl, M.A., no doubt the same individual, appears as the petitioner for a benefice in the gift of Arbroath, 18 Oct., 1403 (*CPR.*, Petitions, i. p. 627).

XLII

1237-41.

Omnibus . . . Willelmus de haya . . . salutem. Noueritis vniuersi me pro salute anime mee et uxoris mee ade et patris mei Willelmi et matris Eue mee et fratris mei D. et omnium antecessorum et successorum meorum dedisse . . . deo et beate marie de Cupro et monachis . . . in puram et perpetuam elemosinam totam terram meam in kars de Gouerin quam mihi bone memorie dominus dauid de haya frater meus pro homagio et seruicio meo dedit et carta sua confirmauit. Tenendam sibi imperpetuum cum omnibus eysiamentis et libertatibus ad eandem spectantibus et per easdem diuisas per quas ego predictam terram tenui die quo eandem predictis monachis dedi. que scilicet diuise et libertates continentur in carta predicti domini dauid fratris mei mihi inde data quam ipsi monachi penes se habent. Habendam scilicet adeo libere . . . ab omni seruicio demanda. et exactione. sicut aliqua elemosina ab aliquo milite uel barone alicui domui Religiose datur in proprios usus in toto Regno Scocie. faciendo seruicium quod continetur in

carta prenominata necnon et seruicium domini cuius mentionem facit. Ego autem et heredes mei predictam terram prenominatis monachis contra omnes homines warantizabimus Vt autem hec mea donatio Robur perpetue firmitatis optineat presenti carte sigillum meum apposui. Hiis testibus . Domino thoma de haya . domino Johanne de haya . magistro Radulpho de erth . domino malcolmo de haya . domino Willelmo de haya . domino Andrea persona de Inchethore et multis aliis.

Seal intact. No endorsement.

Moray Charters, Box 32, Div. IV, Bundle I, No. 9.

XLII

Charter of William de Haya whereby he grants to the monks of Coupar all his land in the Carse of Gowrie which the late Sir David de Haya, his brother, gave him.

This charter is noted, *Breviarium*, 51.

Willelmus de haya : According to *Scots Peerage*, iii. p. 555, second son of the original William de Haya. David de Haya, from whom he held land in the Carse of Gowrie, was his elder brother. He witnesses charters of Alexander II from 2 March, 1215/16 (*RPSA.*, p. 335). As he had a son of the same name (see *infra*), it is difficult to say how long he appears on record. It may be he who is mentioned as a juror for Walter, earl of Menteith, *c.* 1244 (Bain, *Calendar*, i. 2672) ; and it is probably he who appears as of Aithmuir in No. XLVII.

Uxoris mee ade : His wife, Ada, does not seem to be mentioned elsewhere.

Patris mei Willelmi et matris Eue mee et fratris mei D. : For William de Haya (I) see note to No. III. Eva, ' who was wife of William de Haya,' and David, his son, appear in a St. Andrews charter (*RPSA.*, p. 314). (The confusing fact should be noted that David de Haya seems to have had a second wife named Eva (*Lindores*, LXXVI ; *Cupar*, ii. p. 284=*Spalding Club Misc.*, ii. p. 307=*Breviarium*, 54). A further source of confusion is that *Cupar*, ii. p. 284 (a transcript from the Brockie MS.), and *Breviarium*, 54, call David's mother ' Ethna.' *Spalding Club Misc.*, ii. p. 307, however, has apparently the correct reading of the original Errol charter—Ethua, which may be taken as equivalent to Eva.) For David de Haya see note to No. X. He must have been dead *a.* 1241.

Carta predicti domini dauid : This charter does not seem to have survived.

Domino thoma de haya : See note to No. XLI.

Domino Johanne de haya : See note to No. XIX.

Magistro Radulpho de erth : Witnesses charters of Abraham, bishop of Dunblane, *c.* 1214 (*Aberbrothoc*, i. 215), and of Robert de London, 1219

(*ibid.*, i. 256). Master Radulphus de Erth, 'medicus,' who witnesses a charter, *c.* 1190 (*Calchou*, 251), may be a different individual.

Domino malcolmo de haya : Sixth son of the first William de Haya (*Scots Peerage*, iii. p. 556). He is mentioned along with his brother, Robert, as 'quondam rectores ecclesie de Erole' (*Lindores*, LXXIX) and witnesses a charter as Malcolm de la Haye, parson of Errol, 1 Nov., 1241 (*Melvilles*, iii. 11); but he was almost certainly a layman. As brother of the granter, he witnesses charters of David de Haya to Lindores (*Lindores*, LXXVI) and Coupar (*Spalding Club Misc.*, ii. p. 307=*Cupar*, ii. p. 284=*Breviarium*, 54). He appears up to 1242-3, when he witnesses a charter of Matilda, countess of Angus (*Aberbrothoc*, i. 114).

Domino Willelmo de haya : Son of the first William de Haya, with whom, as 'W. iuuenis de Haya,' he witnesses a charter, 1242-3 (*Aberbrothoc*, i. 114). It is probably this younger William who is designed brother of Sir Gilbert de Haya (Gilbert was nephew of Malcolm de Haya (*Inchaffray*, LXVIII)) in a charter which he witnesses, 30 Aug., 1245 (*Lindores*, LV).

Domino Andrea persona de Inchethore : Andrew grants a charter to Scone (*Scon*, 92, 123); he also witnesses a charter of David de Haya (*Spalding Club Misc.*, ii. p. 307=*Cupar*, ii. p. 285) and an agreement between the latter and Scone, May, 1237 (*Moray MS.*, f. 1). Probably different from Andrew de Strivelin, who held this benefice. See note to No. XXXVII.

XLIII

c. 1238.—29 January, 1471/2.

In dei Nomine Amen Anno . . . Millesimo cccc^mo^ Septuagesimo primo secundum cursum et computationem ecclesie scoticane mensis Januarii die vero xxix indictione quinta pontificatus . . . Sexti . . . pape quarti Anno primo In mei Notarii publici et testium subscriptorum presencia personaliter constitutus religiosus vir frater Johannes brown monachus de cupro cisterciensis ordinis sanctiandree diocesis sallerarius eiusdem procurator et procuratorio nomine domini abbatis et conuentus de cupro prout de ipsius procurationis mandato luculenter constabat per literas patentes in pergamino sub sigillo communi eorundem roboratas . quamdam literam in pergamino scriptam cum quatuor sigillis cauda dependentibus sigillatam sanam et integram non viciatam non cancellatam non abolitam nec aliqua parte suspectam mihi notario publico subscripto tradidit perlegendam copiandam transsumendam

et in publicam formam redigendam cuius litere tenor de uerbo in uerbum sequitur et est talis Omnibus hoc scriptum visuris vel audituris de sancto Andre (*sic*) et de Rostinoth priores et magister laurencius Archidiaconus sanctiandree eternam in domino Salutem Noueritis nos mandatum domini pape in hec uerba suscepisse Gregorius Episcopus seruus seruorum dei dilectis filiis sanctiandree et de Rostinoth sanctiandree diocesis prioribus et Archidiacono sanctiandree Salutem et apostolicam benedictionem. Conquestus est nobis malcolmus canonicus Dunkeldensis quod Abbas et conuentus de Cupro cist. ord. sanctiand. dioc. super decimis et rebus aliis iniuriantur eidem ideoque discretioni vestre per apostolica scripta mandamus quatenus partibus conuocatis audiatis causarum et appellatione remota fine debito terminctis facientes quod decreueritis per censuram ecclesiasticam firmiter obseruari Testes autem qui fuerint nominati si se gratia odio vel timore subtraxerint censura simili appellatione cessante rogatis veritati testimonium perhibere Quod si non omnes hiis exequendis interesse poteritis duo vestrum ea nichilominus exequantur Datum Viterbii vii idus julii pontificatus nostri Anno xj° Cum igitur huiusmodi auctoritate mandati contra monachos de Cupro super decimis terre quam habent in territorio de Retref a dicto malcolmo Nomine ecclesie sue queremonia coram nobis mota fuisset Nosque dictos monachos ut coram nobis compararent dicto malcolmo responsuri et juri parituri citari fecissemus tandem partibus inter se conuenientibus ostenderunt dicti monachi quandam compositionem inter ecclesiam suam de Cupro et ecclesiam de Retref auctoritate episcopi diocesani super decimis dicte terre confectam et a plerisque episcopis dunkeldensibus necnon a sede apostolica confirmatam quam cum vidisset dictus malcolmo nichilque iuris sibi in peticionem dictarum decimarum contra tenorem auerse sibi compositionis competere inspexisset cessit liti in perpetuum et si quid juris habere poterat in eisdem decimis pro se et suis successoribus nomine ecclesie sue dictis monachis inperpetuum quietum clamauit Renuncians super hoc nomine ecclesie sue liti mote et manende impetratis et impetrandis pro se et suis

successoribus in perpetuum / dicti vero monachi oraciones et beneficium totius ordinis cisterciensis tam in spiritualibus quam in temporalibus dicto malcolmo concesserunt eo quod tam libere et absolute eos ab huiusmodi inquietatione absoluisset / nos vero dicti malcolmi concessionem et quietam clamationem auctoritate apostolica confirmamus et ad maiorem securitatem faciendam hoc scriptum sigillis nostris vna cum sigillis dicti malcolmi corroborari fecimus excommunicantes omnes illos qui inposterum dictos monachos super dictis decimis molestare vel perturbare presumpserint Valete. De et super cuius quidem litere copia et tenore prefatus procurator a me notario publico subscripto sibi fieri petiit publicum instrumentum Acta erant in monasterio de Cupro hora quasi x ante meridiem vel eacirca sub anno mense die etc. . . . quibus supra presentibus nobili viro Johanne ogiluy Johanne Oliuer et fratre Johanne Sandwel monacho cum multis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Alexander forfar presbiter sanctiandree diocesis publicus Imp. et Reg. auctoritatibus Notarius etc. . . . (*in communi forma*). . . .

End.: Transumptum delegacionis de decimis de Retre.

Moray Charters, Box 32, Div. IV, Bundle I, No. 54.

XLIII

Notarial instrument containing a transumpt of letters of the priors of St. Andrews and Restennet and master Laurence, archdeacon of St. Andrews, acting on a mandate of Pope Gregory IX regarding a complaint by Malcolm, canon of Dunkeld, that the abbot and convent of Coupar had done him injury in the matter of teinds and other things. A complaint by Malcolm in the name of his church having been moved against the monks of Coupar in regard to the teinds of the land which they have in the territory of Rattray and the mandatories having summoned the monks to compear, on the production of a certain composition between their church of Coupar and the church of Rattray on the teinds of that land, Malcolm desisted from his plea and quitclaimed to the monks for himself and his successors in the name of his church any right he had in these teinds. The monks have granted to Malcolm the prayers and benefit of the whole Cistercian order in consideration of having relieved them from this annoyance.

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

De sancto Andre et de Rostinoth priores : The contemporary prior of St. Andrews was John White, elected in 1236, who took up office on 21 May of that year and died on 16 or 17 July, 1258 (*Scotichronicon*, i. p. 368). The identity of the prior of Restennet is uncertain.

Magister laurencius Archidiaconus sanctiandree : See note to No. XXI.

Malcolmus canonicus Dunkeldensis : Not traced elsewhere.

Cum . . . contra monachos de Cupro super decimis terre quam habent in territorio de Retref a dicto malcolmo Nomine ecclesie sue queremonia . . . mota fuisset : The point of the controversy probably was that Dunkeld held the church of Rattray—it is said by Myln (*Vitae*, p. 5) to have been assigned to the subchanter in the time of bishop Gregory (*a.* 1169)—and that the payment to the church by the monks of ten shillings annually in lieu of teinds (in terms of the agreement confirmed in No. VI) was less than the normal value of the teinds.

Quandam compositionem inter ecclesiam suam de Cupro et ecclesiam de Retref : See No. VI.

Monachi oraciones et beneficium totius ordinis cisterciensis . . . dicto malcolmo concesserunt : The grant of this lavish spiritual and temporal boon by the monks to the discomfited Malcolm forms a piquant contrast to the threat of excommunication made by the mandatories to anyone who shall in future molest or disturb the monks over these teinds.

Nobili viro Johanne ogiluy : The description of this witness suggests that he may have been John Ogilvy, eldest son of Sir James Ogilvy of Airlie (created Lord Ogilvy of Airlie in 1491), who succeeded his father in that title on the latter's death in 1504 (*Scots Peerage*, i. p. 114). But the identification must remain uncertain.

Johanne Oliuer : John Oliver has a tack of part of Coupar Grange in 1454 (*Cupar*, i. p. 168), at Whitsunday, 1468 (*ibid.*, i. p. 142), and at Whitsunday, 1473 (*ibid.*, i. p. 165). It is uncertain whether he is the same as John Oliver who had a tack of part of Balbrogie at Whitsunday, 1472, and (with others), 6 Dec., 1473 (*ibid.*, i. pp. 168, 180). Patrick Sprunt is mentioned at Whitsunday, 1476, as having held part of Balbrogie after the death of Oliver (*ibid.*, i. p. 205).

Fratre Johanne Sandwel monacho : This monk of Coupar appears also in 1479. See Nos. CXLVI and CL.

Alexander forfar . . . Notarius : This notary attests an instrument, 21 June, 1456 (*Scrymgeour Inventory*, 238), and is found till at least 12 May, 1487 (*Douglas Bk.*, iii. 117). His attestations are frequently made at Dundee.

XLIV

c. 1240 (?)

Omnibus . . . . Gaufridus filius Ricardi Salutem . Nouerit vniuersitas uestra me dedisse . . . pro salute

anime mee et vxoris mee et omnium antecessorum et successorum meorum deo et beate marie de Cupro et monachis . . . viginti annuos solidos Inperpetuum capiendos et persoluendos de terra mea de Glenduuoch per me et heredes meos fideliter annuatim deliberandos medietatem ad festum Pentecostes et medietatem ad festum sancti martini ad augmentacionem luminis magni altaris dicti monasterii Et quocienscunque deus michi accreuerit in bonis temporalibus Ego de bonis Ipsis crescere faciam domum de Cupro . In cuius rei testimonium huic Carte mee sigillum meum apposui Hiis Testibus . Adam de Beneth Henrico de Abernite Macolmo de Haia Johanne filio Ricardi Adam de Valens et multis aliis.

Seal attached. End.: Carta gaufridi (in later hand). De viginti solidis capiendis de Glenduwok.

Moray Charters, Box 32, Div. V, Bundle II, No. 53.

XLIV

Charter of Geoffrey, son of Richard, whereby he grants to Coupar twenty shillings yearly from his land of Glenduuoch for the increase of the lighting of the high altar of the monastery, promising also increased benefaction should his means increase.

This charter is noted, *Breviarium*, 68.

Gaufridus filius Ricardi : See note to No. xxv.

Glenduuoch : Glendoick, in the parish of St. Madoes. In 1503, the lands and barony of Glendovok with the mill were sold by Sir William Scott of Balweary to William, earl of Errol (*RMS.*, ii. 2731).

Adam de Beneth : Not found elsewhere.

Henrico de Abernite : Witnesses as ' miles ' charters of Malcolm, earl of Fife, *c.* May, 1228 (*Laing Charters*, 6), and, at an unspecified date (*N. Berwic*, 7) ; also charters of *c.* 1227 (*Wemyss*, ii. p. xliv) and *c.* 1240 (*Soltre*, 14) and an undated writ (*Scon*, 86). He appears undesigned (*RPSA.*, p. 269) and as witness to an agreement between David de Haya and Scone, May, 1237 (*Moray MS.*, f. 1).

Malcolmo de Haia : See note to No. XLII.

Johanne filio Ricardi : John, son of Richard, confirms a charter of Geoffrey, son of Richard (*Breviarium*, 69), whose brother we may suppose him to have been. A man of this name appears as a bailie of Perth, *c.* 1279 (*Inchaffray*, LX).

Adam de Valens : Adam Valleis (*sic*) witnesses a charter of David de Haya (*Breviarium*, 54).

XLV

25 January, 1240/41.

Alexander . . . Rex Scottorum . Omnibus Vicecomitibus . et Balliuis suis Tocius terre sue . Salutem . Mandamus uobis et precipimus . quatinus Abbati et Conuentui de Cupre . omnia aueria sua . et maxime suis signis signata ⁊ que in Balliuatibus uestris poterunt inueniri ⁊ nec ab eis aliquo iuste titulo fuerint alienata ⁊ eisdem Monachis uel hominibus suis istas nostras litteras deferentibus ⁊ iuste et secundum assisam terre rehaberi faciatis . Tantum facientes ⁊ ne oporteat dictos Monachos per defectum iustitie nobis super hoc conqueri In cuius rei Testimonium . has litteras nostras patentes ⁊ eis fieri fecimus . Testibus . Alano Hostiario . Roberto de Monte alto vicecomite de forfare . apud Forfare . vicesimo quinto die Januarii . Anno Regni domini Regis vicesimo septimo.

Seal missing. End.: Carta regis alexandri de aueriis signo nostro signatis.

Moray Charters, Box 32, Div. V, Bundle II, No. 48.

XLV

Charter of King Alexander II ordaining his sheriffs and bailies to restore to Coupar, on production of these his letters, all their live stock and especially those marked with their sign which are found in their bailiaries and which are not justly alienated from them.

Omnia aueria sua . . . inueniri: The reference is evidently to stock which had strayed out of the monks' lands.

Alano Hostiario: Alan Durward appears very frequently on record and witnesses many charters of Alexander II and Alexander III. An earlier Alan Durward, justiciar 'ex parte boreali,' is mentioned in a charter of William the Lion, 1174-5 (*REA.*, i. p. 9). The present Alan is said to have been made justiciar in 1244 (*Scotichronicon*, ii. p. 75) and appears in that capacity, 1246-51 and 1256-7 (Anderson, *Early Sources*, ii. p. 674). As second husband of countess Isabel, he is mentioned as earl of Athole, 24 Dec., 1234 (*Aberbrothoc*, i. 102), and 23 Feb., 1235/6 (*REM.*, 114). He also claimed the earldom of Mar, according to papal mandates of 28 March and 4 Oct., 1257 (*CPR.*, Letters, i. pp. 349, 351). Alan is frequently mentioned in English records from 1244 (Bain, *Calendar*, i. 1654) to 24 Sept., 1268 (*ibid.*, i. 2493). He was accused of treason in 1251 (*Chron. Mailros*, p. 179) and in 1253 is said to have been in the service of the

English king (*ibid.*, 180)—there is a writ ordaining payment of arrears for his services in Gascony (Bain, *Calendar*, i. 1985). In 1255, Durward and his supporters kidnapped the king and, in 1257, he had to flee to England with his accomplices (*Chron. Mailros*, pp. 180, 183). He died in 1275 and was buried at Coupar (*Scotichronicon*, ii. p. 122) of which he was a benefactor (No. LV). Durward also made donations to Arbroath (*Aberbrothoc*, i. 128, 295).

Roberto de Monte alto vicecomite de forfare : See note to No. XXXIX.

XLVI

18 April, 1241.

Alexander . . . Rex Scottorum omnibus . . . salutem. Sciant . . . nos concessisse et hac carta nostra confirmasse donationem illam quam Willelmus de Haya fecit deo et beate marie de Cupire . et monachis . . . de tota terra sita in cars de Goueryn quam Dauid de Haya frater ipsius Willelmi ei pro homagio et seruicio suo per cartam suam contulit. Tenenda et habenda eisdem monachis in perpetuam elemosinam per easdem diuisas per quas dictus W. dictam terram tenuit die quo eandem terram dedit predictis monachis de Cupire . et cum omnibus aisiamentis et libertatibus ad eandem terram spectantibus. Ita libere . . . . sicut carta ipsius Willelmi inde plenius constans dictis monachis juste testatur. Saluo seruicio nostro. Testibus R. de monte alto Justiciario . Willelmo de Mar . p. filio Willelmi . Willelmo de munfichet . Johanne de Cambrune. Apud Forfar Octauo decimo die Aprilis Anno Regni domini Regis Vicesimo Septimo.

Seal missing. End.: Confirmacio Regis Alexandri de tota terra monasterii de Cupro quam Dauid de Haya dedit fratri suo W. pro homagio.

Moray Charters, Box 32, Div. IV, Bundle I, No. 7.

XLVI

Charter of King Alexander II confirming the donation by William de Haya to Coupar of all the land in the Carse of Gowrie which David de Haya, his brother, granted to the said William.

This charter is a royal confirmation of the donation recorded in No. XLII. It appears, *Breviarium*, 53, where, however, the date is given as 28 April.

Willelmus de Haya : See note to No. XLII.

Dauid de Haya frater ipsius Willelmi : See note to No. X.

R. de monte alto Justiciario : See note to No. XXXIX.

Willelmo de Mar : William de Mar witnesses charters of Alexander II, 16 May, 1235 (*Calchou*, 392), 5 and 25 Aug., 1236 (*Lib. S. Crucis*, 59; *Crosraguel*, i. 2). An earlier William de Mar witnesses charters of Morgrund, earl of Mar, *a.* 1183 (*RPSA.*, p. 248), and of his wife, Agnes, countess of Mar (*ibid.*, p. 250).

P. filio Willelmi : Not identified.

Willelmo de munifichet : See note to No. XVI.

Johanne de Cambrune : Appears on record (as ' miles ') as witness to a charter of Alan Durward, 3 March, 1233/4 (*REA.*, ii. p. 268). He attests a charter of Alexander II, 11 June, 1234 (*Scon*, 66), as well as charters of Andrew, bishop of Moray, 11 March, 1233/4 (*REM.*, 83), David Hastings, earl of Athole (*Breviarium*, 31), Gilbert de Hay (*ibid.*, 52) and others. He is mentioned in 1264 as auditor of Exchequer (*Exch. Rolls*, i. p. 11) and as sheriff of Perth in that year and 1266 (*ibid.*, i. pp. 26, 17). He appears also in No. L. It is apparently a later John de Cambrun who swore fealty to Edward I, along with Andrew, abbot of Coupar, at Perth, 24 July, 1291 (Bain, *Calendar*, ii. 124). See also note to No. LXXIV.

XLVII

1241-58—2 May, 1438.

In dei nomine amen Anno incarnationis dominice millesimo iiii° tricesimooctauo mensis vero maii die secunda indictione prima pontificatus . . . Eugenii . . . pape quarti anno octauo In mei notarii publici et testium subscriptorum presencia personaliter constitutus . . . Willelmus . . . abbas monasterii de Cupro . . . quandam cartam sanam et integram non viciatam non cancellatam etc. . . . mihi notario publico subscripto tradidit et formam publicam redigendam sub hiis verbis Omnibus . . . Willelmus de le hay dominus de Admur salutem in domino sempiternam / Sciant . . . me pro salute anime mee et pro salute animarum antecessorum et successorum meorum dedisse . . . deo et beate marie de Cupro et monachis . . . unam carucatam terre in feodo de Erole ex parte australi grangie dictorum monachorum in carse que vocatur le murhouse quam bone memorie Dauid de le hay Dominus de Erole frater meus pro homagio et seruicio meo michi dedit Tenendam et habendam dictis monachis et successoribus suis a me et

heredibus meis et assignatis in puram et perpetuam elemosinam adeo libere . . . sicut aliqua terra elemosinata ab aliquo barone in regno scocie liberius . . . dari potest haberi vel teneri cum omnibus libertatibus et asiamentis ac iustis pertinentiis ad dictam terram spectantibus et de iure siue de consuetudine spectare valentibus quomodolibet in futurum cum libero introitu et exitu et cum omni pastura more mee de Admure una cum omnimodis asiamentis eiusdem more tam non nominatis quam nominatis absque quacunque contradiccione uel perturbacione heredum seu assignatorum meorum. diuise autem dicte terre incipiunt iuxta terram Rogeri filii baldredi (*alias* baudrici) et ita se extendunt iuxta Erol usque ad diuisas de Inchmichal * * * ad diuisas thome de le hay et a communi pastura de Admur usque ad magnam lapidem que iacet in layis (?) et sic ultra illam lapidem usque ad eiusdem * * * quas quidem diuisas dictus dauid frater meus die quo dictam terram mihi dedit cum probis hominibus suis perambulauit Ego vero dictus Willelmus de le hay et heredes mei et assignati prenominatam terram cum libero introitu et exitu et cum omnimodis asiamentis more mee de admur ut predictum est predictis monachis et successoribus suis . . . warantizabimus et de omni seruicio exaccione et seculari demanda et de quibuscunque oneribus que de dicta terra per me uel heredes meos seu assignatos quocunque modo exigi poterunt uel requiri acquietabimus et inperpetuum defendemus Et vt hec presens donacio mea et concessio robur perpetue firmitatis obtineat sigillum meum et [ad] ampliorem euidentiam sigillum domini gilberti de le hay domini de Erole mutuo sunt appensa : De cuius quedam carte copia et tenore prefatus dominus abbas per me notarium publicum subscriptum sibi fieri peciit publicum instrumentum Acta erant hec in monasterio de Cupro anno die etc. . . . prescriptis presentibus nobili viro patricio de ogilby filio domini Walteri de ogilby militis domini de luntrethyn johanne skyrlyn et johanne de blar scutiferis et magistro waltero bard magistro in artibus cum aliis testibus. . . .

Et ego Johannes ydill clericus sanctiandree diocesis

publicus auctoritate Imperiali notarius etc. . . . (*in communi forma*). . . .

End. : Instrumentum de le murhus. et de communi pastura de admur.

Moray Charters, Box 32, Div. IV, Bundle I, No. 47.

XLVII

Notarial instrument containing the transumpt of a charter by William de le Hay, lord of Admur, whereby he grants to Coupar a carucate of land in the fee of Errol, on the south side of the monks' grange in the Carse, which is called Murhouse and which the late David de le Hay, lord of Errol, his brother, gave him for his homage and service, with free entry and exit and pasture of the moor of Admure ; specifying also the marches of this land.

This charter can only be taken as a later and more specific grant of the unnamed land in the Carse of Gowrie bestowed by William de Haya upon Coupar in No. XLII, a grant confirmed by Alexander II, 18 April, 1241 (No. XLVI). This commits us to the identification of the undesigned William de Haya of these charters with William de le Hay, lord of Aithmuir, of the present charter ; and this is supported by the mention of him—designed and undesigned—as brother of the late David de le Hay, lord of Errol, who was deceased *a.* 18 April, 1241 (rather than *a.* 27 April, 1241, as in *Scots Peerage*, iii. p. 557). The date of the present charter must therefore lie between the time of David de le Hay's death and the death of Gilbert, his successor (who adds his seal to William's charter), *i.e.* 1258 (when he is last named) or somewhat later.

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

Willelmus de le Hay dominus de Admur : See note to No. XLII on William de Haya.

Unam carucatam terre in feodo de Erole ex parte australi grangie dictorum monachorum in carse que vocatur le murhouse : Muirhouses lies S. of Carsegrange and W. of Aithmuir in the parish of Errol.

Bone memorie Dauid de le hay Dominus de Erole frater meus : See note to No. x.

Admure : Aithmuir, in the S.E. corner of the parish of Errol. The lands of Admure at some later time must have reverted to the possession of the original line of the Hays of Errol. Thus, we find, on 28 July, 1454, William, earl of Errol, lord de Hay, constable of Scotland, granting to his uncle, Sir David de Hay, lord of Yester, a charter of his lands of Athmure in the earldom of Errol (*Yester Writs*, 112) ; and thereafter Aithmuir appears frequently in the records of the Yester branch of the Hay family (*e.g. ibid.*, 131, 233, 269, 370, 371, 372).

Terram Rogeri filii baldredi : Roger, otherwise called son of Baudric, was a benefactor of Coupar (see No. LVII). He held land in Aithmuir

(Achmore) which he sold to Nicholas de Haya, 1257-73 (*Spalding Club Misc.*, ii. p. 309).

Inchmichal : Inchmichael, in the parish of Errol, N.W. of Muirhouses.

Thome de le hay : See note to No. XLI.

Layis : Leys, in the parish of Errol, S.W. of Muirhouses.

Domini gilberti de le hay domini de Erole : Sir Gilbert de Haya was the son of David de Haya, whose donation to Inchaffray he confirms and increases, 30 May, 1240 (*Inchaffray*, LXVIII), and brother of William de Haya. He witnesses charters of Alexander II from about this time and some also of the earlier years of Alexander III. According to *Scots Peerage*, III, p. 558, he appears on record till 1258. In 1262, he is mentioned as formerly sheriff of Perth (*Exch. Rolls*, i. p. 1). Gilbert is one of the Scottish knights who have sworn they were neither of counsel nor aid against the English king, *c.* 1244 (Bain, *Calendar*, i. 2671, 2672) ; he appears as one of the pro-English party, 21 Sept., 1255 (*ibid.*, i. 2015), as one of those who have assumed the government of Scotland, 6 Nov., 1258 (*ibid.*, i. 2139), and, on the same date, as one of the Scottish king's councillors (*ibid.*, i. 2140). He appears also in No. LII.

Patricio de ogilby filio domini Walteri de ogilby militis domini de luntrethyn : Sir Walter de Ogilvy is frequently mentioned. See note to No. CXXVI. Patrick, his son, appears, 2 Jan., 1420/1 (*Spalding Club Misc.*, iv. p. 115). Patrick de Ogilvy, justiciar of Scotland, is said to have been sent to the king of France in 1435 (*Scotichronicon*, ii. p. 501) ; and a man so named holds a court as bailie-depute of Coupar, 18 Jan., 1460/1 (*Cupar*, i. p. 130). The present witness is evidently to be distinguished from Sir Patrick Ogilvy of Grandon and Auchterhouse, who appears as sheriff of Angus and died *c.* 1429 (*Scots Peerage*, i. p. 109).

Johanne skyrlyn (scutifero) : Johnne of Skrillyn witnesses an indenture between Sir Andrew Ogilvy of Inchmartin and Alexander Ogilvy of Kinneff, 31 July, 1449 (*Melvilles*, iii. 39).

Johanne de blar (scutifero) : Not identified.

Magistro waltero bard magistro in artibus : This may be Walter Bayrde, vicar of Alyth, who appears, 27 Oct., 1439 (*Benefices*, p. 24).

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

XLVIII

a. 1242.

Omnibus . . . Walterus byset eternam in domino salutem. Nouerint uniuersi me pro salute anime Alexandri Dei gracia illustrissimi regis Scottorum . et pro salute anime mee et animarum antecessorum et successorum meorum . dedisse . . . . Deo et beate marie de Cupre et monachis . . . . in puram et perpetuam elemosinam totam salinam meam . quam mihi et heredibus meis Dominus rex scocie

apud Aldendonecha inter Aberden et collin sua mera liberalitate . dedit . concessit et carta sua confirmauit . cum sufficienti petaria ad sal faciendum . sicut in prefati regis autentico continetur. Quare uolo uero prenominati monachi predictam salinam habeant . possideant et teneant de me et heredibus meis . ita libere . . . . sicut ego et heredes mei a domino rege eam tenuimus . et ut hec mea donacio robur perpetue teneat firmitatis : presentem cartam sigillo meo roboraui . testibus roberto de haya . Johanne capellano eius . Willelmo byset . roberto byset . bartholomeo Flamang . Willelmo de scrameture . et multis aliis.

Seal missing. End.: Carta Walteri Wysetis (*sic*) de salina de aldendonch * * *

Moray Charters, Box 32, Div. V, Bundle I, No. 15.

XLVIII

Charter of Walter Byset whereby he grants to Coupar all his saltwork which the king of Scots granted him at Aldendonech between Aberdeen and Collin, with a sufficient peatmoss for making salt.

The date of this charter is fixed by the date of the Bissets' exile. See *infra.*

Walterus byset : A member of a family which played a somewhat notorious part in the reign of Alexander II. *Scotichronicon*, ii. p. 73, speaks of their faction as the 'Biseti.' Walter Bisset's relations are witnesses of the present charter. He is described as lord of Aboyne (Anderson, *Early Sources*, ii. p. 489) and he witnesses many charters of Alexander II from 1223 (*RMS.*, i. 262) onwards. In 1233, Bisset married Ada, sister of Alan of Galloway (*Chron. Mailros*, p. 155 ; *Scotichronicon*, ii. p. 59). He was involved in the murder of Patrick, earl of Athole, in 1241 or 1242 (*Scotichronicon*, ii. p. 72 ; *Extracta*, p. 98) and, in consequence, along with William Bisset, his nephew, and John Bisset, was exiled and vowed to set out on a crusade (*ibid.*, ii. p. 73 ; *ibid.*, pp. 98-99). In 1243 (*Scotichronicon*, ii. p. 74) or 1244 (*Chron. Mailros*, p. 106), Walter Bisset is said to have been stirring up strife in England against the Scots king and realm ; he appears in English records from 28 Aug., 1243 (Bain, *Calendar*, i. 1621), to Nov., 1251 (*ibid.*, i. 1836), by which date he was deceased ('They know not the date of his death nor can know it. For he died far off in Scotland in a certain island called Arrane. Some say he died on Tuesday before the feast of St. Michael and others say he died the Tuesday after'). Batten (*Beauly*, p. 47) seems to be right in saying that before his death Bisset had returned to Scotland. Thus, he witnesses charters of Alexander II, 12 Nov., 1247 (*RMS.*, i. 188), and 8 July, 1249 (*ibid.*, ii. 3136), and of

Alexander III, 9 March, 1250/1 (*RPSA.*, p. 335), and 30 April, 1251 (*Lennox*, ii. 208). For Bisset's career in England, see Anderson, *Early Sources*, ii. p. 536. It is said that he founded the house of the Knights Templars at Culter, 1221-6, and gave it the church of Aboyne (Batten, *Beauly*, p. 300). Walter Bisset, lord of Clerkington, who gave a donation to Newbattle (*Neubotle*, p. 294), is evidently a different person.

Aldendonecha inter Aberden et collin : This place has not been identified ; nor can Collin be located. There was another Aldendoneche, mentioned as on the marches of Feddel, in the present parish of Ardoch in Perthshire. See *Lindores*, XXIII.

Roberto de haya : See note to No. XXVI.

Johanne capellano eius : Witnesses a charter of Cuming, son of Henry, earl of Athole (*Breviarium*, 37).

Willelmo byset : William Bisset, who, according to *Scotichronicon*, ii. p. 74, was the nephew of Walter, appears with him as witness to a charter of Alexander II, 30 Sept., 1225 (*Soltre*, 27), and is found attesting subsequent royal charters. His last appearance in charters is probably *c.* 1240 (*Calchou*, 240) ; a later William Byset is found as a witness to a charter of Alexander III, 15 March, 1276/7 (*Dunfermelyn*, 81), and of John de Strathechyn, 21 May, 1278 (*ibid.*, 86). The present William was associated with John and Walter Bisset in the murder of Patrick, earl of Athole, and, like them, was outlawed and vowed to go on crusade (*Scotichronicon*, ii. p. 73 ; *Extracta*, pp. 98-99). He appears as a benefactor of Beauly (*Beauly*, iii).

Roberto byset : Witnesses charters of Alexander II, 29 Oct., 1241, and 8 Sept., 1242 (*Reg. Hon. de Morton*, i. 179 ; ii. 10). He is probably Robert Bisset of Upsetlington, cousin of Walter Bisset, who appears *a.* 1240 (*Calchou*, 240 ; cf. *Beauly*, p. 27) ; and he may be Robert Bisset, knight of Alexander (III), king of Scotland, who is mentioned, 3 Oct., 1260 (Bain, *Calendar*, i. 2209).

Bartholomeo Flamang : Appears as ' Flandrensis ' in No. LXI ; and his name is found elsewhere in both forms. He witnesses a charter of Alexander II, 23 Feb., 1234/5 (*REM.*, 114) ; grants a toft to the church of Inchemabani, 1228-39 (*Lindores*, LIX) ; is mentioned as holding a knight's fee in Huntingdon, 12 May, 1244 (Bain, *Calendar*, i. 1633) ; and witnesses a Lindores charter, 12 July, 1253 (*Lindores*, LXXXIV), a charter of Alan Durward, 17 April, 1256 (*Aberbrothoc*, i. 295), an ' ordinatio ' between the bishop and chapter of Moray and John Bisset, 1258 (*REM.*, 122), and another Lindores charter, July, 1261 (*Lindores*, CXVI). He was perhaps an Aberdeenshire laird. See *Lindores*, CXVIII, for Flandres in Garioch.

Willelmo de scrameture : It is said in *Scots Peerage*, ii. p. 304 : ' The first person of the name of Scrymgeour on actual record appears in a tack of Thomas of Kylmeron leasing to Alexander called Schrymeschur . . . the land of Torr for nine years from Martinmas, 1293.' The present witness, who is not mentioned elsewhere, may be regarded as supplying an instance of the name fifty years earlier.

XLIX

1243-49.

Viris uenerabilibus et discretis . de Ryeualle . de Fontanis de Belloloco Regis in Anglia Abbatibus . in causa que uertitur inter Abbatem et conuentum Cistercienses ex una parte . et Abbatem et conuentum de Cupro ex altera iudicibus constitutis . G. miseratione diuina Ecclesie Dunkeldensis minister humilis salutem et sincere deuocionis affectum . Quum [1] equi ponderis esse uidentur [2] scienter et prudenter uel falsum proferre uel ueritate reticere . Super collacione Ecclesie de Erolyn domui de Cupro per dominum . A. dei gracia illustrem Regem Scocie facta ⁝ que presentes uidimus et audiuimus . uobis dignum duximus intimanda . Cum bone memorie Alexander quondam abbas de Cupro uir sapiens et discretus frequenter circa negocia Domini Regis expedienda tam apud curiam Romanam quam alibi laborauerat ⁝ idem Dominus Rex labores eius et sumptus uolens in aliquo remunerare . predictam Ecclesiam de Erolin annuente venerabili patre Willelmo tunc temporis Episcopo Sancti Andree . ob specialem amorem erga domum de Cupro conceptum licet in eadem Ecclesia ius patronatus certis et rationabilibus ex causis sibi uendicaret. Regali munificentia contulit domui de Cupro saluis tamen domui Cisterciensi . xx^ti . libris per Abbatem de Cupro annuatim persoluendis . sicut per instrumenta tam dicti Regis quam Episcopi ⁝ uobis plenius poterit constare . Et quum [3] super premissis tam nobis qui tunc temporis de consilio Domini Regis fuimus quam aliis tam clericis quam laicis uiris prudentibus et fide dignis nichil dubietatis relinquitur . vobis supplicamus quatinus deum pre oculis habentes et honori et fame ordinis uestri consulentes . contra tenorem tot et tantorum munimentorum . que de dicta Ecclesia dicti monachi de Cupro possident ad tuicionem cause sue satis sufficiencium . uenire uel secus quam ordinatum est a tam discreto uiro et prudenti qualis extitit predictus W . Episcopus sancti

[1] *SHR.*, 'Quoniam.'
[2] *SHR.*, 'uidetur' (a misreading).
[3] *SHR.*, 'Quoniam.'

Andree . aliquid ordinare non presumatis . Quod si forte quod absit feceritis ⁊ nimis euidens materia nobis dabitur de ordine uestro obloquendi . quo quondam prerogatiua religione precellere uidebatur . Cum causam istam si pace uestra dici fas sit cupiditas prosequi uideatur nec [1] iusticia . que personas non respiciens unicuique reddit quod suum est . maxime cum Cistercienses in dicta Ecclesia de Erolin exceptis predictis xx^tl libris nullum ius de iure sibi debeant uel possint uendicare Dominus autem Episcopus sancti Andree ad quem de iure spectare deberet eiusdem Ecclesie collatio si nostris adherere uoluerit consiliis ius suum penitus prosequetur si ordinatio predecessoris sui in aliquo commutetur . Litteras autem has testimoniales tradidimus Domino Abbati et conuentui de Cupro sigillo nostro singnatas ut si aliquando de eiusdem Ecclesie collatione orta fuerit contencio ⁊ per has patentes rei ueritas innotescat Reddite literas. Valete.

Seal (broken) attached. End.: Memorandum quod nullum jus habet abbas Cisterciensis in ecclesia de Erolyn nisi tantum xx libras annuatim.

Moray Charters, Box 32, Div. V, Bundle II, No. 52.

XLIX

Letter of G., bishop of Dunkeld, addressed to the abbots of Rievaulx, Fountains and Beaulieu in England, judges appointed in the cause between the abbot and convent of Cîteaux and the abbot and convent of Coupar, intimating in regard to the collation of the church of Airlie to the house of Coupar by Alexander, king of Scots, that, in consideration of the services of Alexander, formerly abbot of Coupar, on the king's business at the Curia and elsewhere, the king, with the consent of William, bishop of St. Andrews, granted the church to the house of Coupar, reserving a yearly payment of 20*l.* to the house of Cîteaux by the abbot of Coupar and supplicating that they will ordain nothing to the contrary, since Cîteaux has no other claim upon the church of Airlie except for the foresaid twenty pounds.

This record is printed *SHR.*, x. pp. 279-80. See Introduction, p. xlii.

The date of this letter is determined by the act of the Cistercian chapter-general, appointing the three English abbots to deal with the complaint of Cîteaux against Coupar, in 1243 (see App. III, ii), and the death of bishop Geoffrey in 1249 (Dowden, *Bishops*, p. 56).

[1] *SHR.*, 'non.'

De Ryeualle . de Fontanis de Belloloco Regis in Anglia Abbatibus : Rievaulx and Fountanis, in Yorkshire and Beaulieu, in Hampshire, were Cistercian abbeys.

G . . . ecclesie Dunkeldensis minister : Geoffrey (Galfridus de Liberatione) was elected to the see of Dunkeld and probably consecrated in 1236. See Dowden, *Bishops*, pp. 54-55.

For other persons and places see notes to No. xxvi.

L

1244-54.

Sciant tam presentes quam futuri quod ego Dauid de Hasting Comes Atholie concessi et hac presenti carta mea confirmaui deo et beate marie de Cupro et monachis . . . de consensu et assensu Forwht sponse mee Comitisse Atholie et heredum meorum pro salute anime mee et sponse mee et omnium antecessorum et successorum meorum Tolach quam Ewyn mac pole ad firmam a dictis monachis iam tenet que est iuxta Innervak per suas rectas diuisas cum omnibus justis pertinenciis et libertatibus suis quam dominus Thomas de Galweya comes Atholie dictis ecclesie et monachis in puram et perpetuam elemosinam possidenda dedit et concessit Tenendam et habendam dictis monachis de predicto Thoma et heredibus suis inperpetuum Ita libere . . . sicut carta eiusdem comitis dictis monachis inde data plenius testatur et eiusdem Thome comitis sponsa Isabella comitissa Atholie eisdem monachis dictam terram tenendam et habendam concessit et carta sua Inde confirmauit. In cuius Rei testimonium * * * carte confirmacionis mee sigillum meum feci apponi. Hiis testibus Willelmo Cumyn. Domino Alano Hostiario justiciario Scocie. Domino Roberto de meneris. domino Johanne de Cambrona. domino Simone de Lindesay militibus. Domino Roberto Capellano et multis aliis.

Seal missing. End. : Confirmacio dauid de Hastyng Comitis Atholie de Tholawch.

Moray Charters, Box 32, Div. IV, Bundle I, No. 20.

L

Charter of David de Hastings, earl of Athole, whereby with consent of Forwht, his countess, and his heirs, he confirms to Coupar Tolach which

Ewen MacPole presently has in tack from the monks, which is beside Innervak and which Thomas de Galweya, earl of Athole, gave to the monastery.

Cf. No. XXII, *Breviarium*, 31, gives another confirmation-charter by David de Hasting (of the lands of Imauth) of which the witnesses are practically identical with those of the present writ.

Dauid de Hasting Comes Atholie : Son of John de Hastings, lord of Dun (*Inchaffray*, p. 265). After the death of Patrick, son of Thomas, earl of Athole, David de Hastings succeeded in 1242 to the earldom in right of his wife, Forueleth, aunt of Patrick (*Chron. Mailros*, p. 155). He is one of the Scots lords who support King Alexander's pledge to England, 19 Nov., 1244 (Bain, *Calendar*, i. 1654). According to *Scots Peerage*, i. p. 424, the date of his death is uncertain ; Ada, daughter of David and Forveleth, succeeded as countess. Cuming, mentioned in No. LII as son of the earl, does not appear in *Scots Peerage*.

Forwht sponse mee Comitisse Atholie : The countess's name appears in various forms : Forwht in the present charter ; Ferleth in No. LI (rather than Fernleth as in *Bamff Charters*, 3) ; Forueleth in No. LII ; Forflissa in *Breviarium*, 87 (probably an absurd rendering). She was mother's sister of Patrick, earl of Athole (who was murdered in 1242), and succeeded him (*Scots Peerage*, i. p. 423).

Tolach : See note to No. XXII.

Ewyn mac pole : Not otherwise known. For a former tenant, see No. XXXIX.

Innervak : See note to No. XXXIX.

Quam dominus Thomas de Galweya comes Atholie . . . dedit : See No. XXII.

Eiusdem Thome comitis sponsa Isabella comitissa Atholie . . . confirmauit : Isabella's charter is No. XXXIX.

Willelmo Cumyn : Not Walter as in *Brevarium*, 31, which is probably wrong. A different individual from William Cumyn, who became earl of Buchan and died in 1233. It is difficult to isolate the references which apply to him, *e.g.* in English records, where there is a mention of William Cumin, yr., as doing homage for his Tynedale lands, in a charter of Alexander II, 10 March, 1228/9 (Bain, *Calendar*, i. 1113), of land held by William de Cumin as the heritage of Margery, his wife, 24 July, 1236 (*ibid.*, i. 1283), and of Margery, daughter of William Cumin and wife of John de Cantilupe, 24 July, 1236 (*ibid.*, i. 1284). The most likely references to the present witness are probably *Inchaffray*, CVIII, CIX, where Sir William Cumyn witnesses charters of his brother, John Cumyne, 25 July, 1276. The present editor heartily agrees with the assertion (*Inchaffray*, p. lxxix) that ' the genealogy of the Comyns has never been satisfactorily stated.'

Domino Alano Hostiario justiciario Scocie : See note to No. XLV.

Domino Roberto de meneris : Appears 1233-41 (*Earls of Haddington*, ii. 281) and witnesses charters of Alexander II from about 15 June, 1235 (*HMC. Rep.*, Mar and Kellie MSS., ii. p. 1). He also witnesses a charter of

Alexander III, 30 April, 1251 (*REG.*, i. 202), as chamberlain, an office which he is stated to have held in 1250 or earlier and 1251 (*Exch. Rolls*, ii. p. cxxi)—he witnesses in that capacity a decision of jurors at Forfar, 17 Feb., 1250/1 (*Aberbrothoc*, i. 250). Meneres, who is mentioned in an act of Parliament as one of the magnates in council with the king, 20 Sept., 1255 (*APS.*, i. p. 77), died in 1267 (*Scotichronicon*, ii. p. 105, where he is called 'camerarius quondam domini regis Alexandri').

Domino Johanne de Cambrona (milite) : See note to No. XLVI.

Domino Simone de Lindesay (milite) : Perhaps second son of Sir John Lindsay, chamberlain of Scotland (*Scots Peerage*, iii. p. 8). He witnesses the charter of David de Hastings mentioned *supra*. A man of this name attests a charter of Ailmer Scott of Molle, *c.* 1220 (*Calchou*, 109), and of William, son of Patrick, earl of Dunbar, *c.* 1230 (*ibid.*, 361), grants Helen, his daughter, his land of Hungerigge in Molle (*Melros*, 139) and is mentioned in other undated charters (*e.g. Melros*, 141, 295 ; *Neubotle*, 76, 77, 78, 90). Another Simon de Lindesay, a cleric, witnesses charters of Hugh, bishop of Dunkeld (*RPSA.*, pp. 296, 297 ; *Lib. S. Crucis*, p. 53).

Domino Roberto Capellano : Not identified. One suspects that 'Dominus Robertus de Cambrune,' who witnesses *Breviarium*, 31, is really this witness under a misread name.

LI

1246.

Vniuersis presentes litteras inspecturis Frater M. dictus Abbas de Melros Salutem in domino . vniuersitati vestre Notum facimus quod controuersia esset inter venerabiles Abbatem et Conuentum Cistercij ex vna parte et Abbatem et Conuentum de Cupro ex altera super eo quod dicti Cistercienses dicebant ecclesiam de Erolim eis totaliter datam a domino Rege Scocie illis de Cupro contrarium asserentibus et dicentibus quod predicti Cistercienses nichil amplius habebant in predicta ecclesia quam viginti libras annui redditus Sterlingorum : tandem predicta controuersia terminata est in hunc modum . videlicet quod predicti Abbas et Conuentus de Cupro debent soluere predictis Cisterciensibus in Nundinis Trecensibus in festo Apostolorum Petri et Pauli uel in sequenti proximo Capitulo generali viginti marcas sterlingorum pro dampnis et expensis . pro qua solutione facienda nos et domum nostram dictis Cisterciensibus obligamus . et ipsi predicti Cistercienses quittauerunt dictam querelam imperpetuum

supradictis Cuprensibus ita dum taxat quod predicti Cuprenses soluent annuatim sicut antea facere consueuerant Cistercio viginti libras Sterlingorum omnibus instrumentis super hoc negotio confectis in suo robore permanentibus . In testimonium autem omnium predictorum et confirmationem Nos predictus Abbas de Melros vna cum predicto domino Abbate Cistercij impressione sigillorum nostrorum presentibus litteris fecimus apponi. Actum anno domini M° CC°. Quadragesimo Sexto tempore capituli generalis.

One seal (Melrose's) remains. End.: Declaratio contentionis inter cistercium et cuprum propter ecclesiam de erolin.

Moray Charters, Box 32, Div. V, Bundle II, No. 49.

LI

Charter of M., abbot of Melrose, with reference to the controversy between Cîteaux and Coupar, the former declaring that the church of Airlie was wholly given over to them by the king of Scotland, the latter asserting that Cîteaux has no claim to that church except twenty pounds of annualrent. The controversy has been ended thus: Coupar will pay to Cîteaux at Troyes fair, on the feast of SS. Peter and Paul or at the next chapter-general thereafter, twenty marks sterling for losses and expenses, for payment of which the abbot and his house oblige themselves to Cîteaux; Coupar will pay annually twenty pounds and Cîteaux gives over its complaint against Coupar.

Printed *SHR.*, x. pp. 282-3. See Introduction, p. xlii.

Frater M. dictus Abbas de Melros : Matthew, abbot of Melrose. He was cellarer of the house before being elected sixteenth abbot, 15 April, 1246. He was blessed on 17 May following by William, bishop of Glasgow (*Chron. Mailros*, p. 176). Matthew appears in a charter, 21 Sept., 1251 (*Melros*, 314), and witnesses a charter of Alexander II, 12 Nov., 1254 (*REG.*, i. 201). According to the Melrose chronicler (*Chron. Mailros*, p. 185), he resigned because of infirmity on 24 July, 1261; but, in the same year, he was deposed in the chapter at Rievaulx, 'without the advice or knowledge of a living soul in Scotland' (*ibid.*, p. 189). He was acting in the present instance as father-abbot of Coupar.

In Nundinis Trecensibus : Troyes lies midway between Paris and Dijon. See *SHR.*, viii. pp. 175, 177.

In festo Apostolorum Petri et Pauli : 29 June. These were the patron saints of the church of Troyes (*ibid.*, viii. p. 177).

LII

a. 1247.

Omnibus . . . Forleth Comitissa Atholie salutem. Noveritis me caritatis intuitu pro salute anime, mee, et pro anima Domini David de Hastings quondam viri mci Comitis Atholie, et pro animabus omnium antecessorum et successorum meorum concessisse, et hac presenti carta mea confirmasse Deo et beate Marie de Cupro, et Monachis . . . Terram de Dunfolenthies, Huchtir, illam scilicet quam Magister nessus medicus Regis dictis monachis in puram et perpetuam Elemosinam dedit, et carta sua confirmavit. Quamquidem terram, Ego in legia potestate viduitatis mee constituta predicto nesso pro homagio et servitio suo mihi impendendo, dedi. Quam terram modo Keinnach Mackgilleger de dictis monachis ad firmam tenet. Quare volo, quod dicti monachi predictam terram, cum omnibus commoditatibus et asiamentis eidem terre pertinentibus, pacifice et honorifice teneant et possideant libere ab omni onere, et servitio Domini Regis et Comitis Atholie, et a quibuscunque oneribus que de dicta terra ab aliquo quovis modo exigi potuit vel requiri. Et ut hec mea concessio et confirmatio robur perpetue firmitatis optineat, eam presentis pagine testimonio sigilli mei appositione roboravi. His testibus, Domino Gilberto de Haya, Domino Roberto Meneres, Domino Aymero de Machuswell, Domino Simone de Lindesey, Domino Willelmo de Haya, Domino Johanne Capellano Cumming filio comitis et multis aliis.

Added at end of charter by transcriber: The seall in Redwax is appended, being the Effigies of a woman with a shepherd's staff in her hand, but the head is broke off, and the letters yet legible are, Et comitissa. It is writt on parchment and quotted on the back (341) Confirmatio Fornfleth Comisse Atholie De terris de Dunfolantyne.

Cartae Variae (Socy. of Antiqs. MS. now in H.M. General Register House), f. 105.

LII

Charter by Forleth, countess of Athole, confirming the grant by master Nessus, the king's physician, of Dunfolenthies Huchtir to the monks of Coupar.

Printed *Bamff Charters and Papers*, p. 8.

Forleth Comitissa Atholie : See note to No. L.

Domini David de Hastings . . . Comitis Atholie : See note to No. L.

Dunfolentheis Huchtir : Dunfallandy, near Pitlochry.

Quam Magister nessus medicus Regis . . . dedit et . . . confirmavit : For an account of Nessus, see *Bamff Charters and Papers*, p. 4 *seq.* His charter of donation appears, *Breviarium*, 87.

Keinnach Mackgilleger : Not otherwise known.

Domino Gilberto de Haya : See note to No. XLVII.

Domino Roberto Meneres : See note to No. L.

Domino Aymero de Machuswell : Son of John de Maxwell (see note to No. XXVII). He witnesses charters of Alexander II from at least 4 Feb., 1232/3 (*Melros*, 248), and he appears on record till 1263 (Bain, *Calendar*, i. 2338). Maxwell was chamberlain, 18 March, 1257/8, and was still in office, 18 Aug., 1260 (*Exch. Rolls*, ii. p. cxxii). He also appears as sheriff of Peebles, 7 Oct., 1262 (Bain, *op. cit.*, i. 2313). Sir Aymer de Makeswel and Maria, his wife, are mentioned as of the anti-English party, 20 Sept., 1255 (*ibid.*, i. 2013 ; cf. *APS.*, i. p. 77). He was one of the Scottish magnates who enter into a bond with Lewelin, prince of Wales, 18 March, 1258/9 (*ibid.*, i. 2155).

Domino Simone de Lindesey : See note to No. L.

Domino Willelmo de Haya : Brother of Gilbert. See note to No. XLII on the younger William de Haya.

Domino Johanne Capellano : Not identified. One suspects here a misreading and that this was really 'Domino Johanne Cambrone.'

Cuming filio comitis : Cuming is not mentioned in *Scots Peerage* as son of the earl of Athole and his identity is doubtful. It is stated (*ibid.*, i. p. 424) that David de Hastings, earl of Athole, and Forleth, the countess, had a daughter, Ada, who succeeded as countess. But see *Lindores*, p. 258.

LIII

3 July, 1247.

Alexander . . . Rex Scottorum. Omnibus . . . salutem. Sciant . . . nos concessisse et hac carta nostra confirmasse donacionem illam quam magister Nessus medicus noster fecit deo et beate marie de cupro. et monachis . . . de tota terra sua de Dumfolethyn Huchtelach . quam quondam Dauid de Hastingis comes Atholie consensu et uoluntate Forueleth comitisse sponse sue . dedit eidem magistro et

quam dicta Forueleth post mortem predicti Dauidis viri sui in sua ligia potestate constituta . eidem magistro pro homagio et seruicio suo dedit et in plenariam saisinam posuit. Tenenda et habenda predictis monachis et successoribus suis de prefato magistro Nesso et heredibus suis in liberam et puram elemosinam. per rectas diuisas suas. et cum omnibus libertatibus et aisiamentis . . . . Ita libere . . . sicut carta predicti magistri Nessi eisdem monachis inde plenius confecta iuste testatur. Saluo seruicio nostro. Testibus. venerabili patre A. episcopo Brechynensi . W. abbate de Abirbrothoc . Roberto de monte alto . Bernardo de Rippeley . apud Forfar . tercio die Julii . Anno regni domini Regis . Tricesimo tercio.

Seal wanting. End. : Confirmacio Alexandri Regis de terra de Dunfoletine huchtelach.

Moray Charters, Box 32, Div. IV, Bundle I, No. 8.

LIII

Confirmation by Alexander II of the donation made by master Nessus, his physician, to Coupar of his whole land of Dumfolethyn Huchtelach which the late David de Hastings, earl of Athole, with consent of countess Forueleth, his spouse, granted him.

For persons, etc., see notes to previous charter.

Witnesses :

A. episcopo Brechynensi : Albin, bishop of Brechin, postulated *c.* 1246 (Dowden, *Bishops*, p. 175).

W. abbate de Abirbrothoc : Probably Walter, abbot of Arbroath in 1252 and 1256 (*Aberbrothoc*, i. p. xiv). But see note in *Inchaffray*, p. 285.

Roberto de monte alto : Robert de Mouvat of No. xxxix. See note *ad loc.*

Bernardo de Rippeley : Witnesses charters of Alexander II, 6 Oct., 1245 (*N. Durham*, lxxiii), to 13 Jan., 1248/9 (*Dunfermelyn*, 77), and is also found, *c.* 1262 (*Lindores*, xci).

LIV

23 April, 1248.

Omnibus . . . . Johannes * * * prior sancti andree et eiusdem loci conuentus . . . Salutem. Nouerit vniuersitas uestra nos communi consensu capituli nostri latam et gratam habere compositionem factam inter Ecclesiam de Cupro ex una parte et Ecclesiam de Erole ex altera in qua

continetur quod Ecclesia de Cupro soluet annuatim Ecclesie de Erole . Tres marcas argenti et dimidiam . et duas libras incensi pro omnimodis decimis omnium terrarum quas monachi de Cupro habuerunt in karso de Gouerin infra parochiam dicte Ecclesie de Erole Anno gracie m° cc° . xl° . viii° . sicut in scripto inter predictas Ecclesias inde confecto plenius continetur . Et ut hec compositio futuris temporibus perpetue firmitatis robur optineat ⁄ nos eam presentis scripti testimonio approbamus et communis sigilli capituli nostri appositione confirmamus. Actum anno gracie domini m° . cc° . xl° . viij . die sancti Georgii martiris.

Seal missing. End. : Confirmacio Capituli sancti andree super decimis de karso.

Moray Charters, Box 32, Div. V, Bundle I, No. 21.

LIV

Charter of John, prior, and the convent of St. Andrews confirming the agreement made between Coupar and the church of Errol, whereby the former will pay to the latter three and a half silver marks and two pounds of incense for all manner of teinds of all the lands which the monks hold in the Carse of Gowrie within the parish of Errol.

An agreement was made, *a.* 1198, that the abbey should pay two silver marks annually to the church of Errol in respect of the teinds of Ederpolles (No. III). Coupar acquired further lands in the Carse of Gowrie, *e.g.* the donation made by Richard de la Batelle of land between Ederpolles and Inchmartin (*Breviarium*, 50) and that of William de Haya, 1237-41 (No. XLII). Hence the present charter may be regarded as indicating a readjustment of the former agreement.

Johannes . . . . prior sancti andree : This was John White, prior, 1236-58. See note to No. XLIII. He and his convent appear in numerous St. Andrews records (*RPSA.*, *passim*).

Compositionem factam inter Ecclesiam de Cupro . . . et Ecclesiam de Erole : The charter containing this has not survived.

LV

1250-56.

Omnibus . . . Alanus hostiarius Domini Regis scocie Salutem. Noueritis nos dedisse . . . Deo et beate marie de Cupro et monachis . . . Duas Dauahcs terre in territorio de Luntrethen. sc⟨ilicet⟩ Clentolach et Balcashy.

Tenendas et habendas sibi et successoribus suis de nobis et heredibus nostris in puram et perpetuam et liberam elemosinam cum molendino et fortyris ad dictas dauahcs spectantibus et cum omnibus aliis libertatibus . in moris et maresiis etc. . . . . adeo libere . . . sicut aliqua elemosina in regno Scocie liberius . . . ab aliquibus uiris religiosis tenetur et possidetur. Et nos et heredes nostri predictas dauach cum omnibus predictis libertatibus et aysiamentis . . . warantizabimus . et ab omni seruicio defendemus. In huius rei testimonium presentem cartam sigilli nostri appositione roborauimus. Testibus. Domino Comite Nigello de Carric. Domino Johanne de Hastinga. Domino Gilleberto de haya. Domino Johanne de Cambron. Domino Malcolmo pincerna Domino Roberto de Waluope. Domino Colino de Lundin . et aliis.

Seal missing. Endorsement illegible.

Moray Charters, Box 32, Div. IV, Bundle I, No. 25.

LV

Charter of Alan, usher of the king of Scotland, whereby he grants to Coupar two davachs of land in the territory of Luntrethen, namely, Clentolach and Balcashy, with the mill and 'fortyris' belonging to these davachs.

This charter appears, *Breviarium*, 66.

Alanus hostiarius : See note to No. XLV.

Duas dauahcs : Davach : 'a measure of land known chiefly over the north-eastern counties . . . a whole davach would be equal to four ploughs' (Cosmo Innes, *Scotch Legal Antiqs.*, pp. 271, 273).

Luntrethen : Lintrathen, in Angus.

Clentolach : Clintlaw, S.E. of the loch of Lintrathen ; mentioned in later Coupar charters. There is another Clintlaw on the right bank of the Back Water, E. of Glenisla.

Balcashy : Not located.

Fortyris : No satisfactory explanation of this word can be offered. Dr. Gordon Donaldson has kindly supplied a parallel from a Caithness record of 1495 : 'fortouris of Lyriboll.'

Domino Comite Nigello de Carric : Second earl of Carrick, also called Nicol or Nicolaus (*Scots Peerage*, ii. p. 426). He is mentioned as one of the magnates in council with the king in an act of parliament, 20 Sept., 1255 (*APS.*, i. p. 77); and about the same date he appears in English records : he is mentioned in a letter of Henry III to his ambassadors in Scotland as one of 'our dear friends,' 10 Aug., 1255 (Bain, *Calendar*, i.

1987), and, on the same date, Henry III has received him and others into his protection (*ibid.*, i. 1988), while he appears as one of the English party in a proclamation of Alexander II, 20 Sept., 1255 (*ibid.*, i. 2013). He died in 1256 (*Scots Peerage*, ii. p. 426). A charter by Nigel, earl of Carrick, and Isabella, his countess, to the abbey of Saddell is cited in a much later confirmation-charter under the Great Seal (1 Jan., 1507/8) (*RMS.*, ii. 3170). He also appears as a benefactor of Crossraguel (*Crossraguel*, i. 11).

Domino Johanne de Hastinga : It is probably an earlier John de Hastings who witnesses charters of William the Lion (*Scon*, 30 ; *HMC. Rep.*, v. App., p. 624 ; *Cambuskenneth*, 18, 193 ; *Aberbrothoc*, i. 22, etc. ; *Breviarium*, 41). A man of this name is also found making a grant to Arbroath, *c.* 1206 (*Aberbrothoc*, i. 142), and as a witness to charters of Malise, brother of Gilbert, earl of Strathearn, 1204-11 (*ibid.*, 86), and Duncan, earl of Angus, 1204-11 (*ibid.*, 47, 52). It may be the present witness who attests a charter of Conan, son of Henry, late earl of Athole, 1214-42 (*Lindores*, LXXIII), and another of David de Haya to Coupar (*Breviarium*, 48). He was presumably of the family of Dun and related to David de Hastings.

Domino Gilleberto de Haya : See note to No. XLVII.

Domino Johanne de Cambron : See note to No. XLVI.

Domino Malcolmo pincerna : Malcolm the butler witnesses a charter (undated as to year) of Alexander II (*Scon*, 61) ; but the man of this name who appears on record (he is called ' Malcolmus de Sules ' (*May*, 31)) as a witness to charters of William the Lion, 1204-11 (*Aberbrothoc*, i. 81 (*bis*)), Umfrid de Berkeley, 1204-11 (*ibid.*, i. 89), Thomas Malherbe, *c.* 1205 (*ibid.*, i. 98, 303), and Malcolm, earl of Angus, 1214-26 (*ibid.*, i. 48, 53), and who is a benefactor of Scone (*Scon*, 106) is evidently an earlier Malcolm.

Domino Roberto de Waluope : Witnesses charters of Malise, earl of Strathearn, 1251-69 (*REM.*, p. 465 ; *Lib. Ins. Missarum*, p. xxxiv), and Alexander, earl of Buchan (*RPSA.*, p. 283 ; *May*, 27).

Domino Colino de Lundin : Sir Colin de Lundyn, kt., witnesses a charter of Conan, son of Henry, late earl of Athole, 1219-42 (*Lindores*, LXXIII).

LVI

1251-72.

R. decanus dunkeldensis ecclesie eiusdemque capitulum. Omnibus . . . Salutem in domino. Quum collationes episcoporum absque consensu sui capituli invalide soleant reputari. Que accedente eidem consensu robur debent optinere perpetue firmitatis nos pia et prouida habita deliberacione . justis postulationibus monachorum de Cupre grato concurrentes assensu . confirmamus eisdem donationem illam quam pie memorie Johannes primus

episcopus dunkeldensis illis fecit . s⟨cilicet⟩ de terra Cambusathonam et piscationibus et omnibus aliis eidem terre pertinentibus et terram de athbrec cum omnibus pertinenciis suis. sicut in carta dicti primi Johannis et confirmatione secundi Ricardi successoris eius continetur. Preterea confirmamus compositionem illam quam cum Johanne primo et ricardo secundo episcopis quondam fecerunt s⟨cilicet⟩ de decimis de kethec que ad ecclesiam de kerregille pertinent. et sic cum eis facta est. Reddendo s⟨cilicet⟩ camere episcoporum dunkeldensium singulis annis unam marcam argenti dimidiam s⟨cilicet⟩ marcam ad pentecosten. et dimidiam marcam ad festum sancti martini. Ad hoc autem adicimus concedentes et hoc presenti scripto confirmantes ut si aliquando contigerit eosdem monachos terram suam de Cambusadonam et piscationes ad firmam dimittere : ipsi monachi dabunt pro decimis inhabitancium dicte ecclesie de kerregille unam petram cere . ad pentecosten annuatim quamdiu terram illam inhabitauerint et piscaciones habuerint. Ipsi tamen inhabitantes recipient in ecclesia de kerregille omnia spiritualia et eidem persolwent annuatim mortoria et omnes oblaciones plene . quamdiu predictam terram inhabitauerint et piscationes habuerint. Vt autem hoc scriptum robur habeat perpetuum ; commune sigillum capituli nostri eidem apposuimus. Teste capitulo nostro.

Seal missing. End. : De Cambusadomy De Atbrec . de kethech.

Moray Charters, Box 32, Div. IV, Bundle I, No. 15.

LVI

Charter of R., dean of Dunkeld and the chapter thereof, whereby they confirm to Coupar the donation of John, bishop of Dunkeld, viz. the land of Cambusathonam, with its fishings and the land of Athbrec, in terms of the charter of John (I) and confirmation of Richard (II) ; likewise, the agreement with bishops John and Richard regarding the teinds of Keithick, which belong to the church of Cargill, at a yearly rent to the chancery of the bishops of Dunkeld of a silver mark. If the monks lease the land of Cambusadom and the fishings, they will give for the teinds of the indwellers a stone of wax to the church of Cargill. The indwellers will receive the sacraments in the church of Cargill and pay to it yearly

mortuaries and all oblations so long as they dwell in that land and hold the fishings.

The date of this charter is impossible to ascertain with accuracy, as it depends on the identification of 'R., dean of Dunkeld.' If this was Robert de Stuteville—and no other contemporary dean with this initial has been found—the charter cannot be earlier than 1245, in which year Stuteville is still canon of Dunkeld (*RPSA.*, p. 308) and not later than 1272, when he was elected bishop of Dunkeld (Dowden, *Bishops*, p. 58). As he is first mentioned as dean during the episcopate of Richard of Inverkeithing (whom he succeeded), this charter may provisionally be dated during that bishop's tenure of the see, 1251-72. It may be noted that Robert and the chapter grant a confirmation to Dunfermline, 9 June, 1266 (*Dunfermelyn*, 311).

R. decanus dunkeldensis : See note to No. x.

Donationem . . . quam . . . Johannes primus episcopus dunkeldensis illis fecit . . . de terra Cambusathonam : Bishop John's charter is not extant. See note to No. xxviii.

Terram de athbrec . . . sicut in carta . . . primi Johannis et confirmatione secundi Ricardi . . . continetur : Bishop John's charter of Ardbreck is No. ix. Bishop Richard's charter is No. xiv.

Compositionem . . . quam cum Johanne primo et ricardo secundo episcopis . . . fecerunt . . . de decimis de kethec : Bishop John's charter is No. viii. Bishop Richard's charter does not seem to be extant.

Si aliquando contigerit eosdem monachos terram suam de Cambusadonam et piscationes ad firmam dimittere ipsi monachi dabunt pro decimis inhabitancium dicte ecclesie de kerregille unam petram cere : The point of this provision is that whenever the land is leased to tenants, it will become liable to teinding.

Mortoria : On mortuaries or corpse-presents see Patrick, *Statutes*, p. 46, etc. This clause advisedly secures these and other dues to the parish church of Cargill.

LVII

c. 1252.

Omnibus . . . Rogerus filius Baudrici . salutem. Sciatis me dedisse . . . Deo et beate marie de Cupro et monachis . . . vnam bouatam terre in Carso . illam . scilicet . que ex australi parte grangie propinquior iacet terre sue uersus orientem . Tenendam . et habendam sibi et successoribus suis de me et heredibus meis in perpetuam elemosinam. cum omnibus libertatibus et aysyamentis ad eandem terram spectantibus . libere . . . ab omni auxilio . et consuetudine . et seculari demanda . saluo forinsequo seruicio Domini Regis . et saluo seruicio quod Domino . G. de Haya

. et heredibus suis de eadem terra debetur . Et ego et heredes mei predictam bouatam terre contra omnes warantizabimus . sed quia Dominus Willelmus de Haya eandem bouatam terre de me tenet ad firmam a festo sancti Martini . Anni gracie . m . cc . l . ij . usque ad spacium . v^{que} . annorum proxime subsequentium et monachis . in plenariam saysinam ponere non potui . dedi eisdem monachis . vnam bouatam terre . illam . scilicet . que propinquior iacet molendino Domini G. de haya ex Orientali parte . Tenendam et habendam eis et suis assignatis in perpetuam elemosinam . cum omnibus libertatibus et aysiamentis ad eam pertinentibus donec de predicta bouata terre . plenariam et pacificam . habeant saysinam . saluo seruicio Domini Regis . et saluo seruicio quod Domino . G. de Haya et heredibus suis de eadem terra debetur. In huius rei Testimonium . presenti scripto sigillum meum apposui. Testibus . Domino Gilleberto de haya . et Willelmo fratre suo . Domino Alexandro de striuelin . Domino Johanne de Cambrun . Johanne de kynneman . Willelmo filio Walteri . et Ricardo fratre suo . et aliis.

Seal missing. End. : Carta Rogeri filij Baudrici de vna bouata terre in carso data monachis de Cupro.

Moray Charters, Box 32, Div. V, Bundle II, No. 54.

LVII

Charter of Roger, son of Baudric, granting to Coupar a bovate of land in the Carse, viz. that which lies on the south side of the grange nearer his land towards the east; but because Sir William de Haya holds that bovate of land of him in tack from Martinmas, 1252, for the space of five years and he has been unable to put the monks in full sasine, he has granted them a bovate of land, that, namely, which lies nearer the mill of Sir Gilbert de Haya on the south side.

The present charter is to be regarded as recording a provisional donation; and the eventual donation of the bovate 'on the south side of the grange,' *i.e.* at the end of Sir William de Haya's lease of it, is that recorded in *Breviarium*, 55, and confirmed by Gilbert de Haya and Nicholas de Haya, lords of Errol (*ibid.*, 56; *Cupar*, ii. p. 288).

Rogerus filius Baudrici : See note to No. XLVII.

Grangie : Carsegrange. See note to No. XXXVII.

Domino G. de Haya : Breviarium, 55, shows that this was Gilbert de Haya, whom Roger calls 'dominus meus.' For Gilbert, see note to No. XLVII.

Dominus Willelmus de Haya : See note to No. XLII.

Both the foregoing are also witnesses of this charter. It is to be noted that William appears as Gilbert's brother.

Domino Alexandro de striuelin : See note to No. XLI.

Domino Johanne de Cambrun : See note to No. XLVI.

Johanne de kynneman : In *Breviarium*, 55, John Kynman appears as steward of Sir Gilbert de Haya.

Willelmo filio Walteri et Ricardo fratre suo : William, son of Walter, who is a witness, 11 April, 1249 (*Melros*, 262), and is mentioned in connection with an outrage on the Borders, 24 April, 1256 (Bain, *Calendar*, i. 397), is probably a different person. Richard, the first witnesses's brother, is not mentioned elsewhere.

LVIII

23 August, 1253.

Innocentius episcopus seruus seruorum dej . Dilectis filiis . Abbati Cistercij eiusque Coabbatibus et Conuentibus vniuersis Cisterciensis ordinis Salutem et apostolicam benedictionem. Solet annuere sedes apostolica piis uotis et honestis petentium precibus fauorem beniuolum impertiri. Eapropter dilecti in domino filij uestris postulationibus grato concurrentes assensu omnes [libertat]es et immunitates a predecessoribus nostris Romanis pontificibus siue per priuilegia seu alias indulgentias ordini uestro concessas necnon libertates et exemptiones secularium exactionum a Regibus et Principibus uel alijs Christi fidelibus rationabiliter uobis indultas auctoritate apostolica confirmamus et presentis scripti patrocinio communimus. Nulli ergo omnino hominum liceat hanc paginam nostre confirmacionis [infringere uel ei ausu temerario] contraire. Si quis autem attemptare presumpserit [indignationem] omnipotentis dei et beatorum . [Petri et] Pauli eius nouerit se incursurum Datum Perusij x kal. Septembris Pontificatus nostri anno decimo.

Bulla missing. End. : Confirmacio priuilegiorum * * * exemptionum. This bull is in parts faded and torn.

Moray Charters, Box 32, Div. V, Bundle II, No. 43.

LVIII

Bull of Innocent IV to the abbot of Cîteaux and all his co-abbots and houses of the Cistercian order confirming their privileges.

The date is fixed by bulls of the same date and place in the records of Balmerino abbey (*Balmorinach*, 60, 62). The present bull of general confirmation of Cistercian privileges does not appear in the list of such papal concessions given in Fowler, *Cistercian Statutes*. But see that work, pp. 40-41, for numerous privileges granted or confirmed to the Cistercians by this pope from 1245 to 1251.

LIX

5 April, 1257.

Sciant omnes . . . quod ego Henricus de Neuith filius Ade dedi et concessi et hac presenti carta mea confirmaui .Rogero de Clony clerico pro quadam summa pecunie quam mihi in mea magna necessitate pacauit illum annuum redditum quem annuatim percipere solebam de Abbate et conuentui de Cupro . scilicet duas marcas [argenti] et dimidiam quas mihi reddere solebant hereditarie ad duos terminos anni scilicet medietatem ad pentecosten . et medietatem ad festum sancti martini de tenemento de [Kyncrefe] [1] quod idem monachi tenent in perpetuam elemosinam de me et heredibus meis. Tenendas et habendas predicto Rogero et heredibus suis uel suis assignatis de me et heredibus meis inperpetuum. Adeo libere . . . sicut donatio et concessio alicuius militis alicui facta in regno Scocie liberius . . . dari potest vel teneri. Ita quod de illis duabus marcis et dimidia ego uel heredes mei de * * * et heredibus * * * suis assignatis vel de Abbate et conuentui de Cupro de cetero nichil possimus exigere. Et ego et heredes mei predictas duas marcas et dimidiam predicto Rogero et heredibus suis uel suis assignatis inperpetuum Warantizabimus et ab omni seruicio defendemus Et ut hec donacio mea et concessio stabilis in perpetuum permaneat * * * sigillum meum apposui. Testibus. Domino Willelmo Abbate et conuentu de Cupro. Magistro Roberto de Stuteuil . decano Dunkeldensi. Magistro Johanne de Euerley archidiacono Dunkeldensi. Domino Roberto thesaurario Dunkeldensi. Domino Gilberto de Haya. Domino D. de Haya persona de Erole

[1] According to *Breviarium*, 78.

Osberto de Balmil. et aliis. Acta apud Cuprum anno gracie m° cc. l. septimo. quinto die mensis Aprilis.

Seal missing. Endorsement illegible.

Moray Charters, Box 32, Div. IV, Bundle I, No. 27.

LIX

Charter of Henry de Neuith, son of Adam, whereby he has granted to Roger de Clony, the clerk, for a certain sum which he (Roger) has paid him in his great need, the annualrent which he has been used to receive yearly from the abbot and convent of Coupar, viz. two and a half marks from the tenement of Kyncrefe which the monks hold in perpetual alms from him and his heirs.

Noted *Breviarium*, 78.

Henricus de Neuith filius Ade : Henry de Neuith, son of Adam, appears as Henry, son of Adam de Lur in No. LX. Adam de Lur (who appears as son of Abraham de Lur in No. x, etc.) must be the same as Adam de Nevith, who witnesses a perambulation, 23 Sept., 1219 (*Aberbrothoc*, i. 228) ; and the index to *Cupar* rightly regards the designations ' de Lur ' and ' de Nevith ' as identical. Alexander III grants to Hugh de Abernethy the land of Lur, saving the lands of Nevith, which Sir Henry de Nevith, kt., has resigned, 19 March, 1264/5 (*Carnegies*, ii. p. 479, No. 27).

Rogero de Clony clerico : William, son of Roger de Clony, appears in an undated charter (*Dunfermelyn*, 332). No other mention of Roger has been found.

[*Kyncrefe*] *:* See note to No. x. The word, indecipherable in the original, is supplied from *Breviarium*, 78.

Domino Willelmo Abbate . . . de Cupro : William de Binin. See Appendix II.

Magistro Roberto de Stuteuil decano Dunkeldensi : See note to No. x.

Magistro Johanne de Euerley archidiacono Dunkeldensi : See note in *Inchcolm*, pp. 127-8.

Domino Roberto thesaurario Dunkeldensi : See note to No. x.

Domino Gilberto de Haya : See note to No. XLVII.

Domino D. de Haya persona de Erole : David de Haya, rector of Errol, grants a charter to Lindores (*Lindores*, LXXIX), but his identity is uncertain.

Osberto de Balmil : Not found elsewhere.

LX

c. 1260.—5 March, 1270/1.

Omnibus . . . Nicolas . . . abbas de Scona magister Robertus de stuteuyle decanus dunkeldensis et Robertus Thesaurarius eiusdem ecclesie salutem in domino. Noueritis nos

quoddam instrumentum non deletum non cancellatum nec in aliqua sui parte uiciatum in uerba que sequuntur inspexisse et de uerbo ad uerbum legisse. Omnibus . . . Henricus filius Ade de Lur salutem . Nouerit vniuersitas vestra me concessisse . . . deo et beate marie de Cupro et monachis . . . totam terram de Kyncrey cum incremento territorij de Lur . et cum omnibus libertatibus et aysyamentis ad easdem terras pertinentibus et cum diuisis nominatis in Carta Ade filii Habrahe de Lur . et in Carta . Dauid ruffi de forfar . qui iturus iherusalem ipsas terras predictis monachis in perpetuam elemosinam donauit . et cum aliis libertatibus omnibus que continentur in cartis ipsorum et in Carta Ade patris mei qui specialem mentionem facit quomodo forinsecum seruicium domini regis facere debeant quando exercitum militarem et scoticanum communiter uel per se seruicio domini Regis laborare contigerit. Confirmo eciam predictis monachis molendinum suum fullonicium in territorio suo de kyncrey . Tenendum et habendum eis et successoribus suis de me et heredibus meis adeo libere . . . sicut Carta Ade patris mei inde confecta plenius testatur In huius rei testimonium presenti scripto sigillum meum apposui . Testibus domino Roberto de monte alto . domino Johanne de Cambrun domino Alexandro de Inchemartine . domino Johanne de Dundemor Laurentio persona ecclesie de kenethele Alano filio lane Ricardo de kyncrey . et aliis In cuius rei testimonium presenti scripto sigilla . nostra apposuimus. Datum apud Dunkeld . Anno gracie m^{o} . cc^{o} . septuagesimo . Tertio Non. Martis.

One seal remains. End.: Instrumentum testimoniale de kyncrey cum incremento de Lure monachis de cupro.

Moray Charters, Box 32, Div. V, Bundle II, No. 55.

LX

Writ of Nicholas, abbot of Scone, master Robert de Stutevyle, dean of Dunkeld and Robert, treasurer of the same church, citing an instrument of Henry, son of Adam de Lur, whereby he has granted to Coupar the whole land of Kyncrey with the increase of the territory of Lur according to the marches assigned in the charter of Adam, son of Abraham de Lur,

and in the charter of David Ruffus of Forfar, who, about to set out for Jerusalem, granted these lands to the monks. He also confirms to the monks his fulling-mill in his territory of Kyncrey.

The date of Henry's charter is doubtful—whether it succeeds or precedes No. LIX. But from the names of the witnesses the charter can be provisionally dated *c.* 1260. For the date of the principal charter see note to No. X.

For notes on persons and places see the notes to the charters of Adam de Lur (No. X) and David Ruffus (No. XI). The present charter makes known what is not mentioned in No. XI—that David made his donation to Coupar on the eve of his going on crusade. The fulling-mill, which is not mentioned in earlier charters, had presumably been erected by the monks.

Witnesses to Henry's charter :

Domino Roberto de monte alto : See note to No. XXXIX on 'Domino Roberto Mouvat.'

Domino Johanne de Cambrun : See note to No. XLVI.

Domino Alexandro de Inchemartine : Alexander de Inchmartin (in the parish of Errol) witnesses undated charters (*Spalding Club Misc.*, ii. p. 309 ; *Panmure*, ii. p. 83). John de Inchemartyne, son and heir of the late Alexander de Inchemartyne, appears in a thirteenth-century charter (*Dunfermelyn*, 227). See No. XCVII.

Domino Johanne de Dundemor : A man of this name witnesses a charter of Alexander II, 7 Aug., 1230 (*Calchou*, 185) ; but the present witness is not certainly on record till 6 May, 1253, when, as 'miles,' he appears in a charter referring to the chapel of Dundemor (Dunmore) (*Lindores*, LXIV). He witnesses a charter of Alexander III, 29 Aug., 1261 (*ibid.*, LXVII). He is mentioned as one of the anti-English party, 20 Sept., 1255 (Bain, *Calendar*, i. 2013 ; cf. *APS.*, i. p. 77), and is one of the Scottish magnates who made a pact with Lewelin, prince of Wales, 18 March, 1258/9 (Bain, *op. cit.*, i. 2155). But he appears as envoy of the king of Scots to England, 14 May, 1259 (*ibid.*, i. 2157), 10 May, 1260 (*ibid.*, i. 2191), 22 May, 1265 (*ibid.*, i. 2381). In 1266, he pays part of a debt to Alexander III (*Exch. Rolls*, i. p. 31). Dundemor appears as excommunicated, 1267 (*Scotichronicon*, ii. p. 106 ; the story is given in detail, *Extracta*, p. 108). He is on record till at least 12 Nov., 1269 (Bain, *op. cit.*, 2551). Dundemor, who is a party to a settlement with the monks of May, 1260 (*May*, 28), grants that house Turbrek in Fife (*ibid.*, 29). It is a later John de Dundemor who is a member of an assize at Cupar, 9 Oct., 1312 (*HMC. Rep.*, v. App., p. 626) ; makes a donation to Balmerino, 30 June, 1331 (*Balmorinach*, 52) ; and comes to the king of England's peace, 1332 (*Chron. Lanercost*, p. 269).

Laurentio persona ecclesie de kenethele : Laurence Mowat (de Monte alto), rector of Kinnettles, appears as a witness, 11 Nov., 1265 (*Aberbrothoc*, i. 247, 311).

Alano filio lane ; Ricardo de kyncrey : Not found elsewhere.

LXI

28 May, 1264.

Omnibus . . . . Alanus hostiarius . . . salutem . Noueritis me pro salute anime mee . et antecessorum et successorum meorum . dedisse . . . . deo et beate marie de Cupro . et monachis . . . . quatuor marcas singulis annis de villa de Rethyn percipiendas . ad vnam pitanciam conuentui in vita mea die beati andree faciendam . et post obitum meum die anniuersarii mei . donec eis in maiori et certiori beneficio competenter prouiderim . videlicet . duas marcas . ad pentecosten . et duas marcas ad festum sancti martini in hyeme . Et hanc donacionem meam ego et heredes mei uel assignati mei . predictis monachis prout supradictum est . . . warentizabimus . et defendemus . In cuius rei securitatem maiorem presenti scripto sigillum meum apposui . Testibus . Domino Johanne Cambrun tunc temporis vicecomite de perth . Domino bartholomeo flandrensi . Domino Thoma hostiario . Domino Henrico de Dundemor . Domino Petro de kylmeron . militibus . magistro Dauid fysico . malisio filio polt . Malcolmo de Kylmeron . et multis aliis . Datum apud Lundyn . vigilia Ascensionis domini . Anni domini . m[1] . cc[1] . sexagesimi quarti.

Seal attached. End. : Alani hostiarii de iiij marcis in villa de Rethyn ad unam pitanciam.

Moray Charters, Box 32, Div. V, Bundle I, No. 23.

LXI

Charter of Alan the usher granting to Coupar four marks yearly from the township of Rethyn for a pittance to the convent in his lifetime on St. Andrew's day and after his death on the day of his anniversary, until he has made greater and more certain provision for them.

Alanus hostiarius : See note to No. XLV.

Rethyn : Reedie, S.W. of Kirriemuir and in the parish of Airlie.

Die beati andree : St. Andrew's day is 30 November.

Post obitum meum die anniuersarii mei : A pittance for monks on the day on which the ' obit ' or anniversary of the death of one of their benefactors was celebrated is of common occurrence, *e.g. Balmorinach*, 20 ; Alan was eventually interred at Coupar.

Domino Johanne Cambrun tunc temporis vicecomite de perth : See note to No. XLVI.

Domino bartholomeo flandrensi : See note to No. XLVIII.

Domino Thoma hostiario : Thomas, son of Alan Durward, witnesses the latter's charters, 17 April, 1256 (*Aberbrothoc*, i. 295), and *c.* 1256 (*Grants*, iii. 6). He is evidently to be distinguished from (1) Thomas Hostiarius, who witnesses charters of Alexander II from about 1221 (*REM.*, 32), is present at the king's court at Forfar, 17 Jan., 1227/8 (*Aberbrothoc*, i. 229), and whose benefaction to Arbroath is recorded in a royal charter, 12 Oct., 1233 (*ibid.*, i. 129 ; he is called father of Alan ' Ostiarius ') ; (2) Thomas Hostiarius, who appears as vicar of Inverness in 1226 (*REM.*, 71, 72) ; (3) Thomas Durward called ' le Usser,' kt., who swore fealty to Edward I at Aberdeen, 15 July, 1296 (Bain, *Calendar*, ii. 195), and probably= ' Thomas le Husher del counte de Anegos,' who does homage at Berwick, 28 Aug., 1296 (*ibid.*, ii. 202).

Domino Henrico de Dundemor : An earlier Henry de Dundemor witnesses charters of John, earl of Huntingdon, 1219-37 (*Aberbrothoc*, i. 84, 137 ; *Lindores*, xv, xvi ; *HMC. Rep.*, iv. App., p. 493). It may be the present witness who attests a charter, 29 Aug., 1245 (*Lindores*, LV), and, as ' miles,' a charter regarding the chapel of Dundemor, 2 June, 1248 (*ibid.*, LXIII). Sir Henry de Dundemor witnesses charters of Alexander III, 10 March, 1276/7 (*Dunfermelyn*, 81, 88), and other charters, 1278-98 (*Spalding Club Misc.*, ii. p. 312) and 5 Feb., 1285 (*RPSA.*, p. 386=*May*, 30). It is impossible to identify him positively with the present witness ; and it may be a later individual of this name who did homage to Edward I, 28 Aug., 1296 (Bain, *Calendar*, ii. 209).

Domino Petro de kylmeron : Witnesses a charter of David de Strathbolgy, earl of Athole, *c.* 1284 (*Breviarium*, 87).

Magistro Dauid fysico : Not found elsewhere.

Malisio filio polt : Not found elsewhere. ' Polt ' is the transcription given in Dr. Maitland Thomson's note-book. I suspect, however, the word is the contraction of a Christian name.

Malcolmo de Kylmeron : Not found elsewhere.

Lundyn : Lundie, N.W. of Dundee or Lundin, in Fife.

LXII

24 April, 1289.

Omnibus . . . Johannes cumyn . . . salutem. Nouerit vniuersitas vestra me pro salute anime mee et animabus domini J. Cumyn patris mei et domine Eve matris mee et pro animabus omnium antecessorum et successorum meorum pro me et heredibus meis inperpetuum libere remisisse et quietum clamasse viris religiosis abbati et conuentui de Cupro . totum ius et clameum quod habui

vel habere potui in terra de Hynwyrwac . in Atholia [quo] cunque titulo. Unde volo * * * dicti viri * * * eorum tenentes de dicta terra * * * duorum * * * aliqua * * * clamio vel perturbatione mei heredum meorum * * * balliuorum * * * et suo monasterio melius et comodius viderint expedire. Saluo tamen quod homines nostri de Henwyrtelch ad comodum suum . per visum balliui abbatis et conuentus . qui pro tempore ibidem fuer[int] possint capere virgas ad aratra plaustra herceas et scpes faciendas. sine vastacione denudacione (?) et excidio. In cuius quiete clamationis testimonium :' hiis litteris patentibus. sigillum meum feci apponi. Datum apud Rothewan in baddenach in crastino marci euangeliste Anno gracie m° c[c° lx]xx° nono.

Seal missing. End.: Remissio et quietaclamatio de hynwyrwac per Johannem Cumyn.

Moray Charters, Box 32, Div. IV, Bundle I, No. 29.

LXII

Charter of John Cumyn renouncing and quitclaiming to the monks of Coupar all right and claim which he has in the land of Hynwyrwac in Athole, saving that his men of Hynwyrtelch, at the sight of the abbey's bailie, may take wands for the making of ploughs, waggons, harrows and hedges.

Johannes cumyn : Probably Sir John, the Black Comyn, second son of Sir John the Red (I), who seems to have succeeded his father as lord of Badenoch (James Ferguson, 'On the House of Comyn,' *Buchan Club*, xi. p. 59). In 1292 he was one of the competitors but withdrew in favour of his brother-in-law, Balliol. He is said to have died *c.* 1303. See Ferguson, *op. cit.*, for an account of him.

Domini J. Cumyn patris mei et domine Eve matris mee : For an account of Sir John, 'the Red Comyn I,' see Ferguson, *op. cit.*, pp. 58-59. He is stated there to have died in 1273/4. The mention here of Eva may throw some light on the uncertainty regarding his wife's name. 'He is said by Buchanan and Douglas to have married a third daughter of Alan, lord of Galloway, called Mary or Marion, about whose existence, however, there is some doubt, while the *Scots Peerage* makes his wife an Alicia of unknown surname' (Ferguson, *op. cit.*, p. 58 ; but cf. *Scots Peerage*, i. p. 507). Eva has not been found on record elsewhere ; but, to add to the confusion with which the Comyn genealogy abounds, Sir John, the Black Comyn, had a younger brother, Alexander, whose wife's name was Eva (Ferguson, *op. cit.*, p. 70).

Hynwyrwac in Atholia : Sir William Olifart's donation of Invervack to Coupar was confirmed by Thomas de Galweia, earl of Athole, *c.* 1230 (*Oliphants*, 3). How Comyn could have had a possible claim or right in Invervack is not clear, but Ferguson notes that Sir John the Red (I) is recorded in the *Scotichronicon* to have been involved in 1269 in a quarrel with David de Strathbogie, earl of Athole, to whose prejudice he had begun to build a castle at Blair (*op. cit.*, pp. 59, 75). See note to No. XXXIX.

Henwyrtelch : Perhaps Invertilt, not marked on the map but presumably E. of Invervack.

Rothewan in baddenach : 'In Badenoch the principal residence of the Comyn lords was the Castle of Ruthven on a green knoll near Kingussie' (Ferguson, *op. cit.*, p. 74).

Anno gracie m°c[c°lx]xx° : The date, which is blurred in the original, is thus amended in Dr. Maitland Thomson's notes.

LXIII

1292-96.

Omnibus . . . Hugo de Euer dominus de Ketenes salutem in domino. Nouerit uniuersitas vestra me pro salute anime domini Johannis . . . Regis Scocie illustris . et Edwardi filii eius . necnon et pro salute anime mee . et pro salute animarum omnium antecessorum et successorum meorum dedisse . . . deo et beate Marie de Cupro . et Monachis . . . in liberam . puram . et perpetuam elemosinam fontem meum existentem in terra Abthenagii mei de Ketenes . qui quidem fons vocabulo dicitur Bradewell . qui est situs iuxta lapides qui dicuntur Harstanes . cum tota aqua in ipsum descendente . vel descendere valente . vna cum ductu aque dicti fontis per medium terre mee de Ketenes . secundum quod dicti Monachi dictam aquam ad suum monasterium de Cupro commodius poterunt perducere . Uolo et concedo pro me et heredibus meis . et assignatis qui predictam terram de Ketenes pro tempore tenuerint . quod dicti Monachi dictum aque ductum possint emendare . reficere et reparare . quociens cursus dicte aque fuerit obstructus . vel alias impeditus . quo minus ad dictum Monasterium possit libere fluere vel descendere . sine perturbacione . vel contradictione mea . vel alicuius heredum meorum vel assignatorum predicto-

rum . Uolo etiam et concedo pro me et heredibus meis seu assignatis predictis . quod dicti Monachi dictum fontem vna cum ductu aque sicut predictum est : habeant et possideant ita libere . . . sicut aliqua elemosina in regno Scocie ab aliquibus religiosis liberius . . . . tenetur et possidetur . Ego uero et heredes mei seu assignati dictum fontem cum dicta aqua . . . . dictis Monachis . et successoribus suis . . . warantizabimus . . . . Vt autem hec mea donacio . . . et confirmacio robur perpetue firmitatis optineant . presenti scripto sigillum meum apposui . Hiis testibus . domino J. Cumyn . domino Alexandro de Balliolo camerario Scocie . domino . H. de Haya . domino . G. de Haya . et domino Andrea Fresel et aliis.

Seal attached. End. : Carta domini Hugonis de Ketenes de fonte in abthanagio de Ketnes qui vocatur Bradwel.

Moray Charters, Box 32, Div. V, Bundle II, No. 60.

LXIII

Charter of Hugh de Ever, lord of Ketenes, whereby he grants to Coupar his spring in the land of his abthane of Ketenes, called Bradewell, which lies between the stones called Harstanes, with all the water falling into it, along with a conduit from the spring through his land of Ketenes according as the monks can most conveniently lead the water to their monastery of Coupar ; likewise he grants that the monks may mend the conduit whenever the flow of the water is hindered.

Hugo de Euer dominus de Ketenes : The only Hugh de Ever found on record elsewhere is not described as lord of Kettins. He is concerned in a lawsuit, *c.* 17 March, 1271/2 (Bain, *Calendar*, i. 2645). About the end of October, 1279, Hugh de Euere is likewise mentioned as having become mainpernor for John de Balliol (elder) (*ibid.*, ii. 166) as whose executor he appears, 4 April, 1280 (*ibid.*, ii. 171). It will be noted that his donation to Coupar is made for the soul's weal of John (Balliol), king of Scots, and his son, Edward.

Terra Abthenagii mei de Ketenes : The parish of Kettins lies immediately S. of Coupar. It is not mentioned elsewhere as an abthane, *i.e.* the site of a Celtic religious community.

Bradewell ; Harstanes : I am unable to locate these.

Domino J. Cumyn : Probably the granter of No. LXII. See the note to that charter.

Domino Alexandro de Balliolo camerario Scocie : Apparently an elder brother of John Balliol (A. O. Anderson, *Early Sources*, ii. p. 507), several of whose charters he witnesses as chamberlain, *e.g.* 10 Aug., 1293 (*REG.*,

i. 249), 16 May and 1 Aug., 1294 (*Inventaire Chronologique*, p. 5 ; *Spalding Club Misc.*, ii. p. 314). He is evidently Alexander de Balliol, lord of Cavers, who makes a donation to Dryburgh, *c.* 1270 (*Dryburgh*, 135, 136). He appears in English records from 12 Dec., 1276 (Bain, *Calendar*, ii. 83), when he is called lord of Chileham, and in 1296 he is reported to be the only Scotsman who has lands in Kent (*ibid.*, ii. 174). Balliol is mentioned as chamberlain of Scotland from 8 Dec., 1287 (*ibid.*, ii. 325) (in the following year, he is so designed (*Exch. Rolls*, i. pp. 35, 37)). In an instrument of 10 July, 1296, he is stated to have come to the fealty of the king of England (*Inv. Chron.*, p. 9) from whom he received letters, 13 Sept. and 23 Oct., 1301 (Bain, *op. cit.*, iv. 453-4), and whom he petitioned asking a debt to be set against his rent for Hassyngdene in 1305 (*ibid.*, iv. 1815). There is a reference to his forfeiture after Bruce came to the throne (*RMS.*, i, App. 2, Index B (73)) ; and Bain notes that, about 1310, he 'disappears from the scene' (*Calendar*, iii. lx). His wife, Isabella, is mentioned, 5 May, 1281 (*ibid.*, ii. 192), and his sons, Alexander, 13 Oct., 1301 (*ibid.*, ii. 1246), and *c.* 1325 (*HMC. Rep.*, ii. App., p. 167), and Thomas, 14 March, 1302/3 (Bain, *op. cit.*, ii. 1349).

Domino H. de Haya : Sir Hugh de Haya is described in *Scots Peerage* as fourth son of Nicholas de Haya of Errol and a companion of Robert Bruce ; he is also (probably) identified with Hugh who swore fealty to Edward I, at Aberdeen, 17 July, 1296 (*op. cit.*, iii. p. 559). Hugh de Haya witnesses a charter of Malcolm de Kilspinedy, 1279-98 (*Spalding Club Misc.*, ii. p. 312), and another of Gilbert de Caskyngray to Nicholas de Haya, lord of Errol, *c.* 1293 (*HMC. Rep.*, v. App., p. 624). There was probably more than one man so named who swore fealty to Edward I : apart from the instance cited, Sir Hugh de la Haye did so at St. Andrews, 22 July, 1291 (Bain, *Calendar*, ii. 124), and another Huwe de la Haye of the county of Fife did homage at Berwick, 28 Aug., 1296 (*ibid.*, ii. 204).

Domino G. de Haya : No doubt Sir Gilbert de Haya, son of Nicholas de Haya, who succeeded his father as lord of Errol, after the latter's death *a.* June, 1306 (*Scots Peerage*, iii. p. 559). For Nicholas de Haya see note to No. LXIX. Gilbert is found witnessing charters of King John (Balliol), 11 June, 1295 (*REG.*, i. 250), and 21 March, 1295/6 (*N. Durham*, LXXVIII) ; and, on 16 July, 1296, does homage to Edward I at Aberdeen (Bain, *Calendar*, ii. 195). (Gilbert de la Haye, 'tenant le Roi du counte de Perth,' does homage at Berwick, 28 Aug., 1296 (*ibid.*, ii. 202)). He appears in English records as a juror at Perth, 17 Sept., 1304 (*ibid.*, ii. 1592), and 1 Sept., 1305 (*ibid.*, ii. 1689). But he adhered to Bruce in March, 1306 (*Scots Peerage*, iii. p. 559), and, after the battle of Methven, was one of the king's two companions in flight (*Scotichronicon*, ii. p. 233 ; *Extracta*, p. 132). On 12 June, 1306, his lands were proposed to be given to Sir Walter de Beauchamp (Bain, *op. cit.*, ii. 1782) and, a week later, Aymer de Valence was commanded to destroy Hay's lands as a traitor (*ibid.*, ii. 1787). He is first mentioned as constable, 16 March, 1308/9 (*Scots Peerage*, iii. p. 559), and has a crown charter of that office, 12 Nov., 1314 (*RMS.*, i. App. 1, 104). He witnesses as constable many charters of

King Robert, during whose reign he had crown charters of the lands of Slains (*ibid.*, i. App. 2, 40) and of Brechin (*ibid.*, i. App. 2, 442). He died at Aberdeen in April, 1333, and was buried at St. Andrew's altar in Coupar abbey church (*Spalding Club Misc.*, ii. p. 347; the dates of his death and burial are probably reversed in the record, which puts the former on 23 April and the latter on 19 April). Hay was a benefactor of Coupar (Nos. LXXXIII, LXXXIV, LXXXV; *Cupar*, ii. pp. 285-6). He also granted two lamps to the Dominicans of Perth, along with his brothers, Nicholas, dean of Dunkeld, and John, rector of Errol, 6 May, 1324 (*Blackfriars of Perth*, XIII). For his son, Nicholas, see note to No. LXXXI. He appears frequently in later Coupar charters.

Domino Andrea Fresel: Witnesses a charter of King John (Balliol) along with Gilbert de Haya, 21 March, 1295/6 (*N. Durham*, LXXVIII). Three men named Andrew Fraser or Fresel are distinguished in Bain, *Calendar*, ii.: (1) Andrew, who, with his brother, Sir Symon Fraser, is concerned in an attack on Roger, rector of Watfield in Durham, *a.* 19 March, 1285/6 (*ibid.*, ii. 290); (2) Sir Andrew Fraser, who swore fealty to Edward I at Dunfermline, 17 July, 1291 (*ibid.*, ii. 124), while Richard, Andrew and Symon Fraser attest the homage of John Balliol, 16 Jan., 1292/3 (*ibid.*, ii. 659). On 16 Sept., 1296, Andrew Fraser and his wife and family have a protection in Scotland for a year (*ibid.*, ii. 839); and, on 23 June, 1297, Andrew Fraser swears to serve Edward I against the king of France and has protection on going to Scotland on his own affairs (*ibid.*, ii. 961); (3) Andrew Fraser, tenant of the bishop of St. Andrews, of the county of Fife, does homage at Berwick, 28 Aug., 1296 (*ibid.*, ii. 205), while Andrew Fresel, also of the county of Fife, does homage on the same date (perhaps on his own behalf) (*ibid.*, ii. 209). It is possible that all three are identical; but the second may be taken as the present witness. Alexander Fraser, presumably the future chamberlain, is called son of the late Sir Andrew Fraser, kt., in 1312 (*Aberbrothoc*, i. 328).

LXIV

31 March, 1294.

Frater A. dominus abbas de cupro et eiusdem loci conuentus collectores decime in subsidium terre sancte concesse in diocesi Dunkeldensi pro anno tercio concessionis eiusdem decime per venerabilem patrem dominum J. dei gracia episcopum karleolensem dicte decime principalem collectorem deputati. Discreto viro domino W. decano christianitatis Atholie salutem in salutis auctore. Cum constet nobis omnes et singulos beneficiatos in decanatu vestro quod decimas sua beneficia contingentes de termino purificacionis proxime preterito ad diem eis

prefixum nobis minime persoluerunt per vos denunciatos fuisse suspensos ab ingressu ecclesie propter suam contumaciam . et iterato citatos non comparentes propter quod cum crescente contumacia . crescere debeat et pena . ipsos excommunicauimus. Qua propter auctoritate nobis in hac parte commissa in virtute obediencie qua sedi apostolice tenemini . et sub pena subscripta in personam vestram exnunc lata si in exequendo presens mandatum nostrum immo verius apostolicum negligentes fueritis vel remissi ⁊ vobis precipiendo mandamus . quatinus ipsos a nobis sic excommunicatos publice denuncietis . Nuntiantes eisdem quod infra instantem diem pasche dictas decimas suas de dicto termino nobis persoluant et hoc Sub pena interdicti in ecclesias suas et sequestracionis bonorum ex nunc late prout ex tunc si dicto die decimas suas nobis non persoluerint. Citantes nichilominus eosdem quod compereant per se vel per ydoneos procuratores coram nobis uel procuratoribus nostris uno vel pluribus in crastino dominice qua cantatur Quasimodo geniti ⁊ proximo future in domo fratrum de monte Carmeli iuxta Perth de dictis decimis suis de dicto termino nobis ad plenum satisfacturi quorum nomina vobis transmittimus in hiis scriptis . videlicet decanum ecclesie cathedralis Dunkeldensis . Cancellarium eiusdem ecclesie . Rectores ecclesiarum de Rathenack . de Kylmeuenache . de Rogorthyn . de monythy . de Logynaueloche . Tenentem terram de Raccheg Owyne . prebendarios de Cathebuchan . et de Obenay . ipsum etiam prebendarium de Obenay qui decimam suam pro secundo anno prestationis eiusdem nondum soluit . quem Abbas et conuentus de Aberbrothoc collectores dicte decime de dicto secundo anno alias excommunicaucrunt et interdixerunt sicut patet in literis eorundem dicto domino episcopo karleolensi super hoc missis . et sicut aliis a nobis habuistis in mandatis ⁊ publice excommunicatum denuncietis et interdictum. Citantes eundem nichilominus quod compereat coram nobis vel procuratoribus nostris uno vel pluribus dictis die et loco deferens secum illud quod de dicta decima remanet non solutum. Annunciantes Abbatibus . prioribus . et aliis vestri decanatus qui decimam

principalem nondum soluerunt. quod nobis de dicta decima de dicto termino dictis die et loco ad plenum satisfaciant . Alioquin . contra ipsos quatenus de jure poterimus eorum inobedientiam puniendo procedemus. In signum vero premissorum per vos legittime actorum . presentes literas sigillo officii vestri consignetis . et nobis per latorem presencium renunciatis. Datum apud Cuprum die mercurii proxima post annunciationem dominicam . Anno gracie m° . cc° . Nonagesimo. Quarto.

Seal missing. End. : Excommunicatio et citatio ecclesiarum de primo termino tercii anni.

Moray Charters, Box 32, Div. IV, Bundle I, No. 30.

LXIV

Monition by brother A., lord abbot of Coupar, and his convent, collectors of the tenth granted in aid of the Holy Land in the diocese of Dunkeld for the third year of that grant, as deputed by J., bishop of Carlisle, principal collector of the tenth, to W., dean of Christianity of Athole. In regard that all beneficed clergy in his deanery who had not paid the tenth pertaining to their benefices from Candlemas last to the appointed date had been declared by him suspended from entrance into the church on pain of contumacy ; and being summoned again and not compearing, had been excommunicated by the abbot and convent, the dean is ordered publicly to denounce them excommunicate and to intimate to them that they must pay their tenths for that term by Easter, under pain of the interdict of their churches and the sequestration of their goods ; citing them to compear on the eve of Low Sunday next to come in the house of the Carmelites near Perth to make full satisfaction for the tenths for the said term—their names are hereby sent : the dean of the cathedral church of Dunkeld, the chancellor of the same, the rectors of the churches of Rathenack, Kylemeuenache, Rogorthyn, Monythy and Logynaueloche, the tenant of Raccheg Owyne, the prebendaries of Cathebuchan and of Obenay, likewise the latter prebendary who has not yet paid his tenth for the second year of the collection, whom (*i.e.* the prebendary of Obenay) the abbot and convent of Arbroath, collectors of the tenth in that second year, excommunicated and interdicted, who is to be cited to appear before them or their procurators bringing with him what remains unpaid of that tenth, announcing also to abbots, priors and others of his deanery who have not yet paid the principal tenth that they satisfy the collectors in full for that tenth for the said term on the said day and place.

For the provenance of this interesting and significant document see Mrs. A. I. Dunlop's introduction to Bagimond's Roll (*Misc. SHS.*, vi. pp. 10-11). It is noteworthy that the monks of Arbroath and Coupar

appear as depute-collectors of the papal tenth on behalf of the English bishop who was principal collector; and the delay in payment on the part of the recalcitrants named in the charter may well have been due to the knowledge that the tenth, levied ostensibly for the crusades by the council of Lyons in 1274 and the cause of Bagimond's visit to Scotland, had been granted to Edward I.

Frater A. . . . abbas de Cupro : Andrew, abbot of Coupar, who, with his convent, swore fealty to Edward I in 1291 (Bain, *Calendar*, ii. 508) and again in 1296 (*ibid.*, ii. 196).

Pro anno tercio concessionis eiusdem decime : '. . . Pope Nicholas IV . . . renewed the grant of the Scottish tenth [to Edward I] on 10 Jan., 1290, and, again, in revised form in the following year' (*Misc. SHS.*, vi. p. 10).

J. . . . episcopum karleolensem dicte decime principalem collectorem : John de Halton, consecrated bishop of Carlisle, 14 Sept., 1292; died, 1 Nov., 1324 (*Handbk. of Brit. Chronology*, p. 180). On 16 March, 1291, a papal mandate is issued to the bishops of Winchester and Lincoln to warn all persons not exempt to pay to the king the tenth ordered to be collected for the Holy Land during six years; and a similar mandate is issued to the bishops of Caithness and Carlisle for Scotland (*CPR.*, Letters, i. p. 552). On 1 April, 1291, directions are issued to the former bishops to choose discreet men to collect the tenth (*ibid.*, i. p. 554) and like directions are given to the latter bishops for Scotland (*ibid.*, i. p. 555). Bishop Halton appears, 21 Nov., 1293 (Bain, *Calendar*, ii. 698), and frequently thereafter. His proposed colleague, the bishop of Caithness, died towards the close of 1291 (Dowden, *Bishops*, p. 239) and the see was vacant for several years.

W. decano christianitatis Atholie : This rural dean of Athole has not been found elsewhere.

Dominice qua cantatur Quasimodo geniti : Low Sunday, *i.e.* the first Sunday after Easter.

In domo fratrum de monte Carmeli iuxta Perth : This was the Carmelite house of Tullilum, W. of Perth. See Fittis, *Eccl. Annals of Perth*, p. 201 *seq.*

Rathenack : Perhaps Rannoch. The church of Rathineth appears as distinct from the church of Ruthven in Bagimond's Roll (*Misc. SHS.*, vi. p. 73). John de Inchmartin, rector of the church of Rothnach, appears in No. LXXXVII.

Kylmeuenache : Kilmaveonaig, united to Blair Athole prior to 1632 (MacKinlay, *Dedications* (non-Scriptural), p. 20).

Rogorthyn : Redgorton, N.W. of Perth.

Monythy : Moneydie, N.W. of Perth.

Logynaueloche : Lagganallachie, now united to Little Dunkeld (MacKinlay, *op. cit.*, p. 138).

Raccheg Owyne : Perhaps Riechip, N. of Butterstone and N.W. of Dunkeld.

Cathebuchan : The prebend of Cathbathac or Cathbethac appears in Bagimond's Roll (*Misc. SHS.*, vi. pp. 48, 73) and is taken there (not very convincingly) as Caputh.

Obenay : The name survives in Upper, Nether and Meikle Obney, in the parish of Auchtergaven ; and an entry in *Rentale Dunkeldense* (p. 76) shows that the church of Obney was an alternative name for the church of Auchtergaven.

Abbas et conuentus de aberbrothoc collectores dicte decime de dicto secundo anno : i.e. the monks of Arbroath had been collectors for the previous year.

LXV

1297-1304.

Omnibus . . . Alexander de abirnithin dominus de eadem . salutem in domino. Noueritis nos pro salute anime mee et domini Hugonis patris nostri et omnium predecessorum nostrorum et successorum dedisse et concessisse quietam clamasse et hac presenti carta confirmasse deo et beate marie de Cupro . necnon et monachis . . . in puram liberam et perpetuam elemosinam totam terram nostram de kincreche in baronia de Lur per suas rectas diuisas prout carta Dauid ruffi de Forfar ex donacione dicte terre dictis monachis prius confecta in se proportat et testatur. tenendam et habendam dictis monachis . . . in moris . maresiis . aquis . stagnis . molendinis . aqueductibus per terram nostram ad eorum molendina . uiis et semitis etc. . . . adeo libere . . . sicut aliqua terra elemosinata liberius . . . ab aliquo barone infra regnum scocie dari potest uel concedi. salua nobis clausura parci nostri de Inuerarichte sicut clausa erat tempore confectionis presentium pro qua volumus et concedimus quod dicti monachi habeant communiam in omnibus aysiamentis more nostre de munthgray. Nos uero et heredes nostri et successores nostri quicunque fuerint prefatam terram de kincreche . . . Warantizabimus . . . . In cuius rei testimonium presenti scripto sigillum nostrum est appensum. Hiis testibus . . . Roberto . . . Glascuensi . Thoma Rossensi . et Andrea katanensi . Episcopis . Malcolmo de Ergadia . Johanne de morauia . Roberto de Harcars et Marco de Clapane . militibus . Rogero de Wedale clerico et multis aliis.

Seal missing. End. : Donacio confirmacio et quieta

clamacio tocius terre de Kencrechy monachis de Cupro per dominum Alexandrum de Abernethy.

Moray Charters, Box 32, Div. IV, Bundle I, No. 28.

LXV

Charter of Alexander de Abernithin, lord of that ilk, whereby he grants, quitclaims and confirms to Coupar his whole land of Kincreche in the barony of Lur as granted to the monks by the charter of David Ruffus of Forfar, saving to himself the enclosure of his park of Inverarichte for which the monks will have common rights in all easements of his moor of Munthgray.

This is apparently the charter summarised, *Breviarium*, 79.

Alexander de abirnithin dominus de eadem : Son of Hugh de Abernethy who is mentioned in this charter. The lands of Lur had passed to his father in 1265 (see note to No. LIX). The present witness was a partisan of the English ; according to *Scots Peerage*, vii. p. 401, he opposed Bruce and adhered to the English kings to the end of his life ; and there are many mentions of him in English records from 22 July, 1291, when he swore fealty to Edward I at St. Andrews (Bain, *Calendar*, ii. 124). He took part in English expeditions against Wallace, according to records of 2 and 3 March, 1303/4 (*ibid.*, ii. 1462, 1463) ; was in correspondence with Edward I, 8 March, 1303/4-28 June, 1304 (*ibid.*, iv. 481-3) ; and was detailed by Aymer de Valence to guard the town of Ayr, July or Aug., 1307 (*ibid.*, ii. 1961). He is also described, at an uncertain date, as guardian in Scotland from the mountains to the river Forth (*RMS.*, i. App. I. 77). Abernethy is on record till 17 April, 1313 (Bain, *op. cit.*, iii. 312), when he is mentioned as going on Edward II's affairs to Rome, and, in the same entry, it is noted that he was sent to Paris between 6 May and 24 July of the same year. In an undated charter of Robert I to his son, Robert, Abernethy is described as forfeited (*RMS.*, i. App. II. 356). The date of his death is uncertain—*Scots Peerage*, viii. p. 401, attributes it to 1315-17, and a charter of 19 June, 1317, mentions Mary, daughter and heiress of umquhile Sir Alexander Abernethy (*Douglas Bk.*, iii. 313). He made other donations to Coupar (cf. *Breviarium*, 81) ; and Robert I's confirmation-charter notes that he bestowed on the monks not only Kincriech with the mill and multure of the barony of Lur but also two acres on the north side of the Kerbet water, with the patronage of the church of ' Machyland,' *i.e.* Mathielour or Meathie (*Cupar*, ii. p. 287). His daughter, Margaret, is mentioned in 1313 (*CPR.*, ii. p. 116). See further *Frasers of Philorth*, ii. pp. 21-27.

Domini Hugonis patris nostri : Hugh de Abernethy first appears on record, 18 March, 1232/3 (*RPSA.*, p. 269). He witnesses charters of Alexander III (*Soltre*, 52 ; *REA.*, i. p. 30 ; *REG.*, i. 233 ; *Lindores*, CXXXII ; *Menteith*, ii. 10). Hugh de Abernethy was one of the associates of Walter Cumyn, earl of Menteith, in the abduction of Alexander III in

1257 (*Scotichronicon*, ii. p. 91 ; *Extracta*, p. 103). He appears as sheriff of Roxburgh, 1264-66 (*Exch. Rolls*, i. pp. 21, 28). In 1288, he craves of Edward I letters to the Pope (Bain, *Calendar*, ii. 355). Last mentioned, according to *Scots Peerage*, vii. p. 400, as imprisoned for the murder of the earl of Fife and probably died in prison. See also *Frasers of Philorth*, ii. pp. 18-21.

Kincreche in baronia de Lur : See note to No. x.

Carta Dauid ruffi de Forfar : No. xi.

Inuerarichte : Inverarity.

Munthgray : Not located.

Roberto . . . Glascuensi (episcopo) : Robert Wischard, bishop of Glasgow, 1271-1316 (Dowden, *Bishops*, pp. 306-8).

Thoma Rossensi (episcopo) : Thomas de Dono Dei, bishop of Ross, 1296/7-*c.* 1325 (*ibid.*, p. 214).

Andrea katanensi (episcopo) : Previously abbot of Coupar. Andrew was provided to Caithness, 17 Dec., 1296 (*ibid.*, p. 240).

Malcolmo de Ergadia (milite) : Malcolm, brother of Sir Alexander de Ergadia, is one of those who swear fealty and do homage to Edward I for their lands, 28 Aug., 1296 (Bain, *Calendar*, ii. 808).

Johanne de morauia (milite) : That there was more than one contemporary of this name is shown by the fact that Sir John de Moravia swears fealty at Kinghorn, 19 July, 1291 (Bain, *Calendar*, ii. 124), and a man of the same name at Montrose, 10 July, 1296 (*ibid.*, ii. 761), while Jehan de Morref of the county of Fife does homage at Berwick, 28 Aug., 1296 (*ibid.*, ii. 209). John de Moravia, kt., is a witness, 1279-98 (*Spalding Club Misc.*, ii. p. 312), while Sir John de Morauya witnesses a charter of William de Morauya, ' Panetarius Scocie,' 15 Feb., 1292/3 (*REG.*, i. 239). The present witness is probably John, younger son of Sir Andrew Moray of Bothwell (*ob.* 1297) and ancestor of the de Moravias of Drumsagard and Abercairney (*REM.*, Pref., pp. xxxvii-xxxviii), rather than John, eldest son of Sir Andrew Moray of Bothwell, warden of Scotland, and ' Panetarius regis ' (*ob.* 1338), who endowed a chaplainry for his father's soul in Elgin cathedral in 1351 (*ibid.*, p. xxxviii). John de Moravia is attorney for Thomas Randulph, earl of Moray, 9 July, 1316 (*Neubotle*, 124), and Sir John de Moravia of Drumsergarth witnesses charters of Malise, earl of Strathearn, 1319-33 (*REM.*, p. 471 ; *Lib. Ins. Missarum*, pp. xl, xli, xliii), and Murdoch, earl of Menteith, *c.* 1330 (*Menteith*, ii. 22).

Roberto de Harcars (milite) : Called sheriff of Perth, 1304 (Bain, *Calendar*, ii. 164 ; *Melvilles*, iii. 12), in No. lxxx, and in *Extracta*, p. 135, where his appointment is attributed to the English king and where his death, following on ' many losses and wrongs ' inflicted on the monastery of Scone, is recorded, 8 May, 1309.

Marco de Clapane (milite) : Did homage at Arbroath, 6 Aug., 1296 (Bain, *Calendar*, ii. 196), and also as tenant of the bishop of St. Andrews at Berwick, 28 Aug., 1296 (*ibid.*, ii. 205). Mark de Clapham (*sic*), kt., appears as a juror at Perth, 17 Sept., 1304 (*ibid.*, ii. 1592), and 31 May, 1305 (*ibid.*, ii. 1670).

Rogero de Wedale clerico : Appears as rector of Kinnell in Nos. LXVII and XCII, also *c.* 1300 (*GRH. Charters*, 69). Perhaps master Roger de Wedale, canon of Dunblane, who is a papal mandatory, 23 Sept., 1312 (*CPR.*, ii. p. 102). Roger de Wedale, prebendary of Mortlach, subscribes a charter of Henry, bishop of Aberdeen, 15 Dec., 1321 (*REA.*, i. p. 47), while a charter of *c.* 1391 makes a retrospective reference to the grant of the Domus Dei of Elgin to master Roger de Wedale (*REM.*, 117).

LXVI

21 March, 1299/1300.

CIROGRAPHUM (Upside down).

Anno domini m° cc° nonagesimo nono ad festum Sancti Benedicti abbatis in marcio facta est hec conuentio inter viros religiosos abbatem et conuentum de Cupro ex una parte et adam de Glenbachlach ex parte altera videlicet quod predictus adam dedit et concessit ad firmam dictis viris religiosis totam terram suam de Drumy una cum molendino et omnibus pertinentiis consuetis eiusdem molendini . excepto tantum dominico de Glenbachlach cum omnibus libertatibus aisiamentis et pertinentiis ad dictam terram de Drumy spectantibus uel de jure spectare ualentibus usque ad terminum undecim annorum a tempore festi sancti martini in yeme anni gracie m¹ . cc¹ . nonagesimi. noni plene completorum. Tenendam et habendam dictis uiris et (*sic*) religiosis et successoribus suis uel assignatis de predicto adam et heredibus suis seu assignatis libere et quiete plenarie et honorifice bene et in pace sine aliquo retinemento . pro quadam summa pecunie quam dicti viri religiosi dicto ade pre manibus dederint quam quidem summam pecunie dictus adam se fatetur recepisse in denariis numeratis et in suos proprios usus ad utilitatem suam conuertisse. Dictus uero adam et heredes sui uel assignati facient forinsecum seruicium domini Regis quantum pertinet ad dictam terram et eandem terram acquietabunt ab omni exactione et demanda ecclesiastica et seculari quocunque casu causa uel ratione accidente. Termino ingressionis dictorum virorum religiosorum in dictam terram incipiente ad dictum festum sancti Benedicti . et termino egressionis eorundem de dicta terra incipiente ad

festum sancti martini in yeme anno gracie m° . ccc° . decimo. Et est sciendum quod si propter destruccionem uel uastacionem guerre dicti viri religiosi de dicta terra nec firmas leuare nec fructus inde plenarie percipere possint . dicta terra in manibus eorundem remanebit per tantum tempus post terminum suum antedictum per quam a percepcione debitorum fructuum de dicto solo occasione huius guerre fuerunt exclusi . Est etiam sciendum quod si predicti abbas et conuentus aliqua edificia de nouo construxerint in dicta terra eisdem in fine termini sui ante exitum eorundem de dicta terra plenarie erunt allocata. Concedit etiam dictus adam pro se et heredibus suis et assignatis quod communis transgressio animalium que dicitur pundleur inter ipsum adam et dictum abbatem terras eorundem et pascua in omnibus locis contiguis non excedat unum denarium cursilis monete. Promittit etiam dictus adam pro se et heredibus suis quod si uoluerint uel ipsos oportuerit dictam terram infra predictum terminum quoquomodo alienare uel impignorare . hoc nullatenus facient sine consilio dictorum abbatis et conuentus et uoluntate. Predictus uero adam et heredes seu assignati predictis viris religiosis et successoribus suis et assignatis predictam terram cum omnibus libertatibus suis et pertinentiis suis ut predictum est usque ad terminum suum contra omnes homines et feminas Warentizabunt et defendent . Et ad hec omnia firmiter et fideliter obseruanda dictus adam obligat se et heredes suos et assignatos ac omnia bona eorundem mobilia et immobilia presencia et futura ubicunque fuerint inuenta et precipue totam terram suam de Glenbachlach . et ad satisfaciendum dictis uiris religiosis de dampnis expensis et fatigacionibus que uel quas incurrerint fecerint uel sustinuerint occasione istius conuentionis in toto uel in parte non obseruate. Supponit insuper dictus adam se et heredes suos et assignatos iurisdictioni et cohercioni Decani Dunkeldensis et aliorum ordinariorum ecclesiasticorum qui pro tempore fuerint . in quorum iurisdictione fuerint inuenti quod ipsos ad omnia et singula supradicta fideliter obseruanda per omnimodam censuram ecclesiasticam possint compellere . nullo obstante

proponendo . Et ad maiorem securitatem dictus adam dictis viris religiosis hos plegios inuenit quodlibet insolidum . videlicet Johannem de Retreue alanum Brune . martinum dictum procuratorem . Robertum de Kinpunt et Symonem de Glenbachlach qui se ut predictum est in omnibus obligarunt. In cuius rei testimonium presenti huius scripti cirographati penes prefatum adam residenti sigillum predictorum abbatis et conuentus est apponitum (*sic*) . parti uero penes ipsos abbatem et conuentum remanenti sigillum ipsius ade et sigilla suorum plegiorum superius nominatorum qui sigilla habuerunt sunt appensa . una cum sigillis uenerabilium patrum dominorum abbatum de Scona et de Neubotil et etiam Decani Dunkeldensis tunc generalis vicarii domini Episcopi eiusdem loci et domini pape capellani.

Nine seals missing. Endorsement (in different hand) illegible.

Society of Antiquaries Charters (now in H.M. General Register House).

LXVI

Indenture of St. Benedict's day, 1299, recording an agreement between Coupar and Adam de Glenbachlach whereby Adam rents to the monks all his land of Drumy with the mill and all the usual pertinents of the mill, except only the demesne of Glenbachlach, for a term of eleven years from Martinmas, 1299, for a certain sum. Adam and his heirs will do military service in respect of that land and free it from all burdens. Provision is made to cover the destruction or laying waste of the land by war, the erection of new buildings, compensation for straying animals and the alienation or pledging of the land only with the consent of the abbot and convent. Adam places himself and his heirs under the jurisdiction of the dean of Dunkeld and other ecclesiastical ordinaries within whose jurisdiction they may fall for the observance of these terms and finds pledges.

Adam de Glenbachlach : Frequently mentioned in these charters. The only reference to him elsewhere is in Robert I's confirmation-charter which specified ' the two Drymeis within the tenement of Glenbachlach which (the monks) hold by the gift of Adam de Glenbachlach ' (*Cupar*, ii. p. 287).

Drumy : Drimmie, N. of Rattray. See note to No. XIII.

Glenbachlach : Glenballoch, between Rattray and Drimmie.

Communis transgressio animalium que dicitur pundleur : See Jamieson's Dict., *s.v.* ' pundar ' and ' pundler.' The meaning is that if cattle stray from the fold or pound they are subject to poinding until damages are settled.

Johannem de Retreue : Either brother or father of Eustace de Rattray. See note to No. LXXII.

Alanum Brune : Not found except in No. LXXIV.

Martinum dictum procuratorem : Martin the procurator (? Martin Proctor) appears in an account of the sheriffdom of Perth, 1304-6 (Bain, *Calendar*, ii. 439).

Robertum de Kinpunt et Symonem de Glenbachlach : Not found elsewhere.

LXVII

1300—2 May, 1440.

In dei nomine amen anno . . . millesimo cccc^mo^ quadragesimo / mensis maii die secunda Indiccione tertia pontificatus . . . Eugenii . . . pape quarti anno decimo In mei notarii publici et testium subscriptorum presencia personaliter constitutus . . . Willelmus . . . abbas monasterii de Cupro . . . quandam cartam sanam et integram non viciatam non cancellatam non rasam non abolitam nec in aliqua sui parte suspecta sed omni prorsus vicio et suspicione carentem / sigillis eorum quorum esse dicuntur sigillatas in notario publico subscripto tradidit perlegendam et in formam publicam redigendam sub hiis verbis Omnibus . . . Johannes de Kynros miles salutem in domino / nouerit vniuersitas vestra me dedisse . . . dilecto consanguineo meo domino waltero de lyndesay domino de thuristoun militi pro homagio et seruicio suo mihi sepe et communiter impenso totam terram meam dominicam de litilperth cum piscariis meis de Northesk ex utraque parte eiusdem infra terram meam / quas quidem usque ad diem confectionis presentium habui et possedi una cum viginti solidis annui redditus annuatim capiendis de Westereglismaldy pro una marca argenti et vna petra cere que annuatim debentur domino priori et conuentui de rostinot de predicta terra de litilperth et cum omnibus commoditatibus et asiamentis marresii de Westereglismaldy / Tenendam et habendam dicto domino Waltero et heredibus suis et assignatis a me et heredibus meis et assignatis in feodo et hereditate inperpetuum per omnes rectas metas et diuisas suas adeo libere . . . sicut aliqua terra cum pertinenciis . . . liberius . . . cuicunque militi dari potest haberi uel teneri

cum omnibus commoditatibus etc. . . . Reddendo inde prefatus dominus Walterus heredes sui et assignati mihi et heredibus meis vnum denarium argenti quolibet anno in festo beati johannis baptiste apud perth nomine albe firme si petatur / tantum pro omnibus secularibus seruiciis et quibuscunque omnibus consuetudinibus exaccionibus seu demandis que de dicta terra cum pertinentiis per me vel heredes meos seu assignatos vel quoscunque alios nomine nostro exigi poterunt vel requiri / Ita libere quod nec ego nec heredes mei seu assignati nec aliquis nomine nostro aliquod jus seu clameum in dicta terra aut in piscationibus eiusdem vel in viginti solidis annui redditus annuatim capiendis de Westereglismaldy seu in communibus asiamentis marresii eiusdem habere potero uel poterint quouismodo in futurum sed ab omni actione et clameo penes omnia premissa et singula fuimus ab inde decetero omnino exclusi imperpetuum proponere / Ego vero dictus Johannes de Kynros et heredes mei et assignati predictam terram dominicam de litilperth cum piscationibus eiusdem ut dictum est et cum viginti solidis annui redditus annuatim capiendis de Westereglismaldy una cum omnibus asiamentis marresii eiusdem et cum omnibus aliis et singulis commoditatibus libertatibus et asiamentis ad dictam terram pertinentibus prefato domino Waltero et heredibus suis et suis assignatis . . . warantizabimus . . . In quorum fidem et fidele testimonium premissorum hanc presentem cartam donacionis mee appensione sigilli mei pro me et heredibus meis et meis assignatis roboraui / Et ad maiorem et ampliorem euidentiam sigillum domini Alexandri de Abernethi militis presenti scripto apponi procuraui / hiis testibus . . . R⟨oberto⟩ . . . glasguensi et T⟨homa⟩ rossensi Episcopis / Alexandro de Abernethy et R⟨oberto⟩ harcars militibus et R⟨ogero⟩ rectore de kynnell apud perth anno domini millesimo ccc^{mo} / Post cuius quidem carte perlecturam prefatus dominus Abbas de Cupro de eiusdem carte copia et tenore per me notarium publicum subscriptum sibi fieri petiit publicum instrumentum Acta fuerunt hec in villa de dunde anno etc . . . quibus supra / presentibus ibidem . . . magistro donaldo

maknachtan decano ecclesie dunkeldensis decretorum doctore ac . . . magistris mauricio maknab canonico dunkeldensi / johanne seres magistro in artibus / et roberto seres burgensi de dunde domino johanne cornuell vicario ecclesie parochialis de Neutile / johanne de munkur et johanne dausoun scutiferis cum multis aliis testibus . . . / Et ad maiorem euidentiam premissorum prefatus Abbas sigillum dicti domini decani coram dictis testibus apponi procurauit in robur et firmitatem omnium prescriptorum.

Et ego Johannes ydill clericus sanctiandree diocesis publicus auctoritate imperiali notarius etc. . . . (*in communi forma*). . . .

End.: Publicum instrumentum de donacione domini Johannis de Kynros Waltero de Lundesay de Thorystoun de terra de lytylperth quam ipse nobis dedit.

Moray Charters, Box 32, Div. IV, Bundle I, No. 48.

LXVII

Notarial instrument of 2 May, 1440, citing a charter of Sir John de Kynros, dated 1300, whereby Sir John has granted to his cousin, Sir Walter de Lyndesay, lord of Thuristoun, for homage and service frequently and commonly rendered, his whole demesne land of Littleperth with his fishings of Northesk along with twenty shillings annualrent yearly from Westereglismaldy, for a silver mark and a pound of wax due yearly to the prior and convent of Restennet from the said land of Littleperth and with all commodities and easements of the marsh of Westereglismaldy, at a rent of one silver penny yearly on the feast of St. John Baptist at Perth by way of blenchferme if desired.

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

Johannes de Kynros miles: This is John de Kynros, son and heir of Sir John de Kynros (for whom see note to No. LXXIX), who is mentioned as such, 15 (?) April, 1291 (Bain, *Calendar*, ii. 472), and who (probably) does homage at Aberdeen, 16 July, 1296 (*ibid.*, ii. 195). He appears as having land in the forest of Kinross, 23 Sept., 1323 (*RMS.*, i. App. 2, 697). He occurs frequently in these charters, *e.g.* Nos. LXX, LXXIV, LXXVI, LXXVII, LXXVIII, LXXIX.

Domino waltero de lyndesay domino de thuristoun militi: On 5 July, 1291, Sir William de Douglas swore fealty in the chapel of Sir Walter de Lindesay's manor, where Edward I was then staying. This manor is mentioned as Thurston (Bain, *Calendar*, ii. 508). This may be Sir Walter de Lindsay who witnesses charters of King John (Balliol), 1 Aug.,

1294 (*Spalding Club Misc.*,ii. p. 314), and 11 June, 1295 (*REG.*, i. 250), and who (described as of the county of Berwick) did homage at Berwick, 28 Aug., 1296 (Bain, *op. cit.*, ii. 211). Sir John de Lyndesay of Thurstoun, who appears, 7 Oct., 1343 (*HMC. Rep.*, xiv. Pt. III. p. 62), and 26 Jan., 1370/1 (*RMS.*, i. 363), was evidently a descendant. Thurston is in East Lothian.

Litilperth : Little Pert, on the S. side of the river N. Esk, N.W. of Montrose.

Northesk : The river of that name in Angus.

Westereglismaldy : Eglismaldy, now Inglismaldie, is on the N. side of the river N. Esk.

Priori et conuentui de rostinot : The Augustinian priory of Restennet was situated E. of Forfar.

The witnesses of John de Kinross's charter appear in No. LXV. R., rector of Kynnell, is Roger de Wedale.

Witnesses of notarial instrument :

Magistro donaldo maknachtan decano ecclesie dunkeldensis decretorum doctore : See *Inchcolm*, p. 171.

(*Magistro*) *mauricio maknab canonico dunkeldensi :* Appears as a bachelor at St. Andrews, 1426 (*St. AUR.*, p. 9), and as a licentiate, 1433 (*ibid.*, p. 14). Maurice Macnab, canon of Weem, had a dispensation to hold other benefices, 21 June, 1431 (*CPR.*, viii. p. 328), and he appears as a canon of Dunkeld, 13 March, 1444/5 (*Wemyss*, ii. 51). He was deceased *a.* 17 Dec., 1459 (*CPR.*, xii. p. 59) ; and, on 4 Jan., 1460/1, the parish church of Lundeiff, in the diocese of Dunkeld, is mentioned as void by his death (*Benefices*, p. 138), while annates were also paid for a canonry of Dunkeld, which he had held, by his successor (*ibid.*, p. 139).

Johanne seres magistro in artibus : John Seres is a determinant at St. Andrews, 1437 (*St. AUR.*, p. 20), and a licentiate, 1439 (*ibid.*, p. 22). According to a papal letter of 19 March, 1446/7, John de Seres, M.A., of the diocese of Brechin, had been litigating about the vicarage of Auchtergaven (*CPR.*, x. pp. 328-9). It may have been a different individual on whose behalf annates were paid, 8 Jan., 1462/3, for the parish church of Lamington and the provostship of Maybole (*Benefices*, p. 141) and whose payment for a canonry of Dunkeld is recorded, 17 June, 1476 (*ibid.*, p. 290).

Roberto seres burgensi de dunde : The various men of this name who are on record represent more than two generations of this family. Robert Seres, as provost of Dundee, is a witness, 16 May, 1406 (*Spalding Club Misc.*, v. p. 254), and, as burgess, has a charter from Robert, duke of Albany, in 1408 (*RMS.*, i. 916). He may have been father of the present witness who is perhaps Robert Seres, yr., mentioned as having a payment from the customs of Dundee, 27 April, 1428 (*Exch. Rolls*, iv. p. 433), and, eventually, as Robert de Seres, burgess, who appears with (another) Robert de Seres, yr., master of St. Mary's hospital at Brechin, 19 Oct., 1447 (*REB.*, ii. pp. 66-7). A man of this name appears as an auditor in a dispute between Arbroath and Balmerino, 25 July, 1459 (*Aberbrothoc*, ii. 125) ; but, on 21 Feb., 1450/1, a papal dispensation had been issued to

Robert de Seres, layman of the diocese of Brechin, a widower with several children, to be tonsured and promoted to all minor orders and to hold two benefices (*CPR.*, x. p. 174). Whether this was designed to enable him to practise as a notary cannot be said, but Robert Seres, common clerk and notary, is a witness at Dundee, 10 Sept., 1478 (*RMS.*, ii. 1458), and 24 Jan., 1479/80 (*ibid.*, ii. 1502). A later Robert de Seres, yr., also a notary, figures in Nos. CXLVIII and CLXIII.

Domino johanne cornuell vicario . . . de Neutile : John de Cornale appears as a determinant at St. Andrews, 1418 (*St. AUR.*, p. 5). The present John Cornwall, vicar of Newtyle, witnesses an acquittance of Walter the Hay, 4 May, 1449 (*GRH. Charters*, 317).

Johanne de munkur (scutifero) : Perhaps John Moncur of Freelands who has a crown charter of the lands of Balleuny, 21 Jan., 1477/8 (*RMS.*, ii. 1349).

Johanne dauson (scutifero) : A man of this name appears frequently in Coupar rentals, *e.g.* as a witness to a tack of Balmyle, *c.* 1443 (*Cupar*, i. p. 121), and as having leases of part of Cowbyre, 1457 (*ibid.*, i. p. 132), and of Keithick, 1473 and 1474 (*ibid.*, i. p. 188).

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

LXVIII

c. 1300—28 August, 1432.

Jacobus . . . rex Scotorum Omnibus . . . Salutem Sciatis nos duas cartas vnam Walteri de lyndesay de Thoristoun factam deo et beate marie de Cupro et monachis . . . in puram et perpetuam elemosinam de tota terra sua de lytil perthe cum viginti solidis annui redditus annuatim capiendis de Westireglismaldy pro vna marca argenti et vna petra cere que annuatim debentur priori et conuenti de Rostinot . et aliam cartam confirmacionis Johannis de kynros militis factam de dictis terris de litilperth et annuo redditu predicto De mandato nostro visas lectas inspectas et diligenter examinatas non rasas non abolitas etc. . . . ad plenum intellexisse sub hac forma Omnibus . . . Walterus de lyndesai dominus de Thoristoun salutem in domino Noueritis me pro salutc anime mee et pro salute animarum omnium antccessorum et successorum meorum dedisse . . . cum consensu et voluntate domini Johannis de kynros militis confirmasse deo et beate marie de Cupro et monachis . . . in puram liberam et perpetuam elemosinam totam

terram meam de litilperthe cum omnibus pertinenciis suis et cum viginti solidis annui redditus annuatim capiendis de Westireglismaldy et cum omnibus libertatibus et aisiamentis ad dictam terram spectantibus vel de iure spectare valentibus in futurum Tenendam . . . Adeo libere . . . sicut aliqua terra elemosinata liberius . . . infra regnum Scocie ab aliquo milite dari potest haberi vel teneri Ego vero Walterus de lindesai dominus de thorystoun et heredes mei predictam terram dominicam de litilperth cum omnibus suis pertinenciis et asiamentis et cum viginti solidis annui redditus de Westireglismaldy . . . prenominatis monachis et eorum successoribus . . . warantizabimus et ipsos monachos de secta curie mee et de omnibus aliis que de dicta terra per me vel heredes meos aut quoscunque alios quocunque modo exigi poterunt vel requiri imperpetuum acquietabimus et defendemus In cuius rei testimonium presenti scripto pro me et heredibus meis sigillum meum una cum sigillo predicti domini Johannis de kinros feci apponi Hiis testibus dominis Alexandro de Abernethy Johanne de morauia Malcolmo de striuelyn militibus domino adam de monyfuthe rectore ecclesie de Mathylour Rogero de mortuo mari henrico de prestoun et multis aliis . Tenor vero carte confirmacionis talis est Omnibus . . . Johannes de kinros miles salutem in domino sempiternam Nouerit vniuersitas vestra me ex mea mera et spontanea voluntate pro me et heredibus meis concessisse et hac presenti carta mea confirmasse donacionem illam quam Walterus de lyndesai miles dominus de thoristoun fecit viris religiosis abbati et conuentui monasterii de Cupro ex consensu et voluntate mea de terra dominica de litilperthe cum pertinenciis et cum viginti solidis annui redditus annuatim capiendis de Westireglismaldy Tenendas et habendas dictis viris religiosis de Cupro et successoribus suis libere quiete plenarie pacifice et honorifice sine aliquo retenemento prout in scripto donacionis predicti domini Walteri erga dictos abbatem et conuentum plenius continetur Ego vero predictus Johannes de kinros et heredes mei predictam donacionem antedicti domini Walteri predictis viris religiosis factam . . . warantizabimus . . .

prout scriptum antedicte donacionis predicti domini Walteri ut premittitur in se plenius proportat et testatur Quodquidem scriptum et donacionem et concessionem in eodem contentas . . . in omnibus et per omnia approbo ratifico et pro me et heredibus meis imperpetuum confirmo In cuius rei testimonium presenti carte confirmacionis mee sigillum meum apposui Hiis testibus dominis alexandro de Abernethi Johanne de Morauia Malcolmo de striueling militibus Domino adam de monyfuth rectore ecclesie de mathilour Rogero de mortuo mari mauricio de archadia henrico de prestoune et multis aliis Quas quidem cartas etc. . . . approbamus ratificamus et pro nobis et successoribus nostris imperpetuum confirmamus Saluo seruicio nostro In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precipimus Testibus Johanne forestarij camerario nostro milite magistro Willelmo foulis preposito ecclesie collegiate de Bothuile nostri priuati sigilli custode Wilelmo de Crechtoun milite magistro hospicii nostri et magistro Ricardo Crag clerico cancellarie nostre apud Perth vicesimo octauo die mensis Augusti Anno regni nostri vicesimo Septimo.

Seal wanting. End. : Confirmacio Regis super terris de litilpert.

Moray Charters, Box 32, Div. V, Bundle II, No. 85.

LXVIII

Charter by James I, under the Great Seal, confirming (1) a charter by Walter de Lyndesay of Thoristoun to Coupar of all his lands of Littleperth with twenty shillings of annualrent to be uplifted from Westereglismaldy for an annual payment of a silver mark and a stone of wax to the prior and convent of Restennet ; (2) a charter by Sir John de Kinros confirming the foregoing.

In Robert I's confirmation-charter, is a reference to the land of ' Littleport prope Monros . . . quam habent ex dono *Alexandri* de Lindsay et confirmatione Joannis de Kinrose militum ' (*Cupar*, ii. p. 287).

The persons and places mentioned in the charters cited are the subject of notes to No. LXVII.

Witnesses to the charter of Walter de Lindsay :

Alexandro de Abernethy (*milite*) *:* See note to No. LXV.

Johanne de morauia (*milite*) *:* See note to No. LXV.

Malcolmo de striuelyn (*milite*) *:* The only mention of Malcolm de Stirling

outwith the charters cited in the present writ is the note of a charter granted by him of the lands of Quenishauch in the reign of Robert I (*RMS.*, i. App. 2, 240).

Domino adam de monyfuthe rectore ecclesie de Mathylour : Not found except in the confirmation-charter of John de Kinros. The fact that Adam is still rector of Meathie at this date shows that the church had not yet been appropriated to Coupar.

Rogero de mortuo mari : Roger de Mortimer, lord of Fowlis, frequently mentioned in these charters but rarely found elsewhere. Roger de Mortimer had done homage to Edward I, according to a record of 14 March, 1295/6 (Bain, *Calendar*, ii. 730), and a man of the same name, 'of the county of Perth,' does homage at Berwick, 28 Aug., 1296 (*ibid.*, ii. 211). He appears as a witness, 21 June, 1304 (*Melvilles*, iii. 12.)

Henrico de prestoun : Henry de Prestone, sheriff of Forfar, accounts for the issues of Forfar, Whitsunday, 1304 (? 1305) (Bain, *Calendar*, ii. 1646). A man of the same name, as locum tenens of Sir Robert Keith, justiciar, acts in a process of recognition, 9 Oct., 1312 (*HMC. Rep.*, v. App., p. 626).

The witnesses to Sir John de Kinros's charter are identical with those attesting the foregoing except for *Maurice de Archadia*, who is not found elsewhere but is probably Maurice de Ergadia (Argyle).

Witnesses to crown charter:

Johanne forestarij camerario nostro milite : See note, *Inchcolm*, p. 179.

Magistro Willelmo foulis preposito ecclesie collegiate de Bothuile nostri priuati sigilli custode : Perhaps William de Foulis, secretary, who witnesses a charter of Archibald, earl of Douglas, 1 Dec., 1420 (*RMS.*, ii. 364). Master William de Foulis, 'clericus,' witnesses a charter of Margaret, countess of Douglas, 20 Nov., 1422 (*ibid.*, ii. 255), and, as rector of Cambuslang and secretary of earl Archibald, is a witness, 2 Sept., 1423 (*ibid.*, ii. 13). The present witness, 'now in England,' has a safe-conduct, 14 April, 1422 (Bain, *Calendar*, iv. 915); and, again, as secretary, has a safe-conduct to England and back, 11 Nov., 1422 (*ibid.*, iv. 919). He witnesses a charter as secretary of James I, 22 July, 1427 (*RMS.*, ii. 93). Foulis appears as keeper of the privy seal from 1 Sept., 1426 (*ibid.*, ii. 60), and retained that office till at least 10 July, 1439 (*ibid.*, ii. 202). He is frequently mentioned in English records as conducting state business, *e.g.* he is commissioner of James I at Hawdenstank, 5 June and 12 July (Bain, *op. cit.*, iv. 1029, 1030, 404); envoy for peace, 11 Dec., 1430 (*ibid.*, iv. 1037); concludes five years' truce, 15 Dec., 1430 (*ibid.*, iv. 1038); has a safe-conduct to the English council, 16 Jan., 1430/1 (*ibid.*, iv. 1041), and his expenses, etc., at London are noted, 2-14 March, 1430/1 (*ibid.*, iv. 1045). Foulis appears as provost of Bothwell—a Douglas foundation—from 15 Dec., 1426 (*RMS.*, ii. 68), to 30 Nov., 1435 (*REB.*, i. 37). He is mentioned as prebendary of Stobo in Glasgow cathedral, 20 Oct., 1433 (*Yester Writs*, 60), and appears as archdeacon of St. Andrews, 1 Jan., 1436/7 (*Aberbrothoc*, ii. p. 545), and until 2 Dec., 1440 (*RMS.*, ii. 252). It is evidently a later William Foulis who determined at St. Andrews, 1436 (*St. AUR.*, p. 18), and was a licentiate, 1438 (*ibid.*, p. 20).

Wilelmo de Crechtoun milite magistro hospicii nostri : See note, *Inchcolm*, p. 181.

Magistro Ricardo Crag clerico cancellarie nostre : Perhaps but not certainly Richard de Crag who appears as a notary of St. Andrews diocese, 27 Feb., 1411/12 (*RMS.*, ii. 200=*UCR.*, iii. p. 174), 17 March, 1415/16 (*REG.*, ii. 325). He matriculated at Cologne in 1421 (Keussen, *Die Matrikel der Univ. Köln*, i. p. 226) and appears as a licentiate in decrees and clerk of chancery, 31 March, 1431/2 (*RMS.*, ii. 200=*UCR.*, iii. p. 178), and, in the latter capacity and as vicar of Dundee, witnesses many crown charters thereafter. On 15 April, 1439, John Wright pays annates for the parish church of Dundee to be void by the deprivation of Crag (*Benefices*, p. 122), but, on 15 June, 1440, the latter had a dispensation to hold an additional benefice (*CPR.*, ix. p. 100). His seal is affixed to an agreement regarding the church of Dundee, 10 March, 1442/3 (*REB.*, i. 53); he is a witness as vicar of Dundee, 26 Feb., 1445/6 (*Melvilles*, iii. 36), and he held this church till his death by which the vicarage of Dundee is said to be void, 2 Oct., 1453 (*CPR.*, x. p. 250).

LXIX

1300-03.

Omnibus . . . . Adam de Glenbachlach dominus de eodem salutem . . . Noueritis me pro salute anime mee. et pro salute Ade Auj mei . ac pro salute animarum omnium predecessorum et successorum meorum dedisse . . . deo et Sancte Marie de Cupro . et monachis . . . in puram liberam et perpetuam elemosinam totam terram meam de Drumy in tenemento de Glenbachlach per suas rectas diuisas . videlicet a parte australi ab Aldgilglas transeundo usque aquam de Aricht. Et ex altera parte usque ad Cornesauuoche scilicet Lapidem Aucipitris Et sic redeundo per omnes alios terminos predicte terre Tenendam et habendam dictis monachis et eorum successoribus . . . adeo libere . . . sicut aliqua terra elemosinata liberius . . . ab aliquo dari potest vel teneri. Ego vero et heredes mei vel assignati predictam terram . . . warantizabimus et de omni seruicio . . . acquietabimus et defendemus. Hijs Testibus. . . . dominis Roberto Glasguensi Thoma Rossensi et Andrea Cathanensi Episcopis. Domino Henrico abbate de Scona. magistro Herueo de Crambeth decano Dunkeldensi / dominis Johanne

Cumyn. Nicholao de Haya. Hugone de Herth militibus. Rogero de mortuo mari et multis aliis.

Seal missing. End.: Carta Adam domini de Glenbachlach de duobus Drumys.

Moray Charters, Box 32, Div. IV, Bundle I, No. 31.

Ibid., Div. V, Bundle II, Nos. 61 and 62 are duplicates of this charter and show the following variants of place-names—No. 61: 'Drummy'; Nos. 61 and 62: 'Aldgilleglas'; No. 62: 'Cornesauuoc'. These charters do not name the last four witnesses given *supra*. The seals of both are missing. They are endorsed in the same terms as the above.

LXIX

Charter by Adam de Glenbachlach, lord of that ilk, granting to Coupar his whole land of Drumy in the tenement of Glenbachlach.

It is difficult to say whether this charter precedes or succeeds in date No. LXXIII. It deals with the same transaction, specifying the marches of the land given by Adam de Glenbachlach. Its date is determined thus: it is later than No. LXVI since by that charter the monks have merely a lease of Drumy—now it passes into their possession as a grant in alms; and it was given before the death of Andrew, bishop of Caithness, whose successor was elected early in 1304 (Dowden, *Bishops*, p. 240). This charter is noted, *Breviarium*, 91.

Adam de Glenbachlach dominus de eodem: See note to No. LXVI.

Ade Auj mei: This earlier Adam does not seem to be on record.

Drumy in tenemento de Glenbachlach: See notes to No. LXVI.

Aldgilglas: Perhaps Aldglew, mentioned as in the vicinity of Cally (*Cupar*, i. p. 131).

Aquam de Aricht: The river Ericht.

Cornesauuoche: Not located.

Roberto Glasguensi Thoma Rossensi et Andrea Cathanensi Episcopis: See notes to No. LXV.

Domino Henrico abbate de Scona: Henry was abbot by 1304 (*Scon*, 127); and 'appears to have been abbot in 1320' (*ibid.*, p. xii). He witnesses a charter of Gilbert de Haya (*Cupar*, ii. p. 286) and appends his seal to a charter during the reign of Robert I (*RMS.*, i. App. 1, 77). A papal letter of 22 Jan., 1306/7, notes that William Henry (*sic*), abbot of Scone and canon of Caithness, was one of those appointed by the chapter of Caithness to elect a new bishop (*CPR.*, ii. p. 8).

Magistro Herueo de Crambeth decano Dunkeldensi: Master Henry, dean of Dunkeld, does homage to Edward I at Berwick, 28 Aug., 1296 (Bain, *Calendar*, ii. 212). He had relinquished office by 13 Aug., 1304, when master Matthew de Kynros is dean (*ibid.*, ii. 1573).

(*Domino*) *Johanne Cumyn* (*milite*) *:* See note to No. LXII.

(*Domino*) *Nicholao de Haya* (*milite*) *:* Appears on record *c.* 1260 (*Aberbrothoc*, i. p. 336). Son of Gilbert de Haya (who appears in No. XLVII, etc.), whose charters he is found witnessing (*e.g. Lindores*, LXXVIII ; *Blackfriars of Perth*, XIII), in whose stead he renders an account, 1262 (*Exch. Rolls*, i. p. 1), and whom he had succeeded as sheriff of Perth, 1288 (Bain, *Calendar*, i. 347 ; cf. *Exch. Rolls*, i. p. 49). He witnesses a charter of Hugh de Abernethy, 1273 (*Breviarium*, 44), and another of Alexander III, 8 April, 1280 (*Neubotle*, p. 290), and had from that king a charter of the lands of Glasyngray, 4 Oct., 1282 (*HMC. Rep.*, v. App., p. 624)—all these are earlier references than those given in *Scots Peerage*. His lands of Errol, Inchyra, etc., were confirmed to him by King John (Balliol), 1 Aug., 1294 (*Spalding Club Misc.*, ii. p. 313). In 1296, Hay swore fealty to Edward I at Montrose, 10 July (Bain, *Calendar*, ii. 767), did homage at Berwick, 28 Aug. (*ibid.*, ii. 199), and was appointed attorney in Scotland of John Comyn, earl of Buchan, 1 Oct. (*ibid.*, ii. 839). He was commanded to attend parliament at St. Andrews, 5 March, 1303/4 (*ibid.*, ii. 1468), and was a juror at Perth, 31 May, 1305 (*ibid.*, ii. 1670). Sir Nicholas appears as acquiring additional lands in numerous charters given in *Spalding Club Misc.*, ii. pp. 309-315. He is said to have been killed in battle (*ibid.*, ii. p. 347) *a.* June, 1306 (*Scots Peerage*, iii. p. 559). His son and successor was Gilbert the constable.

(*Domino*) *Hugone de Herth* (*milite*) *:* A man of this name is a witness, *c.* 1284 (*REM.*, p. 469). Hugh de Erthe appears as Sir John Comyn's bailiff in the abthane of Dull, 15 Sept., 1291-27 July, 1292 (Bain, *Calendar*, ii. 532, 583, 588, 627). Sir Hugh de Erthe, a prisoner at Dunbar castle, is sent to Corfe castle, 16 May, 1296 (*ibid.*, ii. 178), and is freed on undertaking to serve Edward I beyond seas, 30 July, 1297 (*ibid.*, ii. 940). He was constable of Cluny during the reign of Robert I (*RMS.*, i. App. 2, 487) and witnesses a charter of Robert I, 16 Feb., 1313/4 (*Inchaffray*, CXXI). Maitland Thomson states (*ibid.*, p. 295) that he disappears from record about this time, but a man of this name is mentioned 1 March, 1321/2 (*RMS.*, ii. 3583), and appears as a member of an inquisition regarding Restennet in a charter of Robert I, 1 March, 1322/3 (*Archaeol. Scotica*, v. p. 312=*RMS.*, i. App. 1, 29).

Rogero de mortuo mari : See note to No. LXVIII.

LXX

1301-09.

Omnibus . . . Johannes de Kynros miles salutem in domino. Noueritis me pro salute anime mee et pro salute animarum etc. . . . dedisse . . . deo et beate Marie de Cupro et monachis . . . in puram liberam et perpetuam elemosinam totam terram meam de Camboch in Glenylef per suas rectas diuisas cum omnibus pertinentiis libertatibus

et aysiamentis ad dictam terram spectantibus vel de jure spectare valentibus. Tenendam . . . adeo libere . . . sicut aliqua terra elemosinata liberius . . . infra regnum Scocie ab aliquo Barone dari potest . haberi vel teneri. Ego vero Johannes de Kynros et heredes mei predictam terram de Camboch cum omnibus suis pertinentiis predictis prenominatis monachis . . . warantizabimus . et de omni seruicio / exactione . et demanda . et de omnibus aliis que de dicta terra exigi poterunt imperpetuum vel requiri : acquietabimus et defendemus . In cuius rei testimonium presenti carte sigillum meum apposui. Hiis testibus venerabilibus patribus dominis Matheo et Nicholao Dunkeldensi et Dunblanensi Episcopis. domino Henrico abbate de Scona. dominis Johanne de Inchemartyn et Henrico filio eius militibus. Rogero de mortuo mari et multis aliis.

Seal intact. End. : Camboch. melior habetur in liberam puram et perpetuam elemosinam ex dono Johannis de Kinros.

Moray Charters, Box 32, Div. V, Bundle I, No. 10.

LXX

Charter by John de Kynros, kt., granting to Coupar his whole land of Camboch in Glenisla.

This charter is noted, *Breviarium*, 82.

Johannes de Kynros miles : See note to No. LXVII.

Camboch in Glenylef : Cammock, on the W. side of Glenisla.

Matheo . . . Dunkeldensi (episcopo) : Matthew de Crambeth, bishop of Dunblane, *c.* 1288-*c.* 1309 (Dowden, *Bishops*, pp. 59, 60).

Nicholao . . . Dunblanensi (episcopo) : This may be either of the two bishops of the same name who held successively the see of Dunblane: Nicholas, bishop, 1301-*c.* 1307, or Nicholas, bishop, 1307-*c.* 1320 (Dowden, *Bishops*, pp. 200-1).

Henrico abbate de Scona : See note to No. LXIX.

(Domino) Johanne de Inchemartyn (milite) : Sir John de Inchmartin (I) appears frequently in the Coupar charters. He was son and heir of Alexander de Inchmartin (see note to No. LX). John de Strathbolgy, earl of Athole, grants to Sir John de Inchmartyn the lands of Kelbrothay, etc., 1282-1306 (*GRH. Charters*, 67); and Sir John is a witness, *c.* 1300 (*Spalding Club Misc.*, ii. p. 315), and has a charter of the lands of Pitmiddil, 21 June, 1304 (*Melvilles*, iii. 12). He appears fairly frequently in English records. As a prisoner at Dunbar castle, he is committed to the Tower,

16 May, 1296 (Bain, *Calendar*, ii. 742); is freed to go to Scotland on the earl of Athole's affairs and to join Edward I in France, 9 Aug., 1297 (*ibid.*, ii. 940); has safe-conducts to Scotland, 28 Aug., 1297 (*ibid.*, ii. 961), and for coming to Canterbury to treat of peace with France, 26 March, 1300/1 (*ibid.*, ii. 1244); delivers the fermes of Glenlyon, 1304-5 (*ibid.*, ii. 439); is a Scottish commissioner at Edward I's parliament, *p.* 15 Sept., 1305 (*ibid.*, ii. 1691), when he is mentioned as sheriff of Perth. He undertakes to produce Andrew, son of the steward of Scotland, 25 Aug., 1306 (*ibid.*, ii. 1825); and about this time he disappears from record. He was succeeded by his son, Henry (*infra*), and the succession passed to his younger son, Sir John (II), for whom see note to No. LXXXIX, in which his wife, Johanna, is also mentioned.

(*Domino*) *Henrico filio eius* (*milite*) *:* Sir Henry de Inchmartin, lord of that ilk, is a benefactor of Coupar (see No. LXXXVII). He appears as a prisoner at Dunbar castle committed to Windsor castle, 16 May, 1296 (Bain, *Calendar*, ii. 742), and among Scottish prisoners who have allowances, 12 Feb., 1296/7 (*ibid.*, ii. 873); also as willing to serve Edward I overseas, 22 Aug., 1297 (*ibid.*, ii. 942). Sir Henry's tenure of the lordship of Inchmartin must have been brief; he was succeeded in it by his brother, Sir John (II).

Rogero de mortuo mari : See note to No. LXVIII.

LXXI

1301-16.

Omnibus . . . Willelmus de Fentona miles salutem . . . . Noueritis me pro salute anime mee et pro salute animarum bone memorie domini Johannis de Fentona patris mei et Marie matris mee et domini Malcolmi de Ketenes . Johannis fratris sui et heredum suorum necnon et pro salute animarum omnium antecessorum etc. . . . . dedisse . . . Deo et beate Marie de Cupro et monachis . . . in liberam puram et perpetuam elemosinam totam terram meam de Adory in tenemento de Rethy per suas rectas diuisas cum omnibus pertinenciis suis . . . . In cuius rei testimonium presenti carte sigillum meum apposui. Hiis Testibus . . . dominis Nicholao et Johanne . Dunblanensi et Brechynensi Episcopis . dominis Alexandro de Abirnethy . Johanne de Inchemartyn . et Johanne de Kynros . ac Johanne de Fentona filio meo primogenito et herede . militibus . Rogero de mortuo mari . et multis aliis.

Seal attached and intact. End. : Carta de adory.

Moray Charters, Box 32, Div. V, Bundle I, No. 20.

LXXI

Charter by William de Fenton, kt., granting to Coupar his whole land of Adory in the tenement of Rethy.

This charter is noted, *Breviarium*, 88.

Willelmus de Fentona miles : Lord of Baikie, in Angus. Mentioned, *c.* 27 Oct., 1278, as appointed by his wife, Cecilia, eldest daughter of the late John Biset, yr., to receive in the king's court her purparty of her father's land in Ireland (Bain, *Calendar*, ii. 129). Sir William Fenton swore fealty to Edward I at Lindores, 23 July, 1291 (*ibid.*, ii. 124); also mentioned as among those who have done homage, 14 March, 1295/6 (*ibid.*, ii. 730). On 14 Sept., 1296, a writ was issued to the sheriff of Edinburgh to restore his lands (*ibid.*, ii. 226). William de Fenton and his wife, Cecilia, show, in 1304/5, that they came to the English king's peace after the first Scottish war and ask remedy of withholding of Cecilia's heritage in the hands of the king (*ibid.*, ii. 1728). His complaint in parliament is noted during the reign of Robert I (*RMS.*, i. App. 2, 704). It is uncertain whether this is Sir William de Fenton who is fined for falsing judgment, 1330 (*Exch. Rolls*, i. p. 284).

Domini Johannis de Fentona patris mei et Marie matris mee : Sir William de Fenton's charter to Nicholas de Haya, lord of Errol, mentions his late father, Sir John de Fenton (*Spalding Club Misc.*, ii. p. 311). John de Fenton witnesses charters in and about 1240 (*Inchaffray*, LXVIII; *Dryburgh*, 285*-289) and appears as sheriff of Fife, 1266 (*Exch. Rolls*, i. p. 21). His wife has not been noted elsewhere.

Domini Malcolmi de Ketenes . Johannis fratris sui : The mention of these is retrospective but it is doubtful whether this is Malcolm de Ketenes who appears in No. x. John, his brother, has not been found elsewhere.

Adory in tenemento de Rethy : Adory is evidently Auchindory, S.W. of Kirriemuir and W. of Reedie. Reedie appears in No. LXI.

Nicholao et Johanne Dunblanensi et Brechynensi Episcopis : For Nicholas, bishop of Dunblane, see note to No. LXX. John de Kynninmund was bishop of Brechin, 1298-*c.* 1328 (Dowden, *Bishops*, pp. 179-80).

(*Domino*) *Alexandro de Abirnethy* (*milite*) *:* See note to No. LXV.

(*Domino*) *Johanne de Inchemartyn* (*milite*) *:* See note to No. LXX.

(*Domino*) *Johanne de Kynros* (*milite*) *:* See note to No. LXVII.

(*Domino*) *Johanne de Fentona filio meo primogenito et herede* (*milite*) *:* Appears in Nos. XCI and XCIII. Infrequently on record. I have seen no evidence to justify the statement that 'John of Fenton gifted to the abbey [of Coupar] the lands of Grange [of Airlie]' (Wilson, *Airlie*, p. 33).

Rogero de mortuo mari : See note to No. LXVIII.

LXXII

7 December, 1302.

Memorandum quod cum nuper dissensio fuisset inter viros religiosos dominos abbatem et conuentum de Cupro

actores ex parte una . et Eustachium . dominum de Rettref / reum / ex altera . super grauibus et enormis offensis / iniuriis et violentiis . per predictum Eustachium et suos complices prefatis viris religiosis ausu sacrilego illatis . et specialiter propter violentem manum (*sic*) iniectionem in quosdam fratres conuersos dicti monasterii . et ea de causa demeritis suis exigentibus per episcopatum Dunkeldensem et alios episcopatus prout euidenter apparet / virtute priuilegiorum predictorum virorum religiosorum / execucioni prout decet demandatorum . per magistrum Herueum de Crambeth Decanum Dunkeldensem / vicarium generalem domini episcopi eiusdem loci ac domini pape capellani / ordine iuris in omnibus obseruato publice et sollempniter diutius fuisset excommunicatus / et sacrilegus denunciatur cum suis complicibus / ac etiam predicta sententia excommunicationis / crescente sua contumatia multiplici / propter contemptum clauium ecclesiasticarum et rebelliones detestabiles / contra ipsum et complices suos in hoc facto legitime extitisset aggrauata: tandem predicte dissensionis materia sedata fuit et sopita in modum qui sequitur . videlicet quod Die mercurii infra octauam sancti Andree apostoli Anno gracie m° ccc° secundo / prefatus Eustachius coram dicto domino decano et domino archidiacono Dunkeldensi . personaliter comparens in presencia dicti domini Abbatis et multorum aliorum antedictos suos reatus de plano fatendo / veniam et misericordiam potius postulans quam rigorem supposuit se ex mera et spontanea voluntate sua in omnibus et per omnia ordinationi et voluntati dicti domini Abbatis ad faciendum sufficientem emendam de supradictis excessibus et violenciis dicto domino abbati et suis per ipsum Eustachium et suos ut supradictum est illatis . Et ad hoc fideliter faciendum et adimplendum coram dictis ordinarijs in presencia antedicti domini abbatis . suprascriptis die et loco . fide data in manu dicti domini decani / tactis sacrosanctis euangeliis / prefatus Eustachius corporale prestitit iuramentum . Unde per eosdem ordinarios eidem Eustachio est iniunctum et preceptum quod ipse veniat a magna porta monasterii de Cupro capite discooperto tibiis et pedibus nudis et dis-

calciatis . tunica camisia et braceis solummodo vestitus . sine cingulo cum virga in manu / in capitulum monachorum dicti monasterii certo die pro arbitrio dicti domini abbatis . penitenciam recepturus salutarem . et emendam facturus de violenciis supradictis sufficientem . necnon et coram sepedictis dominis . abbate et conuentu certo die sibi ad hoc statuto ibidem iterato tactis sacrosanctis ewangeliis sollempniter iurabit quod eisdem et monasterio suo quamdiu vixerit specialis amicus erit et fidelis . Ita quod eorum dampnum aut grauamen nec uidebit nec audiet nec aliquo modo percipiet nec ratificabit / quin illud pro posse suo impediet / Quod si ipse hoc facere non potuerit / illud talibus personis monasterii ostendet quin remedium super hoc possint adhibere . nec aliquem sustinebit qui eis dampnum aut grauamen inferat aut inferri procurauerit / sed illi sicuti pro facto suo proprio usque ad congruam satisfactionem et emendam aduersabitur incessanter. Et ad hoc fideliter et irrefragabiliter obseruanda prenominatus Eustachius unacum Johanne fratre suo / qui eodem per omnia reatum constitutus eidem in omnibus satisfaccioni et emende similiter se submisit / obligant se et omnia bona sua mobilia et immobilia ubicunque fuerint inuenta ad voluntatem antedictorum . abbatis et conuentus sine aliqua contradiccione fore distringenda . et eciam si interesse fuerit (?) quod ad simplicem assertionem dicti domini abbatis sine strepitu iudiciali . per predictos ordinarios vel eorum alterum premissa adimplere compellantur . Et si contingat prenominatum Eustachium / aut Johannem contra ipsos articulos suprascriptos vel eorum aliquos contrauenire ue contradicere / obligant se et eorum quemlibet in quo debitum contigerit inueniri / soluere nomine pene . viginti libras bonorum et legalium sterlingorum sine aliqua relaxatione . medietatem . scilicet . decem libras abbati et conuentui de Cupro et aliam medietatem . scilicet decem libras fabrice ecclesie Dunkeldensi preter emendacionem transgressionum in quibus rei aut culpabiles fuerint inuenti . pena predicta soluta uel non 'ordinacio predicta / precepta et iniuncta in suo robore permaneant et vigore.' In cuius rei testimonium

presenti memoriali unacum sigillis dictorum ordinariorum sigilla dictorum Eustachii et Johannis sunt appensa . predictum interlinare . scilicet ordinario predicta / precepta et iniuncta in suo robore permaneant et vigore / fuit appositum ante consignationem huius scripti.

Seals missing. End.: Compositum (?) Eustachij de Rettref quod nuncquam malum faciet personis de Cupro.

Moray Charters, Box 32, Div. V, Bundle I, No. 14.

LXXII

Record of the settlement of a dispute between Coupar and Eustace, lord of Rattray (regarding the injuries done by him and his accomplices to the monks and especially the violent laying of hands on certain lay-brothers, wherefore Eustace had for a long time been excommunicate and denounced with his accomplices for sacrilege, throughout the bishopric of Dunkeld and other bishoprics, by master Hervy de Crambeth, dean of Dunkeld and vicar-general, which sentence was aggravated by contumacy), which was settled in this wise: On Wednesday within the octave of St. Andrew, 1302, Eustace appeared before the dean and archdeacon of Dunkeld in the presence of the abbot and many others, placed himself at the direction and will of the abbot to make sufficient amends and swore to fulfil this. Eustace was enjoined by the said ordinaries to come from the great gate of the monastery of Coupar with head uncovered and legs and feet bare and unshod, clad only in tunic, shirt and breeches, ungirt, with a rod in his hand, to the monks' chapterhouse on a certain day at the will of the abbot, to receive salutary penance and to make sufficient amends for the above acts of violence; likewise, in the presence of the abbot and convent, on a certain fixed day thereafter, to swear that he would be for his lifetime a special and loyal friend to them and their monastery. Eustace and his brother, John, further bind themselves and all their goods to be distrained by the abbot and convent at will; all under a penalty of 20*l.* sterling, half to Coupar and half to the fabric of the church of Dunkeld for any infringement.

This document is the subject of comment, Introduction, p. xxxv.

Eustachium dominum de Rettref: Mentioned as prisoner at Dunbar castle, committed to Wisbeach castle, 16 May, 1296 (Bain, *Calendar*, ii. 742). He appears as a juror at Perth, 1 Sept., 1305 (*ibid.*, ii. 1689). His grant to Coupar of the common of Drumy (No. LXXIV) is noted in a charter of Robert I, 5 Oct., 1309 (*Cupar*, ii. p. 287). He is mentioned as a member of the garrison of Perth, 1312 (Bain, *op. cit.*, iii. 426), along with his son, Eustace; the latter is perhaps the 'Eustachius de Retreven, armiger,' who is accused of treason, Aug., 1320 (*Scotichronicon*, ii. p. 274; *Extracta*, p. 150).

Fratres conuersos dicti monasterii: Conversi were lay-brothers of a

Cistercian house employed in working its lands, etc. See Introduction, p. xxxiii.

Magistrum Herueum de Crambeth Decanum Dunkeldensem : See note to No. LXIX.

Johanne fratre suo : John, Eustace's brother, appears in Nos. LXVI and LXXIV. He is not found elsewhere.

LXXIII

9 February, 1302/3.

Omnibus . . . . Adam de Glenbachlach . dominus de eodem / salutem in domino . Nouerit vniuersitas vestra me ex mera et spontanea voluntate mea et deuocione pro salute anime mee et Ade de Glenbachlach aui mei et animarum omnium antecessorum et successorum meorum / dedisse . concessisse et per cartam meam quam inde habeat et etiam per presens scriptum confirmasse deo et beate Marie de Cupro et Monachis . . . Totam terram meam de Drummy in tenemento de Glenbachlach in puram liberam et perpetuam elemosinam cum omnibus iuribus . libertatibus . pertinentiis . diuisis . et aysiamentis . . . et cum libero transitu eorundem et hominum suorum cum bonis et aueriis suis . per terras meas quociens indiguerint seu uoluerint Remisi etiam eisdem monachis et remitto pro me et heredibus et assignatis forisfacturam suam et hominum suorum si forsitan contingat ipsos uel ex ipsis aliquem infra terram meam forisfacere uel in curia mea amerciari / dum tamen super principali delicto legalis fiat emenda . Et cum omnibus aliis articulis libertatibus et aysiamentis tam in predicta carta mea nominatis quam non nominatis pacifice et honorifice . quiete et libere . in omnibus . prout predicta carta mea ex hoc confecta in se plenius continet et testatur . seu sicut aliqua terra in regno scocie liberius . . . ab aliquo monasterio tenetur seu possidetur . Ita quod nec ego nec heredes mei uel assignati aliquid ab eisdem viris religiosis occasione dicte terre aliquo tempore quoquomodo exigere poterimus in perpetuum nisi tantum preces et suffragia oracionum . Promittens fideliter et sine fraude pro me et heredibus meis et assignatis quod dictos viros religiosos super dicta terra

uel aliqua sui parte cum pertinenciis suis nunquam inquietabimus . vexabimus uel grauabimus nec eos inquietari . vexari uel grauari procurabimus per nos nec per aliquos de nostris nec per aliquos alios nec contra eos questionem uel mentionem super hoc aliquo tempore mouebimus . seu mouere attemptabimus in foro ecclesiastico uel ciuili sub pena centum librarum sterlingorum nomine expensarum . dampnorum et interesse . si contra predictam cartam meam et presens scriptum uel aliquem articulum in eisdem contentum . me seu heredes uel assignatos meos in aliquo contrauenire seu contrauenire attemptare contigerit aliquo tempore . quod absit . Predicta carta mea et presenti scripto nichilominus in suo robore in perpetuum duratur . Et ad hec omnia premissa sine dolo uel malo ingenio facienda obligo me et heredes meos et assignatos et omnia bona nostra mobilia et immobilia ubicunque fuerint inuenta per predictos religiosos seu ipsorum balliuos aut attornatos nulla licentia petita a quibuscunque ministris regis seu aliis quibuscunque . fore capienda et distringenda . et tandiu penes eosdem uiros religiosos periculo tantum meo aut heredum seu successorum meorum quos contra presentem meam donacionem venire contigerit / detinenda et occupanda donec sibi predicta summa centum librarum sterlingorum nomine expensarum dampnorum et interesse prout dictum est plenarie soluatur / nullo proponendo obstante . Subiciens me et heredes meos et assignatos iurisdictioni et cohercioni domini decani ecclesie Dunkeldensis . et ordinariorum eiusdem ecclesie qui pro tempore fuerint quod ipsi uel eorum aliquis uel aliqui qui super hoc fuerint uel fuerit requisiti uel requisitus possint uel possit in nos excommunicationis sententiam . et in terras nostras interdicti sententiam fulminare si contra predictam cartam meam . et presens scriptum et eorundem articulos ausu temerario presumpserimus venire . Renunciando in hoc scripto pro me et heredibus meis et assignatis in perpetuum omnibus contradictionibus exceptionibus . desensionibus . cauillacionibus . et prohibicionibus et omnibus literis et priuilegijs a curia regia uel a sede apostolica . aut a quacunque alia

curia impetratis seu impetrandis et omnibus aliis remediis et auxiliis que mihi et heredibus meis et assignatis poterunt in hoc facto aliquatenus prodesse . et dictis viris religiosis in aliquo uel in aliquibus obesse . In cuius rei testimonium presenti scripto sigillum meum una cum sigillis . . . domini Henrici Dei gracia abbatis de scona . ac . . . Magistri Heruei de Crambeth tunc temporis Decani Dunkeldensis . et Rogeri de Mortuo mari domini de Foulys . apposui et apponi procuraui . Datum apud Cuprum in octauis purificacionis beate marie virginis . Anno gracie . millesimo . Trecentesimo . secundo.

Tags remain marked 'Ade Glenbachlach' (with seal intact); 'Abbatis de Schona' (with fragment of seal); 'Decani Dunkeld.' (with fragment of seal); 'Rogeri de mortuo mari' (with seal intact). End.: Carta ade domini de glenbaulauch.

Moray Charters, Box 32, Div. V, Bundle II, No. 63.

LXXIII

Charter by Adam de Glenbachlach, lord of that ilk, whereby he grants to Coupar his whole land of Drumy in the tenement of Glenbachlach.

This charter is connected with the same transaction as No. LXIX. See note to that charter. The persons and places in it are all mentioned in previous charters. It is to be noted that Roger de Mortimer (cf. No. LXVIII) is here designed lord of Fowlis.

LXXIV

c. 1302.

Omnibus . . . Eustachius de Retref Dominus de eadem . . . salutem. Noueritis uniuersitas vestra me pro salute anime mee et pro salute animarum omnium antecessorum et successorum meorum dedisse . . . Deo et beate Marie de Cupro et monachis . . . in liberam puram et perpetuam elemosinam / Totam communam que ex iure hereditario seu quocunque alio modo me contigerit in terra de Drummyis in tenemento [1] de Glenbachlache ex consensu et assensu Ade de Glenbachlache domini dicte terre . Ita

[1] No. 13, 'territorio.'

libere / quiete / sicut ego aut aliquis antecessorum meorum aliquo tempore dictam communam habuimus aut tenuimus seu aliquo jure liberius aut quiecius tenere potuimus. Ita sane quod nec ego nec aliquis heredum meorum seu assignatorum quacunque occasione dicte commune a dictis monachis exigere valeamus . aut presentem donacionem et concessionem quacunque occasione reuocare. Ego uero et heredes mei dictam communam dictis monachis . . . warantizabimus / . . . / In cuius rei testimonium presenti scripto sigillum meum apposui. Et ad instanciam meam / nec non ad maiorem securitatem . ac confirmacionem dictus Adam de Glenbachlach sigillum suum huic scripto similiter apposuit. Hiis testibus Dominis Johanne Cambron de Balgligernach / Johanne de Inchemartyn et Johanne de Kynros / militibus . Waltero marescallo / alano brun . Johanne de Retref fratre meo . keraldo judice / et multis aliis.

Seals attached. End.: Donacio domini Eustachii domini de Rettry de tota communa in duobus drumys de jure hereditario contigerit (?).

Moray Charters, Box 32, Div. V, Bundle I, No. 12. *Ibid.*, No. 13 is a copy—identical except for one word—of the same charter, with seals attached and a similar endorsement.

LXXIV

Charter by Eustace de Rattray, lord of that ilk, granting to Coupar the whole common which hereditarily or otherwise belongs to him in the land of Drummyis in the tenement of Glenbachlach, with consent of Adam de Glenbachlach, lord of that land.

This donation clearly follows on the reconciliation of Eustace and the abbey. Cf. No. LXXII. It is noted, *Breviarium*, 92.

Eustachius de Retref Dominus de eadem : See note to No. LXXII.

Drummyis in tenemento de Glenbachlache : See notes to No. LXVI.

Ade de Glenbachlache : See note to No. LXVI.

(*Domino*) *Johanne Cambron de Balgligernach* (*milite*) *:* It is difficult to say what is the relationship between this John Cambron and his namesake who appears in No. XLVI and following charters; and there was another John de Cambron contemporary with the present witness. Sir John de Cambrun is a witness, 1281 (*REM.*, 220). On 24 July, John de Cambron swore fealty, along with Andrew, abbot of Coupar, to Edward I in the

Blackfriars' church at Perth (Bain, *Calendar*, ii. 124); and Sir John de Cambrun of Balligarnach is recorded as having done homage to Edward I, 14 March, 1295/6 (*ibid.*, ii. 730), but there is another John de Cambron in the same list. Sir John was a prisoner at Dunbar castle and confined in Gloucester castle, 16 May, 1296 (*ibid.*, ii. 177). He is mentioned as agreeing to serve Edward I in France or elsewhere, 22 Aug., 1297 (*ibid.*, ii. 942). On 1 Sept., 1305, he appears at an inquisition at Perth (*ibid.*, ii. 1689). It may be he who is on the list of the garrison at Perth, 1312 (*ibid.*, iii. 425), and who accounts for the lands of Kinclaven, 1311-12 (*ibid.*, iii. 433). John Cambron is one of the Scottish magnates named as a party to the declaration of Arbroath, 6 April, 1320 (*Scotichronicon*, ii. p. 275). It is probably a later John de Cambron who, as sheriff of Perth, is a witness, 3 July, 1333 (*Blackfriars of Perth*, xvi), whose land of Ballegranach is in the king's hand by forfeiture, 1335-37 (Bain, *op. cit.*, iii. 336, 385), and who, designed as of Balgligernach, is a witness, 1344 (*RMS.*, i. 196). Balgligernach is Balledgarno in Gowrie.

(*Domino*) *Johanne de Inchemartyn* (*milite*) *:* See note to No. LXX.

(*Domino*) *Johanne de Kynros* (*milite*) *:* See note to No. LXVII.

Waltero marescallo : Not found elsewhere.

Alano brun : Found only in No. LXVI.

Johanne de Retref fratre meo : See note to No. LXXII.

Keraldo judice : No contemporary mentions of this witness have been found. An earlier Kerald the judge appears, 1222 (?) (*REB.*, ii. p. 3), 1226-39 (*Aberbrothoc*, i. 306), and 1231 (*ibid.*, i. 133). The proper name Kerald is found in the place-name Careston=Keraldston. On Celtic *judices*, see McKinnon, *Constit. Hist. of Scotland*, p. 131.

LXXV

1304.

Cyrographum

Anno gracie m° . ccc° quarto facta est conuencio inter viros religiosos . Abbatem et Conuentum de Cupro ex vna parte . et Johannem Barbitonsorem Burgensem de Munros ex altera . videlicet quod dicti Abbas et Conuentus de communi consensu et assensu tocius capituli sui dimiserunt ad feodifirmam predicto Johanni terram suam in villa de munros Illam scilicet quam Thomas Ogglache de eisdem viris religiosis tenuit . Tenendam et habendam predicto Johanni et heredibus suis de predictis Abbate et Conuentu et successoribus suis . libere quiete . plenarie et honorifice . Reddendo annuatim predictus Johannes et heredes sui . predictis Abbati et successoribus suis de predicta terra quinque solidos sterlingorum ad duos anni terminos .

scilicet medietatem ad festum sancti Martini in Hyeme . et aliam medietatem ad Pentecosten . et faciendo forinsecum seruicium Domini Regis . quantum pertinet ad dictam terram . et respondendo de omnibus oneribus que de dicta terra secundum legem Burgi aliquo iure vel racione exigi uel requiri poterunt in futurum . Et sciendum quod nec dictus Johannes . nec aliquis heredum suorum dictam terram vendent . impignorabunt . vel aliquo modo alienabunt sine dictorum Abbatis et Conuentus consensu et voluntate . Et si dicta terra vendi debeat vel impignorari . aut aliquo alio modo alienari ⁝ dicti Abbas et Conuentus pre ceteris dictam terram habebunt pro eodem precio quod pro ea alias dare voluerint uel pro minori . Et si contingat quod dictus Johannes vel heredes sui occasione pauperitatis uel alicuius alterius cause domos in dicta terra construendas in bono statu tenere non poterunt . vel si firma de vno termino . usque ad alium terminum in toto vel in parte prolongata fuerit non soluta . licebit dictis Abbati et Conuentui dictam terram in suis manibus saysire et inde suum comodum facere . et nichilominus ipsos ad solucionem arreragiorum dicte firme si que debent ⁝ per namacionem bonorum suorum mobilium et immobilium ubicumque fuerint inuenta . vel per censuram ecclesiasticam ubicumque se diuertererint compellere . nullo proponendo obstante . Et sciendum quod omni casu fortuito contingente . siue prospero siue aduerso . predictus Johannes et heredes sui predictis viris religiosis . dicto modo de predicta firma satisfacient . Dicto vero Abbas et Conuentus dictam terram . dicto Johanni et heredibus suis contra omnes homines et feminas warantizabunt et defendent. In cuius rei testimonium parti huius scripti in modum cyrographi confecti penes dictos Abbatem et Conuentum remanenti ⁝ sigillum dicti Johannis vna cum sigillo communi ville de Munros est appensum . Parti vero alter[o] penes dictum Johannem residenti ⁝ sigillum commune dictorum Abbatis et Conuentus est appensum.

Two seals (one intact, one fragmentary) attached. End.: Conuencio Johannis barbitonsoris de terra in munros.

Moray Charters, Box 32, Div. V, Bundle II, No. 65.

LXXV

Indenture of 1304 setting forth an agreement between Coupar and John Barbour, burgess of Montrose, whereby the abbot and convent, with the consent of the whole chapter, lease to John their land in the township of Montrose which Thomas Ogglache held of them, for an annual payment of five shillings sterling.

Johannem Barbitonsorem Burgensem de Munros : That Barbitonsor is the surname Barbour or Barber latinised is shown by the mention of John Barber as one of the custumars of Montrose, 1330 (*Exch. Rolls*, i. p. 319). He appears as making a payment for the ferme of Montrose, 20 July (1304) (Bain, *Calendar*, ii. 438), and a charter of Robert I, 1 March, 1323/4, mentions John Barb[er] of Montrose as one of the members of an inquest regarding Restennet (*Archaeol. Scotica*, v. p. 312).

Terram suam in villa de munros : The abbey is noted as having an annualrent in Montrose in 1542 (*Cupar*, ii. p. 207), but there is no record of the donation of land to them in that burgh.

Thomas Ogglache : Not otherwise known.

LXXVI

c. 1304.

Omnibus . . . Johannes de Kynros miles salutem . in domino . Noueritis me pro salute anime mee et pro salute animarum omnium antecessorum et successorum meorum dedisse . . . deo et beate Marie de Cupro et monachis . . . in liberam . puram et perpetuam elemosinam totam terram de Duny et Clargis in Glenylef . per suas rectas diuisas cum omnibus pertinentiis suis etc. . . . In cuius rei testimonium presenti carte sigillum meum apposui . Hiis testibus . . . dominis Matheo et Nicholao Dunkeldensi et Dunblanensi Episcopis . domino Henrico abbate de Scona . dominis Alexandro de Abirnethy . Johanne de Inchemartyn . militibus . Rogero de mortuo mari et multis aliis.

Seal attached. End. : Carta iohannis de kinros De Duny et Clargis in puram liberam et perpetuam elemosinam.

Moray Charters, Box 32, Div. V, Bundle I, No. 25.

LXXVI

Charter by John de Kynros, kt., granting to Coupar the whole land of Duny and Clargis in Glenisla.

This charter appears, *Breviarium*, 83.

Johannes de Kynros miles : See note to No. LXVII.

Duny et Clargis in Glenylef: Dunnie is on the W. side of Glenisla. Clargis, called Clair in Robert I's confirmation-charter (*Cupar*, ii. p. 287), is identified by Rogers with Elrick (frequently mentioned in *Cupar*), now called Alrick, S. of Dunnie, on the same side of Glenisla.

The witnesses all appear in previous charters.

LXXVII

c. 1304.

Uniuersis . . . Johannes de Kynros miles salutem in domino. Nouerit uniuersitas uestra me pro salute anime mee et pro salute animarum omnium antecessorum et successorum meorum dedisse . . . abbati et conuentui de Cupro et eorum hominibus liberum transitum sine impedimento cum bonis suis in terris meis per omnes vias et semitas per quas homines mei transierunt. Volo etiam et concedo pro me et heredibus et assignatis quod si forsitan ipsi uel homines eorum forisfecerint infra terram meam uel amerciati fuerint in curia mea quod ipsorum amerciamenta seu forisfacture ipsis viris religiosis . quieta remaneant sine calumpnia alicuius uel contradiccione facta tamen quod principale delictum secundum visum communium amicorum * * * dictorum emendetur Et ut hec mea donacio . concessio . et confirmacio . firma sit et perpetua presenti scripto sigillum meum apposui. Hiis testibus dominis Gilberto de Haia Johanne Cambron de Balgligernach et Johanne de Inchemartyn militibus . Rogero de mortuo mari Waltero marescallo Henrico fratre meo keraldo judice et multis aliis.

Seal missing. End.: De libero transitu per quondam (?) dominum Johannem de Kinros et * * *

Moray Charters, Box 32, Div. V, Bundle I, No. 9.

LXXVII

Charter by John de Kynros, kt., granting to the monks of Coupar free passage with their goods through his lands and that, in the event of their men being forfeited within his land or amerced in his court, the monks will remain quit of the forfeitures or amercements.

This charter appears, *Breviarium*, 85. The persons mentioned in it all appear elsewhere, *e.g.* No. LXXIV, except Henry, the granter's brother, who has not been otherwise noted.

LXXVIII

c. 1304.

Omnibus . . . Johannes de Kinros . . . salutem . Nouerit vniuersitas vestra me pro salute anime mee et pro salute animarum omnium antecessorum et successorum meorum dedisse . . . deo et beate marie de Cupro / et monachis . . . duas marcas annui redditus de terra de Achinleesk annuatim percipiendas / que videlicet due marce de dicta terra me contingunt . vna cum toto jure meo quod in eadem terra habeo vel habere potero quouis modo . Tenendas et habendas dictis monachis et eorum successoribus in puram et perpetuam elemosinam de me et heredibus meis in perpetuum absque exaccione aliqua contradiccione vel retinemento . Ego vero Johannes et heredes mei dictas duas marcas sterlingorum annui redditus . vna cum concessione juris nostri quod habere poterimus in dicta terra / Dictis monachis . . . warantizabimus / . . . In cuius rei testimonium presenti scripto sigillum meum apposui. Hiis testibus . dominis Roberto de Kethe et Willelmo Byset militibus . Rogero de mortuo mari . Dauid de Bynyn tunc constabulario de Perthe et multis aliis.

Seal attached. End.: Achinlesk melior . ex dono iohannis dc kinros.

Moray Charters, Box 32, Div. V, Bundle II, No. 45.

LXXVIII

Charter by John de Kinros granting to Coupar two marks of annual-rent from his land of Achinleesk yearly as well as his right in that land.

Breviarium, 84, summarises a charter which is similar if not identical. It gives the names of two witnesses who do not appear in the present charter—Robert and Hervey (probably an error for Henry), brothers of the donor.

Johannes de Kinros : See note to No. LXVII.

Achinleesk : Auchinleish, on the W. side of Glenisla, near the Kirkton.

(*Domino*) *Roberto de Kethe* (*milite*) *:* The well-known marshal who witnesses many charters of Robert I and some of David II. It will be noted that in the present charter he is not designed 'marescallus.' *Scots Peerage*, vi. p. 30, states that he succeeded his father in the lands and

office of marischal of Scotland in 1294 and that he is designed by John Balliol 'our marischal.' He appears in English records from 20 Aug., 1299 (Bain, *Calendar*, ii. 1978), when, as warden of Selkirk forest, he was engaged in a project to raid the English marches. On 10 Aug., 1300, he is mentioned as a prisoner at Carlisle castle and a dangerous rebel (*ibid.*, ii. 1147, 1148). He attended, however, as a Scottish commissioner, Edward I's parliament at Westminster, *p.* 15 Sept., 1305 (*ibid.*, ii. 1691), appears as justiciar between Forth and the mountains, 25 Oct., 1305 (*ibid.*, ii. 1706), is mentioned as one of the deputy guardians of Scotland, 16 Feb., 1305/6 (*ibid.*, ii. 1745), and is in Edward I's service, 1306 (*ibid.*, ii. 1871), and later. Keith joined Bruce at Christmas, 1308, and his barony of Keith is mentioned as forfeited, 20 Feb., 1311/12 (*ibid.*, iii. 245). We find him witnessing a charter of Robert I as 'miles,' 2 May, 1311 (*RMS.*, ii. 11), and another as marshal, 7 April, 1312 (*Scon*, 131). He appears as justiciar of Robert I from Forth to Orkney, 9 Oct., 1312 (*HMC. Rep.*, v. App., p. 626). He was sheriff of Aberdeen in 1304 (*REA.*, i. p. 40) and is mentioned as holding that office in 1341 (*ibid.*, i. p. 69) and, evidently, at the time of his death (*Exch. Rolls*, i. pp. 542, 544). Keith was killed at the battle of Durham, 17 Oct., 1346 (*Scots Peerage*, vi, p. 33). He founded a chaplainry in Aberdeen cathedral (*REA.*, ii. p. 152).

(*Domino*) *Willelmo Byset* (*milite*) *:* The present Sir William Bisset is probably the individual of that name who has a grant from Calder Comitis, 1 Oct., 1294 (Bain, *Calendar*, ii. 700); does homage to Edward I, 7 July, 1296 (*ibid.*, ii. 194); appears as sheriff of Clackmannan, 17 April, 1304 (*ibid.*, ii. 1514), and as sheriff of Stirling, 25 July, 1304 (*ibid.*, ii. 1564). In the latter capacity and as constable of Stirling castle, he appears, 7 Aug., 1304 (*ibid.*, iv. 484), is in correspondence with Edward I, 15 and 20 Aug. of the same year (*ibid.*), and asks for repair of the castle gate, 1304-6 (*ibid.*, iv. 1825). Bisset appears in English records till 16 May, 1315 (*ibid.*, iii. 434), when the Scots had seized his lands for his adherence to Edward II.

Rogero de mortuo mari : See note to No. LXVIII.

Dauid de Bynyn tunc constabulario de Perthe : Not found elsewhere.

LXXIX

c. 1304.

Omnibus . . . Johannes de Kynros miles salutem . . . Noueritis me pro salute anime mee et pro salute anime bone memorie Johannis de Kynros patris mei et pro salute animarum omnium antecessorum et successorum meorum dedisse . . . Deo et beate Marie de Cupro et monachis . . . duas marcas annui redditus de terra de A[chinlesk] annuatim percipiendas una cum toto iure meo quod in eadem terra habeo uel habere potero quouismodo

Et etiam totas terras meas de Camb[och] Duny et Glargis in Glenylef per suas rectas diuisas saluo seruitio scoticano domini Regis quantum pertinet ad unam dauacam terre c[um dimi]dia. Tenendas et habendas dictis monachis . . . adeo libere . . . sicut alique alie terre . liberius . . . infra Regnum Scocie uel aliquo Barone dari [poter]at uel concedi. Reddendo inde annuatim michi et heredibus meis vnum denarium argenti . vel unum par albarum cerotecharum ad Pentecosten si petatur . pro omni seruicio . exaccione . [uel secul]ari demanda. Ego vero predictus Johannes et heredes mei predictas duas marcas annui redditus de predicta terra de Achinlesk una cum [donac]ione tocius iuris nostri quod in eadem terra habere potuimus. Et eciam predictas terras de Camboch . de Duny et Glargis . . . prenominatis monachis et successoribus suis . . . warantizabimus . et ipsos de secta curie mee et molendini mei et de omnibus aliis que de dictis terris per me et heredes me[os . . .] . . . exigi poterunt . . . acquietabimus et defendemus. In cuius rei testimonium presenti carta pro me et heredibus meis sigillum meum apposui. Hiis testibus . venerabilibus patribus dominis matheo et Nicholao Dunkeldense et Dunblanense Episcopis domino Henrico abbate de Scona . dominis Alexandro de Abirnethy . Johanne de Inchemartyn militibus . Rogero de mortuo mari . et multis aliis.

Seal missing. End.: De Achinlesk . Camboch . Duny et Clargis Saluis seruicio regis * * *. This charter is torn and stained.

Moray Charters, Box 32, Div. V, Bundle I, No. 11.

LXXIX

Charter of John de Kynros, kt., granting to Coupar two marks of annualrent from the land of Achinlesk with all right which he has in that land; and also his whole lands of Camboch, Duny and Glargis in Glenisla, for an annual payment of one silver penny or a pair of white gloves at Whitsunday if asked for.

Cf. Nos. LXX, LXXVI, LXXVIII.

Johannes de Kynros miles: See note to No. LXVII.

Bone memorie Johannis de Kynros patris mei: We find papal mandatories terminating an action by Sir John de Kinross against Alwin of

Kalentar, 21 Oct., 1252 (*GRH. Charters*, 50). Sir John de Kinross is a witness, 13 Oct., 1260 (*RPSA.*, p. 346); and appears as sheriff of Kinross, 1264-6 (*Exch. Rolls*, i. pp. 16, 34). John, his son and heir, is mentioned, 15 (?) April, 1291 (Bain, *Calendar*, ii. 472). John de Kynros, 'le fuiz,' kt., does homage at Aberdeen, 16 July, 1296 (*ibid.*, ii. 195), while John de Kynros, of the county of Forfar, does homage at Berwick, 28 Aug., 1296 (*ibid.*, ii. 199); and a message from Edward I is directed to John de Kynros, among others, 24 May, 1297 (*ibid.*, ii. 884)—which of these mentions, if any, refers to the senior Kinross cannot be said.

Achinlesk : See note to previous charter.

Camb[och] : See note to No. LXX.

Duny et Glargis : See note to No. LXXVI.

The witnesses all appear in previous charters.

LXXX

22 July, 1305.

Uniuersis . . . Matheus . . . Ecclesie Dunkeldensis minister humilis . . . salutem . Noueritis nos inspexisse et legisse quandam cartam infra scriptam pie memorie domini Willelmi Regis Scocie illustris . concessam viris religiosis Abbati et Conuentui de Cupro in hec verba . Willelmus . . . (*ut in Cupar, II, p.* 291). . . . apud Jedewerth . Et nos matheus Dunkeldensis Episcopus in huius rei testimonium sigillum nostrum vna cum sigillo domini Roberti Harchars militis et tunc temporis vicecomitis de Perth fecimus apponi . Datum apud Perth die Jouis in festo beate marie magdalene . Anno gracie . m° . Trecentesimo . quinto.

Seal missing. End.: Willelmi Regis . de libertate emendi et vendendi . quod nemo nos etc. (as in charter). The endorsement is damp-stained.

Airlie Charters, 1122.2.

LXXX

Letters of Matthew, bishop of Dunkeld, confirming a charter of King William the Lion to the abbot and convent of Coupar.

Matheus . . . Ecclesie Dunkeldensis minister : See note to No. LXX.

Domini Roberti de Harchars militis et tunc temporis vicecomitis de Perth : See note to No. LXV.

LXXXI

3 September, 1305.

Cyrographum

Memorandum quod anno gracie m° ccc° quinto die veneris proxima ante festum Natiuitatis beate marie virginis . frater Alanus abbas de Cupro et eiusdem loci conuentus concesserunt domino Gilberto de Haya domino de Erol . et heredibus suis ad supplicacionem dicti domini Gilberti quemdam fluxum aque qui dicitur flodeyeth a stangno molendini sui currentem super terram dictorum abbatis et conuentus per kipam pendentem que est in regione dicti molendini Ita videlicet quod dictus fluxus aque siue flodeyeth latius seu largius vel ulterius versus aquilonem nullis futuribus temporibus deducatur qua die confectionis presencium sicut predictum est eisdem fuerat concessum. In cuius Rei testimonium parti huius scripti in modum cirographi confeci penes dictos abbatem et conuentum residenti appensum est sigillum dicti domini Gilberti una cum sigillo Nicholai de Haya filii sui primogeniti et heredis . Parti vero penes dictum dominum Gilbertum remanenti appositum est sigillum dictorum abbatis et conuentus.

Seal of Gilbert Hay remains; seal of abbey missing. End.: Concessio domino de Erole de fluxu aque ad molendinum suum.

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

LXXXI

Indenture recording that on the Friday next before the feast of the Nativity of the Blessed Virgin Mary, 1305, brother Alan, abbot of Coupar and the convent thereof, granted to Sir Gilbert de Haya, lord of Errol, at his desire, a certain watercourse which is called the floodgate, running from his mill-dam over the land of the abbot and convent by a certain hanging scoop (?) which is in the region of the mill, in such wise that the watercourse or floodgate may not be made wider, larger or further than at the date of the framing of the present charter.

Frater Alanus abbas de Cupro : See Appendix II.

Domino Gilberto de Haya domino de Erol : See note to No. LXIII.

Flodeyeth : The word seems to be flood-yett=floodgate.

A stangno molendini sui : A charter of Gilbert de Haya refers to the dam of the water of Ederpolles and to that water running to his mill (*Cupar*, ii. p. 286).

Kipam : The meaning of this word is obscure. It has not been found elsewhere.

Nicholai de Haya filii sui primogeniti et heredis : Nicholas predeceased his father, Sir Gilbert. We find him as a witness to charters of Robert I, 1 April, 1320 (*RMS.*, i. App. 1, 35), 30 Jan., 1323/4 (*ibid.*, i. App. 1, 77). He also appears as a witness, *c.* 1323 (*REG.*, i. 274), and attests his father's charter, 6 May, 1324 (*Blackfriars of Perth*, XIII).

LXXXII

p. 1305.

Omnibus . . . Willelmus de haya dominus de Athmoris salutem in domino. Nouerit uniuersitas uestra me pro anima Johannis patris mei . Et Petronille matris mee . et pro salute anime mee . et Isabelle sponse mee . et pro animabus omnium antecessorum et successorum meorum dedisse . . . deo et Ecclesie beate marie de Cupro . et monachis . . . locum pro duobus crouis ponendis et habendis super litus aut sabulum aque de They . Inter diuisas terre mee de athmoris et terre de Polgauy ex una parte . et terre de Randalfston ex altera . cum crouis meis propriis aut cum crouis hominum meorum ad uoluntatem ipsorum religiosorum . utrum videlicet latus ad latus cum crouis meis propriis esse voluerint / aut inter crouos hominum meorum. Concedo etiam eisdem monachis . fratribus suis conuersis . et eorum hominibus ac seruientibus liberum transitum per terram meam de athmoris . per omnes vias et semitas . per quas homines mei transierint . aut transire consueuerunt ad dictos crouos ponendos. piscandos. amouendos. et mutandos quociens sibi viderint expedire. et iterum reponendos sine calumpnia cuiuscumque . necnon et alia bona sua quecumque carianda et trahenda de aqua de They per terram meam predictam ad grangiam suam de Carso. et de ipsa grangia inferius ad aquam eandem quociens necesse habuerint. exceptis bladis meis et pratis. quibus si transeundo dampnum aliquod intulerint / Ad visum proborum sufficienter emendabitur. Hanc autem donacionem meam tenebunt predicti monachi de me et heredibus meis in

puram et perpetuam elemosinam . ita libere etc. . . . Preterca cum dicti monachi michi ut fratri sui capituli in vita mea quam in morte. in omnibus missis suis et oracionibus . ac etiam in vniuersis aliis suis bonis operibus spiritualibus plenam participacionem gratis concesserint / ego Willelmus de Haya sanus corpore et mente compos ordino. Et ad hoc obligando me per presentes / colego corpus meum sepelicndum in Capitulo ipsorum monachorum de Cupro. vbicunque ex parte boriali aque de Forth mors mihi diem clauserit extremum. Nullo testamcnto meo alias condito / aut quouis modo contraualente. In cuius rei testimonium presenti carte sigillum meum apposui. Hiis testibus . . . . domino Willelmo . . . Episcopo Sancti Andree. domino Johanne de haya rectore ccclesie de Erol . dominijs gilberto de Haya domino de Erol . Johanne de Inchemartyn . Johanne Cambrun de Balligyrnach militibus . Thoma de Haya filio meo et herede . Edmundo de lc leys . et multis aliis.

Written on fold of charter: Compos completorum descderii cum completum est desiderium.

Seal missing. End.: Carta domini Willelmi de Haya de duobus crouis super tcrram de Athmoris.

Moray Charters, Box 32, Div. IV, Bundle I, No. 10.

LXXXII

Charter of William de Haya, lord of Athmoris, whereby he grants to Coupar a site for two cruives on the shore or sand of the Tay, between the marches of his land of Athmoris and the land of Polgavy on the one side and the land of Randalston on the other; also free passage through his land of Athmoris. Moreover, since the monks have granted him as a brother of their chapter in life and in death full participation in their masses, prayers and good works, he leaves his body to be buried in their chapter-house, no matter where on the north side of the Forth death overtakes him.

Willelmus de haya dominus de Athmoris : A later member of this branch of the Hay family than William de la Hay, lord of Admur, who appears in No. XLVII. It is impossible to say whether he is the William de la Haye who swore fealty at Dunfermline, 17 July, 1291 (Bain, *Calendar*, ii. 124), and did homage at Berwick, 28 Aug., 1296 (*ibid.*, ii. 196). There was another knight of the same name who is mentioned as a prisoner consigned to Berkhampstede castle, 16 May, 1296, and 5 March, 1296/7 (*ibid.*, ii. 742, 875), and who undertakes to serve Edward I abroad, 22 Aug., 1297

(*ibid.*, ii. 942). His wife, Isabel, does not seem to be mentioned except in this charter.

Johannis patris mei et Petronille matris mee : John de Haya of Aithmuir and his wife, Petronilla, are not specifically mentioned elsewhere.

Locum pro duobus crouis ponendis . . . super litus aut sabulum aque de They : A cruive is defined as 'a wattled hedge built on tidal flats for catching fish' (*Chambers's Dict.*, *s.v.*). There are large sandbanks on the N. shore of the Firth of Tay.

Athmoris : See note to No. XLVII.

Polgauy : Powgavie, in the parish of Errol.

Randalfston : Randerston, in the parish of Errol, on the shore of the firth.

Fratribus suis conuersis : The fisheries would be in charge of *conuersi* living at Carsegrange.

Liberum transitum per terram meam de athmoris . . . ad grangiam suam de Carso : Carsegrange lies N. of Aithmuir and the direct route from the fisheries to the grange would lie through Hay's land.

Dicti monachi michi ut fratri sui capituli . . . in omnibus missis suis et oracionibus . . . participacionem . . . concesserint : The monks, that is, have granted him the privilege of *fraternitas*. See Introduction, p. xxxi.

Willelmo . . . Episcopo Sancti Andree : William de Lamberton, bishop of St. Andrews, 1298-1328 (Dowden, *Bishops*, pp. 21-22).

Domino Johanne de haya rectore ecclesie de erol : Brother of Sir Gilbert the constable, whose charter he witnesses, 6 May, 1324 (*Blackfriars of Perth*, XIII).

(*Domino*) *gilberto de Haya domino de Erol* (*milite*) *:* The constable. See note to No. LXIII.

(*Domino*) *Johanne de Inchemartyn* (*milite*) *:* See note to No. LXX.

(*Domino*) *Johanne Cambrun de Balligyrnach* (*milite*) *:* See note to No. LXXIV.

Thoma de Haya filio meo et herede : This Thomas de Haya is probably different from the witness of the same name who appears in No. LXXXIII. See note to the latter charter.

Edmundo de le leys : Representative of another branch of the house of Hay. Leys is in the parish of Errol. Edmund de la Haye of the county of Perth does homage at Berwick, 28 Aug., 1296 (Bain, *Calendar*, ii. 204). Edmund de Haya 'del Leys' and his son, William, are parties to an agreement with Scone, 1312 (*Scon*, 144), while Edmund of Leys witnesses a charter of Sir Gilbert de Haya, at Errol, 6 May, 1324 (*HMC. Rep.*, vi. App., p. 713=*Blackfriars of Perth*, XIII).

LXXXIII

1305-09.

Uniuersis . . . Gilbertus de Haya miles dominus de Erol salutem in domino. Nouerit vniuersitas vestra me

pro salute anime mee . et pro salute animarum omnium antecessorum et successorum meorum dedisse . . . abbati et conuentui de Cupro et eorum hominibus liberum transitum sine impedimento cum bonis suis in terris meis per omnes vias et semitas per quas homines mei transierint. Volo etiam et concedo pro me et heredibus meis et assignatis quod si forsitan ipsi uel homines eorum forisfecerunt infra terram meam uel amerciati fuerunt in curia mea quod ipsorum amerciamenta seu forisfacture / eisdem uiris religiosis quieta remaneant sine calumpnia alicuius uel contradictione. Ita tamen quod principale delictum secundum visum communium amicorum ex vtraque parte electorum emendetur. Et ut hec mea donacio concessio et confirmacio firma sit et perpetua . presenti scripto sigillum meum feci apponi. Hiis testibus . . . W. et M. sancti Andree et Dunkeldensi episcopis . . . Hugone et Henrico de Dunfermilyn et de Scon abbatibus . dominis Alexandro de Abirnethy . Johanne de Inchemartyn et thoma de Haya militibus et multis aliis.

Seal (broken) remaining. End.: De libero transitu per terras domini de Erol et de * * *

Moray Charters, Box 32, Div. IV, Bundle I, No. 11.

LXXXIII

Charter of Sir Gilbert de Haya, lord of Errol, whereby he grants to Coupar free passage through his lands, with provision for the adjustment of forfeitures and amercements.

Printed in *Cupar*, ii. p. 285.

Gilbertus de Haya miles dominus de Erol : See note to No. LXIII.

W. et M. sancti Andree et Dunkeldensi episcopis : William de Lamberton, bishop of St Andrews, 1298-1328 (Dowden, *Bishops*, pp. 21-22), and Matthew de Crambeth, bishop of Dunkeld, 1288-1309 (*ibid.*, pp. 59-60).

Hugone et Henrico de Dunfermilyn et de Scon abbatibus : Hugh, abbot of Dunfermline, is found as a witness to charters of Robert I, 1312 (*Aberbrothoc*, ii. 536), and 1 March, 1312/3 (*ibid.*, i. 287). For Henry, abbot of Scone, see note to No. LXIX.

(*Domino*) *Alexandro de Abirnethy* (*milite*) *:* See note to No. LXV.

(*Domino*) *Johanne de Inchemartyn* (*milite*) : See note to No. LXX.

(*Domino*) *thoma de Haya* (*milite*) *:* It is impossible precisely to identify this witness as there was more than one contemporary of this name. It is likely that, as he is mentioned as knighted, he is different from Thomas,

son and heir of William de Haya of Aithmuir, who figures in the previous charter. He was probably of the Hays of Errol or of their kindred. Thomas de la Haye does homage at Berwick, 28 Aug., 1296 (Bain, *Calendar*, ii. 204). Another so named, whose claim to Tulybotheuille in right of his wife is the occasion of an inquest, 17 Sept., 1307 (*ibid.*, iii. 13), was probably of the house of Yester; in the record of a further inquest on Sir Thomas del Hay's land, 20 Feb., 1311/12, it is implied that he had joined Bruce in 1308 and it is stated that he held Heriot in Lothian, etc. (*ibid.*, iii. 332). His barony of Loghorward was given to his son, William, 1335/6 (*ibid.*, iii. 332). Thomas de Haya, again, has a charter of a third of Leuchars from Robert I (*RMS.*, i. App. 2, 497), and David II confirms a grant by the late Sir Thomas de Haya to Janet Monypenny, his daughter, of this land (*ibid.*, i. App. 1, 131). Sir Thomas de Hay is a witness, 28 Oct., 1314 (*Ch. Chest Earldom of Wigtown*, 626), and is recorded as having interfered with the king's fishings, 1331 (*Exch. Rolls*, i. p. 402).

LXXXIV

1305-09.

Omnibus . . . Gilbertus de Haya dominus de Erole salutem in domino. Nouerit vniuersitas vestra me pro salute anime mee et pro salute animarum omnium antecessorum et successorum meorum . dedisse . . . deo et beate marie de Cupro. et monachis . . . . in puram et perpetuam elemosinam omnes terras illas quas tenent in tenemento meo de Erole. Tenendas etc. . . . In cuius rei testimonium presenti scripto sigillum meum apposui. Hiis testibus . . . Willelmo et matheo sancti Andree et Dunkeldensi . Episcopis . . . Hugone et Henrico de Dunfermelyn . et de Scon Abbatibus . Dominis Alexandro de Abirnethi Johanne de Inchemartyn et Thoma de Haya militibus . et multis aliis.

Seal intact. No endorsement.

Moray Charters, Box 32, Div. IV, Bundle I, No. 12.

LXXXIV

Charter of Gilbert de Haya, lord of Errol, granting to Coupar all the lands which they hold in the tenement of Errol.

The granter and witnesses are the same as in the previous charter.

LXXXV

1305-09.

Uniuersis . . . . Ego Gilbertus de Haya miles . dominus de Erole salutem . . . . Nouerit vniuersitas vestra [1] me pro salute anime mee et anime bone memorie domini Nicholay de Haya patris mei et pro salute animarum omnium antecessorum [2] et successorum meorum . cum consensu . assensu . et voluntate Nicholay filii mei primogeniti et heredis . dedisse . . . deo et beate marie de Cupro . et monachis . . . aduocacionem . siue ius patronatus Ecclesie de Fosuiw [3] . cum duabus acris terre propinquioribus dicte Ecclesie ex parte occidentali . et omnibus aliis aysiamentis [4] . ad dictam Ecclesiam pertinentibus vel de iure pertinere valentibus . Tenendis et habendis dictis monachis et successoribus suis in perpetuum [5] de me et heredibus meis in liberam . puram et perpetuam elemosinam . ita libere . . . in omnibus . sicut aliquis miles . vel Baro aliquam terram cum aduocacione alicuius Ecclesie . liberius . . . viris religiosis dare poterit. Et ego Gilbertus et heredes mei . aduocacionem prenominate Ecclesie . cum supradictis duabus acris terre et omnibus aliis aysiamentis vt dictum est . dictis monachis . . . warantizabimus et defendemus . Et vt hec mea donacio . concessio . et confirmacio firma et stabilis perseueret in perpetuum [6] presenti scripto pro me et heredibus meis sigillum meum . vna cum sigillo dicti Nicholay filii mei primogeniti et heredis apposui . Hiis testibus . . . dominis . W. et M. sancti Andree et Dunkeldensi Episcopis . . . Hugone et Henrico de Dunfermelyn et de Scon Abbatibus . Dominis Alexandro de Abirnethyn . Johanne de Inchemartyn . et Thoma de Haya militibus . Malcolmo tunc Rectore Ecclesie de Fosuiw . Roberto de Leburc [7] . et multis aliis.

Seals attached. End.: Donacio aduocacionis ecclesie de Fossuy per dominum gylbertum de hay.

Moray Charters, Box 32, Div. V, Bundle I, No. 29. This

charter is incorporated in *ibid.*, No. 66, with the following variants :

[1] 'Noueritis' is substituted for 'Nouerit vniuersitas vestra.'
[2] 'predecessorum.'
[3] 'fosuui.'
[4] 'aisiamentis.'
[5] 'inperpetuum.'
[6] 'inperpetuum.'
[7] 'Le burc.'

LXXXV

Charter by Sir Gilbert de Haya, lord of Errol, granting to Coupar the patronage of the church of Fossoway, with the two acres of land nearer the church on the west side.

This grant is mentioned in Robert I's confirmation-charter (*Cupar*, ii. p. 287).

Gilbertus de Haya miles dominus de Erole : See note to No. LXIII.

Bone memorie domini Nicholay de Haya patris mei : See note to No. LXIX.

Nicholay filii mei primogeniti et heredis : See note to No. LXXXI.

Ius patronatus Ecclesie de Fosuiw : Sir Nicholas de Haya has a charter from King John (Balliol) of the lands (among others) of Fossaway, 1294 (*Spalding Club Misc.*, ii. p. 313). Sir Gilbert's present donation is mentioned in later supplications, 22 May and 2 Aug., 1419 (*Supplics.*, pp. 51, 100). Fossoway is in Kinross-shire.

The witnesses, except the two last, appear in previous charters. Malcolm, rector of Fossoway, has not been found elsewhere ; it is notable that he attests this particular transaction. Robert de Leburc has not been found elsewhere.

LXXXVI

c. 1306.

Omnibus . . . . Malisius Comes de Strathern . salutem . . . . Noueritis me caritatis intuitu et pro salute anime mee . et pro animabus omnium antecessorum et successorum meorum concessisse et hac presenti carta mea confirmasse pro me et heredibus meis deo et beate marie de Cupro et monachis . . . . donacionem illam et warantizacionem quam dominus Gilbertus de Haya dominus de Erole fecit eisdem monachis de duabus acris terre propinquioribus ecclesie de Fosseuui ex parte occidentali cum advocacione eiusdem ecclesie de Fosseuui . Tenendas et habendas dictis monachis de Cupro de dicto domino Gilberto et heredibus suis in perpetuum in liberam /

puram et perpetuam elemosinam cum omnibus pertinentiis suis . libertatibus et aysiamentis ad dictas duas acras terre et ecclesiam de Fosseuui pertinentibus uel pertinere ualentibus . ita libere / . . . sicut aliqua terra cum aduocacione alicuius ecclesie in regno Scocie ab aliquo milite uel barone . liberius / . . . tenetur uel possidetur seu ab aliquo Comite concedi poterit uel confirmari. Et ut hec mea concessio et confirmacio robur perpetue firmitatis optineat: presentem cartam sigilli mei apposicione pro me et heredibus meis roboraui. Hiis Testibus . . . . domino Nicholao Episcopo Dumblanensi . . . . domino mauricio abbate de Insula missarum domino malcolmo de Inuerpefir milite . Roberto de Strathern fratre meo . Malisio filio meo et herede . Cristino vicario de Cumbri Guillelmo de la bath armigero . et multis aliis.

Seal (a finely executed specimen) attached. End.: Confirmacio Milisii (*sic*) comitis de strathhern de donatione et aduocatione ecclesie de Fossuy.

Moray Charters, Box 32, Div. V, Bundle I, No. 22.

LXXXVI

Charter of Malise, earl of Strathearn, ratifying the grant by Sir Gilbert de Haya, lord of Errol, to Coupar of the two acres nearer the church of Fossoway on the west side with the patronage of that church.

The confirmation of Sir Gilbert de Hay's gift by earl Malise is mentioned in Robert I's confirmation-charter (*Cupar*, ii. p. 287).

Malisius Comes de Strathern : Malise, sixth earl of Strathearn, who succeeded in 1271 (*Scots Peerage*, viii. p. 247). He witnesses a charter of Alexander III, 17 Jan., 1283/4 (*RMS.*, ii. 1791). Malise swore fealty to Edward I at Stirling castle, 1291 (Bain, *Calendar*, ii. 508), and had (? again) taken oath of fealty to King Edward, 28 Aug., 1296 (*Invent. Chron.*, p. 11). He appears frequently thereafter in English records. He is mentioned as a prisoner in England, 6 Nov., 1307 (Bain, *op. cit.*, iv. 22); is acquitted of bad faith by Edward II, 1309 (*ibid.*, iv. 118); was in English pay, Dec., 1310 (*ibid.*, iv. 192); and received part of his allowance from Edward II, 28 Jan., 1312/3 (*ibid.*, iv. 299). According to *Scots Peerage*, vii. p. 249, he died ' if not earlier (*sic*) ' at least very soon after this date. His countess, Agnes, is mentioned, Nov., 1310 (Bain, *op. cit.*, iv. 208). For his son and heir, Malise, see *infra*. See also *Inchaffray*, pp. lxiv-lxvii.

Dominus Gilbertus de Haya dominus de Erole : See note to No. LXIII.

Ecclesie de Fosseuui : See note to previous charter.

Nicholao Episcopo Dumblanensi : See note to No. LXX.

Mauricio abbate de Insula missarum : Abbot of Inchaffray, 1307-22; in the latter year he became bishop of Dunblane. See *Inchaffray*, p. 252, for an account of him.

Domino malcolmo de Inuerpefir milite : As depute-chamberlain, Sir Malcolm held an inquisition at Perth, 1 Sept., 1305 (Bain, *Calendar*, ii. 1689). He appears as sheriff of Clackmannan and Auchterarder, *p.* 15 Sept. of that year (*ibid.*, ii. 1691 ; cf. 439). Sir Malcolm de Inuerpefir was one of the first to join Bruce and, taken prisoner, was confined in the Tower, 24 Nov., 1306 (*ibid.*, ii. 1858). On 16 May, 1310/11, there is mention of his escort and of letters to bring him from London to Berwick (*ibid.*, iii. 218).

Roberto de Strathern fratre meo : According to *Scots Peerage*, viii. p. 247, Robert appears as brother of earl Malise, 31 Oct., 1284 (the reference is probably to *REM.*, p. 467). He did homage, 28 Aug., 1296 (Bain, *Calendar*, ii. 200) ; but he was received as a prisoner at the Tower, 12 Dec. (?), 1297 (*ibid.*, ii. 964). *Scots Peerage*, *loc. cit.*, cites the present charter as evidence that ' he was still alive in 1306.'

Malisio filio meo et herede : For an account of him see *Inchaffray*, p. lxviii. He succeeded his father in the earldom, and while his father adhered to the English side, he latterly adhered to the side of King Robert, whose charters he witnesses, 9 March, 1316/17 (*Aberbrothoc*, ii. p. 537) and later. He is one of the Scottish magnates whom the pope urges to foster unity and peace, 5 Sept., 1319 (*CPR.*, ii. p. 438). Commonly stated to have fallen at Halidon, 20 July, 1333 (*e.g. Exch. Rolls*, i. p. cxliv) ; but this is refuted, *Inchaffray*, p. lxviii, which, like *Scots Peerage*, viii. p. 251, puts his death *c.* 1329.

Cristino vicario de Cumbri : This vicar of Comrie is not mentioned elsewhere. One of his predecessors, Gilbert, appears as parson or rector of Comrie, ? 1268 (*Inchaffray*, xcvi, etc.), and *p.* 1270 (*GRH. Charters*, 52). Why Comrie had become a vicarage since Gilbert's time cannot be explained.

Guillelmo de la bath armigero : Not found elsewhere.

LXXXVII

1306 or later.

Omnibus . . . Henricus de Inchemartyn miles dominus eiusdem Salutem in domino Noueritis quod ex mangna (*sic*) deuocione quam erga religiosos viros abbatem et conuentum de Cupre concepi ex eo maxime quod in fraternitatem spiritualem capituli sui et tocius sui ordinis solempniter me susceperunt et gratanter mihi concesserunt plenam participationem omnium bonorum spiritualium que in dicti sui ordinis fiunt vniuersitate tam in vita mea

quam post mortem meam in omnibus missis suis et oracionibus deuotis et in omnibus aliis bonis operibus suis spiritualibus perpetuis temporibus duratis. Volo igitur et concedo dictis viris religiosis pro me et heredibus meis et assignatis duas marcas annui redditus annuatim capiendas de terris meis de Inchemartyn et de Cragdali ad duos terminos ad cuiuscunque uel ad quorumcunque manus in posterum deuenerint pro lacu de lochceskyr et lethrinloch pro quibus locis predecessores mei duas marcas singulis annis de thecis suis dictis religiosis persoluere consueuerunt Et si contingat dictos religiosos in solutione dictarum duarum marcarum in toto uel in parte ad festa pentecostes et sancti martini et ad dicta loca per me uel heredes meos et assignatos inposterum defraudari quod absit Obligo me et heredes meos et assingnatos (*sic*) et specialiter antedictas terras necnon omnia alia bona nostra mobilia et immobilia ubicunque fuerint inuenta fore distringenda namanda capienda et abducenda et ad voluntatem dictorum monachorum et balliui uel deputati eorum si necesse sint vendenda sine licencia alicuius ministri ecclesiastici uel secularis quousque tam de dampnis laboribus et expensis et interesse si que quos uel quas ob defectu Solucionis dictarum duarum marcarum ad duos terminos et locos minime solutarum quam de debito principali plenarie et integre et pacifice et sine litis strepitu totaliter fuerit satisfactum nullo juris remedio in contrarium obstante renunciando pro me et heredibus meis et assignatis in hoc facto inperpetuum omni exceptioni doli uel fraudis ac omnibus auxiliis et remediis juris canonici et ciuilis necnon omnibus excepcionibus cauillacionibus et cautelis per quas uel per quod solucio dictarum duarum marcarum de antedictis terris in aliquo dictorum terminorum possit infirmari inpugnari impediri uel afferri Et ego dictus Henricus obligo me et heredes meos et assignatos fideliter per presentes quod presentem donacionem et concessionem meam dictis religiosis factam in omnibus et per omnia sicut dictum est est fideliter obseruabimus et contra omnes homines et feminas warantizabimus acquietabimus et inperpetuum defendemus Et ut hec mea donacio et concessio

perpetue robur optineat firmitatis presentem cartam sigillo meo una cum sigillis Domini Gilberti de Haya domini de Erol et domini Johannis de Inchemartyn fratris mei rectoris ecclesie de Rothnach feci roborari Hiis testibus Gilberto de Haya Hugone fratre Domini Comitis de Anegus Radulfo Musart militibus Waltero de Wederel Johanne socio eius et multis aliis.

Seal of Gilbert Hay attached ; others missing. Original endorsement faded. Endorsed in later hand : Donatio duarum marcarum de terris de inchemartin.

Moray Charters, Box 32, Div. IV, Bundle I, No. 33.

LXXXVII

Charter of Sir Henry de Inchemartyn, lord of that ilk, whereby, in view of his reception into the fraternity of that house and order, he grants Coupar two marks of annualrent from his lands of Inchemartyn and Cragdali for the loch of Lochceskyr and Lethrinloch for which his forebears were used to pay two marks annually to the monks.

The date of this charter lies somewhere after the last appearance on record (1306) of John de Inchmartin (I).

Henricus de Inchemartyn miles dominus eiusdem : See note to No. LXX.

Inchemartyn : Inchmartin, in the parish of Errol.

Cragdali : Craigdallie, to the N.E. of Inchmartin. Cragdaly and its mill are mentioned as in the barony of Inchmartin in 1500 and 1512/13 (*RMS.*, ii. 2547, 3815).

Lochceskyr et lethrinloch : Neither of these lochs has been located.

Domini Gilberti de Haya domini de Erol : See note to No. LXIII.

Domini Johannis de Inchemartyn fratris mei rectoris ecclesie de Rothnach : The identification of this witness is somewhat difficult. He may be John de Inchmartin (II), who succeeded the granter as lord of Inchmartin (see note to No. LXXXIX) ; and the mention of him as rector of ' Rothnach ' does not preclude the possibility that he was a layman (cf. the case of the Hays, note to No. XXVI). On the other hand, it is possible that there were two men—brothers or half-brothers—called John de Inchmartin. Could the present witness be an illegitimate son of John de Inchmartin (I) ? Rothnach is possibly Rannoch (see note to No. LXIV). A later John de Inchmartin was a cleric ; his petition for a benefice is granted, 29 Jan., 1381 (*CPR.*, Pet., i. p. 558), he appears as prebendary of Inuernochti, 28 March, 1407 (*REA.*, i. p. 211), and as archdeacon of Ross and secretary to the earl of Mar, 24 Dec., 1409 (*RMS.*, ii. 56), and 2 Jan., 1420/1 (*Spalding Club Misc.*, iv. p. 117).

Gilberto de Haya (milite) : See *supra.*

Hugone fratre Domini Comitis de Anegus (milite) : According to *Scots*

Peerage, i. p. 168, the contemporary earl of Angus was Gilbert de Umfraville, second earl of that line. He died in 1307. *SP.* does not mention Hugh as his brother.

Radulfo Musart (milite) Waltero de Wederel Johanne socio eius : None of these witnesses have been found elsewhere.

LXXXVIII

1306-17.

Omnibus . . . Ego Michael de Miggil dominus de eadem . . . salutem. Noueritis me pro salute anime mee et pro salute bone memorie domini Symonis de miggil [patris] mei . et domine christiane matris mee . [et pro sa]lute animarum omnium antecessorum et successorum meorum dedisse . . . abbati et conuentui de Cupro et eorum hominibus liberum transitum sine impedimento cum bonis suis [in terris] meis . et in terris heredum meorum seu assignatorum per omnes vias et semitas per quas homines mei . vel homines heredum [meorum] seu assignatorum transierunt. Volo eciam . . . (*ut in no. LXXXIII*). . . . Hanc autem donacionem . . . ego Michael de Miggil [dominus de eadem et] heredes mei . predictis abbati et conuentui . . . [warantizabimus] . . . . Et ut hec mea donatio . . . firma sit et perpetua pro me et heredibus meis presenti scripto sigillum meum apposui . Hiis testibus . . . Dominis Willelmo et Nicholao sancti andree et Dunblanensi episcopis . Dominis Dauid Comite [de A]tholie . alexandro de Abirnethy et Willelmo de monte fixo militibus . Rogero de mortuo mari . Dauid de Blair [et mul]tis aliis.

Seal attached. End. (in a late hand) : Charta Donationis per Michaelem de Miggil dominum de eodem. This charter is badly stained.

Moray Charters, Box 32, Div. V, Bundle II, No. 57.

LXXXVIII

Charter of Michael de Miggil, lord of that ilk, granting to Coupar free passage through his lands.

Michael de Miggil dominus de eadem : We find Michael de Miggil, 'armiger' of Archibald, bishop of Moray, as a witness, 26 Oct., 1294 (*REM.*, 130). He is one of those who have done homage to Edward I, 14 March, 1295/6 (Bain, *Calendar*, ii. 730). As a prisoner taken at Dunbar

castle, he is committed to Nottingham castle, 16 May, 1296 (*ibid.*, ii. 742); is there, 23 Nov., 1298 (*ibid.*, ii. 1029); and is delivered from prison, 26 Sept., 1299 (*ibid.*, ii. 1098). His treatment as a prisoner of Wallace is the subject of an inquisition at Perth, 1 Sept., 1305 (*ibid.*, ii. 1689).

Symonis . . . [patris] mei . . . christiane matris mee : Not found.

Dominis Willelmo et Nicholao sancti andree et Dunblanensi episcopis : See notes to Nos. LXXXIII and LXX.

(Domino) Dauid Comite [de A]tholie (milite) : David, often called de Strathbolgy (Strathbogie), son of John, earl of Athole, and Marjory, his countess (see No. XCV), succeeded to the title on his father's death in 1306 (*Scots Peerage*, i. p. 428). He was a prisoner in England (as was his father) in 1296 (Bain, *Calendar*, iv. 1768). On 15 May, 1307, *i.e.* after his father's death, he had come to Edward I's peace (*ibid.*, ii. 1979), and a writ of 24 June, 1307, indicates that he had the earldom of Athole restored to him—it had been given to the earl of Gloucester—for a payment of 5000 marks (*ibid.*, ii. 1945). David appears frequently thereafter in English records and was mainly a strong English partisan—Barbour, *Bruce*, xiii. 484-500, refers to time and circumstances of his defection to English side; but for a time (1312 and later) he adhered to Bruce. On 29 Oct., 1312, he witnesses a confirmation of a treaty with Norway in parliament at Inverness (*Scots Peerage*, i. p. 428), and he appears as constable of Scotland, *c.* 1312 (Robertson, *Earldom of Athole*, p. 9), and in that capacity witnesses charters of King Robert, 1312/13 (*Aberbrothoc*, ii. pp. 535, 536), 28 Feb. and 1 March, 1313/14 (*ibid.*, i. 278, 287). He is found again in England, October, 1314 (*SP.*, i. p. 428), and his lands were forfeited (*RMS.*, i. App. 1, 71) and bestowed, at an unspecified date in the reign of Robert I, upon Sir Neill Campbell and Mary, his wife (the king's sister), and their son, John (Robertson, *Index*, p. 26, No. 11). He is mentioned up to 20 Jan., when Edward II, having regard to his good services, grants his goods to his executors to have him decently buried (Bain, *Calendar*, iii. 897). His son and successor, David, also an English partisan, is frequently mentioned; and Johanna, his wife, aunt and co-heir of Adomar Comyn, appears, Nov., 1316 (*ibid.*, iii. 1008), and later. David appears in later Coupar charters.

(Domino) Alexandro de Abirnethy (milite) : See note to No. LXV.

(Domino) Willelmo de monte fixo (milite) : William de Munfichet witnesses a charter, *c.* 1300 (*Spalding Club Misc.*, ii. p. 315). He appears as justiciar on the north side of the Forth, 1319-33 (*REM.*, p. 471); is one of the Scottish magnates named in the declaration of Arbroath, 6 April, 1320 (*Scotichronicon*, ii. p. 275); witnesses charters of Robert I, 30 Jan., 1323/4 (*RMS.*, i. App. 1, 77), 26 April, 1324 (*Blackfriars of Perth*, XII (2)), and 4 March, 1327/8 (*RMS.*, ii. 3737); also charters of Murdoch, earl of Menteith, *c.* 1330 (*Menteith*, ii. 20, 22).

Rogero de mortuo mari : See note to No. LXVIII.

Dauid de Blair : Perhaps the man of this name, 'of the county of Perth,' who did homage at Berwick, 28 Aug., 1296 (Bain, *Calendar*, ii. 204).

LXXXIX

1307-17.

Omnibus . . . Ego Johannes de Inchemartyn filius bone memorie domini Johannis de Inchemartyn . . . salutem . Noueritis me pro salute anime mee et pro salute animarum dicti domini Johannis patris mei et domine Johanne matris mee ac omnium antecessorum et successorum meorum dedisse . . . abbati et conuentui de Cupro et eorum hominibus liberum transitum sine impedimento cum bonis suis in terris meis et in terris heredum meorum seu assignatorum per omnes vias et semitas per quas heredes mei vel homines heredum meorum seu assignatorum transierunt. Volo eciam . . . (*ut in no. LXXXIII*) . . . Hiis testibus . . . dominis Willelmo et Nicholao sancti Andree et Dumblanense Episcopis . dominis Dauid Comite Atholie Alexandro de Abirnethy et Willelmo de monte fixo militibus . Rogero de mortuo mari et Dauid de blare et multis aliis.

Seals missing. End.: Carta domini de Inchemartyn de libero transitu per terras suas et de amerciamento.

Moray Charters, Box 32, Div. V, Box I, No. 26.

LXXXIX

Charter by John of Inchmartin granting to Coupar free passage through his lands.

This charter is summarised, *Breviarium*, 82. The date of this charter can only be determined by the facts that John de Inchmartin (II) succeeded Henry de Inchmartin whose tenure of the lordship of Inchmartin must at most have been confined to a short period after 1306, about which year he followed John de Inchmartin (I). The fact that Alexander de Abernethy is a witness precludes a later date than 1315-17, when he (Alexander) died. It could be argued with some plausibility that it was granted not later than *c.* Oct., 1314, by which date David, earl of Athole, another of the witnesses, had left Scotland.

Johannes de Inchemartyn filius bone memorie domini Johannis de Inchemartyn: Younger son of John de Inchmartin (I) (see note to No. LXX). He is mentioned, 1319 (*Dunfermelyn*, 352), and 1319-33 (*REM.*, p. 470); appears as sheriff of Perth, 1324, 1325 and 1328 (*Blackfriars of Perth*, XIII; *Panmure*, ii. p. 163; *Exch. Rolls*, i. p. 102); is one of the Scots who came to the king of England's peace, 1332 (*Chron. Lanercost*, p. 269). On 8 May, 1334, he made a donation to the Perth Dominicans (*Blackfriars of Perth*, XVII).

Domini Johannis patris mei et domine Johanne matris mee : See note to No. LXX.

The witnesses appear in the previous charter.

XC

1307-17.

Omnibus . . . Johannes de Inchemartyn dominus de eadem . . . salutem. Noueritis me pro salute anime mee . et pro salute animarum bone memorie domini Johannis de Inchemartyn patris mei . et domine Johanne matris mee . et quondam domini Henrici de Inchemartyn fratris mei . ac omnium antecessorum et successorum meorum dedisse . . . Abbati et Conuentui de Cupro et eorum hominibus liberum transitum sine impedimento cum bonis suis in terris meis . et in terris heredum meorum seu assignatorum . per omnes vias et semitas per quas homines mei vel homines heredum meorum seu assignatorum transierint . Volo etiam . . . (*ut in no. LXXXIII*) . . . emendetur . Hanc autem donacionem . . . Ego predictus Johannes de Inchemartyn et heredes mei / predictis Abbati et Conuentui . . . warantizabimus . . . Et hec omnia dicti Abbas et Conuentus pro se et suis successoribus / mihi et heredibus meis perpetuo concesserunt. Vt autem hec mea donacio . . . firma sit et perpetua / ego Johannes antedictus pro me et heredibus meis presenti scripto sigillum meum apposui . Hiis testibus . . . dominis Willelmo et Nicholao Sancti Andree et Dunblanensi episcopis . dominis Dauid Comite Atholie . Alexandro de Abirnethy . et Willelmo de monte fixo militibus . Rogero de mortuo mari . Dauid de blair . et multis aliis.

Seal attached. End. : de libero transitu per terras domini Johannis de Inchemartyne et amerciamentis (two last words added in a later hand).

Moray Charters, Box 32, Div. V, Bundle II, No. 67.

XC

Charter (in terms similar to No. LXXXIX) by John de Inchmartin, lord of that ilk, granting to Coupar free passage through his lands.

The persons mentioned in this charter are all the subject of notes to Nos. LXX, LXXXIX, etc.

XCI

1307-17.

Omnibus . . . Willelmus de Fentona miles salutem . . . . Noueritis me pro salute anime mee et pro salute anime bone memorie domini Johannis de Fentona patris mei necnon et pro salute animarum omnium antecessorum et successorum meorum dedisse . . . abbati et conuentui de Cupro et eorum hominibus liberum transitum sine impedimento cum bonis suis in terris meis . . . (*ut in no. LXXXIII*) . . . Hiis Testibus . . . . dominus Nicholao et Johanne Dunblanensi et Brechenensi Episcopis . . . domino Henrico Abbate de Scona . dominis Alexandro de Abirnethy . Johanne de Inchemartyn . et Johanne de Fentona filio meo primogenito et herede militibus . Rogero de mortuo mari . et multis aliis

Seal attached. End.: de libero transitu per terras domini Willelmi de Fentona et de amerciamentis.

Moray Charters, Box 32, Div. V, Bundle II, No. 68.

XCI

Charter by William de Fenton, kt., whereby he grants to Coupar free passage through his lands.

The persons who figure in this charter are the subject of notes to Nos. LXXI, LXXXIX, etc.

XCII

1307-20.

Vniuersis . . . Nicholaus . . . Ecclesie Dunblanensis minister humilis salutem . . . . Notum vobis sit per presens scriptum . quod cum per virorum fidedignorum testimonium et eciam per inspectionem cuiusdam carte domini Gilberti de Haya nobis facta fuerit plena fides super quandam donacionem . concessionem et warantizacionem aduocacionis siue juris patronatus Ecclesie de fosseuui cum duabus acris terre factam religiosis viris [1] Abbati et Conuentui monasterii de Cupro per predictum dominum

[1] Blank in charter for a name or initial not inserted.

. G. et per Nicholai filii sui primogeniti et heredis consensum . cuius donacionis . . . tenor et forma talis est . Uniuersis . . . (*ut in no. LXXXV*) . . . Quam quidem donacionem . . . ratam et firmam habemus et per presentem cartam nostram pro nobis et successoribus nostris dictis viris religiosis et successoribus suis in omnibus inperpetuum confirmamus . Salua nobis et successoribus quarta dicte Ecclesie et omnibus iuribus episcopalibus et ordinariis . Et in signum dicte ratificacionis et confirmacionis eisdem per nos facte . presenti carte sigillum nostrum apposuimus . Hiis testibus . magistris Hugone de selkirk . Archidiacono brechinensi . matheo de munros rectore ecclesie de Tulibotheuillc . Adam de Abirbroth rectore ecclesie de Tulialwyn . Rogero de Wedal rectore ecclesie de kenel . Randulfo vicario de Athy . et multis aliis.

Seal missing. End.: Collatio Nicholay episcopi Dunblanensis ecclesie de Fossui.

Moray Charters, Box 32, Div. V, Bundle II, No. 66.

XCII

Charter of Nicholas, bishop of Dunblane, confirming the charter of Sir Gilbert de Haya granting to Coupar the patronage of the church of Fossoway with two acres of land.

Nicholaus . . . Ecclesie Dunblanensis minister : See note to No. LXX.

Carte domini Gilberti de Haya : No. LXXXV.

Nicholai filii sui primogeniti et heredis : See note to No. LXXXV.

(*Magistro*) *Hugone de selkirk Archidiacono brechinensi :* Not found elsewhere but may have succeeded John, archdeacon of Brechin, whose election as bishop is confirmed, 1 June, 1298 (*CPR.*, Letters, i. p. 575).

(*Magistro*) *matheo de munros rectore de Tulibotheuille :* Not found elsewhere. Tulibotheuille is Tulibole, now united to Fossoway.

Adam de Abirbroth rectore ecclesie de Tulialwyn : Not mentioned elsewhere as rector of Tulliallan but a man of this name appears as rector of Mauchline, 7 Aug., 1292 (Bain, *Calendar*, ii. 629). The designation of this witness disposes of the suggestion that Tulliallan was a post-Reformation parish. Medieval parsons of it are also mentioned in 1515 and 1527 (*RSS.*, i. 2592, 3845).

Rogero de Wedal rectore ecclesie de kenel : See note to No. LXV.

Randulfo vicario de Athy : Not found elsewhere. Ethie was an appropriated church of Arbroath (*CPR.*, Pet., i. p. 235). The parish is now merged in Inverkeilor (MacKinlay, *Dedications* (non-Script.), p. 498).

XCIII

1307-20.

Omnibus . . . Johannes de Fentona / miles / filius et heres domini Willelmi de Fentona salutem in domino. Noueritis me pro salute anime mee / et pro salute animarum omnium antecessorum et successorum meorum / concessisse . . . Deo et beate marie de Cupro / et monachis . . . / donationes illas / quas dictus Willelmus pater meus / eisdem monachis fecit / et cartis suis confirmauit videlicet de tota terra sua de adory / in tenemento de Rethy / et eciam de libero transitu in terris ipsius / per vias et semitas . / et de amerciamentis / in liberam puram et perpetuam elemosinam / in omnibus / prout carte dicti domini Willelmi patris mei / eisdem monachis inde confecte / plenius testantur et proportant. Hanc autem concessionem et confirmacionem Ego Johannes de Fentona predictus / et heredes mei / prenominatis monachis . . . warantizabimus . . . In cuius rei testimonium presenti scripto sigillum meum apposui. Hiis testibus . . . / dominis Nicholao et Johanne de Dunblane et brechyne / Episcopis . dominis (*sic*) / Rogero mortuo mari / et multis aliis.

Seal attached. End.: Confirmacio Johannis Fentoun de Adory et de libero transitu et de amerciamentis. In the orig., 'Johannis Fentoun,' inserted with a *caret*, is misplaced.

Moray Charters, Box 32, Div. V, Bundle II, No. 46.

XCIII

Charter of John de Fenton, kt., son and heir of Sir William de Fenton, confirming to Coupar the donations made by William, his father, of his whole land of Adory in the tenement of Rethy and of free passage through his lands.

Sir William de Fenton's donations are recorded in Nos. LXXI and XCI.

Johannes de Fentona miles filius et heres domini Willelmi de Fentona: See notes to No. LXXI.

The other persons and the places mentioned are the subject of notes to No. LXXI and other charters *supra*.

XCIV

c. 1308—5 October, 1470.

In dei nomine Amen Anno . . . Millesimo quadringentesimo Septuagesimo mensis Octobris die vero quinta indiccione quarta Pontificatus . . . pauli . . . pape secundi Anno quarto In mei Notarij publici et testium subscriptorum presencia personaliter constitutus . . . dompnus Walterus Bunche monachus monasterii de Cupro . . . quandam litteram in pergamino scriptam sub sigillis . . . domini gilberti de haya militis domini de Erole et Nicholai de haya filii sui primogeniti et heredis cauda dependente sigillatam sanam et integram etc. . . . ac michi Notario publico subscripto tradidit perlegendam copiandam et transsumendam Cuius quidem littere tenor de uerbo in uerbum sequitur et est talis Omnibus . . . Ego Gilbertus de haya / miles / dominus de Erole / Salutem in domino Noueritis me resignasse et quitum (*sic*) clamasse pro me et heredibus et assignatis / viris religiosis Abbati et Conuentui de Cupro / et suis successoribus inperpetuum / totum ius si quid habui vel habere potero in toto herbagio et piscaria stagni aque de Edirpollis quatenus terra ipsorum se extendit / que quidem aqua currit ad molendinum meum Et in omnibus aliis asiamentis ad dictam piscariam stagni et herbagii pertinentibus / vel pertinere valentibus / Ita quod nec ego nec heredes mei vel assignati a dictis viris religiosis vel successoribus suis aliquod jus in dicto herbagio piscaria / et omnibus aliis asyamentis vt dictum est exigere poterint * * * In cuius Rei testimonium presenti scripto Sigillum meum vna cum sigillo Nicholai de haya filii mei primogeniti et heredis pro me et heredibus meis et assignatis apposui Hijs testibus . . . dominis W. et M. Sanctiandree et Dunkeldensi Episcopis . . . Hugone et Henrico de dunfermlyne et de Scona Abbatibus Alexandro de Abirnithy Johanne de Inchemartyne et thoma de haya militibus malcolmo tunc rectore ecclesie de Rosinach Roberto de * * * et multis aliis De et super cuius quidem littere copia transsumpcione

et tenore prefatus dompnus W[alterus a me] Notario publico subscripto sibi fieri petiit publicum instrumentum Acta erant hec in ecclesia parochiali de pert hora quasi decima ante meridiem presentibus Nobilibus viris Roberto grahame de fyntree thoma ogiluy de Clova discretis viris magistro Willelmo de keere notario publico domino Ricardo Wricht presbiteris et Johanne mathe burgensi de dunde cum multis aliis testibus . . .

Et ego Alexander forfar presbiter Sanctiandree diocesis publicus Imperiali et Regia auctoritatibus Notarius etc. . . . (*in communi forma*) . . .

End. : Instrumentum super resignatione domini Gylberti de haya de tota pastura et piscaria stagni de ederpollis.

Moray Charters, Box 32, Div. V, Bundle II, No. 82.

XCIV

Notarial instrument containing the transumpt of a charter of Sir Gilbert de Haya, lord of Errol, quitclaiming to the abbot and convent of Coupar all right in all the grazing and the fishing of the stank of the water of Ederpolles.

Gilbert de Haya's charter appears, *Cupar*, ii. p. 286, in a slightly different version taken from the Brockie MS. transumpt. It has been thought advisable to reproduce it here in order to comment on certain variants of the witnesses' names. Hay is not yet designed as constable.

Walterus Bunche monachus . . . de Cupro : Walter Bunche, monk of Coupar, appears in No. CXLIV ; also mentioned, 10 May, 1473 (?) (*Cupar*, i. p. 175), and 10 Nov., 1474 (*ibid.*, i. p. 200). There seems to have been a contemporary monk of Balmerino of the same name. See No. CXLIII.

Domini Gilberti de haya militis domini de Erole : See note to No. LXIII.

Nicholai de haya filii sui primogeniti et heredis : See note to No. LXXXI.

Edirpollis : See note to No. III.

W. et M. Sanctiandree et Dunkeldensi Episcopis . . . thoma de haya militibus : For these witnesses see notes to No. LXXXIII.

Malcolmo tunc rectore ecclesie de Rosinach : Given in *Cupar*, ii. p. 286, as 'rectore ecclesie de Rosmuth.' Can this parish be identified with 'Rothnach' of which John de Inchmartin was rector, *c.* 1306 (No. LXXXVII), and which may be Rannoch ?

*Roberto de * * * :* *Cupar*, ii. p. 286, has here 'Roberto de Hebare.' In the present version of the charter, this witness's name is badly stained. One would wish to conjecture that the surname is 'de Haya' or 'de la Hay' ; but the only man of this name on record in this period is mentioned, *c.* 1300, as a knight (*Spalding Club Misc.*, ii. p. 315) ; while *Robert* de Hay, constable, who is one of the Scots magnates to whom the pope

writes urging him to foster peace, 28 Aug., 1319 (*CPR.*, ii. p. 428), is almost certainly a mistake for Gilbert de Hay.

Roberto grahame de fyntree : Son of Sir William Graham of Kincardine and Lady Mary (or Mariota) Stewart, daughter of Robert III (previously married to the earl of Angus and James Kennedy of Dunure) (*Archbps. of St. Ands.*, i. p. 12). He was thus half-brother to James Kennedy, the celebrated bishop of St. Andrews; and father of the unfortunate Patrick Graham, first archbishop of that see. Graham and his parents appear in charters, 4 Aug., 1420 (*RMS.*, ii. 167), and 8 Jan., 1421/2 (*ibid.*, ii. 168). He appears, 1 Feb., 1453, as of Ewisdale (*ibid.*, ii. 1038), but a charter of 9 March, 1490/1 (*ibid.*, ii. 1558), refers to a (previous) excambion of the lands of Ewisdale for those of Balargus. By an indenture of 24 Oct., 1460, Robert Graham of Balargus excambed with his uncle, Patrick, Lord Graham, the lands of Auld Montrose, Kinabber and Charlton for the lordship of Fintry and Buchlyvie Graham (*HMC. Rep.*, Var. Colls., v. p. 197); while Patrick, Lord Graham and William, his son, enter into an indenture with Robert Grahame of Fintry and David, his son, whereby the two former shall not impugn the right of the two latter, 13 Jan., 1460/1 (*ibid.*, ii. App., p. 167). As of Fintry, Graham has a crown charter of the lands of Cragtoune, etc., in Lennox, 31 Aug., 1464 (*RMS.*, ii. 808). He appears as provost of Dundee, 17 Feb., 1465/6 (*ibid.*, ii. 2395), to 10 Sept., 1478 (*ibid.*, ii. 1456). He is a party with his son, Patrick (the bishop), to an indenture, 31 June, 1466 (*Reg. Hon. de Morton*, ii. 222), and witnesses one of Patrick's charters, 3 Nov., 1467 (*Spalding Club Misc.*, iv. p. 7). Graham had a lease of the dominical lands of Strathdichty-comitis, 27 Jan., 1471/2 (*RMS.*, ii. 1081), and there is a group of charters of lands in Angus granted him by the earl thereof, 7 Aug., 1476-23 Sept., 1477 (*ibid.*, ii. 1560). His wife, Jonet Lovell, daughter of Sir Richard Lovell of Ballumbie, appears in a charter founding a chaplainry for their souls (evidently during their lifetime) at St. Paul's altar in the parish church of Dundee, 2 June, 1477 (*ibid.*, ii. 1339); he was later married to Matilda Scrymgeour, daughter of Sir James Scrymgeour, constable of Dundee (*HMC. Rep.*, Var. Colls., v. pp. 185, 199). He appears on record, along with his son, John, 20 Aug., 1484 (*Douglas Bk.*, iii. 116), and probably as late as 1 July, 1485 (*Aberbrothoc*, ii. 263); his death took place before 20 May, 1490 (*HMC. Rep.*, Var. Colls., v. p. 199). On 7 Jan., 1492/3, a chaplainry at the Mary altar of the church of Strathdichty-comitis for the souls of Robert Graham and Janet Lovell (*RMS.*, ii. 2130) was founded by his son, Robert, who is there designed 'de Fyntre' and who appears, 7 Aug., 1476, as his son and heir (*Douglas Bk.*, iii. 107), although, 18 May, 1496, David Graham is so described (*Laing Chs.*, 227, 223, 229).

Thoma ogiluy de Clova : Appears on record from 10 May, 1451 (*Spalding Club Misc.*, iv. p. 4). He was appointed bailie of Arbroath abbey, 1 March 1453 (*Aberbrothoc*, ii. 99). He has a safe-conduct through English dominions for three years, 11 March, 1465/6 (Bain, *Calendar*, iv. 1366). On 12 May, 1473, James III grants him the lands of Cortachy (*RMS.*, ii. 1123). David, earl of Crawford, grants him anew the lands of Clova,

6 July, 1482 (*ibid.*, ii. 1522). His spouse, Elizabeth Douglas, appears in a charter granting them lands in the barony of Alyth, 20 April, 1453 (*ibid.*, ii. 769); his son and heir, Alexander, is mentioned, 22 Oct., 1470 (*Laing Chs.*, 163), and later. A later Thomas Ogilvy of Clova, whose son and heir is James, appears in No. CLXIII.

Magistro Willelmo de keere notario publico: It is difficult to decide whether there were two contemporary notaries of this name. William de Keir, described as priest of Brechin diocese and notary public, appears from 16 May, 1465 (*Panmure*, ii. p. 241), to 9 Nov., 1474 (*GRH. Charters*, 450). But master William Ker, notary, witnesses a charter at Dundee, 17 Feb., 1465/6 (*RMS.*, ii. 2395), and it is evidently the same man, variously called Ker and Keir, who appears as rector of Kirkpatrick-Fleming, 14 June, 1466 (*ibid.*, ii. 935), to 4 Nov., 1475 (*ibid.*, ii. 1230), and is designed thus and as a notary, 29 Aug., 1475 (*ibid.*, ii. 1253).

Domino Ricardo Wricht (presbitero): Appears in a Brechin charter, 1 Feb., 1435 (*REB.*, i. 47). The tenement of Sir Richard Wricht, chaplain, is mentioned retrospectively in a Dundee charter, 24 July, 1490 (*RMS.*, ii. 1970).

Johanne mathe burgensi de dunde: Not found elsewhere. His surname was evidently Matthew.

Alexander forfar . . . Notarius: This notary, who apparently practised in Dundee, appears frequently between 21 June, 1456 (*Scrymgeour Inventory*, 238), and 12 May, 1487 (*Douglas Bk.*, iii. 117).

XCV

c. 1308—1362-71.

Carta donationis terrarum de Alueth datarum monachis de Cupro per Marioriam quondam relictam comitis Atholie (*in margin*).

Uniuersis . . . Marioria Relicta quondam domini Johannis Comitis Atholie et domina de Stratalueth Salutem in domino sempiternam. Nouerint vniuersitas vestra me in libera et legitima viduitate mea ex consensu assensu et voluntate domini Dauid filii mei primogeniti et heredis pro salute anime mee et anime quondam dicti domini Johannis mariti mei et eciam pro salute anime quondam domini Douenaldi patris mei necnon et omnium antecessorum et successorum meorum dedisse . . . deo et beate marie de Cupro et monachis . . . aduocationem siue jus patronatus ecclesie de Alueth cum tota terra ad dictam ecclesiam spectantem que jacet prope dictam ecclesiam tam prope quam procul viz. usque ad metam versus villam de banff que dicitur lie slane mannished iuxta communiam de banff antedictam ex boriali descendendo in aquam de Dowerne cum dicta aqua et piscatura

eiusdem ascendendo ad lie meirburne ex orientali usque ad lie blak bank et fowlfurd et inde extendendo ad knokkie ex australi ascendendo riuulum statentem de lie Claret well usque ad viam ascendendo ad slak wethy et inde descendendo per viam usque ad slakbethy descendendo ad fontem et riuulum eiusdem usque ad reidbank et illinc ascendendo torrentem fluentem in aquam de dowerne usque ad Rannaldis hillok et inde ad lie crukit hillok et lie stanryfurdis ascendendo ad magnam foueam vulgariter lie gret slak et Reschypannys descendendo ad lie Comiswell et inde ad fontem sancti Johannis et bludypott et lie quhyt stanis inter communiam de banff et terram ecclesiasticam de Alueth antedictam ex occidentali partibus cum omnibus aliis terris asiamentis similiter et libertatibus ad dictam ecclesiam pertinentibus vel de jure siue consuetudine pertinere valentibus Tenendam et habendam dictis monachis et successoribus suis inperpetuum de me et heredibus meis in liberam puram et perpetuam elimosinam Ita libere quiete plenarie honorifice et pacifice in omnibus et per omnia sicut aliqua domina in sua libera et legitima viduitate aliquam terram cum aduocatione alicuius ecclesie sibi et cum ipsa in liberum maritagium concessam et collatam liberius quietius plenius honorificentius et pacificentius viris religiosis dare poterit Et ego Marioria et heredes mei aduocationem predicte ecclesie cum supradicta terra commoditatibus et pertinentiis eiusdem ad dictam ecclesiam spectantibus . . . . warantizabimus . . . Et ut hec mea donatio concessio et confirmatio firma et stabilis perseueret inperpetuum presenti scripto pro me et heredibus meis sigillum meum est appensum Apud Aberbrothe Anno domini millesimo trecentesimo quartodecimo die lune proximo post festum conuersionis sancti pauli apostoli Presentibus ibidem . . . dominis Matheo et Johanne dunkeldensi et brechinensi Episcopis . . . hugone et Johanne de dunfermlyng et de Abirbroht abbatibus dominis Alexandro de Abirnathy Dauid de bachone (*rectius* Brichyne) et Johanne de Inchmartyne militibus Rogero de mortuo mari Adam de glenbachlac Johanne de Cambrone barbitonsore et multis aliis.

Carta donationis et confirmationis thome Comitis de Mar de dictis terris, etc. (*in margin*).

Omnibus . . . Thomas Comes de Mar et dominus de Strataluethe Salutem in domino sempiternam Noueritis nos pro salute anime nostre et pro salute animarum omnium antecessorum et successorum nostrorum concessisse et hac presenti carta nostra confirmasse charitatis intuitu pro nobis heredibus nostris et assignatis deo et beate marie de Cupro et monachis . . . donationem illam quam nobilis domina Marioria quondam Comitissa Atholie et domina de Strataluethe in libera et legitima viduitate sua eisdem viris religiosis fecit et carta sua confirmauit de aduocatione siue iure patronatus ecclesie de Aluethe in diocesi Aberdonensi cum tota terra ad dictam ecclesiam spectantem que jacet prope dictam ecclesiam et in omnibus aliis terris asiamentis et commoditatibus ad dictam ecclesiam pertinentibus vel de jure seu consuetudine pertinere valentibus sicut Carta eiusdem domine vnacum confirmatione domini dauid De strabogy filii sui primogeniti et heredis eisdem viris religiosis inde confecta plenius testatur Tenendam et habendam dictis viris religiosis et successoribus suis inperpetuum de nobis et heredibus nostris et assignatis in liberam puram et perpetuam elemosinam ita libere etc. . . . in omnibus sicut aliquis Comes regni Scotie aliquam terram vel terras cum aduocatione alicuius ecclesie in elemosina liberius etc. . . . viris religiosis concedere pariter vel confirmare Et nos Thomas predictus heredes nostri et assignati aduocationem dicte ecclesie cum supradictis terris et omnibus asiamentis commoditatibus et libertatibus . . . warantizabimus . . . Et ut hec mea concessio et confirmatio stabilis et firma perseueret imperpetuum presenti carte pro nobis heredibus nostris et assignatis sigillum nostrum apponimus Apud Morauiensem sedem Anno domini millesimo tricentesimo quartodecimo decimonono die mensis marcii Presentibus . . . dominis Alexandro et Alexandro Abirdonensi et Morauiensi Episcopis . . . Johanne et Wilelmo de dunfermlyng et de Scona abbatibus nobilibus viris Wilelmo de fentone et Alano de Erskyne cum multis aliis

Et ego thomas Deir clericus Sanctiandree diocesis sacra apostolica auctoritate notarius suprascriptis Cartis (*rec-*

tius suprascriptas Cartas) donationis concessionis et confirmationis manu mea propria scripsi et quandam cartam Henrici Episcopi Abirdonensis confirmando dictam donationem concessionem et confirmationem vidi legi et intellexi sub sigillo Rotundo domini Episcopi vnacum sigillo capituli eiusdem Necnon quoddam Instrumentum Nicholai de Mara alieni Sagun⟨tini⟩ diocesis Normanni olim burgi de perth * * * auctoritate apostolica auctoritate (*sic*) notarii publici super inquisitione limitum terrarum ecclesiasticarum de Alueth facta per dominum Robertum de forglen decanum Christianitatis de bein die xxvij° mensis Augusti Anno domini millesimo tricentesimo septuagesimo quinto ut in eodem plenius et latius continetur similiter legi et ad plenum intellexi qualiter preuio juramento nobiliores seniores et meliores parochiani parochie de Aluethe suprascripto die super inquisitionem huiusmodi fuerunt electi et qui deposuerunt quod terra ecclesiastica de Alueth cum suis iustis pertinenciis extendit se ad metam versus villam de banf ex ea parte que dicitur in vulgari slanmannisheid et de contrario cuius ut asseritur in dicto instrumento memoria hominum non existit quodquidem instrumentum captum fuit per dominum Johannem Orwell abbatem monasterii de Cupro tunc temporis teste chyrographo meo proprio et signeto

Thomas Deir manu propria.

End.: Carta donationis et confirmationis ter[r]arum de Alueth * * *.

Rose Charters (National Library of Scotland), A 53.

XCV

Notarial transumpt (1) of a charter of Marjory, widow of John, earl of Athole, lady of Strathalveth, whereby she grants to Coupar the patronage of the church of Alveth, with all land belonging to that church; and (2) of a charter of Thomas, earl of Mar and lord of Strathalveth, confirming Marjory's donation.

Appears also *Antiqs. of Aberdeen and Banff*, ii. pp. 312-13, in an abbreviated form.

This writ, containing two transumpts of charters and a notarial docquet, gives rise to several problems and suspicions. Its style is unusual—there is no formal preamble to the charters transumed and no mention of the

date on which the transumpts were made, although the writ probably belongs to the sixteenth century. Further, although the first charter, that of countess Marjory, purports to be dated at Arbroath, 28 Jan., 1314/15, that date cannot be correct, for John, abbot of Arbroath, who is one of the witnesses, gave up office, 1 Nov., 1309 (*Aberbrothoc*, i. 332). One suspects that the date is imported from the charter by which Henry, bishop of Aberdeen, confirmed the grant of the church of Alvah (not merely the patronage) to Coupar, with provision for a perpetual vicar (*REA.*, i. p. 41). This grant by Marjory appears in Robert I's charter, 5 Oct., 1308, confirming the possessions of the abbey (*Cupar*, ii. p. 287). The first charter, accordingly, belongs to a date between 1306, when earl John died, and the date of King Robert's charter. Marjory's donation is further confirmed by Pope Clement V, 13 Dec., 1309 (No. CXVII), by Robert I, 8 Oct., 1317 (*Olifants*, 6), and by Donald, earl of Mar, *c.* 1332 (*Breviarium*, 24). But the version given here may be garbled and one suspects that the delineation of the marches of the church lands of Alvah may have been introduced from the decreet of perambulation of a later date which is mentioned in the notarial docquet. The second charter, that of Thomas, earl of Mar, is likewise incorrectly dated. Its date must lie between the date of consecration of Alexander, bishop of Moray, and the latest date on which William, abbot of Scone, is mentioned, *i.e.* between *c.* 1362 and *c.* 1371. The notarial docquet refers to the confirmation-charter of Henry, bishop of Aberdeen, and to a notarial instrument recording a perambulation which are not given in the present record. It is in a curious form ; and the whole writ is a slovenly document.

Marioria Relicta quondam domini Johannis Comitis Atholie et domina de Stratalueth : Marjory was the daughter of Donald, tenth earl of Mar (*Scots Peerage*, i. p. 427). Her husband, John, earl of Athole, first appears in 1282 (*ibid.*, i. p. 426), and it is perhaps he who has the consent of Edward I to contract a marriage with one of the daughters of William de Sules, 11 March, 1285/6 (Bain, *Calendar*, ii. 285). He appears frequently in the latter source and is said to have been captured and put to death by the English at London, in 1306 (*Chron. Lanercost*, p. 205).

Dauid filii mei primogeniti et heredis : David de Strathbolgy. See note to No. LXXXVIII.

Douenaldi patris mei : Donald, earl of Mar, received knighthood from Alexander III, 29 Sept., 1270, and appears as earl of Mar, 25 July, 1281. He supported Bruce's claims as 'competitor.' He died shortly after 25 July, 1297. Earl Donald married Helen, daughter of Llewellyn, prince of North Wales and widow of Malcolm, earl of Fife (*Scots Peerage*, v. pp. 577-8, *q.v.* for further account of him).

Ecclesia de Alueth : The church of Alvah, in Banffshire.

For the identification of place-names given in the delineation of the land belonging to the church see *New Stat. Acct.*, xiii. p. 155.

Matheo et Johanne dunkeldensi et brechinensi Episcopis : See notes to Nos. LXXXIII and LXXI.

Hugone et Johanne de dunfermlyng et de Abirbroht abbatibus : For Hugh,

abbot of Dunfermline, see note to No. LXXXIII. John was abbot of Arbroath, 26 Dec., 1303 (*Aberbrothoc*, i. p. xiv). He appears in an agreement between the bishop of Brechin and his convent, 21 Oct., 1304 (*REB.*, ii. p. 267). John resigned or was removed from office, 1 Nov., 1309 (*Aberbrothoc*, i. 332).

(*Domino*) *Alexandro de Abirnathy* (*milite*) *:* See note to No. LXV.

(*Domino*) *Dauid de bachone* (*brichyne*) (*milite*) *:* The reading 'Brichyne' comes from *Antiqs. Aberdeen and Banff*, ii. p. 313. No David de Buchan has been found within this period. For David de Brechin, see note to No. C.

(*Domino*) *Johanne de Inchmartyne* (*milite*) *:* See note to No. LXX.

Rogero de mortuo mari : See note to No. LXVIII.

Adam de glenbachlac : See note to No. LXVI.

Johanne de Cambrone barbitonsore : This can hardly be the laird of Balledgarno of No. LXXIV. Can he have been the king's barber or has there been omitted a Christian name to which this is surname ?

Thomas Comes de Mar et dominus de Strataluethe : Thomas succeeded his father, Donald, who was killed at Dupplin in 1332 (*Exch. Rolls*, i. p. cxlii). He was still under age at his mother's death in 1347/8 (*Scots Peerage*, v. p. 583). He has a papal dispensation to marry Margaret, daughter of the late John, earl of Menteith, 29 May, 1354 (*Menteith*, ii. 27) ; has a charter of Garioch under the Great Seal, 27 Jan., 1356/7 (*HMC. Rep.*, Mar and Kellie MSS., ii. p. 5) ; and is called in undated charters lord of Cavers and Garioch (*ibid.*, i. pp. 2, 4). The earl was chamberlain of Scotland, 1358-9 (*Exch. Rolls*, ii. pp. cxxiv-cxxv). He died between Oct., 1373 and 21 June, 1374 (*Scots Peerage*, v. p. 584). Earl Thomas was a benefactor of Monymusk, 6 April, 1354 (*HMC. Rep.*, Mar and Kellie MSS., i. p. 1), and granted to Aberdeen cathedral the churches of Invernochy, 11 July, 1356 (*REA.*, i. p. 82), and Kildrummy, 1 Nov., 1362 (*ibid.*, i. p. 101). He grants another charter of the patronage of Alvah (No. CXV).

Alexandro et Alexandro Abirdonensi et Morauiensi Episcopis : Alexander de Kyninmund (II), bishop of Aberdeen, 1355-80 (Dowden, *Bishops*, pp. 115-16) ; Alexander Bur, bishop of Moray, 1362-97 (*ibid.*, pp. 154-5).

Johanne et Wilelmo de dunfermlyng et de Scona abbatibus : John de Strathmiglo, abbot of Dunfermline, who is said (*Dunfermelyn*, p. xiv, following *Scotichronicon*, ii. p. 349 ; cf. *Extracta*, p. 182) to have succeeded Alexander Ber, who died in 1353, having displaced John Black, the candidate, elected by the convent. The date of his succession, however, was earlier, as a papal provision of 22 June, 1351, is directed to John de Stramigloc, monk of Dunfermline, appointing him abbot and annulling the election of John Blayk (*CPR.*, iii. p. 423). John, abbot of Dunfermline, witnesses charters of Alexander de Lindsay, *c.* 1360 (*Douglas Bk.*, iii. 24), and of David II, 14 Sept., 1361 (*REA.*, i. p. 90), 11 Jan., 1359/60 (*Carnegies*, ii. No. 34, p. 485), and Robert the Steward, 1362-8 (*Melvilles*, iii. 17), and is an auditor of Exchequer, Jan., 1365/6 (*Exch. Rolls*, ii. pp. 186, 203, 217). William, abbot of Scone, is found from 10 Feb., 1353 to 1371 (*Scon.*, p. xii).

Wilelmo de fentone : Payments to this William de Fenton are recorded from 1364 (*Exch. Rolls*, ii. p. 140) to 1388 (*ibid.*, iii. p. 175). He appears as lord of Bewfourd, 13 Aug., 1359 (*REM.*, 285), and his foundation of a chaplainry of Baky is confirmed by David II, 26 Feb., 1362/3 (*RMS.*, i. 99, 126). He witnesses a charter, 29 Aug., 1392 (*Laing Chs.*, 379), appears as lord of Baky, 17 June, 1400 (*Wemyss*, ii. 30), and as 'Villiame of Fentoun, lord of (that) ilk,' is a witness to an indenture, 3 March, 1415/16 (*RMS.*, ii. 178). According to Wilson, *Airlie*, p. 34, another William de Fenton succeeded him in 1420.

Alano de Erskyne : Second son of Sir William de Erskine (*Scots Peerage*, v. p. 592). He appears in an Exchequer account, 1359 (*Exch. Rolls*, i. p. 574), is called lord of Barrochane, *c.* 1360 (*HMC. Rep.*, Mar and Kellie MSS., ii. p. 7), and witnesses a charter of his brother, Robert Erskine, lord of that ilk and of Kinnoul, 27 Jan., 1361/2 (*Cambuskenneth*, 160=*RMS.*, i. App. 1, 151). He appears as lord of Inchmartin, as a party to an agreement with Scone, 20 March, 1361/2 (*Scon*, 179), having succeeded to that land by his marriage to Isabella, daughter of John de Inchmartin, who with him confirms a donation to the Friars Preachers of Perth, 1 March, 1369/70 (*Blackfriars of Perth*, XVII (1)). In 1364, he appears as of Largys and as sheriff of Kinross (*Exch. Rolls*, ii. p. 175) ; he was also coroner (in David II's reign) (*RMS.*, i. App. 2, 1353) and sheriff of Fife, 1371-88 (*Exch. Rolls*, ii. p. 366-iii. p. 165). Erskine had a charter of reliefs in the lordship of Wemyss, 28 Dec., 1362 (*Wemyss*, ii. 9), and crown charters of the barony of Inchture and Crambeth in Fife, 2 Oct., 1365 (*RMS.*, i. 210, 211), of lands in the territory of Inchmartin and of the lands of Banchory in the territory of Kinghorn, 24 Oct., 1378 (*ibid.*, i. 641, 642), and of the lands of Inchmartin, 24 Oct., 1379 (*Melvilles*, iii. 18). He died in May, 1400 (*Scots Peerage*, v. p. 592). On 24 May of that year, Margaret and Isabella, his daughters, are mentioned as heiresses of the lands of Wemyss (*Wemyss*, ii. 27).

Thomas Deir . . . notarius : The only notary of this name who has been found on record attests an instrument, 3 Aug., 1528 (*Blackfriars of Perth*, p. 196), and is a witness, 25 Sept., 1532 (*ibid.*, XLV (3)). It is thus probable that the present transumpt belongs to the sixteenth century.

Quandam cartam Henrici Episcopi Abirdonensis : This bishop is Henry le Chen, who held the see of Aberdeen, 1282-1328 or 1329 (Dowden, *Bishops*, pp. 108-9). His charter is evidently that which appears, *REA.*, i. p. 41.

Quoddam Instrumentum Nicholai de Mara alieni Sagun⟨tini⟩ diocesis Normanni olim burgi de perth : Nicholas de Mara, clerk, is the recipient of an annualrent of 40s. from the customs of Perth for his lifetime, 11 March, 1380/1 (*Exch. Rolls*, iii. p. 52), and appears frequently thereafter till 6 July, 1402, when he is called king's notary (*ibid.*, iii. 548). He was originally of the diocese of Savoy. The instrument here mentioned has not been found.

Super inquisitione limitum terrarum ecclesiasticarum de Alueth facta per dominum Robertum de forglen decanum Christianitatis de bein : The reference is evidently to a perambulation of the church lands of Alvah

made (as appears from the date given) much later than the date of Marjory's charter. Can it be that the details given in that charter have been imported from this later decreet of perambulation? Robert de Forglen has not been found except in No. CXVIII. He was rural dean of Boyne in the diocese of Aberdeen.

Quodquidem instrumentum captum fuit per dominum Johannem Orwell abbatem monasterii de Cupro : The reference must be to the instrument of Nicholas de Mara but this could not have been 'taken' by John de *Orwell.* The abbot of that name appears from 21 March, 1324/5 (No. CVI), to 17 June, 1341 (*Aberbrothoc*, ii. p. 541). But there was an abbot named John, of uncertain surname, who appears from 1395 to 1403 (see Appendix II). 'Orwell' is clearly an error.

XCVI

12 September, 1311.

Cyrographum

Uniuersis . . . Fergusius . . . abbas de Cambuskyneth et eiusdem loci Conuentus humiliter salutem in domino sempiternam . vniuersitati uestre notum facimus . quod cum jus patronatus Ecclesie de Glenylef cum terris et aliis omnibus rectitudinibus ad ipsam Ecclesiam de Glenylef spectantibus per inclite memorie dominum Willelmum dudum Regem Scottorum illustrem monasterio de Cambuskyneth et Canonicis ibidem deo seruientibus in liberam et perpetuam elemosinam caritatis intuitu fuerit collatum ⁝ et deinde per . . . dominum Gregorium bone memorie episcopum Brechynensem ipsius loci diocesanum pensio annua decem librarum sterlingorum in ipsa Ecclesia monasterio nostro predicto et nobis fuerit assignata ⁝ fueritque in solucione seu prestacione ipsius pensionis iam per aliquos annos cessatum . non sine dampno nostro et monasterii nostri memorati . Tandem per consilium et ordinacionem amicorum communium . assensu etiam . . . domini Johannis . . . tunc brechynensis Ecclesie episcopi accedente . vtilitatem et quietem monasterii nostri et eciam monasterii de Cupro in angus . cui dicta ecclesia de Glenylef est uicina affectancium . quorum consilium et ordinacionem approbauimus et suscepimus ⁝ predictum jus patronatus cum terris et aliis omnibus rectitudinibus

ad prefatam ecclesiam de Glenylef spectantibus et omne jus quod in premissis habuimus . vel occasione ipsorum habere potuimus . sponte et pure eisdem abbati et conuentui de Cupro concessimus . et plene transtulimus in eosdem . Salua tamen monasterio nostro predicto et nobis annua pensione decem librarum in ecclesia ipsa de Glenylef ad cuiuscunque seu quorumcunque manus deueniat in posterum : per predictos abbatem et conuentum de Cupro eorum sumptibus et periculo nobis seu nostro procuratori in domo fratrum predicatorum de perth singulis annis ad duos anni terminos . videlicet medietatem ad festum Pentecostes et aliam medietatem ad festum sancti martini in hyeme integre et sine dilacione seu excusacione persoluenda . Primo termino solucionis incipiente in festo Pentecostes proximo futuro . Hoc inter predictos abbates et eorum conuentus specialiter acto et conuento : quod si contingat predictos abbatem et conuentum de Cupro in solucione dicte pensionis . dictis terminis seu eorum aliquo ex causa manifesta et euidenti non impeditos ultra octo dies quod absit deficere : obligant se et omnia bona sua presencia et futura . mobilia et immobilia ad ministrandum seu inueniendum procuratori predictorum abbatis et conuentus de Cambuskyneth expensas sufficientes pro tempore quo ipsam solucionem eum contigerit expectare . Et nichil omnino ad soluendum singulis septimanis quibus ipsos in solucione alicuius termini cessare contigerit . fabrice ecclesie Dunblanensis dimidiam marcam nomine pene . supponentes se quantum ad hec iurisdictioni seu cohercioni domini Episcopi Dunblanensis . Renunciantes in hoc facto omnibus priuilegiis ordini Cisterciensi seu abbati et conuentui de Cupro concessis . vel in posterum concedendis . per que presens conuentio infirmari poterit in futurum. In quorum omnium testimonium seu probacionem . parti huius scripti in modum cirographi confeci penes abbatem et conuentum de Cupro remanenti . sigillum commune capituli de Cambuskyneth . vna cum sigillo . . . dominorum Johannis . . . brechynensis episcopi supradicti et domini Nicholai . . . Dunblanensis episcopi est appensum . Parti vero penes prefatos abbatem et

conuentum de Cambuskyneth remanenti: sigillum commune monasterii de Cupro vna cum sigillo predictorum dominorum Brechynensis et Dunblanensis episcoporum est appositum . Actum conuentum et datum apud sanctum Andream duodecimo die mensis septembris . Anno ab incarnacione domini . millesimo . Trecentesimo . vndecimo.

One fragmentary seal remains. End.: Compositio de Kambusckenath et monasterii de Cuppre ecclesie de glenilef.

Moray Charters, Box 32, Div. V, Bundle I, No. 27.

XCVI

Indenture recording that Fergus, abbot of Cambuskenneth and the convent thereof, who held the patronage of the church of Glenisla, with lands belonging to it, by the gift of King William, and had been assigned a yearly *pensio* of 10*l.* from that church by Gregory, bishop of Brechin, have granted that patronage and other rights to Coupar, reserving to themselves the annual *pensio* of 10*l.*

This charter appears also, *Cambuskenneth*, 105; cf. *ibid.*, 106, 107.

Fergusius . . . abbas de Cambuskyneth: Abbot of Cambuskenneth, *c.* 1311-*a.* 1335 (*Cambuskenneth*, pp. lii-liv).

Jus patronatus Ecclesie de Glenylef . . . per . . . Willelmum dudum Regem Scottorum . . . monasterio de Cambuskyneth . . . . collatum: William the Lion's charter does not appear in *Cambuskenneth* but a bull of 13 May, 1195 (*ibid.*, 25), has the phrase: 'Ex donatione regis Willelmi . . . ecclesiam de Glennilefe cum omnibus pertinenciis suis.' Note that the present charter represents the donation as of the *patronage* of the church with lands and other rights.

Per . . . Gregorium . . . episcopum Brechynensem . . . pensio annua decem librarum . . . in ipsa Ecclesia monasterio nostro . . . fuerit assignata: This grant from the fruits of the church of Glenisla does not seem to be recorded elsewhere. Gregory was bishop of Brechin, *c.* 1219-*c.* 1246 (Dowden, *Bishops*, pp. 74-5).

Johannis . . . brechynensis Ecclesie episcopi: John de Kynninmund, bishop of Brechin, 1298-*c.* 1328 (Dowden, *op. cit.*, pp. 179-80).

Nicholai . . . Dunblanensis episcopi: See note to No. LXX.

XCVII

1314-20—17 May, 1367.

Omnibus . . . Thomas Comes de marr Salutem in domino sempiternam. Vestra nouerit vniuersitas nos in-

spexisse ac veraciter intellexisse Cartam donacionis et concessionis quondam domini Johannis de Inchemartyne militis domini eiusdem Religiosis viris abbati et conuentui Monasterii de Cupro de terra de Morthelyth in Marr cum pertinenciis factam non rasam non abolitam non cancellatam nec in aliqua sui parte viciata cuius tenor sequitur et est talis Omnibus . . . Ego Johannes de Inchemartyne dominus de eadem Salutem in domino sempiternam; Noueritis me pro salute anime mee et pro salute animarum bone memorie domini Johannis de Inchemartyne patris mei et domine Johanne matris mee et quondam domini Henrici de Inchemartyne fratris mei ac omnium antecessorum meorum et successorum consensu et voluntate Johannis Cambrun domini de Balgligernache dedisse . . . deo et beate marie de Cupro et monachis . . . in liberam puram et perpetuam elemosinam totam terram meam de murthyly in mar per suas rectas diuisas cum omnibus pertinenciis suis placitis et querelis libertatibus et aysiamentis ad dictam terram spectantibus uel de jure spectare valentibus ad quatuor annuas pitancias conuentui de Cupro faciendas viz. diebus ascensionis domini Pentecostes Sancte Trinitatis et Natiuitatis beate marie virginis Quamquidem terram quondam Johannes cum Christiana filia sua dedit bone memorie domino Alexandro de Inchemartyne auo meo in liberum maritagium. Tenendam . . . . adeo libere . . . . Ego vero Johannes de Inchemartyne et heredes mei predictam terram de Murthuly cum omnibus suis pertinenciis . . . warantizabimus et de omni seruicio etc. . . . acquietabimus et defendemus In cuius rei testimonium presenti carte Sigillum meum apposui et ad maiorem firmitatem sigillum dicti Johannis cambrun domini de Balgligernache in signum confirmacionis sue pro se et heredibus suis huic carte apponi procuraui. Hiis testibus . . . dominis Willelmo et Henrico . . . de Melros et de Scona Abbatibus dominis Gilberto de Haya . tunc constabulario Scocie . Jacobo de Lyndesay et Malcolmo de Innerpefry militibus Adam de Glenbachlach Willelmo de mortuo mari Schyrole de Dery et multis aliis / Quam quidem cartam donacionem [et] concessionem in eadem

contentas in omnibus suis punctis . . . approbamus Ratificamus et pro nobis et heredibus nostris inperpetuum confirmamus In cuius rei testimonium presenti carte confirmacionis nostre Sigillum nostrum fecimus apponi Hiis testibus . . . domino Johanne . . . Episcopo Dunkeldensi Dominis Alexandro Lyndesay Rogero de mortuo mari militibus et Willelmo de Fentone Johanne de Rettre Willelmo de Cargil et Bernardo fratre suo et multis aliis. Datum apud monasterium de Cupro decimo septimo die mensis maii Anno domini millesimo trecentesimo Sexagesimo Septimo.

Seal missing. End.: Confirmacio domini thome comitis de mar de morthuly mar monachis de cupro.

Moray Charters, Box 32, Div. IV, Bundle I, No. 38.

XCVII

Charter by Thomas, earl of Mar, incorporating and confirming a charter whereby Sir John de Inchmartin, lord of that ilk, with consent of John Cambrun, lord of Balgligernache, granted to Coupar all his land of Murthuly in Mar, for four annual pittances, which land the late John gave with Christiana, his daughter, to Alexander de Inchmartin, John's grandfather, in free dowry.

The date of John de Inchmartin's charter, cited in earl Thomas's charter, must be somewhat earlier than that of the confirmation-charter of John de Cambrun (No. XCVIII). It would seem to be another version of this charter which is summarised, *Breviarium*, 90, as the witnesses are different.

Thomas Comes de marr : See note to No. XCV.

Quondam domini Johannis de Inchemartyne militis domini eiusdem : John de Inchmartin (II). See note to No. LXXXIX.

Domini Johannis de Inchemartyne patris mei et domine Johanne matris mee et quondam domini Henrici de Inchemartyne fratris mei : For these see notes to No. LXX.

Johannis Cambrun domini de Balgligernache : See note to No. LXXIV.

Morthelyth in mar : Murtle, in Aberdeenshire; to be distinguished from Murthly in Athole. See note to No. XL.

(Die) Natiuitatis beate marie virginis : 8 September.

Quamquidem terram quondam Johannes cum Christiana filia sua dedit . . . Alexandro de Inchemartyne auo meo : The succeeding charter shows that the reference is to John Cambrun, great-grandfather of the laird of Balledgarno mentioned in the present charter. For Alexander de Inchmartin, see note to No. LX.

Willelmo et Henrico . . . de Melros et de Scona Abbatibus : William de Foghow, abbot of Melrose, appears in a charter, 1 Sept., 1310 (*Melros*,

414); and abbot William witnesses charters of Robert I, 20 Oct., 1321 (*Aberbrothoc*, i. 279), and 16 Dec., 1324 (*ibid.*, i. 285); is one of the Scots who have papal nuncios commended to them, 7 Oct., 1329 (*CPR.*, ii. p. 496); witnesses a charter of Edward III, 1 May, 1354 (*Calchou*, 500), and appears till *c.* 1358 (*REG.*, i. 295). Although it is possible that there may have been two abbots of this name within this period, there is no definite indication that the above references (and others) do not apply to one abbot who had a long tenure of office. For Henry, abbot of Scone, see note to No. LXIX.

(*Domino*) *Gilberto de Haya tunc constabulario Scocie* (*milite*) *:* See note to No. LXIII.

(*Domino*) *Jacobo de Lyndesay* (*milite*) *:* Sir James Lindsay witnesses charters of Robert I, 3 March, 1314/15 (*RMS.*, i. App. 1, 109), and 6 Sept., 1324 (*ibid.*, ii. 3136), and at other unspecified dates (*ibid.*, i. 233; *Melros*, 376; *Passelet*, p. 208).

(*Domino*) *Malcolmo de Innerpefry* (*milite*) *:* See note to No. LXXXVI.

Adam de Glenbachlach : See note to No. LXVI.

Willelmo de mortuo mari : A man of this name is one of the Dundee garrison, 1312 (Bain, *Calendar*, iii. 428), and also appears as a witness, *c.* 1320 (*Yester Writs*, 18).

Schyrole de Dery : Not found except in the following charter.

Johanne . . . Episcopo Dunkeldensi : John, bishop of Dunkeld, 1355-*c.* 1369 (Dowden, *Bishops*, p. 66).

(*Domino*) *Alexandro Lyndesay* (*milite*) *:* Probably the laird of Glenesk who appears, 1351-4 (*REB.*, ii. p. 382), and frequently from 4 July, 1363 (*RMS.*, i. 153) onwards. He is one of the commissioners for the truce with England, June, 1369 (Bain, *Calendar*, iv. 154), and is called justiciar north of the Forth, 20 Jan., 1380/1 (*Laing Chs.*, 65), in a charter where his son, John, also appears. According to the *Scotichronicon*, ii. p. 395, he died in the island of Candia on pilgrimage to Jerusalem. Cf. *Scots Peerage*, iii. pp. 12-13.

(*Domino*) *Rogero de mortuo mari* (*milite*) *:* Appears from *c.* 1330 (*Menteith*, ii. 23) to the present date. He witnesses charters of David II, 18 June, 1341 (*Aberbrothoc*, ii. p. 542), and 23 March, 1359/60 (*REB.*, i. 12); and that king confirms Sir Roger's donation of the lands of Fowlis in free gift to Margaret de Menetethe before their marriage, 18 July, 1364 (*RMS.*, i. 176). Sir Roger is in Parliament, 24 July, 1365 (*APS.*, i. p. 497).

Willelmo de Fentone : See note to No. XCV.

Johanne de Rettre : A man of this name is a witness, 1335 (*Reg. Hon. de Morton*, ii. 45); and, on 16 Feb., 1373/4, John de Rettre is one of the 'computantes' for a contribution of the sheriffdom of Perth (*Exch. Rolls*, ii. p. 423). Margaret, daughter of John de Retre, appears in a charter, 23 Jan., 1382/3 (*RMS.*, i. 721).

Willelmo de Cargil et Bernardo fratre suo : A donation to William de Kergylle is confirmed by David II, 2 May, 1370 (*RMS.*, i. 319). William also has a crown charter of a third of Balharry, 3 Feb., 1371/2 (*ibid.*, i. 404, 524); and appears as a witness (*ibid.*, i. 563). Bernard is a witness,

23 May, 1368 (*Melros*, 468). Robert II, on 8 Jan., 1373/4, confirms a donation made to him (*RMS.*, i. 453). Bernard is also a witness, *c.* 26 July, 1377 (*Douglas Bk.*, iii. 293), and 21 Feb., 1380/1 (*ibid.*, iii. 330).

XCVIII

1314-20.

Uniuersis . . . Johannes Cambrun [dominus de balgligernach salutem] . . . . Noueritis me caritatis intuitu et pro salute anime mee . et pro animabus omnium antecessorum et successorum meorum [concessisse . . .] . . . Deo et beate marie de Cupro et monachis . . . [. . . donacionem] illam et warantizacionem [quas dominus] Johannes de Inchemartyn fecit eisdem monachis de terra de Morthul[i in mar cum omnibus pertinentiis suis] Quam quidem terram [quondam] dominus Johannes Cambrun proauus meus dedit cum christiana filia sua domino Alexandro [de Inchemartyn in liberam maritag]ium . Tenendam et habendam . . . in [liberam puram et perpetuam elemosinam . . .] . . . [. . . sicut carta dicti Johannis inde confec]ta plenius in se proportat et [testatur ita] libere . . . . Et ut hec concessio et confirmatio mea [robur perpetue firmitatis optineat] presentem cartam sigilli mei [apposicione] pro me et heredibus meis roboraui . Hiis testibus . . . . dominis [Willelmo et Henrico . . . de Me]lros et de Scona abbatibus . dominis [Gilberto de H]aya tunc constabulario Scocie . Jacobo de Lyndesay . et malcolmo de In[nerpefray militibus adam de glenbachl]ach . Willelmo de mortuo mari * * * de Innerpefyr . Schyrol de Dery et multis aliis.

Seal missing. End.: Confirmacio Johannis Cambrwn domini [de balglig]yrnach de morthuly in mar. This charter is badly stained and the script obscured.

Moray Charters, Box 32, Div. V, Bundle I, No. 18.

XCVIII

Charter by John Cambrun, lord of Balgligernach, whereby he confirms to Coupar the donation which John de Inchmartin made to the monks of his lands of Morthuli in Mar.

The persons and places mentioned in this charter all appear in the previous writ with the exception of—

* * * *de Innerpefyr :* This witness, whose name is obscured in the charter, may be John de Innerpeffrey, who witnesses a charter of Malise, earl of Strathearn, 1319-33 (*REM.*, p. 471), or David de Innerpeffer, who is a member of the Dundee garrison, 1312 (Bain, *Calendar*, iii. 429) ; appears in charters, 1 March, 1321/2 (*RMS.*, ii. 3583), and 25 June, 1325 (*ibid.*, ii. 3717) ; has payment from the Exchequer, 1329 (*Exch. Rolls*, i. p. 210) ; and is sheriff-depute of Forfar, 20 Dec., 1333 (*Aberbrothoc*, ii. 16).

XCIX

7 October, 1316.

Robertus . . . Rex Scottorum, Omnibus . . . salutem. Sciatis nos concessisse et hac presenti carta nostra confirmasse donacionem illam quam Willelmus de Fenton miles fecit deo et beate marie monasterii de Cupro et monachis . . . de tota terra de Ardory in tenemento de Rethy cum pertinentiis Tenendam . . . adeo libere . . . sicut carta prefati Willelmi eisdem religiosis ex inde confecta, plenius iuste proponat et testatur, saluo seruicio nostro In cuius rei testimonium presenti carte nostre, sigillum nostrum precepimus apponi. Testibus Bernardo. Abbate de Abirbrothot Cancellario nostro, Alexandro senescallo, Gilberto de Haya. Willelmo Olifaunt et Roberto de keth militibus Apud Abrebrothot, Septimo die Octobris, Anno Regni nostri undecimo.

Seal missing. End. : Confirmacio regis Roberti de Adory.

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

XCIX

Charter of Robert I confirming to Coupar the donation by Sir William de Fenton of the whole land of Adory in the tenement of Rethy.

Sir William de Fenton's charter of donation is No. LXXI.

Willelmus de Fenton miles : See note to No. LXXI.

Terra de Ardory in tenemento de Rethy : See note to No. LXXI.

Bernardo Abbate de Abirbrothot Cancellario nostro : According to a charter of 2 May, 1328, Bernard (de Linton), elect of Sodor, had previously ruled the abbey of Arbroath for seventeen years (*Aberbrothoc*, i. 358). For his career as bishop of Sodor (the Isles), see Dowden, *Bishops*, pp.

281-2. He became chancellor, according to Dowden, in 1307 and witnesses in that capacity very many charters of Robert I. We find him described in one undated record as abbot of Arbroath, chancellor and sheriff north of the Forth (*RMS.*, i. App. 1, 76).

Alexandro senescallo (milite) : Appears in a charter, 1319 (*Dunfermelyn*, 352). An earlier Alexander the steward is mentioned in the reign of Alexander III (*e.g. Melros*, 322, 325 ; *REG.*, i. 202 ; *Passelet, passim*).

Gilberto de Haya (milite) : See note to No. LXIII.

Willelmo Olifaunt (milite) : Scots Peerage distinguishes between two men of this name : (1) named on 24 Aug., 1294 ; went over latterly to the English side ; died probably in captivity with Scots, *p.* Jan. 1312/13 (*ibid.*, vi. pp. 531-2) ; (2) captured at Dunbar and remained in England till 1313 ; died, 16 Jan., 1329/30 (*ibid.*, vi. pp. 533-4). There is a long account of this second Sir William Oliphant, who must be the present witness, in *Oliphants*, pp. xii-xxi. He witnesses charters of Robert I, 30 Jan., 1323/4 (*RMS.*, i. App. 1, 77), 26 April, 1324 (*Blackfriars of Perth*, XII (2)) ; is named in the declaration of Arbroath, 6 April, 1320 (*Scotichronicon*, ii. p. 275) ; and has many crown charters of lands (*e.g. RMS.*, *passim* ; *HMC. Rep.*, v. App., p. 622, etc.).

Roberto de keth (milite) : See note to No. LXXVIII.

C

8 February, 1319/20.

Robertus . . . Rex Scottorum / Omnibus . . . salutem. Sciatis nos pro salute anime nostre et pro salute animarum omnium antecessorum et successorum nostrorum dedisse . . . deo et beate marie virgini et monasterio de Cupro ac monachis . . . terras de Aythnacathyl et de Blarerouthnakis infra Thanagium nostrum de Alyth per omnes rectas metas et diuisas suas Tenendas et habendas eisdem Religiosis et eorum successoribus inperpetuum de nobis et heredibus nostris in liberam / puram / et perpetuam / elemosinam . Inueniendo tamen dicti monachi et eorum successores pro nobis et successoribus nostris vnum Cereum ponderis trium librarum Cere ante altare beati Malachie dedicatum infra dictum monasterium in honorem eiusdem Sancti / ita quod idem Cereus ardeat ad omnes vesperas et matutinas . missas que (*rectius* missasque) conuentuales perpetuo Cantandas et celebrandas infra dictum monasterium suum . Et nichilominus inueniendo vnam Lampadem ante idem altare in honorem eiusdem Sancti pendentem

et die ac nocte incessanter ardentem / cum lumine sufficienti Volumus igitur quod preter premissa et preter oracionum suffragia deuotarum per nos aut successores nostros de dictis terris nichil omnino exigatur . Set (*sic*) quod libere sint ab omnimoda seculari exaccione / consuetudine seu demanda . In cuius Rei testimonium presenti Carte nostre / sigillum nostrum precipimus apponi . Testibus . . . . Dominis Willelmo et Nicholao Ecclesiarum Dunkeldensis et Dunblanensis . . . Episcopis Bernardo Abbate de Abirbroth Cancellario nostro Gilberto de Haia Constabulario nostro . Roberto de Kethe marescallo nostro . Dauid de Breychyn et Willelmo Olifant militibus apud Abirbrothoc Octauo die Februarij . Anno Regni nostri terciodecimo.

Seal (broken) attached. End. : Donacio Regis Roberti de bythna[cat]hyl et de Blarerouthnakis infra thanagium de alyth pro cereo unius libri ante Sanctum Malachiam perpetuis temporibus ponendo.

Moray Charters, Box 32, Div. V, Bundle II, No. 70.

C

Charter of Robert I whereby he grants to Coupar the lands of Aythnacathyl and Blarerouthnakis, in the thanage of Alyth. The monks will find a candle of three pounds weight to be lit before St. Malachi's altar, in honour of the saint, at all vespers, matins and conventual masses; likewise, a lamp hanging before the same altar in honour of the same saint, burning day and night; and beyond this and the offering of devout prayers no exaction will be made for these lands.

This charter is mentioned, Robertson's *Index*, p. 4, No. 38.

Terras de Aythnacathyl et de Blarerouthnakis infra Thanagium . . . de Alyth : These lands are mentioned in the rental-book of the abbey in 1457 (*Cupar*, i. p. 137) and later. Their precise locality has not been ascertained.

Altare beati Malachie : For St. Malachi, otherwise St. Michael, archbishop of Armagh, see MacKinlay, *Dedications* (non-Scriptural), p. 15.

Willelmo et Nicholao Ecclesiarum Dunkeldensis et Dunblanensis . . . Episcopis : William Sinclair was bishop of Dunkeld, 1312-37 (Dowden, *Bishops*, pp. 61-3). For Nicholas, bishop of Dunblane, see note to No. LXX.

The remaining witnesses occur in the previous charter except—

Dauid de Breychyn (milite) : Sir David de Brechyn was mainly an English partisan and must have witnessed this charter during one of the brief periods of his adherence to Bruce. He swore fealty to Edward I,

28 Aug., 1296 (Bain, *Calendar*, ii. 199), and thereafter appears fairly frequently in English records. On 20 May, 1308, he was thanked by the English king for his loyalty (*ibid.*, iii. 43). He was received, again, to Edward II's peace, 7 Aug., 1317 (*ibid.*, iii. 569); but he must thereafter have returned to Scotland, for at Robert I's parliament at Scone, Aug., 1320, Sir David de Brechin, who had distinguished himself on a crusade, was found involved in the treasonable conspiracy of William de Soulis (*Scotichronicon*, ii. p. 274). There are undated references to the forfeiture of his lands during Robert I's reign (*RMS.*, i. App. 2, Index B, 79, 103, 34).

CI

c. 1320.

Uniuersis . . . Henricus . . . Aberdonensis ecclesie minister humilis salutem in domino Nouerit uniuersitas vestra Nos cum consensu . assensu . et voluntate totius Capituli nostri habito prius super hoc frequenti ⁊ diligenti et solempni tractatu ⁊ caritatis intuitu dedisse ⁊ . . . pro nobis et successoribus nostris . . . Abbati et Conuentui de Cupro, . . . et successoribus suis Ecclesiam de Aluethe in diocesi nostra situatam cum omnibus terris . libertatibus et aysiamentis ad ipsam ecclesiam quoquo modo pertinentibus vel pertinere valentibus in proprios usus . compatientes dictorum religiosorum pauperitati per diuersa guerrarum discrimina et in confectione presencium nimie eorundem exinanicioni . Ita quod domino Johanne de meners dicte ecclesie tunc rectore quoquo modo cedente vel decedente prefati viri religiosi per se vel per procuratorem suum predicte ecclesie possessionem sine aliqua alia Institutione vel corporali tradicione per nos aut per ministros nostros ⁊ possint intrare et fructus omnes eiusdem ecclesie sibi appropriare ⁊ Cuius quidem ecclesie aduocacionem siue jus patronatus cum omnibus libertatibus et aysiamentis vt predictum est ⁊ dicti viri religiosi habent ex dono . . . ⁊ domine Mariorie . relicte quondam domini Johannis Comitis Atholie in viduetate sua eis facto ⁊ et confirmacione domini Dauid Comitis Atholie et filii sui primogeniti et heredis nec non et confirmacione domini Roberti . . . Regis scotorum illustris . ac eciam confirma-

cione domini Clementis pape quinti⁄ Predicti autem . viri religiosi facient deseruiri eidem ecclesie de Aluethe per ydoneum perpetuum vicarium qui a nobis et successoribus nostris ad presentacionem eorundem religiosorum quociens opus fuerit⁄ curam recipiat animarum . et decem libras sterlingorum ab ipsis Abbate et conuentu annuatim libere percipiet ad duos anni terminos videlicet medietatem ad festum Natiuitatis beati Johannis Baptiste . et aliam medietatem ad festum Purificacionis . De quibus decem libris Episcopo et Archidiacono . onera tantum ordinaria integre persoluet⁄ Ijdem vero Abbas et Conuentus inuenient eidem vicario toftum vnum et croftum⁄ et primo vicario intranti construi facient honesta edificia pro ordinariis recipiendis que edificia vicarius qui pro tempore fuerit suis sumptibus sustentabit Ijdem eciam Abbas et conuentus inuenient eidem vicario pascua pro animalibus secundum consuetudinem in diocesi de Aberdone super hoc approbatam⁄ Preterea Ijdem Abbas et conuentus dabunt annuatim vni perpetuo Capellano diuina celebranti in Ecclesia Cathedrali de Aberdone sex marcas sterlingorum ad terminos supradictos⁄ Quiquidem Capellanus per Decanum et Capitulum de Aberdone eligetur et admittetur⁄ Cui Capellano dicti viri religiosi habitum honestum quo utatur in choro quociens opus fuerit rac[i]onabiliter inuenient Et domum pro mansione primo capellano sic intranti construi facient⁄ Quam domum Capellanus ille qui pro tempore fuerit suis sumptibus sustentabit Vt autem hec nostra donacio⟩ [1] concessio⟩et confirmacio⟩ robur perpetue firmitatis optineat eam presentis pagine testimonio et sigilli nostri apposicione vna cum communi sigillo capituli nostri fecimus roborari Teste Capitulo nostre (*rectius* nostro) Apud Aberdone.

Two seals (one fragmentary) attached. End.: Donacio et confirmacio Henrici Episcopi et capituli Aberdonensis Ecclesie de alueth monachis de Cupro in proprios usus.

Moray Charters, Box 32, Div. V, Bundle II, No. 69.

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[1] This and the following signs are not bent brackets but punctuation marks peculiar to this charter.

CI

Letters of Henry, bishop of Aberdeen, whereby, with the consent of his chapter, he grants to Coupar the church of Alveth, in his diocese, with all the lands, etc., belonging to it, out of compassion for the impoverishment of the monks through various eventualities of war; so that on the retiral or decease of John de Meners, the rector, the monks can enter into possession of the church of which the patronage, etc., was given them by lady Marjory, widow of John, earl of Athole. The monks will have the church served by a suitable perpetual vicar, who will receive the cure from the bishop and will have ten pounds sterling from the abbot and convent yearly out of which he will pay the ordinary dues in full to the bishop and archdeacon. The abbot and convent will also furnish to the vicar a toft and croft and cause to be built for the first vicar on his entry decent buildings for receiving the ordinaries, which buildings the vicar will keep up at his own expense. The abbot and convent will find for the vicar grazings for his beasts in accordance with the accepted custom in the diocese of Aberdeen. Besides, the abbot and convent will give to a perpetual chaplain celebrating divine service in the cathedral of Aberdeen six marks sterling, which chaplain will be chosen and admitted by the dean and chapter and to whom the monks will furnish a decent vestment for use in the choir and they will cause to be built a house as a dwelling for the first chaplain on his entry, which house the chaplain will maintain at his own expense.

This charter is practically identical in its terms with the charter printed, *REA.*, i. p. 41, and dated, 28 January, 1314/15. It is probably of later date than the latter writ but of this there is no clear evidence. The appropriation of this church did not become effective until probably *c.* 1370—its vicars are first mentioned in a charter of 5 May, 1376 (No. CXVIII). The careful provision for the vicar, proposed in the present charter, is noteworthy.

Henricus . . . Aberdonensis ecclesie minister humilis : Henry le Chen, bishop of Aberdeen, 1282-1328 (Dowden, *Bishops*, pp. 108-9).

Ecclesiam de Aluethe : Alvah, in Banffshire.

Compatientes . . . pauperitati per diuersa guerrarum discrimina : See Introduction, p. xlvii.

Domine Johanne de meners dicte ecclesie tunc rectore : Not mentioned elsewhere.

Ex dono . . . domine Mariorie relicte quondam domini Johannis Comitis Atholie . . . et confirmacione domini Dauid Comitis Atholie : See No. XCV and notes.

Confirmacione . . . Roberti . . . Regis scotorum : This is given, *Oliphants*, 6.

Confirmacione . . . Clementis pape quinti : On 13 December, 1309. See No. CXVII.

Perpetuum vicarium qui . . . decem libras . . . annuatim . . . percipiet : A *taxatio* printed in *REA.*, ii. p. 53, gives the revenues of Alvah as 51 marks

10 shillings. It is the second richest benefice of the deanery of Boyne. This sum, less 10*l.* for the vicar's stipend and six marks to the chaplain at Aberdeen, left a considerable income to the monastery.

Primo vicario intranti construi facient honesta edificia : The stipulation does not necessarily suggest that there was no parsonage ; it indicates, rather, the addition of accessory buildings, *e.g.* stables for the accommodation of the horses of the visiting bishop or archdeacon and their attendants.

CII

1 November, 1321.

Omnibus . . . Johannes de Dunde siue de clascerets filius et heres domini Radulphi de Dunde salutem in Domino . Noueritis me teneri et tenore presencium fide media firmiter obligari . . . . domino Thome . . . Episcopo Rossensi in quinquaginta marcas bonorum et legalium sterlingorum quas domini Abbas et Conuentus de Cupro ad instanciam dicti domini Episcopi predicto domino Radulpho patri meo pro maritagio Elizabeth sororis mee mutuo concesserunt . Soluendas eidem domino Episcopo vel suo certo actornato cuicunque has literas deferenti ad quatuor terminos subscriptos . videlicet ad terminum pentecostes anni gracie . m[1] . ccc[1] . vicesimi secundi et ad terminum sancti martini in hyeme eiusdem anni Scilicet ad terminum pentecostes anni domini . m[1] ccc[1] . vicesimi tertii . et ad terminum sancti martini . in hyeme eiusdem anni . sine ulteriori dilacione / cauillacione vel contradiccione aliqua sub pena decem marcarum ad fabricam ecclesie brechynensis quolibet anno soluendarum / quamdiu a solucione dicte pecunie in toto uel in parte ad prefatos terminos fuerit cessatum . Et ad hec omnia sine dolo . fraude . uel malo ingenio fideliter facienda : obligo me / heredes et executores meos / ac omnia bona nostra mobilia et immobilia / ecclesiastica et mundana ubicumque fuerint inuenta infra burgum uel extra / fore capienda sine licencia cuiuscunque balliui detinenda et pro voluntate dicti domini Episcopi vendenda / quousque sibi tam de dampnis suis / expensis et fatigationibus / si que uel quas fecerit aut sustinuerit occasione predicte pecunie / prescriptis terminis suis in toto uel in parte non solute

plenarie fuerit satisfactum / quam de debito principali / nullo proponendo obstante . et super hoc simplici verbo dicti domini Episcopi / uel eius attornati credetur, sine alterius onere probacionis. Subiciens insuper me / heredes et executores meos jurisdictioni et cohercioni archidiaconi brechynensis / qui pro tempore fuerit / ut nos et quemlibet nostrum / ad omnia premissa fideliter obseruanda possit compellere per omnimodam censuram ecclesiasticam . Renuncians eciam in hac parte pro me heredibus meis et executoribus / omni cauillacioni / exceptioni et juris remedio canonici et ciuilis / ac omnibus allegacionibus aliis / que mihi in hac parte potuerint prodesse / et dicto domino Episcopo contra istam obligacionem meam in aliquo obesse. Et ad maiorem huius rei securitatem prefato domino Episcopo faciendum / si homines subscriptos sibi inuenire fideiussores et principales debitores / quemlibet eorum in solidum . qui se ad omnia premissa pari modo obligarunt . videlicet dominum Thomam Gerland rectorem ecclesie de baneuy / Philippum de logy . Andream de botha . Alanum de balmossy . Alanum Jacob . Johannem de Schave . Richardum filium Christini et Johannem dictum Nurys burgenses de Dunde . In cuius rei testimonium presentibus litteris sigillum meum una cum sigillis dictorum fideiussorum meorum / apposui . Datum apud Dunde die dominica in festo omnium Sanctorum Anno gracie . m^{o} . ccc^{o} . vicesimo primo.

Seals missing. No endorsement.

Moray Charters, Box 32, Div. V, Bundle II, No. 71.

CII

Charter by John de Dunde or of Clascerets, son and heir of Sir Ralph de Dunde, whereby he acknowledges himself bound to Thomas, bishop of Ross, for fifty marks which the abbot and convent of Coupar, at the instance of the bishop, granted to Sir Ralph, his father, as the marriage-portion of his sister, Elizabeth.

This charter is printed, *Highland Papers*, ii. pp. 223-5.

Johannes de Dunde siue de clascerets filius et heres domini Radulphi de Dunde: Sir Ralph de Dundee appears frequently in the *Scrymgeour Inventory* from 11 July, 1284 (*ibid.*, 459). He has various charters of lands in or about Dundee (*e.g. HMC. Rep.*, v. App., p. 612; *RMS.*, i. 744;

Panmure, ii. p. 15). A footnote to *Highland Papers*, ii. p. 224, speaks of his being dead by 1312; in this year he is called 'quondam' (*Panmure*, ii. p. 157). John of Glassarie is mentioned as his son and heir (*Scrymgeour Inv.*, 251); and the latter appears till at least 1350 (*ibid.*, 307). John's son, Gilbert, has a bond of maintenance, 19 Dec., 1350 (*ibid.*, 319), and his daughter, Marion, is mentioned, 2 Nov., 1364 (*ibid.*, 293). See *Highland Papers*, ii. p. 221 *seq.*

Thome . . . Episcopo Rossensi : Thomas de Dono Dei, bishop of Ross, 1296/7-*c.* 1325 (Dowden, *Bishops*, p. 214). See, for his kinship with Ralph de Dundee, *HP.*, pp. 221, 224.

Elizabeth sororis mee : Not mentioned elsewhere. See *HP.*, ii. p. 221.

Dominum Thomam Gerland rectorem ecclesie de baneuy : This rector of Benvie has not been found elsewhere.

Philippum de logy : Payments to Philip de Logy and Thomas, his son, in 1328 and to Philip de Logy, burgess of Dundee, in 1329 are recorded (*Exch. Rolls*, i. pp. 116, 159).

Andream de botha : Andreas de la Bothe appears in rolls of armed men, 1311-12 (Bain, *Calendar*, iii. 400, 418), and, in an account of 1329, the executors of Andrew de Botha receive payment (*Exch. Rolls*, i. p. 213; cf. i. p. 245). See also note to *HP.*, ii. p. 225.

Alanum de balmossy : Alan de Balmossy has a charter of lands in Dundee, during the reign of Robert I (*RMS.*, i. App. 2, 457), and, again, as burgess of Dundee, 20 May, 1345 (*HMC. Rep.*, Mar and Kellie MSS., i. p. 6). He appears as custumar of Dundee from 19 Jan., 1327/8, to 7 Dec., 1331 (*Exch. Rolls*, i. pp. 76, 366), and is attorney for the provost of Dundee, 22 May, 1341 (*ibid.*, i. p. 473). He was dead by 1362, when a debt due by him is paid by his sons, Hugh and John (*ibid.*, ii. p. 114).

The remaining witnesses have not been found elsewhere.

CIII

1322-28.

Uniuersis . . . Mauricius . . . Ecclesie Dunblanensis minister humilis . . . salutem. Licet omnibus in suis iustis postulacionibus prout possumus caritatiue adesse debeamus / illorum tamen prouisionem procurare tenemur specialius et profectum / qui uanitatibus seculi postpositis / iugem deo exhibent famulatum . et sua pauperum sustentacioni et hospitum susceptione communiter deputarunt . Ea propter . quin monasterium de Cupro . . . per diuersa guerrarum discrimina . et alios euentus fortuitos in edificiis . et aliis diuino cultuj / ac huic vite necessariis pie compassionis oculo fore perspeximus maxime inanitum

. / Nos . . . Abbati et monachis eiusdem monasterij de Cupro . et eorum successoribus . . . concedimus . damus . et hac presenti carta nostra pro nobis et successoribus nostris caritatis intuitu confirmamus . Ecclesiam de Fossawy infra Dyocesim nostram situatam . cum duabus acris terre / et aliis omnibus suis iustis pertinenciis habendam perpetuo in suos proprios usus . ad suam et pauperum sustentacionem . ac hospitalitatis augmentum adeo libere . quiete . et honorifice . sicut aliqua abbathia in Dyocesi nostra aliquam Ecclesiam liberius . quietius . plenius . et honorificentius tenet et possidet . salua nobis et successoribus nostris quarta eiusdem Ecclesie cum Episcopalibus nostris . et aliis juribus ordinariis . et salua porcione uicarij / que extendet se annuatim ad decem marcas sterlingorum . de quibus decem marcis / idem vicarius soluet procuraciones Episcopi et Archidiaconi . ac alia onera ordinaria tamen . et in extraordinariis / respondebit pro rata sue porcionis . Cum vero vicaria ipsa uacaucrit / dicti religiosi honestam personam nobis et successoribus nostris quociens opus fuerit presentabunt ad eandem . et ad porcionem supradictam tamen / modo quo superius est cxpressum . In cuius rei testimonium sigillum nostrum presenti carte nostre fecimus apponi . Hiis testibus . . . dominis Willelmo et Willelmo . . . sancti Andree et Dunkeldensi Episcopis . Dominis Roberto de Dunfermelyn . et Symone de Scona . . . . abbatibus . Domino Willelmo de Lyndisay Canonico Dunkeldense . Magistro Willelmo de Ecford officiali nostro . et domino Hugone Canonico de Scona Capellano nostro . et multis aliis.

Seal attached. End. : Collacio domini mauricii Episcopi Dunblanensis super ecclesiam de Cupro in proprios usus ecclesie de Fossihiy.

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

CIII

Charter of Maurice, bishop of Dunblane, whereby, in consideration of the monastery's needs, he grants Coupar the appropriation of the church of Fossoway, saving the vicar's portion of ten marks annually.

The patronage of the church of Fossoway was granted to Coupar by Sir Gilbert de Haya (No. LXXV).

Mauricius . . . Ecclesie Dunblanensis minister humilis : Appears in No. LXXXVI as abbot of Inchaffray. For the somewhat doubtful dating of his episcopal career, see Dowden, *Bishops*, pp. 202-3.

Monasterium de Cupro . . . per diuersa guerrarum discrimina . . . inanitum : See Introduction, p. xlvii.

Ecclesiam de Fossawy : See note to No. LXXXV.

Willelmo et Willelmo . . . sancti Andree et Dunkeldensi Episcopis : For William de Lamberton, bishop of St. Andrews, see note to No. LXXXIII. William Sinclair was bishop of Dunkeld, 1312-37 (Dowden, *Bishops*, pp. 61-3).

Roberto de Dunfermelyn et Symone de Scona . . . abbatibus : Robert de Crail was abbot of Dunfermline in 1316 (*Dunfermelyn*, p. xiv). He witnesses charters of Robert I, 11 Jan. and 5 March, 1325/6 (*Carnegies*, ii. pp. 484-5, Nos. 33, 34), and grants a charter, 28 Feb., 1326/7 (*Reg. Hon. de Morton*, ii. 34). Simon is said to have been abbot of Scone from 1321 to 1326 (*Scon*, p. xii), but we find him as a witness, 8 May, 1334 (*Blackfriars of Perth*, XVII), and participating in an agreement between Scone and Dunfermline, 11 May, 1341 (*Scon*, 170).

Domino Willelmo de Lyndisay Canonico Dunkeldense : Appears as rector of Ayr, *c.* 1323 (*REG.*, i. 274), and as canon of Glasgow, 17 May, 1325 (*ibid.*, i. 273). As canon of Glasgow and Dunkeld and rector of Ayr, he endows a chaplainry in Holy Trinity chapel, Ayr, and an obit in Glasgow cathedral, 7 May, 1327 (*ibid.*, i. 276) ; and, as canon of Dunkeld, he is a papal mandatory, 19 Aug., 1328 (*CPR.*, ii. p. 279). During the reign of Robert I, he has, as canon of Glasgow, grants of forfeitures in Ayrshire and Nithsdale (Robertson, *Index*, p. 14, No. 101 ; p. 20, No. 8).

Magistro Willelmo de Ecford officiali nostro : Not found as official of Dunblane. A man of this name appears as procurator of Dunfermline in 1311 and 1314/5 (*Dunfermelyn*, 340, 347) and, in 1316, as official of the archdeacon of Glasgow and rural dean of Kyle (*Melros*, 401).

Domino Hugone Canonico de Scona Capellano nostro : Not found elsewhere.

CIV

1322-28.

Omnibus . . . Douenaldus Decanus Dunblanensis Ecclesie / eiusdemque Capitulum Salutem in domino . Quin collaciones Episcoporum absque consensu sui Capituli inualide solent reputari . Que . accedente eiusdem consensu / robur debent optinere perpetue firmitatis / Nos pia ac prouida habita deliberacione super hoc cum tractatu frequentius . diligentius . et sollempni . vtilitateque Capituli nostri

pensata . grato concurrentes assensu / confirmamus et ratas habemus concessionem ac collacionem Ecclesie de Fossawy cum omnibus juribus . commoditatibus . et aliis pertinentiis suis . factas per . . . dominum Mauricium . . . Episcopum nostrum Dunblanensem Monasterio de Cupro Cisterciensis ordinis . Sancti Andree Dyocesis . Abbati et Monachis . . . . in vsus suos proprios . et in subsidium monasterii sui predicti . secundum formam et tenorem Carte dicti domini Episcopi nostri super hoc eis confecte in forma que sequitur . Uniuersis . . . (*ut in no. CIII*) . . . Nos igitur ad perpetuam rei memoriam . et huius confirmacionis ac ratificacionis nostre plenam euidenciam / commune sigillum Capituli nostri presentibus apposuimus apud Dunblan in Capitulo nostro ad hoc specialiter conuocato.

Seal of chapter attached. No endorsement.

Moray Charters, Box 32, Div. V, Bundle I, No. 33.

CIV

Charter by Donald, dean of Dunblane and the chapter thereof confirming No. CIII.

Douenaldus Decanus Dunblanensis Ecclesie : The seal of Donald, dean of Dunblane, is affixed to a charter of Andrew Murray of Tullibardine, 26 Oct., 1329 (*Inchaffray*, CXXVII).

CV

21 March, 1324/5.

Uniuersis . . . Willelmus sancti Andree . Johannes Glascuensis . Willelmus Dunkeldensis . Mauricius Dunblanensis . . . Episcopi . Robertus de Dunfermelyn . Bernardus de Abirbroth . Symon sancte Crucis . Symon de Scona . et Rogerus de Passelay . . . Abbates . salutem . . . . Notum facimus . quod anno domini . m° . ccc° . vicesimo quarto . Indiccione octaua . dic uicesima prima mensis marcii . pontificatus . . . Johannis . . . pape . xxij . Anno nono in concilio Scoticano tunc celebrato apud Sconam . vidimus . legimus . tenuimus . ac de uerbo ad uerbum diligenter inspeximus quasdam litteras apostolicas cum filo serico / et uera bulla plumbea more curie romane

bullatas . non uiciatas . non cancellatas . non abolitas . non abrasas . nec in aliqua parte corruptas . set (*sic*) omni vicio et suspicione carentes . exhibitas et presentatas nobis per Abbatem de Cupro quarum tenor talis est . Bonifacius Episcopus seruus seruorum dei dilectis filiis vniuersis Abbatibus . Abbatissis . et conuentibus ordinis Cisterciensis . tam presentibus quam futuris . salutem . et apostolicam benediccionem . In ecclesie firmamento vester ordo nitore claro coruscans vniuersalem gregis dominici aulam illuminat / et currentibus in stadio / rectum iter insinuat . quo ad salutis brauium facilius peruenitur . Nos quidem ob hoc et propter magne deuocionis affectum quem ad nos et ad apostolicam sedem habetis / ordinem ipsum ac vos / et alios eiusdem ordinis profcssores intima caritate prosequimur . ac sinceris affectibus excitamur ad vestra et illorum commoda / in quibus honeste possumus promouenda . Ideoque premissorum intuitu et obtentu dilecti filii nostri Roberti tituli sancte Prudenciane presbyteri Cardinalis / qui tanquam prefati ordinis qui professus extitit promotor assiduus / necessitates uestras / et dicti ordinis nobis reuerenter exposuit . et super illis nostre prouisionis auxilium implorauit . Vobis auctoritate presencium indulgemus . vt de terris uestris cultis / et incultis ad ordinem uestrum spectantibus / quas alijs concessistis vel conceditis in posterum excolendas . de quibus tamen aliquis decimas / seu primicias non percepit / nullus a uobis seu cultoribus terrarum ipsarum / aut quibuscunque aliis decimas . seu primicias / exigere vel extorquere presumat . Nos enim nichilominus irritum decernimus et inane quicquid contra tenorem huius indulgencie fuerit attemptatum Nulli ergo omnino hominum liceat hanc paginam nostre concessionis et constitucionis infringere . vel ei ausu temerario contraire . Si quis autem hoc attemptare presumpserit / indignacionem omnipotentis dei / et beatorum Pctri et Pauli apostolorum eius se nouerit incursurum . Datum Laterañ . xv kal. . Januarij . Pontificatus nostri Anno . viij . In cuius uisionis . leccionis . plenarie inspeccionis . exhibicionis . et prestacionis testimonium / sigilla nostra presentibus duximus apponenda

apud Sconam in concilio prouinciali . Anno . Indiccione . Die . Mense . et Pontificatu . predictis.

Of the nine seals originally attached all are missing. Four tags, inscribed respectively: 'Glascuensis'; 'Dunfer[melyn]'; 'Aberbroth'; 'Sancte crucis'; remain. End.: Bonifacius: Littera testimonialis quod non soluimus decimas de terris nostris cultis seu incultis assedatis uel assendandis et ad materiam habetur per honorium sub sigillis dominorum episcoporum et archidiaconi sancti Andree et decani angusie.

Moray Charters, Box 32, Div. V, Bundle I, No. 30.

CV

Letters of William, bishop of St. Andrews, John, bishop of Glasgow, William, bishop of Dunkeld, Maurice, bishop of Dunblane, Robert, abbot of Dunfermline, Bernard, abbot of Arbroath, Symon, abbot of Holyrood, Symon, abbot of Scone and Roger, abbot of Paisley, making known that, on 21 May, 1324, in the Scottish council held at Scone, they had seen the bull of Boniface VIII exempting the Cistercians from the payment of teinds on lands, cultivated or uncultivated, granted to others.

Willelmus (episcopus) sancti Andree: See note to No. LXXXIII.

Johannes (episcopus) Glascuensis: John de Lindsay, bishop of Glasgow, 1323-1335 (Dowden, *Bishops*, pp. 311-12).

Willelmus (episcopus) Dunkeldensis: See note to No. CIII.

Mauricius (episcopus) Dunblanensis: See note to No. CIII.

Robertus (abbas) de Dunfermlyn: See note to No. CIII.

Bernardus (abbas) de Abirbroth: See note to No. XCIX.

Symon (abbas) sancte Crucis: Simon de Wedale, abbot of Holyrood, witnesses a charter, 1296-1332 (*Soltre*, 49) and makes, with his convent, a grant to Soutra, 10 June, 1326 (*ibid.*, 53).

Symon (abbas) de Scona: See note to No. CIII.

Rogerus (abbas) de Passelay: Appears in a charter of Malcolm, earl of Lennox, 2 May, 1318 (*Passelet*, 204), and witnesses a charter of Robert I, 22 Oct., 1321 (*Aberbrothoc*, i. 273).

Johannis . . . pape xxij: John XXII was pope from 5 Sept., 1316, till 4 Dec., 1334.

In concilio Scoticano tunc celebrato apud Sconam: No other reference to this council has been found, except in the following charter.

Bonifacius Episcopus, etc.: Boniface VIII, who was pope, 2 Jan., 1295/6, till 11 Oct., 1303.

Roberti tituli sancte Prudenciane presbyteri Cardinalis: Robert was abbot of the Cistercian monastery of Pontigny and, under the title of St. Prudentiana, became chamberlain of the sacred college, 3 Jan., 1298. He died at Parma, 9 Oct., 1305 (Eubel, *Hierarchia*, I. xvii, 8).

CVI

21 March, 1324/5.

Vniuersis . . . Willelmus Sancti Andree. et Mauricius Dunblanensis . . . episcopi . Robertus de Dunfermelyn et Symon de Scona . . . abbates . salutem. . . . Cum pium sit testimonium perhibere veritati / notum vobis facimus per presentes quod coram nobis constitutus . . . dominus Johannes Abbas de Cupro apud Sconam anno domini m° . ccc° . vicesimo . quarto * * * octaua . die vicesima prima mensis Marcii . pontificatus . . . Johannis diuina prouidencia pape xxij. Anno nono * * * scoticano tunc celebrato ibidem . ostendit . exhibuit . ac presentauit . . . domino Willelmo . . . Episcopo Dunkeldensi et [cle]ro in ipso concilio congregato quasdam literas apostolicas cum filo serico . et vera bulla plumbea more curie Romane * * * [bull]atas * * * [non] cancellatas etc. . . . sicut * * * vidimus [sciui]mus ac de verbo ad verbum diligenter inspeximus . in hec verba . Bonifacius Episcopus . . . (*ut in precedente carta*) . . . In cuius ostensionis etc. . . . testimonium / sigilla nostra presentibus duximus apponenda apud Sconam in concilio prouinciali an[no] mense . et pontificatu supradictis.

Seals missing. Endorsement illegible. One side of this charter is torn away.

Moray Charters, Box 32, Div. IV, Bundle I, No. 35.

CVI

Letters of William and Maurice, bishops of St. Andrews and Dunblane, and Robert and Symon, abbots of Dunfermline and Scone, bearing that in their presence at Scone, on 21 March, 1324, during the session of the Scottish council held there, John, abbot of Coupar, displayed to William, bishop of Dunkeld and his clergy (?) met in that council, certain apostolic letters and the bull of Boniface VIII (as cited here and in the previous charter) which the above had seen and verified, in witness of which display, etc., their seals are appended.

For the persons mentioned in this charter see notes to No. cv. The abbot of Coupar was John Orwell.

CVII

11 May, 1326.

Cyrographum

Anno gracie m° . ccc° . vicesimo sexto ad pentecosten facta est hec conuencio inter . . . Abbatem et Conuentum de Cupro ex una parte . et Nicholaum filium Petri Burgensem de Reinfru ex altera . videlicet quod dicti Abbas et Conuentus concesserunt et ad feodofirmam dimiserunt dicto Nicholao totam terram quam habent in villa de Reinfru . cum vno Rethi super aqua de Clude . et cum omnibus aliis libertatibus . aysiamentis . et pertinentiis suis . Tenendam et habendam dicto Nicholao et heredibus suis seu assignatis inperpetuum . de dictis Abbate et Conuentu adeo libere et quiete sicut ipsi terram ipsam et rethe tenent a domino Senescallo Scocie . Saluo quod jdem Nicholaus . heredes sui seu assignati soluent inde annuatim dictis religiosis vel suo attornato primo die Nundarum de Glascu tres solidos Legalium sterlingorum in eadem villa Glascuensi sine dilacione ulteriori . nullo ponendo obstante. Dicti vero Abbas et Conuentus dictam terram et Rethe cum suis iustis pertinentiis predicto Nicholao heredibus suis seu assignatis warantizabunt et defendent. In cuius rei testimonium presenti scripto in modum Cyrograffi confecto sigilla parcium predictarum hinc inde sunt apposita . una cum sigillo . . . domini Willelmi de Lyndesay Canonici Glascuensis in predicta villa de Reinfru.

One seal intact, other missing. End. : Conuencio inter Abbatem de Cupro et Nicholaum filium Petri de terra de renfru.

Moray Charters, Box 32, Div. V, Bundle I, No. 31.

CVII

Indenture recording an agreement made at Whitsunday, 1326, between the abbot and convent of Coupar and Nicholas, son of Peter, burgess of Renfrew, to the effect that the abbot and convent have leased to Nicholas all the land which they hold in the town of Renfrew, with a net on the

water of Clyde. Nicholas and his heirs will pay yearly to the monks on the first day of Glasgow fair three shillings sterling in the town of Glasgow.

Nicholaum filium Petri Burgensem de Reinfru : Not mentioned elsewhere.

Totam terram quam habent in villa de Reinfru cum vno Rethi (sic) *super aqua de Clude :* The monks had a charter, 1164-78, from Alan, son of Walter, granting them a toft in Renfrew and a salmon net on the Clyde (*Illust. of Scottish Hist.*, xv).

Willelmi Lyndesay Canonici Glascuensis : See note to No. CIII.

CVIII

6 August, 1326.

Robertus . . . Rex Scottorum Hugoni de Erth militi ac ceteris forestariis suis de Clony qui pro tempore fuerint salutem . Quia concessimus caritatiue . . . . Abbati et Conuentui de Cupro licenciam construendi libere reparandi quociens opus fuerit et imperpetuum possidendi pacifice vnum stagnum et aqueductum pro molendino suo de Calady . ultra paruam aquam de Ferdyl inter forestam nostram de Clony et terram suam de Calady : mandamus vobis et precipimus quatinus ipsos religiosos aut eorum homines seu tenentes contra hanc concessionem nostram nullatenus inquietetis impediatis aut grauetis Datum apud Dalredal in Strathardolf vj mensis Augusti Anno Regni nostri vicesimo primo.

Seal attached. End. : Carta regis roberti de (stagno et (*in later hand*)) aqueductu ad molendinum de calathy.

Moray Charters, Box 32, Div. V, Bundle II, No. 73.

CVIII

Charter of Robert I to Sir Hugh de Erth and his other foresters of Cluny, ordaining that inasmuch as he has granted Coupar licence to build, freely repair and possess for ever a stank and lade for their mill of Cally beyond the little water of Ferdyl between his forest of Cluny and their land of Cally, they will neither disturb, hinder nor burden the monks contrary to this grant.

Hugoni de Erth militi : Perhaps a later member of this family than Sir Hugh de Herth who appears in No. LXIX. It is to be noted in connection with the present charter that a man of this name has a crown charter, during the reign of Robert I, of the constableship of Cluny (*RMS.*, i. App. 2, 487).

Calady : Cally.
Ferdyl : The river Ardle.
Dalredal in Strathardolf : This place in Strathardle has not been located.

CIX

14 April, 1326—18 October, 1326.

Omnibus has literas visuris vel audituris / Adam Decanus Christianitatis de Anegus et de mernys salutem in domino. Noueritis me recepisse per manus domini Walteri de Dunde monachi de Cupro / litteras . . . domini Willelmi . . . Episcopi sancti Andree in hec verba . Willelmus . . . Sancti Andree in hec verba . Willelmus . . . Sancti Andree Episcopus . Decano Christianitatis de Anegus et de mernys salutem cum benediccione diuina . Quia dedimus caritatis intuitu inperpetuum . . . Abbati et Conuentui de Cupro illas tres marcas quas nobis nomine cane per nos imposite de Ecclesia de Mathylur ultra antiquas et consuetas procurationes annuatim soluere consueuerunt ? Mandamus tibi et precipimus . quatinus duas marcas tantum de ipsa Ecclesia pro procurationibus nostris annuis exigas de cetero et leues / una cum synodalibus et aliis oneribus de iure incumbentibus / dictos Religiosos / seu Ecclesiam predictam nullatenus amplius oncrando. In cuius rei testimonium presentibus litteris sigillum nostrum est appensum. Datum apud Neubotle die lune in festo beatorum martirum Tiburcii et Valeriani . Anno gracie . m° . ccc° vicesimo sexto. In cuius receptionis testimonium presentibus litteris sigillum meum apposui . datum apud Forfare die sabbato in festo beati luce ewangeliste . Anno gracie . m° . ccc° . vicesimo sexto.

Seal missing. No endorsement.
Moray Charters, Box 32, Div. V, Bundle II, No. 72.

CIX

Letters of Adam, dean of Christianity of Angus and Mearns, intimating that he has received at the hands of Walter de Dunde, monk of Coupar, letters of William, bishop of St. Andrews, directed to him (Adam), stating

that whereas he gave to the monks of Coupar the three marks over and above the old and accustomed procurations which they were used to pay yearly to him in the name of cain for the church of Mathylur, he ordains the dean to exact two marks only from that church for procurations along with synodals and other dues, placing no further burden on the monks or that church.

Adam Decanus Christianitatis de Anegus et de mernys : This rural dean of Angus and Mearns has not been found elsewhere.

Walteri de Dunde monachi de Cupro : This monk of Coupar may have been of the family ' de Dunde,' members of which appear in No. CII.

Willelmi . . . Episcopi sancti Andree : See note to No. LXXXIII.

Illas tres marcas quas nobis nomine cane per nos imposite : It is unusual to find cain exacted by a bishop from a parish church. Cain was a secular rather than an ecclesiastical due.

Ecclesia de Mathylur : The church of Meathie was dedicated by David de Bernham, bishop of St. Andrews, 3 Sept., 1243. The parish is now united to Inverarity.

CX

5 Feb., 1326/7—10 September, 1364.

Dauid . . . Rex Scottorum . Omnibus . . . Salutem Sciatis nos inspexisse ac veraciter intellexisse conuencionem per modum Indenture confectam . inter . . . abbatem et conuentum monasterii de Cupro . ex parte vna et quondam Johannem de Inchemartyne militem . ex altera . non rasam . non abolitam non cancellatam . nec in aliqua sui parte viciatam . cuius tenor sequitur et est talis . Anno domini millesimo . ccc^mo^ vicesimo sexto . die Jouis . infra octauas purificacionis beate marie virginis . facta est hec conuencio inter viros religiosos abbatem et conuentum de Cupro . ex una parte . et dominum Johannem de Inchemartyn militem . ex altera . viz. quod dictus dominus Johannes dedit concessit et presenti scripto confirmauit pro se et heredibus suis dictis abbati et conuentui . in liberam puram . et perpetuam elemosinam . duodecim marcas sterlingorum annui redditus in perpetuum percipiendas in denariis numeratis diuisim ad terminos anni consuetos libere absque omni seculari exaccione et seruicio de terris suis subscriptis scilicet de Inuercrosky more Inuercrosky . beg / et morkloche infra baroniam suam de

Strathardolf, pro terra de morthily in Marre . quam dictus dominus Johannes dictis religiosis alias dederat ⁊ in liberam puram et perpetuam elemosinam / quousque idem dominus Johannes . confirmacionem domini Comitis de Marr super terra antedicta de murthily . in marr procurare poterit ⁊ dictis religiosis . secundum tenorem donacionis sue eisdem religiosis facte de terra supradicta de morthily . Ad quam confirmacionem procurandam et habendam dictis dominis Johannes diligentiam apponet . Similiter et abbas supradictus . Si vero dicta confirmacio procurari non possit ⁊ nec haberi ⁊ et ipse dominus Johannes vel aliquis heredum suorum seu assignatorum dictam terram de murthily in Marre assedando aliquo tempore aliquid ultra summam duodecim marcarum leuauerit . in denariis vel denariatis . de ipsa terra de murthily ⁊ dictus dominus Johannes heredes sui ⁊ seu assignati ⁊ tantum soluere tenebuntur annuatim dictis religiosis de terris supradictis de Inuercrosky more / Inuercrosky beg / et morkloche una cum duodecim marcis supradictis quantum de dicta terra de Morthily in Marre ultra summam duodecim marcarum leuauerint . Ad quod soluendum concedit idem dominus Johannes pro se et heredibus suis quod terre supradicte per balliuos abbatis distringantur. Si vero contingat quod absit ⁊ quod terre de Inuercrosky more Inuercrosky beg et Morkloche ad solucionem dictarum duodecim marcarum annui redditus et illius summe annuatim excrescentis in assedacione de morthily in Marre aliquo tempore non sufficiant ⁊ vult et concedit ⁊ idem dominus Johannes . pro se et heredibus suis quod tota baronia sua de dunyn in Strathardolf . ad solucionem predictarum ⁊ per balliuos abbatis distringatur / . Si vero confirmacio domini comitis de marr . super dicta terra de murthily dictis religiosis procurare possit ⁊ et haberi . terra predicta de murthily in marr ad dictos religiosos libere reuertetur / et in perpetuum remanebit ⁊ in omnibus secundum tenorem prime donacionis dicti domini Johannis facte dictis religiosis de eadem . et ex tunc presens conuencio nullius roboris erit vel virtutis / dictus autem dominus Johannes . heredes sui . et assignati . dictis religiosis dictas duodecim marcas annui

redditus . in terris supradictis cum excrescentia de murthily: si quo fuerit: contra omnes homines et feminas in perpetuum . warantizabunt . . . / nullo proponendo obstante. Et est sciendum . quod prima solucio huius conuencionis incipiet: ad festum Pentecostes anni gracie millesimi . ccc^{mi} . viccsimi septimi: et sic de termino in terminum in perpetuum . Secundum formam prescriptam . sine contradiccione . vel dilacione . pro qua solucione . ad terminos . licebit dictis abbati et conuentui: et eorum ministris . terras predictas de Inuercrosky more . Inuercrosky beg, et morkloche . et totam baroniam de dunyn in Strathardolf . si necesse sit: per omnem viam juris distringere. In cuius rei testimonium partibus . huius scripti . in modum cirographi confecti: dicti abbas et conuentus . et dominus Johannes Sigilla sua hinc inde apposuerunt Quam quidem conuencionem . per modum Indenture ut premittitur confectam . donacionemque et concessionem . in eadem contentas . . . approbamus ratificamus . et pro nobis et heredibus nostris . . . confirmamus . Saluo seruicio nostro . In cuius rei testimonium . presenti carte confirmacionis nostri . Sigillum nostrum precepimus apponi: Testibus . . . . Willelmo Episcopo Sancti andree . et Patricio Episcopo Brechynensi . Cancellario nostro Roberto Senescallo Scocie Comite de Stratherne nepote nostro . Willelmo Comite de douglas / Willelmo de Keth marescallo nostro Scocie . Roberto de Erskyne Camerario nostro . Archebaldo de douglas et Johanne Heryce militibus . Apud Perth decimo die Septembris . Anno regni nostri Tricesimo . Quinto.

Seal missing. End.: Confirmacio de rege terrarum de strathardolf . excambio pro murthly in mar.

Moray Charters, Box 32, Div. IV, Bundle I, No. 39.

CX

Charter of David II declaring that he has inspected an agreement by way of an indenture between the abbot and convent of Coupar and the late Sir John de Inchmartin which bears that, on Thursday, within the octave of Candlemas, 1326, the parties agreed that Sir John gave to Coupar twelve marks sterling of annualrent from his lands of Invercrosky more and Invercrosky beg and Morkloche, in his barony of Strathardle, for the

land of Morthily in Mar which John had given otherwise to the monks until he could secure confirmation from the earl of Mar regarding the land of Morthily, which confirmation both John and the abbot will endeavour to obtain. If his confirmation cannot be obtained and Sir John or any of his heirs should uplift more than twelve marks for the lease of Morthily in Mar, the said Sir John and his heirs will be bound to pay as much yearly to the monks from the lands of Invercrosky more, Invercrosky beg and Morkloche, along with the above twelve marks, as they have uplifted from the said land of Morthily beyond the sum of twelve marks, for payment of which Sir John grants that these lands may be distrained by the abbot's bailies. If it happens that the lands of Invercrosky more, Invercrosky beg and Morkloche do not suffice to pay the said twelve marks and that sum annually accruing in addition from the lease of Morthily, Sir John grants that his barony of Duny in Strathardle may be distrained by the abbot's bailies for these sums. If the earl of Mar's confirmation of Morthily cannot be obtained for the monks, that land will freely revert to them and remain theirs in terms of Sir John's original donation and the present agreement will lapse. Sir John grants warrandice to the monks of the twelve marks of annualrent with the increase of Morthily, and it is understood that the first payment under this agreement will begin at Whitsunday, 1327, and then from term to term, for which payment the abbot and convent and their servants may, if need be, distrain the lands of Invercrosky more, Invercrosky beg and Morkloche and the whole barony of Duny.

Murtle (Morthily) was finally secured to the monks by a confirmation-charter of Thomas, earl of Mar, in 1367 (No. xcvii).

Dominum Johannem de Inchemartyne militem : Sir John de Inchmartin (II). See note to No. lxxxix.

Inuercrosky more Inuercrosky beg et morkloche infra baroniam . . . de Strathardolf : Invercrosky is on the E. side of Strathardle, N. of Tullochcurran. See map in Robertson, *Earldom of Athole.* The lands of Invercrosky were among those granted by James IV to John Ferguson of Douny, 20 Jan., 1511/12 (*RMS.*, ii. 3682). Morkloche has not been located.

Terra de morthily in Marre quam dictus Johannes dictis religiosis alias dederat : See No. xcvii and notes.

Dunyn in Strathardolf : Dunie, S. of Kirkmichael, on E. side of Strathardle, to be distinguished from Dunnie, in Glenisla (see No. lxxvi).

Willelmo Episcopo Sancti Andree : William de Landallis, bishop of St. Andrews, 1341/2-1385 (Dowden, *Bishops*, pp. 25-6).

Patricio Episcopo Brechynensi Cancellario nostro : Patrick de Locrys, bishop of Brechin, 1351-83 (Dowden, *Bishops*, pp. 182-3). He was chancellor from *c.* 1355 (see Maitland Thomson's note in *ibid.*, p. 183).

Roberto Senescallo Scocie Comite de Stratherne nepote nostro : According to *Scots Peerage*, viii. p. 259, Robert, the high steward, was made earl of Strathearn between 6 and 13 Nov., 1357, or at least during the parliament which met in that month at Scone. He had become high steward on the death of his father, 9 April, 1326 (Dunbar, *Scottish Kings*, p. 160). He succeeded to the throne as Robert II, 22 Feb., 1370/1 (*ibid.*, p. 160).

Willelmo Comite de Douglas : Second son of Sir Archibald Douglas, the regent, created earl of Douglas probably on 26 Jan., 1357/8. He styles himself earl of Douglas and Mar in 1374. Earl William died *c.* 1384 and was buried at Melrose. See *SP.*, iii. pp. 148-53, where his career is fully described.

Willelmo de Keth marescallo nostro Scocie : Sir William Keith succeeded Sir Edward Keith as marshal and is so designed in 1354 (*SP.*, vi. p. 35). He is noted *s.a.* 1335 as one of the Scots who did not come to the king of England's peace (*Chron. Lanercost*, p. 283), but the reference is probably to Sir Robert. Sir William was plenipotentiary for the ransom of David II, 26 Sept., 1357 (Bain, *Calendar*, iii. 1651), and commissioner from the king of Scots to England, June, 1369 (*ibid.*, iv. 154). We find him as sheriff of Kincardine, 15 March, 1391/2 (*Exch. Rolls*, iii. 264), an office he resigned to his son, Sir Robert, 20 Sept., 1406 (*RMS.*, i. 883). He died *a.* 1410 (*SP.*, vi. p. 36) ; he is called ' quondam,' 6 Nov., 1413 (*RMS.*, i. 948). William de Keth, marshal of Scotland and lord of Alden, founded a chaplainry in Aberdeen cathedral, 8 Oct., 1378 (*REA.*, i. p. 124)—this was confirmed by the pope, 28 Jan., 1380/1 (*CPR.*, iv. p. 240) ; and he had a grant of the second teinds of Aboyne, of which he granted payment to the bishop of Aberdeen, for his lifetime, 20 April, 1393 (*REA.*, i. pp. 195, 196).

Roberto de Erskyne Camerario nostro : Appears very frequently from at least 10 Jan., 1341/2 (*Melros*, 465). He is called justiciar on the north side of the Forth, 20 Jan., 1358/9 (*RMS.*, ii. 3717), and justiciar, 17 May, 1360 (*Menteith*, ii. 29) ; at a later date, he appears as justiciar of the forests of Tor and Clackmannan (*HMC. Rep.*, Mar and Kellie MSS., ii. p. 9). Erskine was ambassador to treat for David II's ransom and peace between England and Scotland, 10 May, 1356 (Bain, *Calendar*, iii. 1356). He was also envoy to the Vatican in 1359 (*Scotichronicon*, ii. p. 362 ; cf. *CPR.*, Pet., i. p. 346) ; has payment as envoy to Rome and France, 1360 (*Exch. Rolls*, ii. p. 50), and to Rome, France, and England, 1361 (*ibid.*, ii. p. 77), and later to England. In 1358, he is an auditor of Exchequer (*ibid.*, i. pp. 545, 594), and, in 1359, sheriff of Stirling (*ibid.*, i. p. 575), an office of which, along with the custody of Stirling castle, he has a crown charter, 6 April, 1370 (Robertson, *Index*, p. 87, No. 222). Erskine, according to *Scots Peerage* (which gives an account of him, v. pp. 592-5), was chamberlain after Neville's Cross (1346), but is not so named till 1350 and held office till 1357 —*Exch. Rolls*, i. p. 565, indicates that he was in office in 1358 and was succeeded in that year by Thomas, earl of Mar—and resumed it from April, 1363, to 11 Dec., 1364 (cf. *Exch. Rolls*, ii. p. cxxv). He is called custodian of the lands and rents of the hospital of St. John of Jerusalem, 28 June, 1374 (*GRH. Charters*, 161). The petition of Erskine and his wife, Christiana de Keth, for a dispensation regarding their marriage (it mentions his first wife, Beatrice de Lindsay) was granted, 6 March, 1355/6 (*CPR.*, Pet., i. p. 286 ; Letters, iii. p. 564). His son, Thomas, is mentioned, 3 Oct., 1357 (Bain, *Calendar*, iii. 1576), and *c.* 1378 (*GRH. Chs.*, 172). As lord of Erskine and Dun, he founded two chaplainries at the altar of the B.V.M. in Brechin cathedral, 16 Nov., 1360 (*REB.*, i. 13, 14). Along with

Cristiana de Keth, his wife, he grants Kyntulach to Cambuskenneth, 8 Sept., 1361 (*Cambuskenneth*, 178), and this grant, along with the patronage of Kinnoul (he appears as lord of Erskine and Kinnoul (*RMS.*, i. App. 1, 151)), was confirmed by the pope, 6 Jan., 1364/5 (*CPR.*, Pet., i. p. 475). *SP.*, *loc. cit.*, says he died between Whitsunday and Martinmas, 1385; and he is called 'quondam,' 30 March, 1386 (*Exch. Rolls*, iii. p. 141).

Archebaldo de douglas (*milite*) : No doubt Archibald 'the Grim,' a natural son of 'the good Sir James,' who first appears on record, 19 Sept., 1356. He took the title or was made earl of Douglas soon after April, 1389 (*Scots Peerage*, iii. pp. 157-160, *q.v.* for an account of him). He died in 1400 (*Scotichronicon*, ii. p. 429) or 1401 (*Extracta*, p. 208; but *ibid.*, p. 207 says 1400). He founded the collegiate churches of Lincluden (previously a nunnery) and Bothwell.

Johanne Heryce (*milite*) : A man of this name appears as a witness, *c.* 1330 (*Dryburgh*, p. 270). He is mentioned in charters of David II from 14 March, 1342/3 (*RMS.*, i. 346), when he has a grant of Athrey and he has also grants of Terregles (*ibid.*, i. App. 2, 1501), Skeoch, 2 April, 1343 (*ibid.*, i. 348), and Kirkgunzeon, 12 June, 1368 (*ibid.*, i. 282). He has also a grant of half the thanage of Aberdeen, 1358 (*Exch. Rolls*, i. p. 551; cf. *REA.*, i. p. 56). Heryce appears as keeper of Stirling castle, 1369 (*Exch. Rolls*, ii. p. 333) and 1370 (*ibid.*, ii. p. 357). Sir John Herys is a hostage for the earl of Douglas and, as such, has safe-conducts, June, 1404 (Bain, *Calendar*, iv. 658); March, 1406/7 (*ibid.*, iv. 729), when he is called lord of Terregles; and 12 May, 1407 (*ibid.*, iv., 736).

CXI

5 March, 1326/7.

Robertus . . . Rex Scottorum . Omnibus . . . Salutem . Sciatis nos pro Salute anime nostre / et Salute animarum antecessorum et successorum nostrum Regum Scocie / remisisse et presenti Carta nostra condonasse inperpetuum Religiosis viris Abbati et Conuentuj de Cupro totum seruicium nostrum terre de Achinlesk . quantum spectat ad dimidiam dauacam terre : quam dimidiam dauacam terre de Achinleske / dicti religiosi habent ex collacione quondam Johannis de Kynros militis et de qua habent confirmacionem nostram Ita quod quociens contigerit seruitium nostrum . per balliuos nostros exigi aut leuari . de baronia del Crag . tantum de integrali seruicio subtrahatur quantum ad dictam dimidiam dauacam terre de Achinleske debeat pertinere . Ita quod balliui nostri . seu del Crag de ipsa terra de Achinlesk . pro aliquo seruicio petendo seu leuando

/ contra hanc remissionem nostram et condonacionem . decetero nullatenus se intromittant . In cuius rei testimonium presenti Carte nostre . Sigillum nostrum precipimus apponi . Testibus Bernardo Abbate de Abirbrothoc Cancellario nostro . Gilberto de Haya Constabulario nostro . Roberto de Kethe marescallo nostro . Alexandro Fraser Camerario nostro et Willelmo de monte fixo militibus apud Abirbrothoc quinto die Martij . Anno Regni nostri vicesimo primo.

Great Seal attached. End. : Quieta clamacio Regis de Acchylesk et de / omni seruicio regis quantum pertinet ad predictam terram.

Moray Charters, Box 32, Div. V, Bundle II, No. 74.

CXI

Charter of Robert I remitting to the monks of Coupar all his service for the land of Achinlesk in so far as it affects the half davach of land which they have by grant of the late Sir John Kynros; so that whenever his service is exacted by his bailies from the barony of Crag, as much shall be deducted from the whole service as belongs to the said half davach of Achinlesk.

Achinlesk : Auchinleish in Glenisla.

Quam dimidiam dauacam terre de Achinleske dicti religiosi habent ex collacione quondam Johannis de Kynros militis : There seems to be no earlier record of the grant to Coupar by Sir John de Kynros of this half davach of land. No. LXXVIII is a donation by Sir John of two marks of annualrent from this land.

Confirmacionem nostram : The king's confirmation-charter does not seem to have survived. It is mentioned in Robertson, *Index*, p. 4, No. 39.

Baronia del Crag : This is the barony of Craig of Glenisla, to be distinguished from Craig, now Craigmakerran, in St. Martin's parish (see No. XXIV). The Over Craig, Easter Craig and Nethercraig of Glenisla appear in a crown charter, 24 March, 1503/4 (*RMS.*, ii. 2777).

Bernardo Abbate de Abirbrothoc Cancellario nostro : See note to No. XCIX.

Gilberto de Haya Constabulario nostro (milite) : See note to No. LXIII.

Roberto de Kethe marescallo nostro (milite) : See note to No. LXXVIII.

Alexandro Fraser Camerario nostro (milite) : Appears very frequently in charters of Robert I from *c.* 1309/10 (*RMS.*, ii. 2904). From King Robert also he has crown charters of various lands (*ibid.*, i. *passim*). He married Mary Bruce, the king's sister (*RMS.*, i. App. 1, 72). He is one of the Scots magnates concerned in the declaration of Arbroath, 6 April, 1320 (*Scotichronicon*, ii. p. 275). Fraser appears as chamberlain from 1319 to

1326 (*Exch. Rolls.* ii. p. cxxiii); the present mention of him in that capacity must be one of the latest and, in 1327, he is called 'dudum camerarius' (*ibid.*, i. p. 69). He also appears as sheriff of Stirling, 13 June, 1328 (*Chamb. Rolls*, i. p. 13). Fraser was killed at the battle of Dupplin, 12 Aug., 1332 (*Extracta*, p. 160).

Willelmo de monte fixo (*milite*) : See note to No. LXXXVIII.

CXII

a. 20 May, 1328—*c.* 1328.

Uniuersis . . . Johannes Prior Ecclesie sancti andree et eiusdem loci Conuentus . . . salutem . Notum sit vobis per presens scriptum . quod cum per inspeccionem cuiusdam Carte . . . domini Willelmi de Lambertona / . . . Episcopi eiusdem Ecclesie sancti Andree sigillo suo signate / nobis facta fuerit plena fides . super donacione / concessione / et Carte sue confirmacione Ecclesie de mathylur viris Religiosis Abbati et Conuentui de Cupro et successoribus suis ab eodem in proprios usus facta. Cuius donacionis . . . tenor et forma / talis est. Uniuersis . . . ad quos presentes littere peruenerint / Willelmus de Lambertona / . . . Ecclesie sancti Andree minister humilis salutem in domino. Nouerit vniuersitas vestra nos dedisse . . . pro nobis et successoribus nostris viris religiosis abbati et Conuentui de Cupro . Ordinis Cysterciensis / et suis [successoribus * * *] / Ecclesiam de Mathylur / in suos proprios vsus in perpetuum. Cuius quidem Ecclesie aduocationem / siue jus patronatus / dicti viri Religiosi possident ex dono quondam domini Hugonis de Abyrnethy / et confirmacione bone memorie / domini Alexandri Regis Scocie vltimo defuncti . ac domini Alexandri filii et heredis dicti domini Hugonis . Deseruiendo tamen eidem Ecclesie / per ydoneum Capellanum perpetuum . qui a nobis / et successoribus nostris curam recipiat animarum . et centum solidos annuatim . pro sua sustentacione libere percipiat. Saluis nobis duabus marcis tamen . pro procuracionibus nostris annuis . et saluis aliis Episcopalibus / et omnibus de jure incumbentibus Ut autem hec nostra donacio . . . / robur perpetue firmitatis optineat / eam presentis pagine testi-

monio . sigilli nostri autentici apposicione roborauimus . Hiis testibus . magistro Alexandro de Kynynmunth / Archidiacono Laudonie / magistris Adam de m[or]auia . Willelmo dicto Belle . et Simone de Karale . domino Ricardo Capellano nostro . cum multis aliis. Quam quidem donacionem . . . de unanimi consensu / et assensu omnium / et singulorum de Capitulo nostro . Ratam et firmam habemus . et presentem Cartam nostram pro nobis et successoribus nostris / dictis viris Religiosis / et successoribus suis / in omnibus [in perp]etuum confirmamus . Et in signum consessionis (*sic*) et ratificacionis / ac confirmacionis nostre / eisdem viris Religiosis per nos facte / presentem Cartam . communis sigilli Capituli nostri apposicione roborauimus . Teste Capitulo nostro.

Seal missing. End. : Confirmacio capituli sancti andree ecclesie de mathelyr cum * * *.

Moray Charters, Box 32, Div. V, Bundle I, No. 28.

CXII

Charter of John, prior of St. Andrews and the convent thereof, recording the inspection of and citing a charter by William de Lamberton, bishop of St. Andrews, granting Coupar the church of Mathylur of which they hold the patronage by gift of the late Sir Hugh de Abyrnethy and providing for the service of that church by a suitable perpetual chaplain.

The charter of William de Lamberton, cited in the present charter, must have been granted before that bishop's death, 20 May, 1328. A supplication of 1419 speaks of bishop William's grant of this church to the monks as for their sustenance and the increase of hospitality (*Supplics.*, p. 49).

Johannes Prior Ecclesie sancti andree : John de Goury, treasurer of the priory, succeeded John de Forfar as prior in 1321, according to *Scotichronicon*, i. p. 369, which gives an account of him. Along with his convent, he granted a charter of their land of Camelyn, *c.* 1332 (*RPSA.*, p. 398). He died, 8 Dec., 1340 (*Scotichronicon*, i. p. 369).

Willelmi de Lambertona . . . Episcopi . . . Ecclesie sancti Andree : See note to No. LXXXIII.

Ecclesiam de Mathylur : The church of Meathie. See note to No. CIX.

Cuius quidem Ecclesie aduocacionem . . . dicti viri religiosi possident ex dono quondam domini Hugonis de Abyrnethy et confirmacione . . . Alexandri Regis Scocie vltimo defuncti ac domini Alexandri filii et heredis . . . Hugonis : There is no extant record of Hugh de Abernethy's grant of the patronage of the church of Meathie nor of the confirmation by Alexander III (*a.* 19 March, 1285/6). The patronage of this church is mentioned as granted

by Sir Alexander de Abernethy, in Robert I's confirmation-charter (*Cupar*, ii. p. 287).

Deseruiendo . . . eidem Ecclesie per ydoneum Capellanum perpetuum : Meathie was a comparatively small benefice—it is valued at fifteen marks (*RPSA.*, p. 36) ; and the appointment of a vicar would have meant that less of its revenues accrued to the monastery.

Magistro Alexandro de Kynynmunth Archidiacono Laudonie : Witnesses charters of prior John and the convent of St. Andrews, 1302-28 (*Spalding Club Misc.*, ii. p. 318), William, bishop of St. Andrews, 11 and 16 Aug., 1327 (*Lib. S. Crucis*, 88, 90), and Walter Shakloc, *c.* 1328 (*Aberbrothoc*, i. p. 339). It is uncertain whether he is identical with Alexander de Kynninmund, who has provision of the rectory of Kynkel, notwithstanding he is canon of Brechin, rector of Tannadice, is litigating about a prebend of Dunkeld and has provision of a canonry of Aberdeen, 27 Sept., 1320 (*CPR.*, ii. p. 208), who has renewed provision of Kinkel with obligation to resign Tannadice, 2 July (*sic*), 1322 (*ibid.*, ii. p. 222), and who appears as canon of Brechin and papal mandatory, 6 July, 1322 (*ibid.*, ii. p. 223). The present witness was provided to the bishopric of Aberdeen, 21 Aug., 1329 (Dowden, *Bishops*, p. 110, *q.v.* for his subsequent career. The present charter is cited by the editor of Dowden's work, p. 110). A later Alexander de Kynimond, M.A., scholar in canon law, has a petition granted for the deanery of Brechin, 1350 (*CPR.*, Pet., i. p. 199), and has vacated that deanery on his promotion to the archdeaconry of Aberdeen, 8 May, 1352 (*ibid.*, i. p. 227).

(*Magistro*) *Adam de m*[*or*]*auia :* Witnesses undated charters of William, bishop of St. Andrews (*Scon*, 54 ; *Dryburgh*, 291 (*c.* 1300) ; *Calchou*, 310) and as official, 11 and 16 Aug., 1327 (*Lib. S. Crucis*, 88, 90). A man of this name appears as canon of Dunblane during the episcopate of Nicholas de Balmyle (1307-*c.* 1318) (*Dunfermelyn*, 355). He was elect of Brechin, 15 Oct., 1328 (Dowden, *Bishops*, p. 180), and is paid part of a pension from the Exchequer, 1328 (*Exch. Rolls*, i. p. 116). There are many references to him in *Exch. Rolls*, i., after his elevation to the see of Brechin.

(*Magistro*) *Willelmo dicto Belle :* Many payments to master William Bell are recorded, 1329-31, in *Exch. Rolls*, i., *e.g.* on his going to France on the king's business (*ibid.*, i. p. 328) and from the customs of Dundee for his lifetime unless he has provision of a benefice (*ibid.*, i. pp. 172, 276, 317, 367).

(*Magistro*) *Simone de Karale :* Witnesses a charter of William, bishop of St. Andrews, 16 Aug., 1327 (*Lib. S. Crucis*, 90). It is probably another Simon de Crail who held the Domus Dei of Elgin (*REM.*, 117).

Domino Ricardo Capellano nostro : Not found elsewhere.

CXIII

1331-33.

Universis . . . Gilbertus de Haya dominus de Erole et Constabularius Scocie / Salutem . . . . Noueritis me caritatis

intuitu et pro salute anime mee ac pro salute animarum omnium antecessorum et successorum meorum dedisse / . . . / deo / et beate marie monasterii de Cupro Cisterciensis ordinis / Sancti Andree dyocesis et monachis . . . ad augmentum diuini cultus et hospitalitatis in ipso monasterio exercendi aduocacionem siue jus patronatus ecclesie parochialis de Erole . ab antecessoribus meis fundate et situate infra baroniam meam de Erole, cum omnibus terris eidem ecclesie de Erole et capelle sue de Inchemartyne pertinentibus / cum omnibus etiam iuribus . . . Tenendis . . . in puram elemosinam absque omni retinemento ita libere . . . sicut aliquis baro aliquam terram cum aduocacione Ecclesie / liberius . . . quibuscumque viris religiosis / dare potest aut religiosi quicumque possunt huiusmodi liberius possidere. Et ego Gilbertus de Haya prenominatus et heredes et successores mei qui pro tempore fuerint / aduocacionem / siue jus patronatus supradicte ecclesie de Erole, cum omnibus suis pertinenciis . . . warantizabimus . . . . Volo eciam et concedo quod si aliquis heredum aut successorum meorum contra hanc concessionem et donacionem meam elemosinariam venire presumpserit presentando forsitan de facto ad predictam ecclesiam de Erole, predictos monachos molestando / seu ipsos in presentando aut presentatum ab eis impediendo quomodocumque vel fatigando hac de causa statim erga Sanctam Romanam Ecclesiam pene subiacent mille librarum legalium sterlingorum / et erga predictos monachos de Cupro. quociens hujusmodi attemptaverit pene mille marcarum argenti soluendarum infra primum mensem postquam hoc in iudicio vel extra attemptauerit / nullo proponendo obstante. nisi infra triduum postquam per Abbatem predicti monasterii / aut eius priorem monitus fuerit / desistat penitus ab huiusmodi presumpcione et quiescat predicta / concessione et donacione mea / nichilominus in suo robore firmiter permansura / Ut autem hec mea donacio . . . / stabilis et firma perseueret in perpetuum presentem cartam pro me et heredibus ac succcssoribus meis / sigillo meo roboraui Hijs testibus . . . dominis Alexandro abirdonensi Johanne morauiensi et Adam

Brechinensi Cancellario scocie / . . . episcopis / dominis Alexandro de Dunfermelyn / Symone de Scona. et Galfrido de Abyrbroyoch . . . abbatibus. domino Gilberto nunc rectore Ecclesie de Erole dominis Johanne de Inchemartyn . et Johanne de Cambrun / militibus / Johanne de Trymbley et Petro de Inchethur cum multis aliis.

Seal missing. End. (faded): Donacio domini Willelmi (*sic*) de Haya aduocacionis ecclesie de Erole abbati et conuentui de Cupro; (in later hand): Carta donacionis aduocacionis ecclesie de Erole abbati et monachis de Cupro.

Moray Charters, Box 32, Div. IV, Bundle I, No. 37.

CXIII

Charter of Gilbert de Haya, lord of Errol and constable of Scotland, granting to Coupar the patronage of the parish church of Errol, founded by his ancestors and situated in his barony of Errol, with all the lands belonging to it and its chapel of Inchmartin.

See Introduction, p. xliv.

Gilbertus de Haya dominus de Erole et Constabularius Scocie: See note to No. LXIII.

Ecclesie parochialis de Erole . . . et capelle sue de Inchemartyne: The chapel of Inchmartin was situated within the parish of Errol. It is mentioned, 1 Nov., 1241, when Henry, son of earl David, granted three marks to a chaplain in the chapel of Inchmartin 'infra curiam meam' (*Melvilles*, iii. 11); and it is described as the chapel of the B.V.M. within the fortalice of Inchmartin, 13 Aug., 1500 (*RMS.*, ii. 2547). The ruins of the chapel still remain.

Alexandro abirdonensi (episcopo): Alexander de Kyninmund (I), bishop of Aberdeen, 1329-*c.* 1344 (Dowden, *Bishops*, pp. 110, 112).

Johanne morauiensi (episcopo): John (I) de Pylmore, bishop of Moray, 1326-62 (*ibid.*, pp. 152-3).

Adam Brechinensi (episcopo) Cancellario scocie: See note to No. CXII. Adam de Moravia was bishop of Brechin, 1328-49 (*ibid.*, pp. 180-1). Maitland Thomson's note to Dowden (p. 180) states he was chancellor, 6 Feb., 1330/1-10 March, 1331/2.

Alexandro de Dunfermelyn (abbate): Alexander Ber, abbot of Dunfermline, 1331-53 (according to *Dunfermelyn*, p. xiv). We find him witnessing a charter of Duncan, earl of Fife, 1331-5 (*Laing Chs.*, 37), and he appears on record, 5 Aug., 1340 (*Reg. Hon. de Morton*, ii. 54), 11 May and 17 June, 1341 (*Scon*, 170; *Aberbrothoc*, ii. p. 541), 2 Dec., 1345 (*Lib. S. Crucis*, 97). *Scotichronicon*, ii. p. 349, assigns his death to 1353; but, on 22 June, 1351, John de Stramigloc has papal provision to the abbey, void by the death of Alexander on his return from Rome (*CPR.*, iii. p. 423).

Symone de Scona (abbate) : See note to No. CIII.

Galfrido de Abyrbroyoch (abbate) : Succeeded Bernard de Linton, who was abbot till 1328. He grants a charter, 19 March, 1328/9 (*Aberbrothoc*, i. p. xv). It is said of him (*ibid.*, ii. p. ix) that he held the abbacy 'at least till the end of 1342 (30 Dec.). He was one of the party that submitted to Edward Balliol in 1332.' But he is found witnessing a charter of David II, 23 April, 1343 (*RMS.*, i. 817), and in *Aberbrothoc*, where he appears frequently, he is on record, apparently, till 17 Oct., 1346 (*ibid.*, ii. 21).

Domino Gilberto nunc rectore Ecclesie de Erole : Not found elsewhere.

(*Domino*) *Johanne de Inchemartyn* (*milite*) *:* See note to No. LXXXIX.

(*Domino*) *Johanne de Cambrun* (*milite*) *:* See note to No. LXXIV.

Johanne de Trymbley : John de Trumbelay is a witness, 19 Jan., 1320/1 (*Spalding Club Misc.*, ii. p. 319), and is mentioned as a member of an inquest in a charter of Robert I, 1 March, 1322/3 (*Archaeologia Scotica*, v. p. 312). He also witnesses—called Crymbley—an undated charter, along with Sir Gilbert de Haya and Sir John de Inchemartyn (*Carnegies*, ii. p. 489, No. 38).

Petro de Inchethur : Not found elsewhere.

CXIV

29 March, 1351.

Clemens etc. . . . Abbati et Conuentui monasterii de Cupro Cisterciensis ordinis Sanctiandree diocesis Salutem . . . Meritis uestre deuocionis inducimur ut petitionibus uestris in hijs presertim que uestra et monasterii uestri respiciunt necessitates et commoda fauorabiliter annuamus. Sane petitio pro parte uestra nobis nuper exhibita continebat quod quondam Gilbertus de Haya dominus de Erole attendens quod monasterium uestrum de Cupro in quo progenitores sui sepulti erant et ipse etiam elegerat sepeliri per diuersa guerrarum discrimina in edificiis suis intus et extra et alijs diuino cultui et humane uite necessarijs depauperatum nimis erat et quampluribus eius consuetis prouentibus irrecuperabiliter destitutum ac desiderans ex causis premissis quod parrochialis ecclesia de Erole et Capella de Inchemartyn ab eadem ecclesia dependens prefate diocesis infra terram ipsius nobilis situate cum omnibus earum bonis iuribus et pertinentijs in proprios usus uestros uobis et dicto uestro monasterio perpetuo uniretur pro sue ac genitorum et successorum suorum animarum salute ius patronatus dictarum ecclesie

et Capelle quod ad eum spectabat uobis et dicto uestro monasterio pia et prouida liberalitate donauit prout in patentibus ipsius nobilis litteris eius sigillo munitis plenius continetur. Quare pro parte uestra fuit nobis humiliter supplicatum ut donationi premisse apostolice firmitatis robur adicere dictasque ecclesiam et Capellam in quibus ex donatione premissa ius patronatus huiusmodi obtinetis cum earum iuribus et pertinentiis in uestrum et dicti uestri monasterii releuamen ex causis premissis uobis et ipsi monasterio inperpetuum unire et annectere dignaremur. Nos itaque Carissimorum in Christo filiorum meorum Johannis Regis Francie et Johanne Regine Scotie Illustrium nobis super hoc humiliter supplicantium ac uestris in hac parte supplicationibus inclinati donationem predictam de dicto iure ut premittitur nobis factam ex certa scientia auctoritate apostolica confirmamus et presentis scripti patrocinio communimus. Et insuper prefatas parrochialem ecclesiam et Capellam cum omnibus iuribus et pertinentijs suis consideratione premissorum uobis et ipsi monasterio auctoritate predicta imperpetuum annectimus et unimus Ita quod cedente uel decedente Rectore ipsius ecclesie uel alias eo ipsam ecclesiam quomodolibet dimittente liceat uobis auctoritate propria per uos uel alium seu alios corporalem possessionem ipsarum ecclesie et capelle libere aprehendere ac licite retinere diocesani loci et cuiuscunque alterius licentia minime requisita Reseruata tamen primitus et assignata per diocesanum ipsum de ipsarum ecclesie et capelle redditibus et prouentibus perpetuo vicario inibi domino seruituro ad presentationem nostram in eandem ecclesiam instituendo congrua portione ex qua idem vicarius valeat commode sustentari Episcopalia iura soluere aliaque sibi incumbentia onera supportare Non obstantibus si aliqui super prouisionibus sibi faciendis de huiusmodi ecclesijs et Capellis uel alijs beneficijs ecclesiasticis in illis partibus speciales uel generales apostolice sedis uel legatorum eius litteras impetrarint etiam si per eas ad inhibitionem reseruationem et decretum uel alias quomodolibet sit processum quas litteras et processus habitos per easdem ad prefatas parrochialem ecclesiam et

Capellam uolumus non extendi sed nullum per hoc eis quo ad assecutionem ecclesiarum Capellarum et beneficiorum aliorum preiudicium generari seu quibuscunque priuilegiis et indulgentiis et litteris apostolicis generalibus uel specialibus quorumcunque tenorum existant per que presentibus non expressa uel totaliter non inserta effectus earum impediri ualeat quomodolibet uel differri et de quibus quorumque totis tenoribus de uerbo ad uerbum habenda sit in nostris litteris mentio specialis Nos enim irritum decernimus et inane si secus super hoc a quoquam quauis auctoritate scienter uel ignoranter contigerit attemptari. Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis annexionis unionis uoluntatis et constitutionis infringere uel ei ausu temerario contraire. Si quis etc. Datum apud villamnouam auinionensis diocesis iiij kal. Aprilis Pontificatus nostri Anno Nono.

On fold: duplicata H. de Lascontz.
G.R.H. Bulls, 20.

CXIV

Bull of Clement VI consenting to the appropriation to Coupar of the church of Errol and its chapel of Inchmartin, of which the monastery holds the patronage.

The appropriation of the church of Errol and its chapel of Inchmartin, following on the grant of the patronage by Sir Gilbert de Haya (see No. CXIII), although given papal sanction, was frustrated (see No. CXXXI).

Quondam Gilbertus de Haya dominus de Erole: See note to No. LXIII.

Monasterium . . . de Cupro in quo progenitores sui sepulti erant: See Errol obits in *Spalding Club Misc.*, ii. pp. 347-8.

Ius patronatus dictarum ecclesie et Capelle . . . donauit: See No. CXIII.

Johannis Regis Francie et Johanne Regine Scotie: John II, king of France, 1350-64; Johanna, daughter of Edward II of England, married to David II, 1328, died 1362.

CXV

1353-55.

Uniuersis . . . Thomas Comes de Mar Dominus de Strathalueth salutem . . . / noueritis nos caritatis intuitu / et pro salute anime nostre et pro salute animarum omnium antecessorum et successorum nostrorum dedisse / . . . deo

et beate marie monasterij de Cupro : . . . et monachis . . . ad augmentum diuini cultus et hospitalitatis in ipso monasterio exercendi . aduocacionem siue jus patronatus Ecclesie parochialis de alueth / abbirdonensis diocesis / cum tota terra ad dictam Ecclesiam spectante / que iacet prope dictam Ecclesiam et terra de Inuerrethny / vnacum omnibus aliis terris / ad dictam Ecclesiam pertinentibus vel pertinere valentibus . per suas rectas et antiquas diuisas / cum omnibus eciam iuribus . . . . Tenendis . . . in puram / liberam et perpetuam elemosinam / de nobis et heredibus nostris . . . absque omni retinemento . Ita libere . . . sicut aliquis Comes vel Baro in Regno Scocie aliquam terram vel terras / cum aduocacione alicuius Ecclesie in elemosinam / liberius . . . quibuscunque viris religiosis dare potest aut religiosi quicunque possunt huiusmodi liberius possidere / Et nos Thomas predictus et heredes nostri / successores et assignati / qui pro tempore fuerint / aduocacionem siue jus patronatus supradicte Ecclesie de alueth / cum omnibus suis pertinenciis / . . . / warantizabimus . . . . Et vt hec nostra donacio / . . . stabilis et firma perseueret in perpetuum presentem cartam nostram pro nobis et heredibis nostris ac successoribus . sigillo nostro roborauimus . Hiis testibus / . . . Dominis Johanne Abbirdonensi Johanne Morauiensi et Patricio Brechynensi Cancellario Scocie . . . Episcopis Dominis Johanne de Dunfermelyn et Willelmo de Scona . . . abbatibus / Dominis Thoma Beset et Laurencio Gylibrand Militibus / Willelmo de Fentona Johanne de Retreff et Michaele de Butlar cum multis aliis.

Seal attached. End. : Confirmacio domini thome comitis de mar ecclesie de alueth.

Moray Charters, Box 32, Div. V, Bundle II, No. 75.

CXV

Charter by Thomas, earl of Mar, lord of Strathalveth, whereby he grants to Coupar the patronage of the church of Alveth, with the land lying near that church and the land of Inverrethny.

Thomas Comes de Mar Dominus de Strathalueth : See note to No. xcv.

Jus patronatus Ecclesie parochialis de alueth : The patronage of the

church of Alvah had been granted to the abbey by Marjory, countess of Athole (see No. xcv). Note that Coupar had not yet achieved the appropriation of this church, granted by Henry, bishop of Aberdeen, *c.* 1320 (No. ci).

Inuerrethny : Inverichnie lies on the E. side of the river Deveron, to the E. of Alvah.

Johanne Abbirdonensi (episcopo) : John Rait, bishop of Aberdeen, 1350/1-1355 (Dowden, *Bishops*, pp. 113, 115).

Johanne Morauiensi (episcopo) : See note to No. cxiii.

Patricio Brechynensi (episcopo) Cancellario Scocie : See note to No. cx.

Johanne de Dunfermelyn (abbate) : John de Strathmiglo, one of the monks, had papal provision to the abbey, 22 June, 1351 (*CPR.*, iii. p. 423). For the alleged circumstances of his succession, see *Dunfermelyn*, p. xiv ; *Scotichronicon*, ii. p. 349 ; *Extracta*, p. 182. He witnesses charters of David II, 11 Jan., 1359/60 (*Carnegies*, ii. p. 485, No. 34) ; 14 Sept., 1361 (*REA.*, i. p. 90) ; also a charter of Robert the steward, 1362-8 (*Melvilles*, iii. 17). He appears as auditor of Exchequer, Jan., 1365/6 (*Exch. Rolls*, ii. pp. 186, 203, 217.)

Willelmo de Scona (abbate) : William, abbot of Scone, ' occurs from 10 Feb., 1353 to 1371 ' (*Scon*, p. xii). The latest exact date, however, on which he is mentioned seems to be 1 March, 1369/70 (*Blackfriars of Perth*, xvii (1)). A fragmentary charter (*Scon*, 181), in which he appears, may be of later date.

(Domino) Thoma Beset (milite) : Bisset is on record from 1335-6 (Bain, *Calendar*, iii. 360). He witnesses charters of David II, 11 Feb., 1357/8 (*Neubotle*, p. 296), and 24 May, 1363 (*RMS.*, i. 138). In 1359, a papal petition on his behalf for leave to visit the Holy Sepulchre is recorded (*CPR.*, Pet., i. p. 345). On 10 Jan., 1362/3, Thomas Bisset, lord of Upsetlington, endows Isabella of Fife, lady of that ilk, before their marriage, with his barony of Glasclune, etc. (*RMS.*, i. 221) ; and, 8 June, 1363, David II grants him the earldom of Fife (*ibid.*, i. 158). He died *a.* 18 Sept., 1370 (*ibid.*, i. 350). His son, Thomas, appears (*ibid.*, i. 611, etc.). Sir Thomas Byseth, lord of Fife, who appears in an undated charter, is apparently the latter.

(Domino) Laurencio Gylibrand (milite) : Sir Laurence Gylibrand witnesses a charter, *c.* 1350 (*Douglas Bk.*, iii. 19), and is found attesting numerous charters of Thomas, earl of Mar, 6 April, 1354 (*HMC. Rep.*, Mar and Kellie MSS., i. p. 1) ; 1356 (*ibid.*, i. p. 1=*RMS.*, i. App. 128) ; 20 June, 1356 (*HMC. Rep.*, Mar and Kellie MSS., i. p. 2=*GRH. Charters*, 169), *c.* 1359 (*HMC. Rep.*, Mar and Kellie MSS., ii. p. 7). During the reign of David II, he has crown charters of the lands of Suthik (*RMS.*, i. App. 2, 903, 1101) ; of the lands of Touchmaler (*ibid.*, i. App. 2, 959) ; and of a pension of 20*l.* (*ibid.*, i. App. 2, 1354). Sir Laurence ' Jelibrand ' appears as steward of the queen's house, 1359 (*Exch. Rolls*, ii. p. 2), is at Newcastle on the king's affairs, 1360 (*ibid.*, ii. p. 52), and has a payment from the Exchequer, 1364 (*ibid.*, ii. p. 168). He was dead *a.* 18 Jan., 1367/8 (*RMS.*, i. 277), on which date his widow, Margaret, is mentioned.

Willelmo de Fentona : See note to No. LXXI. This, however, may be a later William de Fenton (since he is not called ' miles ') than the individual mentioned in that charter.

Johanne de Retreff : See note to No. XCVII.

Michaele de Butlar : Michael de Botillere is a witness, 17 March, 1350/1 (*RMS.*, i. App. 1, 141), and a charter is granted to him of the lands of Kilbryde, during the reign of David II (*ibid.*, i. App. 2, 1291).

CXVI

16 March, 1357/8.

D[auid] . . . Rex Scottorum : Omnibus . . . Salutem. Sciatis nos quandam cartam quondam Gilberti de Haya non rasam etc. . . . inspexisse . ac veraciter intellexisse . in hec verba . Universis . . . . (*ut in no. CXIII*) . . . Quam quidem cartam. . . . approbamus. . . . et . . . . confirmamus. In cuius rei testimonium presenti carte confirmacionis nostre sigillum nostrum precipimus apponi. Testibus . . . . Willelmo Episcopo Sanctiandree. Patricio Episcopo Brechinensi. Cancellario nostro scocie. Roberto Senescallo Scocie Comite dc Stratherne nepote nostro. Patricio Comite marchic et morauie. Willelmo Comite de Douglas. Roberto de Erskyne et Johanne de prestona militibus. apud Perth. Sexto decimo die marcii. Anno regni nostri, vicesimo octauo.

Seal missing. End. : Confirmatio * * * ecclesie de Erole mon[asterio] de Cupro.

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

CXVI

Charter of David II confirming a charter of the late Gilbert de Haya (No. CXIII).

This appears to be the charter mentioned in Robertson, *Index*, p. 61, No. 1. See also *Haddington's Collections*, ii. p. 113.

The witnesses appear in No. cx except for :

Patricio Comite marchie et morauie : Ninth earl of Dunbar and second or fourth of March ; born in 1282 and was aged twenty at his father's death. He assumed the title of Moray after 1346. He died or resigned the earldom, *a.* 25 July, 1368. See *Scots Peerage*, iii. pp. 264-7.

Johanne de prestona (milite) : Sir John de Preston is a witness, *c.* 1330 (*Dryburgh*, p. 270). He attests numerous charters of David II, from whom he has a grant of the lands of Gorton and Kinbuk (*RMS.*, i. App. 2, 1142,

1188). *Scots Peerage*, iii. p. 117, says he was taken prisoner at the battle of Durham, 17 Oct., 1346, and imprisoned in the Tower. He appears in accounts of 8 Aug., 1348 (*Chamb. Rolls*, i. p. 289), and has an indult along with his wife, Christiana, 9 Aug., 1350 (*CPR.*, iii. p. 370). Payments are made to him as envoy to England, 1360 and 1361 (*Exch. Rolls*, ii. pp. 8, 77).

CXVII

4 January, 1368/9.

Uniuersis . . . Patricius . . . Episcopus Brechynensis Willelmus Abbas de Scona et Alexander prior de Rostinot . . . . Noueritis nos quasdam literas apostolicas . . . inspexisse diligenter in hec verba. Clemens episcopus seruus (13 Dec. 1309) seruorum dei dilectis filiis Abbati et conuentui monasterii de cupro ordinis cysterciensis Sancti Andree dyocesis salutem et Apostolicam Benedictionem. Cum a nobis petitur quod iustum est et honestum tam vigor equitatis quam ordo exigit rationis et id per sollicitudinem officii nostri ad debitum perducatur effectum. Sane peticio vestra nobis exhibita continebat quod olim nobilis mulier marioria comitissa Atholie relicta quondam Johannis comitis Atholie vidua de propria salute cogitans et cupiens terrena in celestia et transitoria in eterna felici comercio commutare jus patronatus seu aduocationem quod vel quam in ecclesia de Alueth Abberdonensis dyocesis tunc temporis optinebat de consensu dilecti filii Nobilis viri dauid comitis Atholie filii sui vobis pro sue et dicti viri sui animarum remedio pia et prouida libertate donauit prout in patentibus literis hiis inde confectis dictorum dauid et comitisse sigillis munitis plenius dicitur contineri Nos itaque vestris supplicationibus inclinati quod super hoc pie et prouide factum est ratum et gratum habentes id auctoritate apostolica confirmamus et presentis scripti patrocinio communimus Nulli ergo omnino homini liceat hanc paginam nostre confirmationis infringere vel ei ausu temerario contraire . Si quis autem hoc attemptare presumpsit indignationem omnipotentis dei et Beatorum Apostolorum eius petri et pauli se nouerit incursurum Datum Auinione Idus decembris Pontificatus nostri Anno quarto In cuius Rei testimonium sigilla nostra apposuimus

Apud Brechyn quarto die mensis Januarij Anno domini m° ccc° sexagesimo octauo.

Seals missing. End.: Vidimus super confirmacione apostolica penes Ecclesiam de Alueth.

Moray Charters, Box 32, Div. IV, Bundle I, No. 40.

CXVII

Letters of Patrick, bishop of Brechin, William, abbot of Scone and Alexander, prior of Restennet, citing a bull of Pope Clement V confirming to the abbot and convent of Coupar the patronage of the church of Alveth.

Patricius . . . Episcopus Brechynensis : See note to No. cx.

Willelmus Abbas de Scona : See note to No. cxv.

Alexander prior de Rostinot : A decreet of commissioners of justiciary for payment of the teinds of Monifieth and Menmuir is issued to Alexander, prior of Restennet, 20 Feb., 1347/8 (*Carnegies*, ii. p. 486, No. 36). On 9 Aug., 1350, Alexander de Faukirc, prior of Restennet, has an indult to choose a confessor (*CPR.*, iii. p. 401).

Clemens episcopus, etc. . . . : Clement V was pope, 1305-14.

For the persons named in the papal letter see notes to No. xcv.

CXVIII

5 May, 1376.

Alexander . . . Episcopus Abirdonensis . . . domino Roberto de Forglen decano nostro Christianitatis de Bvyn Salutem cum benediccione diuina Quia . ad . vicariam . pensionariam . et vicarijs . ab antiquo recipere consuetam . ecclesie parochialis de Alveth nostre diocesis de jure et de facto vacantem . per puram . et simplicem resignacionem eiusdem in manibus nostris factam per dominum nicholaum de Culletnach . ultimum possessorem vel vicarium eiusdem causa . permutationis fiende cum domino Antonio Scoti [1] de vicaria perpetua ecclesie parochialis de Bovrty et ad presentationem . . . abbatis et conuentus monasterii de Cupro . . . mero jure spectantem . dictum dominum Antonium nobis per predictos Abbatem et Conuentum presentatum . caritatis intuitu admisimus ipsumque per anuli nostri tradicionem inuestiuimus de

[1] Perhaps 'Stoti.'

eadem . Vobis in virtute obediencie precipimus et mandamus quatenus predictum dominum Antonium per nos sic admissum in corporalem possessionem dicte vicarie pensionarie et vt prefertur consuete . inducatis . inductumque in eadem auctoritate nostra canonice defendatis Contradictores et rebelles si qui sint . auctoritate nostra . per censuram ecclesiasticam et alia juris remedia . artius compescentes . Et in signum huiusmodi institutionis . possessionisque per vos tradite . Sigillum vestrum iuxta nostrum apponatis / presentibus penes predictum dominum Antonium perpetue remansuris . Datum sub sigillo nostro apud Fethirner . v^to^ die Maij . anno domini Millesimo ccc^mo^ lxx^mo^ sexto.

Seal and tags missing. End. : Institutio per decanum in ecclesiam de alueth.

Moray Charters, Box 32, Div. V, Bundle II, No. 76.

CXVIII

Charter by Alexander, bishop of Aberdeen, directed to Robert de Forglen, dean of Christianity of Boyne, ordaining him to institute to the vicarage-pensionary of the church of Alveth, vacant by the resignation of Nicholas de Culletnach, the vicar, who has exchanged it with Sir Anthony Scot for the perpetual vicarage of Bourty, the said Anthony presented by the abbot and convent of Coupar.

Alexander . . . Episcopus Abirdonensis : Alexander de Kyninmund (II), bishop of Aberdeen, 1355-1380 (Dowden, *Bishops*, pp. 115-16).

Domino Roberto de Forglen decano nostro Christianitatis de Bvyn : Mentioned only in No. xcv.

Ad vicariam pensionariam . . . . ecclesie parochialis de Alveth : It is noteworthy that the vicarage of Alvah had by now become pensionary not perpetual, *i.e.* the vicar was employed and paid an allowance from year to year.

Dominum nicholaum de Culletnach : This vicar's name is not found elsewhere. A papal letter, 30 July, 1376, indicates that, at a somewhat earlier date, William de Culabre, canon of Aberdeen, had held the church of Alveth (*CPR.*, iv. p. 225).

Domino Antonio Scoti : Not found elsewhere.

Ecclesie parochialis de Bovrty : Bourtie is a parish in Aberdeenshire. The church was held by St. Andrews priory.

Fethirner : Fetternear, in the vicinity of Kemnay, in Aberdeenshire.

REPORT OF THE FIFTY-EIGHTH ANNUAL MEETING OF THE SCOTTISH HISTORY SOCIETY

The Fifty-Eighth Annual Meeting of the Society was held in the Caledonian Hotel, Edinburgh, on Saturday, 16th December 1944, at 3 p.m. Dr. G. M. Trevelyan, O.M., President of the Society, occupied the Chair.

The Report of the Council was as follows :—

During the past year the Council have lost by death two of their oldest and most valued members. Dr. James MacLehose died within two days of the last annual meeting, at which he had seconded the proposal of Dr. Trevelyan as President of the Society. He joined the Society in 1890 and in 1915 became a member of Council, of which he was Chairman from 1926 to 1930. During that period he was influential in pressing upon the attention of the Government the need for better facilities for the preservation of historical records, and indefatigable in securing additional members for the Society. He rendered great services to Scottish history, not least as Editor of the *Scottish Historical Review* from 1903 to 1928.

Dr. James Curle, who died on 1st March, joined the Society in 1893, became a member of Council in 1917. An archaeologist of wide reputation, he endeared himself by his courtesy and geniality to his fellow-members. It was on his initiative that

the Council decided upon the issue of the *Commentary on the Rule of St. Augustine by Robertus Richardinus* in 1935. In 1941 he was proposed as Chairman but declined election.

On 16th June there took place the death of the Right Hon. Lord Clyde, LL.D., Lord Justice-General from 1920 to 1935 and President of the Society from 1936 to 1940. An eminent lawyer, whose writings on Scottish legal history included editions of Craig's *Jus Feudale* and Hope's *Major Practicks*, he contributed a series of scholarly addresses to the annual meetings held during his period of office. At the time of his death he was Chairman of the Scottish Committee on the History of Parliament.

The volume for 1942-43, *Minutes of the Synod of Argyll*, 1652-1661, was issued to members in September. The text had been edited by Mr. Duncan C. Mactavish before his death: the valuable introduction was added by Mr. J. D. Ogilvie, whose knowledge of the period is unrivalled. This volume along with its predecessor presents a unique picture of the social and ecclesiastical condition of the West Highlands in the troubled years of the mid-seventeenth century.

The manuscript of the *Monymusk Papers*, which Dr. Henry Hamilton is editing as the volume for 1943-44, has been with the printers since January, but only a few pages are as yet in proof. The Council, while deeply regretting the delay in issuing volumes to members, feel that under war conditions in the printing trade this must be accepted as unavoidable. For 1944-45 the Council propose to issue *Coupar-Angus Charters*, edited by the Rev. D. E. Easson, Ph.D.

The Marquess of Bute, K.T., now completes his four-years tenure of the Presidency and will be succeeded by Dr. G. M. Trevelyan, O.M., Master of Trinity College, Cambridge. The Council desire to record their appreciation of Lord Bute's services to the Society and particularly of his presidential

addresses which have accorded so well with its motto, '*Colligite fragmenta ne pereant.*'

Members of Council who retire at this time are Mr. W. Angus and Mr. R. L. Mackie. The Council recommend their re-election and the election of Professor Dickinson and Mr. James D. Ogilvie in place of the late Dr. MacLehose and Dr. Curle.

With this report the Council issue a pamphlet received from the Committee of the Inter-Allied Book Centre and cordially commend it to the consideration of members.

The Society has lost during the year 20 members by death or resignation, while 13 new members have joined. The total membership (including 137 libraries) is now 417.

An abstract of the accounts for 1943-44, as audited, is appended.

Dr. Meikle, Chairman of the Council, moved the adoption of the Annual Report. After welcoming the President, who had travelled specially from Cambridge for the meeting, he referred to the loss sustained by the Society in the deaths of Lord Clyde, Dr. James Curle and Dr. MacLehose. He explained that the delay in issuing the *Monymusk Papers* was due to war circumstances and outlined the contents of the *Coupar-Angus Charters* to be printed by the Society. He appealed for new members, saying that the name of our country would be preserved by its contribution to culture.

Sir Francis Grant, K.C.V.O., Lyon King of Arms, in seconding, said that the Society was spending twice as much as H.M. Government on historical research and emphasised the importance of publishing records including parish registers.

The Report and Accounts were adopted.

The President then delivered an address on ' The Contri-

bution of Scotland to the Study and Writing of History.' After expressing his pride in being the first Englishman to be elected president of the Scottish History Society, Dr. Trevelyan suggested that the contribution of Scotland to the growth of history in Britain was second only to its contribution to the growth of the romantic novel, though the two things were not disconnected. The writing of history took its modern form in the eighteenth century and in this development the name of Gibbon stood by itself, but next to him came the names of three predecessors, all Scotsmen—Bishop Burnet, whose *History of the Reformation* and *History of His Own Times* were a great step forward in historiography; David Hume, of whom F. W. Maitland wrote that in him we see the first beginnings of a scientific use of History; and Principal Robertson. In the nineteenth century there were very many English historians, but it might be doubted whether any one of them exerted so great an influence on history and the history-reading public as Carlyle, wholly a Scot by birth and breeding, and Macaulay, half Scottish by birth, though his breeding and education were entirely English. Though he was more English than Scottish, his power of historical imagination marked him as a fellow-countryman of Carlyle and of Walter Scott, from whom he drew much of his inspiration. Another Scot, William Cunningham, born in Edinburgh the son of a writer to the signet, did at Cambridge a very great work for the further development of historical science and enlarged the borders of human knowledge, making economic history an academic subject.

The President next spoke of his predecessor and dear friend, John Buchan, whose best work, he thought, was not his romances but his historical biographies—*Augustus*, *Cromwell*, *Montrose* and *Sir Walter Scott*. Professor Last had said to him that Buchan had written the best general

exposition of Augustus and his times, and he was himself inclined to say the same thing about his *Cromwell.* Scott, Carlyle and Buchan — three Scots — had each in his generation and according to his own peculiar lights taught the English to understand that great Englishman. A one-volumed modern appraisement of Sir Walter was needed, and this Buchan, perfectly equipped for the task of reinterpreting him to our age, had given us to perfection.

Coming to the debt of British history to Scott, Dr. Trevelyan thought he had re-fashioned men's conception of the past and thereby indirectly transformed the writing of history, not by the example of his own historical work but by his historical romances, which first made men fully aware that their ancestors had been as much alive as themselves and that the past was full of infinite colour and variety. What Scott had done could be seen by contrasting Gibbon, in whose classic pages there was white light but no colour, with Macaulay, whose boyhood was nurtured on the *Lay of the Last Minstrel* and the *Waverley Novels.* The series of Scottish novels dealing with successive periods of the seventeenth and eighteenth centuries together afforded a continuous history of Scottish society and politics so excellent that their readers were for the first time introduced to the real nature of history. His occasional lapses, however, into deliberate and wilful anachronism, jumbling up two or three generations of men, as in *Kenilworth*, was in effect a confession that he did not greatly care about the gradual development of things English, for instance during the long reign of Elizabeth, but only wanted to assemble a striking picture of a long-past state of society. There were also some fundamental anachronisms in the *Lay of the Last Minstrel* and *Marmion*, though the scene of each was partly Scotland, but in the Scottish novels no such general liberty was taken with the truth of chronology.

On the whole, therefore, he regarded Scott as the original inspirer of social history, with the help of which political history could be rightly understood. Such a development of history in the economic and social direction was prophesied by Carlyle and by Macaulay at the time of the Reform Bill of 1832 in essays which they both wrote on Croker's *Boswell's Johnson.* One of the landmarks of the advance was Henry Graham's *Social Life in Scotland in the Eighteenth Century*, though he had not verified his references carefully.

Besides awakening interest in social history Scott made all men's conception of the past vivid and actual and human instead of formal and abstract. His novels and lays had this effect on many later historians, on Carlyle and Macaulay above all. Moreover, the conception of history by ordinary educated people was vivid and actual because of Scott and the school of historical novelists which he started. Historical novelists, who like Scott were real historical students, such as Stevenson, Buchan and others now living, helped to give a valuable picture of past ages to the reading public. On the other hand, ill-informed or dishonest historical novels were as misleading as bad or dishonest histories.

He would not apologise for talking of historical fiction to the countrymen of Sir Walter, who made Scotland famous throughout the world and made the history of Scotland a familiar part of the common intellectual and imaginative inheritance of mankind.

A vote of thanks to the President was passed on the motion of Professor J. D. Mackie, who said that Dr. Trevelyan combined great learning with great humanity, and that his picture of Scotland under Queen Anne was as fine as anything that had been written on the subject.

ABSTRACT Account of Charge and Discharge of the Intromissions of the Honorary Treasurer for the year from 1st November 1943 to 31st October 1944.

CHARGE.

I. Cash in Bank at close of Account for year ended 1st November 1943—			
1. Sum at credit of Savings Account with Bank of Scotland . . .	£136 15 9		
2. Sum at credit of Current Account with Bank of Scotland . . .	27 17 3		
	£164 13 0		
3. Cash in hands of Bank of Scotland to meet current postages . . .	0 10 7½		
		£165 3 7½	
II. Subscriptions Received		445 3 0	
III. Past Publications sold (including postages recovered from purchasers) . . .		12 8 8	
IV. Interest on Savings Account with Bank of Scotland		1 3 9	
V. Sums drawn from Bank Savings Account . . .	..		
VI. Sums drawn from Bank Current Account . . .	£348 11 2		
		£623 19 0½	

DISCHARGE.

I. Cost of printing Publications during year .		£310 6 1	
II. Miscellaneous Payments, including Bank's postages		38 8 10	
III. Sums lodged in Bank Savings Account	£1 3 9		
IV. Sums lodged in Bank Current Account	£457 11 8		
V. Funds at close of this Account—			
1. Balance at credit of Savings Account with Bank of Scotland	£137 19 6		
2. Balance at credit of Current Account with Bank of Scotland	136 17 9		
	£274 17 3		
3. Cash in hands of the Bank of Scotland to meet current Postages	0 6 10½	275 4 1½	
		£623 19 0½	

EDINBURGH, 17*th November* 1944.—I have examined the Accounts of the Honorary Treasurer of the Scottish History Society for the year from 1st November 1943 to 31st October 1944, and I find the same to be correctly stated and sufficiently vouched.

WM. ANGUS,
Auditor.

Scottish History Society

LIST OF MEMBERS

1st November 1945

LIST OF MEMBERS

HER MAJESTY QUEEN MARY.

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