

CHARTERS  
BULLS AND OTHER DOCUMENTS  
RELATING TO THE  
**ABBEY OF INCHAFFRAY**

CHIEFLY FROM THE ORIGINALS IN THE  
CHARTER CHEST OF THE EARL OF KINNOULL

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With Map and Facsimiles



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## P R E F A C E

IN the year 1847 the Bannatyne Club published, under the title *Liber Insule Missarum*, the Chartulary of Inchaffray, from a transcript of the original at Dupplin Castle, made by Mr. Henry Drummond. The then Earl of Kinnoull permitted the use, 'for a limited period,' of the original, which is stated in the preface to the Bannatyne publication to have been at Abercairney before it reached Dupplin.

In the year 1888 the late Earl of Kinnoull entrusted to the custody of Mr. W. A. Lindsay some boxes of Charters in order that they might be arranged by Mr. J. H. Chapman. The boxes contained the original Charters and Bulls to Inchaffray, of which Mr. Lindsay made a careful note. He found many Charters which had not been entered in the Register. And of those printed in the Bannatyne publication few, if any, were perfectly accurate in their reproduction. Dr. Maitland Thomson, then Curator of the Historical Department of H.M. General Register House, having examined Mr. Lindsay's Note-book for a different purpose, was so impressed with the importance of some of its contents that — his opinion having been reported to the Scottish History Society—Mr. Lindsay was asked if he would edit the Charters for that Society. He replied that he would be happy to collaborate in the task with the Bishop of Edinburgh, who had edited the *Chartulary of the Abbey of Lindores*, if the latter were willing to take part in the work.

In the course of their editorial labours, Mr. Lindsay and Dr. Dowden were in constant communication with Dr. Maitland Thomson, with whom in his official capacity the Charters

were deposited for the Editors' convenience. His services were so extensive that they felt it desirable that his name should appear on the title-page as one of the editors. Dr. Thomson is responsible for the collation of the proof-sheets with the original Deeds, and the footnotes to the text; for the dating and chronological arrangement; for the Notes, signed with the initials 'M. T.', on persons and places, appended to Dr. Dowden's Notes on the several Charters, etc.; for the details of the map, the conception of which is due to Mr. Lindsay; and for the two Appendices which bear his name. The photographic reproduction of the more interesting Charters was made under his direction; and the documents printed from sources other than the Dupplin Charter chest were for the most part collected by him and their inclusion approved by the original editors.

The three editors would now, on behalf of the Society, offer their thanks in the first place to the Earl of Kinnoull for placing at their disposal for publication the Charters and other records which give to this book its chief value and interest; and in the second place to the Duke of Atholl, the Duke of Montrose, Captain P. Blair Oliphant of Ardblair, the custodians of the Vatican Archives, the authorities of Magdalen College, Oxford, of Edinburgh University, and of the Register House, and the Society of Antiquaries of Scotland, for granting the use of the documents specified in Appendix iv. They have also to acknowledge the kindness of Mr. W. Rae Macdonald, Carrick Pursuivant, for his Notes on the Seals (Appendix i.), and for superintending the photographic reproduction of some of them; and to thank Professor Donald Mackinnon for his valuable Appendix (No. III.) on the Place-Names. For courteous assistance of various kinds the editors have been indebted to the Rev. Dr. W. D. Macray, rector of Ducklington; to the Rev. John Anderson, now Curator of the Historical Department of the General Register House; to the Master of Clare College, Cambridge;

to Canon Christopher Wordsworth; to Mr. H. J. Ellis, of the MSS. Department, British Museum; to Dr. George Neilson; to Mr. Andrew Ross, S.S.C., Ross Herald; to Dr. Hay Fleming, Secretary of the Society; and to others to whom specific acknowledgment is made in the Notes and Appendices: to each of whom they now offer their thanks.

The first part of the Introduction, on the abbey and its churches, and the Notes, chiefly on ecclesiastical persons, are the work of Dr. Dowden. The second part of the Introduction, on the Earls of Strathern, other benefactors, and principal persons mentioned in the Charters, is contributed by Mr. Lindsay.

The Dupplin Charters, etc. were transcribed for the Society by Mr. John Macleod. The Index has been prepared by Mr. Alex. Mill of the Signet Library.



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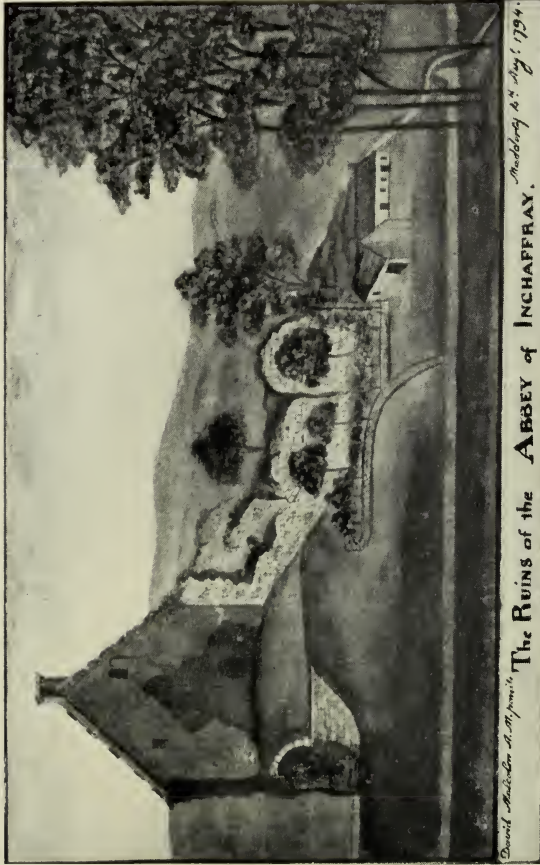
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<sup>1</sup> Measurements of this Deed and of the seal appended thereto (p. 309), made by Mr. G. E. Baker, Estates Bursar, Magdalen College, Oxford.





*Engraved from a drawing by J. G. ...*  
**The RUINS of the ABBEY of INCHAFFRAY.**  
*Engraving by J. G. ... 1794.*

# INTRODUCTION

## PART I

### THE ABBEY OF INCHAFFRAY AND ITS CHURCHES

SOME six miles east of the town of Crieff, and not many hundred yards to the north of Madderty Station on the railway line between Perth and Crieff, on a wooded mound stand the scanty remains of the once important Abbey of Inchaffray. The gable end of a range of conventual buildings running north and south, with a round-arched vault adjoining, and some of the side walls of the structure are all that has survived destruction.<sup>1</sup>

The records presented to the reader in this volume leave no doubt that prior to the establishment of the house of Austin Canons by Earl Gilbert in the year 1200, Inchaffray had been regarded as a place of more than ordinary sanctity, and was the seat of a religious community of some kind or other.

The name, 'Inchaffray,' the 'Isle of Masses' (*Insula Missarum*), points to a spot where the most sacred rites of religion were celebrated with more than common frequency. All the endowments which appear in the first eight charters as arranged in the present volume, including the church of Abruthven and the church of Madderty, the tithe of the earl's cains, and the

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<sup>1</sup> For a description in detail, see MacGibbon and Ross, *Ecclesiastical Architecture of Scotland*, vol. iii. pp. 502-6. The curious may also consult the not very intelligible account of the state of the ruins in 1789 communicated to General (then Lieutenant) Hutton. This will be found in a paper by Mr. A. G. Reid, of Auchterarder, to the *Proceedings of the Society of Scottish Antiquaries*, vol. xxxii. pp. 166-70.

land of the Abthen of Madderty, appear to have been granted before the founding of the priory of Austin Canons. Some two years before Earl Gilbert's Great Charter establishing the priory the body of Gilchrist, the first-born son of the earl, had there been laid to rest.

The early grants it will be observed are made, not to 'canons,' but to 'brethren.'<sup>1</sup> And the bull of Pope Innocent III. (No. VIII.) addressed to 'J. hermit and the brethren of St. John of Stradhern' at once suggests the picture of a community like that of the 'Keledei hermits' of Lochleven, brought before us in some of the early writs preserved in the Register of the Priory of St. Andrews.<sup>2</sup>

The grant to Isaac and his successors of the church of St. John the Evangelist of Inchaffray by Symon, Bishop of Strathern (No. I.), including as it does the right of sepulture to any who might desire it, *dato jure propriae ecclesiae*, is evidence that this church was not a parish church. The grant is exactly of the kind not infrequently given to the church of a monastic institution.<sup>3</sup>

The process of the gradual extinction of the religious communities, which had their origin in the ancient Celtic Church of the country, had been going on during the twelfth century. It was ordinarily effected in no violent way, but by a system of absorption into the religious communities which were being introduced from England and France on the swell of the high tide of Anglo-Norman opinion and sentiment, which at this period so profoundly affected the civil as well as the ecclesiastical life of Scotland.

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<sup>1</sup> There are instances to be found when Keledei affected the name of *canons*—'Keledei quidam qui se canonicos gerunt' (*Regist. Priorat. S. Andree*, 370); but this was for a purpose, and is quite exceptional.

<sup>2</sup> See *Reg. Pr. S. And.*, p. 113; and on communities of hermits see Skene's *Celtic Scotland*, vol. ii. chap. vi.

<sup>3</sup> There can be, in my opinion, no reasonable doubt that Bishop Symon's charter, as we have it, is a copy (unfortunately somewhat bungled by the copyist) of a genuine charter. See the Notes, p. 263.



The stronger Celtic communities, as, for example, the Keledei of St. Andrews, continued, though with ever diminishing powers, to survive for many years side by side with the newly established communities destined eventually to absorb them. Inchaffray shows no sign of having been other than a small and uninfluential brotherhood; and the will of the powerful Earl of Strathern was able to convert it at one stroke into a priory of Canons Regular. It seems to me that the first of the bulls of Innocent III. (No. VIII.) suggests that the intentions of the earl had been known to the members of the old community, and that they sought to obtain protection against the change from the Apostolic See. The brethren of Inchaffray do not say that they feared the action of Earl Gilbert, but only petitioned to be taken under the protection of the Pope and confirmed by him in the possession of their property, and more especially of the benefactions of the earl. Their petition to the Pope was (as I venture to conjecture) an effort, feeble though it might be, to secure papal protection for the old Celtic house. The bull, dated December 4, 1200, was probably granted after Earl Gilbert's Foundation Charter of the Priory had been executed,<sup>1</sup> but before the earl's doings were known at Rome. Explanations, however, must have been made to the Pope, and the recalcitrant brethren of the old foundation either reconciled or silenced. That the negotiations took some time we may perhaps infer from the fact that the papal confirmation of Earl Gilbert's new foundation was not issued till nearly three years later (No. XXI.).

The head of the new foundation appointed by Earl Gilbert was Malise, who is described as 'presbyter and *hermit*.' We may suppose him to have been one of the brethren of the previously existing community. Whether all or any of his fellow religious were eventually admitted into the house of Austin Canons we cannot say. Abbot Bower tells us that

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<sup>1</sup> See the notes on No. IX.

Earl Gilbert brought canons from the Augustinian house at Scone to Inchaffray.<sup>1</sup> And it is obvious that the Augustinian rule of the Canons Regular would have to be learned from some who were acquainted with it. But Malise was given power to choose those whom he would adopt into his house, and it is conceivable that when it was found that resistance was unavailing some of his old companions may have joined him.

Bower correctly assigns the foundation of the house of Austin Canons at Inchaffray to the year 1200.<sup>2</sup> But we may well hesitate to accept, in its literal sense, his statement that Earl Gilbert divided his earldom (*comitatum suum*) into three equal parts, giving one part 'to the church and bishop of Dunblane,' another part 'to St. John the Evangelist and the canons of Insula Missarum,' and reserving the third part 'for himself and his heirs.'<sup>3</sup> What, I suspect, may have been the origin of this story was perhaps some rough tripartite divisions of the *churches* in his patronage, of which he retained only a third, dividing the rest between the bishopric and the priory.

The existence in the immediate neighbourhood of Inchaffray of an 'Abthen,' the Abthen of Madderty, might raise the suspicion that the brethren of St. John were a survival of an ancient Celtic abbey at Madderty, but I am not aware that there is any evidence for the existence of an ancient abbey at this place. I take it as more probable that the Abthen of Madderty consisted of lands once possessed by the ancient Abbey of Dunkeld. The Bishop of Dunkeld speaks of the Abthen as being 'our land'; and, when, on the petition of Earl Gilbert and his brother Malise, the bishop granted the Abthen to Inchaffray, it was subject to a *reddendo* to the bishop of a mark yearly. Again, the clerks of the church of Dunkeld were entitled to *cain* and *coneveth* (afterwards quit-claimed<sup>4</sup>) from the lands of the Abthen.

<sup>1</sup> *Scotichronicon*, viii. 73.

<sup>3</sup> *Ibid.*, viii. 73.

<sup>2</sup> *Ibid.*, viii. 61.

<sup>4</sup> See Nos. L., LXVI.

Earl Gilbert in his own grant of the Abthen (No. xi.) makes no reference to any superiority of the Bishop of Dunkeld. He grants it to Inchaffray just as he grants other lands of his own. Yet it seems plain that what he granted in fact was only such possession and right as he had in the Abthen, and that in the strictness of law he held of the Bishop of Dunkeld. Examples are frequent of abbey-lands of the old Celtic Church passing into lay hands. But the instance before us shows that we need not assume that these alienations of church property were effected by plunder and violence. Here, at all events, a nominal superiority remained with the Bishop of Dunkeld.

#### THE FOUNDING OF THE HOUSE OF AUSTIN CANONS

What has been already said may, I hope, lead the reader to be not unwilling to accept the conception of the whole transaction, concerned with the establishment of the priory of Canons Regular of St. Augustine, which has gradually formed itself in the mind of the writer. The devout Earl Gilbert, unlike that staunch Scottish nationalist, his father, Earl Ferteth, had yielded to the prevailing Anglo-Norman influence, and determined to do at Inchaffray what had been done elsewhere. It was just at this time another great noble, Gilchrist, Earl of Mar, was forcing the Keledei of Monymusk to adopt the rule of the Canons of St. Austin. At earlier dates Austin Canons had been substituted for Keledei, or were now in process of absorbing them, at Lochleven, St. Andrews, and elsewhere. I conjecture that one of the old community, 'Malise hermit and presbyter,' had favoured the proposals for change made by Earl Gilbert, and was chosen by him as first prior, while the rest of the brethren under 'J. hermit,' who disliked the change, and anticipated being ousted from their home and possessions, had sought to defend themselves by obtaining a confirmation from the Apostolic See. This con-

firmation we have in the first bull of Innocent III. (No. VIII.).<sup>1</sup>

When explanations were made at Rome, but not till after some considerable delay, the Pope approves of Earl Gilbert's new foundation, and the bull of confirmation was granted on June 30, 1203. After this we hear no more of hermits at Inchaffray; and the 'brethren' give place to 'canons.'<sup>2</sup>

Immediately after the foundation of the house of Austin Canons, the earl anticipated the possibility of his earlier charters to 'the brethren' being produced in opposition to the rights of 'the canons,' and dealt with such possible opposition by declaring such charters annulled (No. XVII.).

#### 'SECOND TITHES' OF FOOD USED IN THE EARL'S COURT

The grant to Inchaffray, by the founder of the priory, of second tithes, viz. the tithe of his cains, in wheat, meal, malt, cheese, flesh, fowl, and the fish which came to his kitchen, has elsewhere in Scottish record<sup>3</sup> parallels more or less close. King Alexander I. granted to Scone half of the hides 'pertaining to his kitchen,' all the skins of rams and lambs, half of the tallow and fat, and a tithe of the king's loaves wherever he might be

<sup>1</sup> Dr. Reeves (*British Culdees*, p. 142) thinks it probable that Malise, the first prior, was the Malise, 'parson of Dunblane,' who witnesses a charter of the bishop about the year 1190. But Reeves had not before him the correct text of the Great Charter, which reads 'presbyter' not 'persona.' There is no ground for supposing that Malise was at once a hermit and a parish clergyman.

<sup>2</sup> The confirmations by Bishop Richard I. (No. XXIII.) and Bishop Hugh (No. XLIX.), as merely reciting the language of the early charter of Bishop John I. (No. VII.), are no real exception to the view that charters using the word 'brethren' are before, and charters using the word 'canons' are after, Earl Gilbert's foundation of A.D. 1200. King William's confirmation (No. XVIII.) avoids both words and uses the term *viri religiosi*, equally applicable to the 'brethren' and the 'canons.'

<sup>3</sup> An excellent example from English record is cited by Selden (*History of Tithes*, p. 320). Maude de Mandeville, Countess of Essex, grants to the nuns of Clerkenwell 'totam decimam totius victus nostri et familie nostrae ubicunque fuerimus de panibus et potibus, et carnibus, et etiam de piscibus.' This charter Selden assigns to about A.D. 1216.

north of Lammermuir.<sup>1</sup> The grants of Malcolm iv. to Kelso from his kitchen are of a similar kind.<sup>2</sup> Duncan, Earl of Fife, granted to the nuns of North Berwick the whole tithe of his house, of grain, meal, malt, cheese, and butter, the tithe of his larder, and the tithe of his kitchen in flesh and fish.<sup>3</sup> And other examples could be cited.<sup>4</sup>

The question has perhaps presented itself to readers of these early charters—How could it have been secured that these grants from the larder and the kitchen were duly rendered to the grantees? The volume before us gives the answer so far as the house of the Earl of Strathern was concerned. We are presented with the curious picture of an official (*minister*) of the Abbey of Inchaffray living in the household of the earl, boarded at the earl's cost, and treated as well as one of his own servants. His duty was to haunt the larder and the kitchen, and to demand and receive the tithes on behalf of the monastery.<sup>5</sup>

It is obvious that an arrangement of this kind could scarcely avoid breeding friction in the houses of the kings and nobles. And we have evidence in the case of other religious houses that 'second tithes' of the kind described were soon commuted for grants of land or of money. In the present case we find Earl Robert, who succeeded in 1223, confirming to the Abbey of Inchaffray 'decimas omnimodas in domo nostra' (No. LI.). But at a later date there were complaints about inadequate payments of the earl's tithes of cains and of the

<sup>1</sup> *Liber de Scon*, No. 1.

<sup>2</sup> *Liber de Calchou*, pp. v, vi.

<sup>3</sup> *Carte Monialium de Northberwic*, p. 5.

<sup>4</sup> See the foundation charter of Holyrood and King David's confirmation of Dunfermline (*Reg. de Dunfermelyn*, No. 1); Earl David's Great Charter of the Abbey of Lindores (*Chartulary of the Abbey of Lindores*, p. 4), etc. The frequent scarcity of food and the occasional threatenings of famine during the mediæval period (and this is true of England as well as of Scotland) made grants of this kind to religious houses of no small importance.

<sup>5</sup> See No. XVI. One might conjecture that 'R. decimarius' (No. LV.) may have been this official, but it would be hazardous to assert more than that this is possible.

food used in his house. And in one of Earl Malise's charters (No. LXXVI.) we find indications of the process of commutation into a money payment.

#### PAPAL BULLS AGAINST ALIENATIONS

Papal bulls against alienations, and for the recovery of church property in danger of alienation through long leases, are found from time to time in our monastic records. But they are not very frequent. From this, however, it must not be inferred that they were not frequently granted. They were not the kind of documents that would help to establish legal rights to property. They were general in their language, and having served their purpose, they would not be of much use if preserved in a *Register*.<sup>1</sup>

The fine series of original bulls against alienations preserved in Lord Kinnoull's collection is exceptionally full. There are two bulls of Innocent iv. (dated 1248 and 1252), and bulls of Alexander iv. (1256), Clement iv. (1266), Gregory x. (1274), and Clement v. (1307). To these there has to be added a bull of John xxii. (1317) from a transcript in the Library of the Society of Scottish Antiquaries.<sup>2</sup>

The drift of all such bulls is the same,—there must be no injurious alienation of the property of the Church. Long leases and bargains seriously injurious to the Church, though reduced to writing in public instruments, and fortified by the solemnities of oaths, and by the renunciation of appeals to law, nay, even when supported by letters of confirmation from the Apostolic See *in communi forma obtentis*, should be revoked by authority of the Pope.<sup>3</sup>

<sup>1</sup> The *Register* of Inchaffray does not contain transcripts of the bulls here noticed.

<sup>2</sup> Nos. LXXVIII., LXXXII., LXXXIV., XCIV., CIV., CXX., CXXII.

<sup>3</sup> The common law of the Church on alienations will be found in the Decretals of Gregory ix., lib. iii. tit. xiii. Scottish ecclesiastical statutes (of the thirteenth century) on the subject will be found in *Statuta Ecclesie Scoticanæ*, vol. ii. pp. 15, 16.

It may be observed that the formulary of style used in the Papal Chancery was in some cases more appropriate to monastic possessions on the Continent than to those in Scotland. The reader will not infer that the Abbey of Inchaffray possessed 'vineyards,' because they are mentioned by Clement iv. (No. xciv.), and by Clement v. (No. cxx.) as forming part of its property. It is in a similar way we must explain the 'vineyards' of the Priory of St. Andrews which are named among its possessions in a confirmation of property by Innocent iv.<sup>1</sup>

A poor monastery, like that of Inchaffray, surrounded by powerful neighbours, would be obviously exposed to peculiar temptations to meet some pressing need by arrangements as to their lands which in the long-run might prove highly detrimental to the interests of the house. The abbot and convent of Inchaffray admit that they as well as their predecessors had made grants which proved to be *in enormem ipsius manasterii lesionem*. But the danger was real even for the greater religious houses.<sup>2</sup>

#### EARLY NOTICES OF PARISHES AND OF THE CATHEDRAL ESTABLISHMENT OF DUNBLANE

The monastery itself and most of its appropriated churches being in the diocese of Dunblane, the charters of the present volume from time to time throw some valuable side-lights on diocesan history.

The obscurity surrounding the origin of the parochial system in Scotland is so great that we should be grateful that, even though it be but in one case, we can approximately fix

<sup>1</sup> 'Cum terris, pratis, vineis, nemoribus,' etc.—*Regist. Priorat. S. Andree*, p. 93.

<sup>2</sup> See the papal bulls on behalf of Dunfermline, *Contra feudotarios* and *Ut alienata revocentur*.—*Regist. de Dunfermelyn*, pp. 184, 186. Compare also *Liber de Scon*, No. 121. For a similar bull addressed to the Bishop of St. Andrews in 1387, see *Cal. Pap. Reg.*, iv. 256.

the date of the endowment of a parish church. The establishment of the bishopric of Dunblane by David I. must be placed about the year 1150. The first appearance of its first bishop, Laurence, in a dated document is in the year 1155. It is perhaps impossible to say with precision in the case of Dunblane whether the parishes, with precise parochial limits, preceded the bishopric, or the bishopric the parishes. But with regard to one parish church, that of St. Cathan of Abruthven, we learn that it received its dowry land (*terra in dotem*) from the father and mother of Earl Gilbert, Earl Ferteth and his wife Ethen.<sup>1</sup> Now Earl Ferteth died in the year 1171.<sup>2</sup> The origin of the other parish churches in the gift of Earl Gilbert is not mentioned. They were doubtless older than Abruthven; and, from the fact of the earl possessing the *jus patronatus*, it is not improbable that they had been originally endowed by the family of the Earls of Strathern.

The dedications of the five churches granted by the Great Charter, and of five out of the six churches granted subsequently by Earl Gilbert, all point in a striking way to the memories of the ancient Celtic Church in the district of Strathern. St. Serf appears thrice, at Dunning, Monyvaird, and Tulliedene; St. Bean, at Kinkell, and at Fowlis; while we find St. Ethernan at Madderty (in the diocese of Dunkeld), St. Patrick at Strogeith, St. Kessog at Auchterarder, St. Bridget at Kilbride, and, as we have seen, St. Cathan at Abruthven. The solitary exception is the church of the Holy Trinity at Gask; but, of course, this church too may have had its origin in the times of Celtic Christianity. By the time of Earl Gilbert, however it may have been in earlier days, each church has its *terra dotalis*, and its rights to teinds and dues. Parochial boundaries and parochial right may not come clearly into evidence till after the great Church revival subsequent to the time of Queen Margaret; but that churches were numerous in

<sup>1</sup> No. XIII.

<sup>2</sup> *Chron. de Mailros*, s. a.



early days throughout this district of Scotland cannot be doubted.<sup>1</sup>

Other parish churches are mentioned incidentally in charters of Earl Gilbert's time, as, for instance, Crieff, Muthill, Strowan, Tippermuir, Cargill, Aberdalgie, and Cluny, some in the diocese of Dunblane, others in the diocese of Dunkeld.

Confining ourselves for the present to Dunblane, we find some contributions to the *Fasti* of the bishopric. An attempt at determining the succession of the bishops will be found elsewhere.<sup>2</sup> As regards the archdeacons, we find John, Archdeacon of Strathern in the time of Bishop Jonathan.<sup>3</sup> He seems to have been succeeded by Gilbert, either before the death of Bishop Jonathan or while Bishop Abraham was still only elect (No. xxix.). Gilbert continues Archdeacon of Strathern after the death of Earl Gilbert (No. li.), and is found as archdeacon in 1234 (No. lxi.). In January 1239-40, Luke is archdeacon (No. lxxvii.).<sup>4</sup> Master Augustine is the next Archdeacon of Dunblane who appears in our records. He was in office in 1283 (No. cxiii.). In 1287 W. de Munros is archdeacon (No. cxviii.). After a wide *lacuna* we have Nicholas of Kynbuk archdeacon in 1358. Andrew is archdeacon in 1365 (No. cxxxv.). From other sources some of the deficiencies of this list can be supplied. But the names given above are here exhibited to show that with care something might yet be done to supply a regular and consecutive list of the leading officials of even such an obscure diocese as that of Dunblane. We shall not burden these pages with an attempt to exhibit the succession of the deans of Dunblane. The evidence is less

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<sup>1</sup> The careful presentation of the Latin text by Dr. Maitland Thomson (see No. xxxix.), enables us to offer an explanation of the origin of the form 'Iphernan' (for 'Ethernan') which sometimes appears. The Anglo-Saxon letter þ was probably mistaken for p.

<sup>2</sup> See p. 258.

<sup>3</sup> It seems to be this archdeacon whose son Gilbert witnesses No. xxiii.

<sup>4</sup> We find Master L. (perhaps the same) dean of Dunblane at a later date (No. lxxv.).

abundant than in the case of the archdeacons; but here too a good deal might be done by careful research.<sup>1</sup>

ECCLESIASTICAL CHANGES IN THE TIME OF BISHOP CLEMENT  
(1233-1258).

On the death of Abraham, Bishop of Dunblane, which must have occurred shortly after the accession of Earl Robert, the bishopric appears so much impoverished, through alienations, that it was all but impossible to find a fit person to accept the see. We find, indeed, that a certain Ralph was elected to the see; but he seems to have resigned before his consecration. There is also evidence that Osbert held the see for some time; but before 1231 he was admitted to the monastery of Holyrood, and died there a professed canon of the house. Bishop Clement, who succeeded, in the presence of Pope Gregory ix. gave a pitiable account of the condition in which he found Dunblane. He says that the see was destitute of the solace of a pastor for nearly ten years, and that the revenues were scarcely sufficient to support the bishop in decency for a half-year. If his statement as to the ten years be correct, it must be interpreted by supposing that Osbert had early in his episcopate retired to Holyrood and resigned: in other words, that he was not bishop at the date to which his death is assigned. Or, possibly, Osbert continued to be nominally bishop but was non-resident. The condition of things was such that the Pope committed to the Bishops of St. Andrews, Brechin, and Dunkeld to make provision to the see. They advanced Clement, a Dominican friar;<sup>2</sup> and their choice was

<sup>1</sup> The only attempt at work of this kind with which we are acquainted will be found in the pages of Mr. Mackenzie E. C. Walcott's work, *The Ancient Church of Scotland*. But its deficiencies are very great, as will be seen (not to go outside the pages of the present volume) by a comparison of his list of the archdeacons with the few contributions supplied above only from the charters before us. Beside Scottish record the labourer in this field would, of course, consult the *Calendar of Papal Registers*.

<sup>2</sup> The Dominicans (Jacobins) had been introduced into Scotland in 1230. *Scotichr.* ix. 47.

justified by the event. Everything points to Clement having been an active and capable prelate.

Clement was consecrated on September 4, 1233. And some four years later Gregory ix., in a remarkable letter,<sup>1</sup> informs the Bishops of Glasgow and Dunkeld that Clement had described to him the miserable condition of the cathedral church of Dunblane. The building was without a roof, the divine service was conducted by a country chaplain (*capellanus ruralis*). There was no 'collegium,' that is, there was no body of canons at Dunblane, and the bishop could not find a place where he might lay his head.

To restore things to some decency, and supply the bishop and a chapter with a revenue for their adequate maintenance, the Pope issued a mandate to the Bishops of Glasgow and Dunkeld, first to ascertain the accuracy of Clement's account, and then, if they found it to be correct, to adopt one of the two following courses. They were either to assign a fourth part of the teinds of *all* the parish churches of the diocese of Dunblane to the bishop for his own maintenance and the maintenance of a dean and canons, if the two bishops could do this *absque gravi scandalo*: or else they were to transfer the episcopal see from Dunblane 'to the monastery of St. John of the canons regular in the aforesaid diocese,' *i.e.* to Inchaffray, and to assign to the bishop the fourth part of the teinds of the parish churches which were held by secular parsons. In other words, the only churches which in that case were to be mulcted were those churches which were not appropriated to monasteries. There would be no need to provide for a chapter, which would be furnished by the canons of the monastery of Inchaffray. Thus we see how very near things came to the disappearance of the bishopric of Dunblane, and the erection of a bishopric of Inchaffray, at least, to the appearance of the bishopric of Strathern with its see at Inchaffray, the canons of

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<sup>1</sup> Theiner, *Monumenta*, No. 91.

which monastery were to have the right of electing to the bishopric in the event of a vacancy.

If the latter course had been adopted, we should have had a cathedral constituted like St. Andrews. But as the events show, the Bishops of Glasgow and Dunkeld resolved on the first of the two alternatives.

That there was much opposition to this diverting of a fourth of the teinds away from the parsons and the monasteries may be naturally assumed; and the actual evidence that is forthcoming shows us that the monasteries, at least, made a struggle to resist, or to secure as good terms as possible. The agreement between the convent of Inchaffray and Bishop Clement on this subject (showing that Inchaffray had raised opposition to the payment of a fourth) obtained a confirmation from the Pope, which is printed for the first time in this volume.<sup>1</sup> The struggle on this subject between the bishop and the monasteries may be placed about the year 1238. It was certainly so in the case of the Abbey of Cambuskenneth, which had three parish churches in the diocese of Dunblane,<sup>2</sup> and which contested the bishop's claim till an amicable settlement was made on January 29, 1239-40.<sup>3</sup>

The agreement made between Cambuskenneth and the bishop is interesting as exhibiting the two commissioners of Gregory IX. (the Bishops of Glasgow and Dunkeld), in the process of creating anew a chapter for the cathedral of Dunblane. The Abbot of Cambuskenneth and his successors were henceforward to be canons of the cathedral chapter, and were required to find four marks yearly for a vicar (*i.e.* a vicar of the choir) who would serve for them in the church of Dunblane. Four other marks were to be paid yearly by Cambus-

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<sup>1</sup> No. LXXX. This confirmation by Innocent IV. (dated April 24, 1251) had in all probability been preceded by a confirmation of Gregory IX., which is not now forthcoming.

<sup>2</sup> Kincardin, Tulybody, and Tulicultry.

<sup>3</sup> See *Regist. de Cambuskenneth*, No. 125.

kenneth to be disposed of by the Bishop of Dunblane '*pro sue voluntatis arbitrio.*' The abbey, in return, was to be free of the fourth of the teinds, and was permitted to have chaplains instead of perpetual vicars, to serve its three churches.<sup>1</sup>

It was probably about this date, or perhaps a little earlier, that in the reconstruction of the chapter of Dunblane the Abbot of Inchaffray was assigned a canonry—the cathedral dignity next the dean—the precentorship, which we find him occupying in later documents.

A similar arrangement seems to have been made with the Abbey of Arbroath, which held in the diocese of Dunblane the church of Abernethy, with the chapel of Drun and the chapel of Erolyn. We find the Abbot of Arbroath a canon of Dunblane *ratione monasterii sui*, and taking part in elections of the Bishops of Dunblane in records towards the close of the thirteenth and beginning of the fourteenth century. And the ordinance of the papal delegates settling the questions between the Abbey of Arbroath and Bishop Clement (which must be dated about 1239) is recorded in the old register of the abbey. Its details need not be described here in full: it is enough to say that the abbey was to cede to the bishop the whole of the altarage of Abernethy and certain lands, and the bishop was to provide for the service at Abernethy, and to supply a vicar of the choir to serve at Dunblane *nomine abbatis et conventus*, while the abbot was to be installed a canon of the cathedral, and to be granted a toft at Dunblane for his manse.<sup>2</sup>

Attention may be called to the confirmation by the chapter of Dunblane granted on the Sunday next before the Feast of the Purification in the year 1239 (*i.e.* 1239-40). Now, in that year the Sunday so described fell on January 29, the very

<sup>1</sup> The system of serving parish churches by chaplains was less costly to the monasteries than the appointment of vicars. And the charters of the present volume show that permission to have their churches served by chaplains was much desired by the monasteries. . . . <sup>2</sup> *Regist. Vetus*, No. 241.

day (iv. Kal. Feb.) on which the Bishops of Glasgow and Dunkeld (being then at Dunblane) declared the Abbot of Cambuskenneth to be a canon of Dunblane. If we may venture on conjecture, on this day too the papal commissioners may have appointed the Abbot of Inchaffray to be precentor. If this were so, his first act would seem to have been the subscribing, as he does in a very neat hand,<sup>1</sup> as precentor, the confirmation of the churches which he (as abbot) and his convent held in the diocese. Nicholas is the name of the precentor, and N[icholas] is the name of the Abbot of Inchaffray in charters that come nearest to the above date, both before and after.<sup>2</sup> But, however this may be, it is certain that in the reconstituted chapter of Dunblane the Abbot of Inchaffray and his successors held the dignity of precentor, taking rank immediately after the dean, and before the chancellor and treasurer. The abbots of Arbroath and Cambuskenneth, though holding canonries, do not appear in the cathedral as dignitaries.<sup>3</sup>

Clement was full of vigour in recovering the property of his cathedral as well as in the work of reconstructing the material fabric. Shortly after his consecration we find him in controversy with the Abbey of Inchaffray in regard to the churches of Abruthven and Tulliedene, and the second tithes of the Earl of Strathern. The matter was referred to arbitra-

<sup>1</sup> See facsimile of No. LXVII.

<sup>2</sup> It is to be noted that 'N' appears as Abbot of Inchaffray in April 1239. 'H' is an error of transcription for 'N' in *Chartulary of Lindores*, p. 59.

<sup>3</sup> From the letter of Boniface VIII. (October 16, 1296) we learn that Thomas, Abbot of Inchaffray and precentor of Dunblane, together with Henry, Abbot of Arbroath and canon, and Patrick, Abbot of Cambuskenneth and canon, were among the *compromissarii* who had elected Alpin to the bishopric. See p. 251. The papal letter expressly states that the precentorship of Thomas and the canonries and prebends of the other two abbots were held by them *ratione dictorum monasteriorum* (Theiner, *Monumenta*, No. 355). The letter is also printed by Stevenson (*Documents Illustrative of the History of Scotland*, ii. 115-117); but the word *praeceptoriam* (in Stevenson) is an error for *precentoriam*. Again, Maurice, Abbot of Inchaffray (himself afterwards Bishop of Dunblane), takes part as one of the chapter in the election of Nicholas of Balmyle to the bishopric.—Theiner, *Monumenta*, No. 386.

tion, and the judgment of the arbiters, dated August 1234, we possess.<sup>1</sup>

When the question of the payment of the fourth of the teinds of their parish churches arose, Inchaffray, like the other monasteries, endeavoured to make as good terms as possible. Eventually the dispute was settled in the following way. The abbey was to pay yearly twenty marks for a 'dignity,' and ten marks for a 'prebend,' to be established *de novo* in the cathedral of Dunblane.<sup>2</sup> The dignity was presumably the precentorship to be held by the abbot. In return for these payments the abbey was to be free of the payment of the fourths; and, further, the abbey was to be favoured by allowing some of its parish churches to be served by chaplains instead of vicars, while in the case of others of its churches the bishop consented to a 'modest' sum being assigned to the vicars. In other words the abbey might save by a reduced payment to the vicars who discharged the duty in certain of its parish churches.<sup>3</sup>

In his efforts to secure his fourths of teinds, or their equivalent, Bishop Clement had to encounter not only the religious houses, but also the lay-patrons of the churches in his diocese. So far as we know at present, the record of negotiations with the Earl of Strathern arising out of the papal decree for the reformation of the episcopal and cathedral revenues has perished. But we possess the record of a compromise between the bishop and Walter Cumyng, Earl of Menteith, determined by the papal delegates, the Bishops of Glasgow and Dunkeld,<sup>4</sup> which relates to a claim of Clement to a *pensio* from the churches of which the earl possessed the patronage. The bishop was to renounce for himself and his

<sup>1</sup> No. LX.

<sup>2</sup> In cathedrals of secular canons the 'dignities' were ordinarily the deanery, the precentorship, the chancellorship, and the treasurer'ship.

<sup>3</sup> See No. LXXX.

<sup>4</sup> Dated Octave of St. John Baptist, 1238. The deed is printed in the Appendix to the Preface (pp. xix-xxxii) of *Lib. Ins. Miss.*

successors all claim to the *pensio* ; he was to make no opposition to the earl's constructing the house of Austin Canons in the isle of Inchmahomok (Inchmahome) ; and to these religious he was to give the church of the isle (in the Lake of Menteith) and the church of Lanyn (Lany, now Leny), which churches were to be served by chaplains and not by perpetual vicars. While on the other hand the earl was required to assign the church of Kippen to form the prebend of a canonry in the cathedral, to which canonry the earl and his successors were to present ; he was also to cede to the bishop whatever rights he had in the church of Callander.<sup>1</sup> There is, I think, no good ground for supposing (as is suggested by Mr. Cosmo Innes<sup>2</sup>) that the papal delegates were not making satisfactory terms for the Bishop of Dunblane.

The importance of the crisis in the history of the see of Dunblane, affecting as it did not only the revenues of the see and the constitution of the cathedral chapter, but also the story of the three abbeys, and more particularly of Inchaffray, will, it is hoped, justify the fulness of treatment bestowed on this episode in our ecclesiastical annals. The appointment of abbots to cathedral canonries was attended by the evil of non-residence in the cathedral town. And the evil of non-residence was throughout the whole mediæval period a frequent cause of complaint both in England and Scotland. On the other hand, when weighty matters came up for consideration before the chapter the presence of men of capacity, such as the abbots commonly were, must have been a real advantage. Again, when the chapter of the cathedral was engaged in the duty of electing a bishop, men who were known to the electors as brother-canons, and were liked by them, would often be, so to speak, in the running for the bishopric. Inchaffray gave one bishop, Arbroath gave two bishops, to Dunblane.

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<sup>1</sup> In 1276 Kyppen was worth 20 lb. a year.—Theiner, *Monumenta*, p. 115.

<sup>2</sup> *Lib. Ins. Miss.*, Preface, p. xviii.



## FURTHER GRANTS OF CHURCHES TO THE ABBEY

To the five churches granted to the priory of Inchaffray by Earl Gilbert, in the Foundation Charter, he added before July 1203<sup>1</sup> the church (St. Serf's) of Dunning.

About 1210 the church of St. Bean of Foulis (Wester) was granted by the same benefactor (No. xxix.); and before the earl's death further grants were made of the churches of St. Serf of Monyvaird, St. Bridget of Kilbride, St. Serf of Tulliedene<sup>2</sup> and Trinity Gask. In all, eleven parish churches were bestowed on the house of Austin Canons by Earl Gilbert.

The material is not extant for making a comparison of the value of these parish churches and the incomes of the vicars who served them. In the valuation exhibited in Boyamund's accounts (in the years 1275, 1276) as printed by Theiner,<sup>3</sup> the value of these churches (as distinguished from the vicarages) is perhaps to be included (with the exception of Madderty) in the income of the abbey. The abbot pays, as tithe, to the papal collector 24lb. 13s. 3¼d. Ten times this amount represents a large yearly revenue, when the purchasing power of money at that time is taken into account. The tithe of Madderty was 5lb. 5s. 8d. There was no vicar: the church was doubtless served from the abbey. Of the other churches, the names of which appear in Boyamund's Roll (for some are wanting or hopelessly disguised), we find the *vicarages* paying tithe as follows: Abruthven, 7s.; Strugeith, 28s.; Dunning, 12s.; Auchterarder, 18s.; Kilbride, 18s. 8½d.; Gask Christi (Trinity Gask), 5s.; Foulis, 17s. 4d.

The next church granted to Inchaffray was the church of St. Mordac of Kellmurthe, or Kelmurkhe, at the head of Loch Fyne, in the diocese of Argyll. It is the church subsequently known as Kilmorich.<sup>4</sup> The charters containing this

<sup>1</sup> See the bull of Innocent III., No. XXI.

<sup>2</sup> Tulliedene seems to be the Tullychettill (Tullykettle) of post-Reformation record. See *Lib. Ins. Miss.*, pp. 87 and 114. <sup>3</sup> *Monumenta*, No. 264.

<sup>4</sup> See *Origines Parochiales*, vol. ii. part i. p. 82.

grant (Nos. LXXIII., LXXIV.) show that the authors of *Origines Parochiales* were correct in their conjecture that Morich is, in more correct form, Murdoch or Muredoch.<sup>1</sup>

The grant of this church was made by Gilchrist, son of Malcolm Macnaughtan, in the time of Bishop Clement, and while he was administering the diocese of Argyll (No. LXXIV.). This fact helps to determine (approximately) the date of the charter. The see of Argyll was void for at least seven years after the decease of Bishop William, who was drowned at sea in 1241; <sup>2</sup> and it was almost certainly during this vacancy that Bishop Clement of Dunblane had charge of the diocese. The grant of this church was (as is usual in such cases) to take effect after the death of the clerk who then held the benefice.

This church continued to be the property of the monastery till the Reformation. In 1618 we find 'James, Lord of Madertie, Commendator of Inchaiffray,' setting to Alexander M'Naichtane of Dundaraw 'the teind schavis and uther teindis' of the 'perochie kirk and perochin of Kilmorithe, personage and vicairage thairof, lyand within the diocie of Argyll, sa far as the fruitis of the said kirk ar ane pairt and pertinent of the abbacie of Inchaiffray.' The common seal of the abbey is appended to the deed 'in place of the consent of the convent thairof, thay being all departit this lyif.'<sup>3</sup>

The year 1257 is marked by the gift of two churches to the abbey. Another son of Malcolm Macnaughtan, Athe by name, with the assent of his brother, Sir Gilbert, knight, gave to the abbot and canons of Inchaiffray the church of St. Findoc of Inchealt, in the diocese of Argyll, with all tithes, etc., pertaining to the said church. This is the church of Inishail, a parish which included the island of that name in Lochawe,

<sup>1</sup> He is perhaps the 'St. Moroch, bishop and confessor,' who appears in the Breviary of Aberdeen on 8th November. The Breviary notes after his name 'in the diocese of Dunblane.' See Forbes's *Kalendars of Scottish Saints*.

<sup>2</sup> See Theiner, *Monumenta*, No. 139.

<sup>3</sup> *Lib. Ins. Miss.*, p. 137.

several smaller islands, and land on both sides of the loch. The parish church was in the island.<sup>1</sup> The church remained the possession of the abbey till the Reformation.<sup>2</sup>

A few months later Earl Malise gives (A.D. 1257) to the abbey the advowson of the church of Cortachy in the diocese of Brechin (No. LXXXVI.). Whether this grant ever became practically effective we are unable from lack of evidence to say. But certainly the right of the patronage of Cortachy was early in the fifteenth century in the hands of Walter, earl palatine of Strathern. The advowson was granted to him by the Duke of Albany, governor of the kingdom, in 1409; and in 1429 Walter grants the *jus patronatus* to the dean and chapter of the cathedral of Brechin. A few days later the Bishop of Brechin unites the church to the dean and chapter *in usus proprios*.<sup>3</sup>

At some time in the episcopate of Robert de Prebenda, Bishop of Dunblane (who died 1283 or early in 1284), and after the death (about 1270) of Earl Malise II. (the first Malise of our charters), Malise, son of the late earl, granted to the abbey the advowson of the church of Struy (Strowan).<sup>4</sup> Although the records before us do not show that the church was afterwards granted by the bishop to the abbot and convent *in proprios usus*, there can be no reasonable doubt that such was the case, as its teinds are dealt with in the taxt roll of the lordship of Inchaffray in 1630.<sup>5</sup>

In 1303 the *jus patronatus* of another parish church was granted to the abbey by Sir Thomas de Cromennane, knight. This was the church of Buthbrene (Balfron), in the county of Stirling, and diocese of Glasgow. The Bishop of Glas-

<sup>1</sup> *Scotichron.*, ii. 10.

<sup>2</sup> See *Origines Parochiales*, vol. ii. part i. pp. 129-132.

<sup>3</sup> *Regist. Episcopat. Brechin*, i. 25, 46, 53.

<sup>4</sup> In Boyamund's accounts, 1275 and 1276, the title of the church (not of the *vicarage*) is given, for the first year 40 shillings, for the second 50 shillings. (Theiner, pp. 112, 115). This falls in with this grant to Inchaffray being made after 1276.

<sup>5</sup> See *Lib. Ins. Miss.*, p. 113.

gow, Robert Wischard, the patriot bishop, on October 3, 1303, having compassion, as he says, on the misery, poverty, and straitened circumstances of the abbot and convent of Inchaffray, due to the plunderings, burnings, and unnumbered afflictions of war, grants the church to the abbey *in proprios usus* on the death or resignation of the rector, and allows the church to be served by a chaplain, or one of the canons of the abbey.<sup>1</sup> Balfron continued to belong to the abbey, and is described, in 1607, when the parsonage and vicarage teinds were set, as ‘ane of the proper kirkis of the said abbacie.’<sup>2</sup>

The next grant of a church to Inchaffray is of greater interest, both because of the eminence of the granter and because of its results in the erection of a daughter house.

On February 26, 1317-18, King Robert I., then at Clackmannan, made a grant to the abbot and convent of Inchaffray of the *jus patronatus* of the church of Killin in Glendochart, on the condition that the abbot and convent would provide a canon to officiate in the church of Strathfillan. This grant was made under the privy seal.

On April 12 following this grant was made anew at Berwick-on-Tweed under the great seal, but without any mention of the condition stated above. The condition, however, was obviously understood as binding, for in October of the same year the Bishop of Dunkeld, William St. Clair (the warrior prelate, whom Bruce used to call ‘my bishop’), with the consent and assent of his chapter, granted to the prior and canons of Inchaffray, who should be appointed by the abbot to serve in the chapel of St. Fillan in Glendochart, the church of Killin, with all its lands, fruits, and revenues *in proprios*

<sup>1</sup> No. CXIX.

<sup>2</sup> This setting of the teinds was with the consent and advice of ‘Dene Alexander Murray, ane of the conventis of the said abbacy now onlie on lyfe’ (*Lib. Ins. Miss.*, 136). It is interesting to find legal forms observed with such care at so late a date. Murray, the last canon of Inchaffray, must have been an old man in 1607, for he was a member of the community of Inchaffray April 8, 1557 (*Id.*, p. 120).

*usus*, saving always the dues of the bishop and archdeacon of Dunkeld. The prior of St. Fillan's chapel on the occurrence of a vacancy was to be presented by the abbot and convent and instituted by the bishop. The vicarage of Killin was to be served by a canon, or, if more agreeable to the monastery of Inchaffray, by a secular chaplain, who was to receive ten pounds sterling a year, out of which he was to pay the dues of the bishop and archdeacon.<sup>1</sup>

It will be seen that the king's original design was much enlarged. At first the proposal was that one canon should serve at St. Fillan's chapel, but soon after it was arranged that a priory should be established at the place.<sup>2</sup>

So far as the records in this volume are concerned, the last information relating to King Robert's grant of the patronage of the church of Killin is a confirmation of the grant by Pope Clement vi., dated at Avignon, November 13, 1348 (No. cxxxI.). In this bull nothing is said of the new priory, whose subsequent history is obscure. It seems to have been always small and poor.

James iv. (October 2, 1498), for singular favour towards Dene John Murray, prior of Strathfillan, confirms a charter of King Robert Bruce to the monastery or chapel of Strathfillan and the prior of the same, granting the five-pound lands of Wochtirtiry, of old extent, in the barony of Glendochart and shire of Perth, and incorporates them into the barony of Wochtirtiry.<sup>3</sup> King Robert i., we thus learn, had contributed to the endowment of the house in Strathfillan.

And in 1329, the year of King Robert's death, the *Exchequer Rolls* (i. 214) reveal a payment made through Sir Robert de

<sup>1</sup> See Nos. cxxiii., cxxiv., cxxvi., cxxvii.

<sup>2</sup> It is not improbable that gratitude to St. Fillan, whose arm-bone (if we may believe Boece) was venerated by Bruce on the night before the battle of Bannockburn, and whose aid he had invoked, may have suggested this grant. While the memory of the part played by Maurice, Abbot of Inchaffray, on the same occasion, may have directed his thoughts to that house.

<sup>3</sup> *Reg. Mag. Sig.*, ii. No. 2458.

Bruys, the king's natural son, of xxlb., *ad fabricam ecclesie Sancti Felani*, presumably the priory church.

At a later date we find the chapel of St. Fillan spoken of as a 'chapel royal.'

On February 28, 1542-3, Dene John Gray, canon regular, prior of the monastery or chapel royal of Strathfillan, granted the lands mentioned above in feu to James Campbell of Lawers.<sup>1</sup>

The name of another prior is recorded. Sir Hugh Curry (or Corrie), prior of Strathfillan, was one of the executors of Gavin Dunbar, Archbishop of Glasgow.<sup>2</sup> Curry appears again in February 1549-50.<sup>3</sup>

The priory in Strathfillan was evidently an unimportant place at the Reformation. The Collector-General's Account for 1573 contains a list of benefices 'quhilks wes not rentailit nor chargit abefoir, bot ar new found owt be the comptare': among these (*fol. 43, verso*) is the entry—'the hail priourie of Straphillane the zeir comptit extendis to xl.ii.'<sup>4</sup>

The petition to Pope Clement VII. (No. cxl.)—the transcript of which the Scottish History Society owes to the courtesy of Dr. Maitland Thomson—reveals the fact that, at some time unknown, the monastery of Inchaffray had parted with its church of Strogeith to the Bishop of Dunblane. It was again restored and united to Inchaffray by Bishop Walter de Coven-

<sup>1</sup> This grant was confirmed under the Great Seal, February 14, 1543-4.—*Reg. Mag. Sig.*

<sup>2</sup> *Acta Dom. Concil. et Sess.*, MS. xxv. 23. This and the next two references are due to Dr. Maitland Thomson.

<sup>3</sup> *Acts and Decrees*, MS. iii. 328. It has been suggested that this Sir Hugh Curry is to be identified with the Sir Hugh Curry who captured Walter Myln, the old priest who was burned alive at St. Andrews in 1558. But the identification is somewhat hazardous. Pitscottie (ii. 130, *Æ. J. G. Mackay's* edition) indeed gives the name of the captor of Myln as 'Schir Hew Currie'; but in Foxe's account of the execution the name is 'Sir Hew Turry,' and elsewhere 'Sir Hew Terrye.' Spottiswoode (i. 188) spells the name 'Torry.' He is described as a priest of the Archbishop of St. Andrews, and nothing is said of his being, or having been, the prior of Strathfillan.

<sup>4</sup> Manuscript in the General Register House, Edinburgh.

tre (1361-1372). But this transaction had not received the confirmation of the Apostolic See; and after the death of Bishop Walter, the abbot and convent besought the Pope to confirm the grant of the bishop, or, if necessary, to grant the church anew to the abbot and convent. In December 1381, the Pope, in response, committed it to the Bishop of Glasgow to inform himself as to the facts, and to confirm the grant according to justice.

The last addition of an ecclesiastical benefice recorded in the documents before us is the grant of the chapel of the Holy Trinity in Uist (together with the whole land of Karynche, and four-penny lands in Ylara, between Hussaboste and Kanusor-rarath) made by Christina, daughter of Alan, and Reginald called M'Rodry. This grant was confirmed by Godfrey of Yle, lord of Uist, July 7, 1389 (No. cxli.). A later confirmation of Donald of Yle, Lord of the Isles, and brother of Godfrey, is dated December 6, 1413 (No. cxlii.). This church, situated at Karynch in North Uist, is marked in Blaeu's *Atlas* as Kiltrinidad, and its ruins are locally known as Teampal-na-Trianaide.<sup>1</sup>

The confirmation of the grant by Godfrey of Yle contains the rather peculiar provision that his beloved and special friend, Sir Thomas, canon of Inchaffray, should, *nomine dicti monasterii*, possess in peace and fully the said chapel with its lands and all its pertinents.

This church at Karynch in North Uist, with the land of Karynch, one cannot but suspect is the origin of what John Spottiswoode in his *Account of the Religious Houses*<sup>2</sup> calls Scarinche, which he makes one of 'the cells or priories belonging to Inchaffray.' If this conjecture is correct, Spottiswoode has blundered in placing the cell 'in the isle of Lewis.' Spottiswoode goes on to say that Scarinch was 'founded by the Mac-

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<sup>1</sup> *Origines Parochiales*, vol. ii. part i. p. 373.

<sup>2</sup> This is printed in Keith's *Scottish Bishops*. See, in Russell's edit., p. 373.

leods of the Lewis, in honour of St. Catan (*in honorem Sti. Catani, cujus exuvias ibidem asservari traditione acceptum est*).<sup>1</sup> The dedication of the chapel at Karynch does not fall in with this. But there seems to have been some place connected with Inchaffray and associated with St. Cathan at Stornoway,<sup>1</sup> and Spottiswoode seems to have confused the two places.<sup>2</sup>

In a rental of the bishopric of the Isles and the abbacy of Icolmkill which has been assigned to 1561, 'Cairneische in the Ile of Weist' appears as part of the abbot's lands.<sup>3</sup>

If the opinion offered above as to the situation of the place called Scarinche be accepted, corrections will have to be made in the map which appears in Walcott's *Ancient Church of Scotland* (p. 233), and in Mr. G. Gregory Smith's map of Scotland, showing the ecclesiastical divisions in the Middle Ages, which is to be found (Plate xxvi.) in the new *Historical Atlas* issued from the University Press of Oxford.

#### THE PARISH CHURCH OF NESGASC AND THE HOSPITAL OF SS. JAMES AND JOHN AT BRACKLEY

The indented settlement (No. 1xiv.) of a dispute between the abbot and convent of Inchaffray, on the one part, and the master and brethren of the Hospital of SS. James and John of Brackley in Northamptonshire, on the other, is preserved among the muniments of Magdalen College, Oxford, to which corporation the Hospital passed at an early date.<sup>4</sup> It is interesting to Scottish students as adding another instance to several already known of grants of churches or lands in Scotland having been made to religious houses in England.

<sup>1</sup> See *Origines Parochiales*, vol. ii. part i. 381.<sup>i</sup>

<sup>2</sup> Spottiswoode's contemporary, Richard Augustine Hay, canon of St. Geneviève in Paris, also alleges that Scarinche, a cell of Inchaffray, is 'in the Isle of Lewis' (*Scotia Sacra*, p. 667). It is possible that Spottiswoode derived his error from Hay.

<sup>3</sup> *Collect. de rebus Albanicis*, p. 2.

<sup>4</sup> This hospital is said to have been founded, for a master and six brethren, by Robert, second Earl of Leicester (1118-68), who was known as *le Bossu*.



The monasteries of Scotland (as is well known) were treated in a similar spirit by owners of lands and patrons of churches in England.<sup>1</sup>

The grant of the parish church of Nesgasc, in Perthshire, to the Hospital of Brackley was made by Seher de Quincy, probably shortly after being created Earl of Winchester (1207).<sup>2</sup> The charters of Magdalen College contain a grant (A.D. 1210-18) from Roger de St. Andrew to the Hospital at Brackele for the soul of himself and of (his uncle) Seher de Quence, Earl of Winchester, etc., of forty shillings of annual rent from his laud at Colesyn (Collessie, in Fife), to wit, twenty shillings for the lights of the church, and twenty shillings for the infirmary. This grant is confirmed by Seher de St. Andrew, brother of the donor.<sup>3</sup> The interest of the De Quincys in Brackley is apparent.

Large Scottish possessions came to the De Quincys through the marriage of Robert de Quincy (father of Seher, afterwards Earl of Winchester) with Orable, daughter of Ness, son of William. And the name 'Nesgasc' would suggest that this part of Gasc had been the property of Ness.

It will be observed also that this agreement (A.D. 1238) between Inchaffray and the Hospital at Brackley has among the witnesses Roger de Quincy, Earl of Winchester, and Seher of St. Andrew. The agreement was doubtless not made without their approval.

The value of Nesgasc in 1276 was 17lb. 17sol. 6den.<sup>4</sup> When it ceased to be possessed by the Hospital at Brackley we are not able to say. It seems to have been still in the possession of the Hospital in 1262.<sup>5</sup>

At first sight it might be thought that the confirmation by Pope Urban IV., September 12, 1262 (No. LXXXIX.), of which both

<sup>1</sup> Examples of both kinds will be found mentioned in *The Chartulary of Lindores*, Introduction, pp. 1-1ii.

<sup>2</sup> See Appendix, No. IV.A, p. 245.

<sup>3</sup> *Calendar of Charters of Magdalen College, Oxford*. This annual rent was afterwards exchanged for the demesne of Gasc in Strathern.

<sup>4</sup> See Theiner, *Monumenta*, p. 115.

<sup>5</sup> See No. LXXXIX.

Inchaffray and Brackley possessed originals still extant, was a confirmation of the agreement of 1238. But a doubt is raised as to this by the language of the bull. Those who are represented as interfering to effect the settlement of the dispute are 'the bishop of Dunblane, of good memory, and our venerable brother the bishop of St. Andrews.' This points to the latter of these friendly intermediaries being alive at the date of the bull. Now Gamelin, Bishop of St. Andrews in 1262, was not consecrated till December 26, 1255, while Clement (Bishop of Dunblane at the time of the agreement of 1238), died, at latest, in 1258.<sup>1</sup> So there is ground for thinking that, despite the provisions of the indenture of 1238, some fresh dispute had arisen, and was adjusted by the intervention of Bishops Clement and Gamelin between the close of 1255 and the death of the former in 1258.

At a later stage, in the year 1266, we find the Hospital of Brackley entering upon an entirely new arrangement with Robert, Bishop of Dunblane. The bishop agreed to take over the church and lands of Gasknes *ad firmam*, that is, to take them on lease for a period of five years, he having the right to renew the lease for other five at the end of the first, and of subsequent terms. He was to pay twenty-four marks a year to Brackley, twenty shillings a year to the abbey of Inchaffray,<sup>2</sup> and two marks to the vicar of Gasknes. The agreement between the parties is lengthy and elaborate, and will repay study.<sup>3</sup> The Hospital was to retain the right of presenting to the vicarage, and all the ordinary burdens were to be undertaken by the bishop. The granting of churches *ad firmam* was looked on with suspicion by the Church; and in the mediæval Church both in England and Scotland canons were enacted regulating such transfers.<sup>4</sup>

<sup>1</sup> *Chron. de Mailros*, s.a.

<sup>2</sup> Compare the one mark to be paid to the abbey in No. LXIV.

<sup>3</sup> Appendix, No. IV. p. 243.

<sup>4</sup> See *Statuta Ecclesie Scoticane*, ii. 61, 69. It was more particularly

The lawsuit between the vicar of Fowlis and the abbey on the subject of 100 shillings 'usual money of the kingdom of Scotland,' being the mortuary of Tristram of Gorthy (No. CXLIX.), which was decided by the Bishop of Dunblane, sitting as judge in his consistorial court, is interesting as a specimen of the legal procedure of the bishops' courts in the latter half of the fifteenth century. Ordinarily the vicar of a parish received the mortuary or corse-present of a deceased parishioner. But we find examples of exceptions. Thus the vicar of Linlithgow (which was an appropriate church of the Priory of St. Andrews) was to receive oblations and obventions of the dead as well as of the living, but an exception was made when the mortuary consisted of a 'living animal.' The cow, the 'kirk-cow,' as it was called, which not infrequently preceded the bier in the funeral procession to the parish church, was to go in this case not to the vicar, but to the canons of St. Andrews.<sup>1</sup> In each case the language of the foundation of the vicarage as settled by the bishop of the diocese was to determine the question as to the ownership of mortuaries. It was so in the case under consideration. According to the *fundamen* of the vicarage of Fowlis mortuaries *sana et integra* were to go to the Abbot of Inchaffray, while mortuaries *divisa et non integra* were to be the perquisite of the vicar.

Before concluding this part of the Introduction a few words may be said as to two peculiar words occurring in the charters, the meanings of which are obscure, and need a fuller elucidation than I can pretend to offer.

Mr. Cosmo Innes long ago pointed out that there are materials in Scottish Records for a *supplementum Scoticum* to Ducange's

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enjoined that churches should not be leased to laymen directly or indirectly, and that the consent of the ordinary should always be obtained. It is worth noticing that in 1358 the church of Nesgasc was the church of the Archdeacon of Dunblane (No. CXXXII.) and so continued to the Reformation.

<sup>1</sup> *Regist. Priorat. S. Andree*, p. 159.

*Glossarium.* The charters placed before the reader in this volume supply at least two contributions to such a supplement. Beside the usual officers of the household and establishment of a great noble, the ‘dapifer’ or ‘senescallus,’ the ‘camerarius,’ the ‘dispensarius,’ the ‘pincerna,’ the ‘judex,’ and the ‘capellani,’ we find the early Earls of Strathern possessing a ‘rennarius.’<sup>1</sup> Research in other directions, resulting in no satisfactory explanation of the word, it was natural to conjecture that the word might be formed upon some term of Celtic origin; and Gaelic scholars were consulted.

Professor Donald Mackinnon has been so good as to furnish, through Dr. J. Maitland Thomson, the following note: ‘Rennarius is manifestly a Latinised form of the Gaelic *rannaire*, literally “the divider.” In old Gaelic Saga, the *Fled Bricrend* (Feast of Bricriu), for example, the *rannairi* carved or distributed (or both) the portions of food offered to individual guests. The word is glossed *partista* in Irish Glosses (No. 9), and the old lexicographer Cormac, who spells it *ronnaire*, derives the word from *ronnad* “a distribution he makes of the food” and *-aire*, “chief.” The more correct analysis of the word is *rannaim*, “I divide” (now *roinn*) and *-aire*, cognate with the Latin *-arius*, a suffix indicating personal agent. The word is usually translated “spencer,” “butler.”’ Professor Mackinnon adds, ‘I have not come upon the name as a retainer of a Gaelic chief.’

We now call attention to another obscure word, also probably of Gaelic origin, which appears in Charters Nos. cxiii., cxiv. In 1283 Earl Malise grants, *inter alia*, to the religious of Inchaffray annually ‘four marks from the thanage of Dunning which they were wont to give the Earl *pro fretellis*.’<sup>2</sup>

Professor Mackinnon writes, ‘I take this word to be formed from the Gaelic *fritheil*, a verb used in several shades

<sup>1</sup> See Nos. v., xii., xlvi., and, more particularly, xxxix., xl., lviii. In No. lviii. the form is ‘ronnarius.’

<sup>2</sup> In No. cxiv. the form is *pro fretellis*.

of meaning, all carrying the idea of "attending upon," "serving." Service, including watch and ward, might express the idea conveyed by the term here.' I venture to suggest that we have perhaps a word formed upon the same Gaelic vocable in a charter, of the year 1272-3, granted by Alexander Cumyng, Earl of Buchan, in which the grantees were declared to be free for ever, 'ab omni custuma ab omni tol *frithelagio* vel *carriagio*.'<sup>1</sup> If *carriagium* is here explicative of *frithelagium*, it points to the kind of service which had been remitted. In any case, it falls in with the notion that *frithelagium* was some kind of service due by vassals to their superior.

A word or two must be added on the important bull (7 April 1251) of Innocent iv. printed in the Appendix (No. II.). In the course of examining the documents in the Dupplin Collection this bull came to light; and, although it has no connection with Inchaffray, the editors were convinced that the opportunity should be taken of making it known to historical students, as adding an interesting incident, hitherto unknown in the prolonged struggle between the Keledei of the ancient church of St. Mary, at St. Andrews, and the Canons Regular of the priory of the cathedral city. This bull illustrates, and is in turn illustrated by, the bull of 7 June 1252, printed by Theiner.<sup>2</sup>

Pope after Pope (Lucius II., Eugenius III., Adrian IV., Alexander III., Lucius III., Gregory VIII., Innocent III., and Honorius III.) had reiterated the command that on the death or resignation of any of the Keledei his prebend and possessions should be transferred to the Priory of Canons Regular. Yet even after a hundred years had intervened we find the Keledei still maintaining the contest.

The claim of the Keledei to have a voice in the election of the Bishops of St. Andrews, which continued to be made for over a century, is another piece of evidence contributing to

<sup>1</sup> *Regist. Episcopat. Aberdon.*, i. 32.

<sup>2</sup> *Monumenta*, No. CXLV.

the conviction that the Keledei of St. Andrews formed a community of considerable vigour and persistency of purpose.

The reader will be pleased to find here (Appendix No. v.) the short charter of Malise, Earl of Strathern (21 February 1268-69), from the Dupplin Collection, relating to the lands of Strathy, in which the Abbey of Inchaffray had an interest (No. cxvi.).

J. D.

## PART II

THE EARLS OF STRATHERN; OTHER BENEFAC-  
TORS AND PRINCIPAL PERSONS MENTIONED  
IN THE CHARTERS

THE Earldom of Strathern, which in remote ages probably formed a kingdom with Menteith, was situated in the heart of Scotland, and included most of the fertile plains lying directly north of the Forth and south of the great range of mountains called the Mount, extending in a semicircle from the Clyde to Aberdeen. This space was occupied by four earldoms, Strathern and Atholl on the north-west, Fife and Angus on the east. South-west of Strathern lay Menteith, while west of the mountains lay the two Argylls. Beyond the mountains on the north was Moravia, and over them must have travelled the families which bore that famous surname.

Our information respecting the original Celtic rulers of 'Cismontane,' Scotland north of the Forth, is not precise, and any collection of charters such as those printed in this volume may be of great importance for the elucidation of the ancient history of our country, so admirably begun by the late Dr. Skene.<sup>1</sup>

What happened in Strathern is perhaps unique, but it illustrates the whole process of feudalising the Celts.

We have a picture, roughly drawn, of a ruling Celtic family first opposing with contempt, then accepting and developing the feudal system of King David and the Normans; finally

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<sup>1</sup> Skene's *Ancient Alban*.

welcoming that splendid ecclesiastical organisation which Christianised feudalism. In Strathern we see earls instead of maormars substituting the Catholic Hierarchy for missions (if the Culdee centres can be thus described), and introducing that system of what may be termed feudal monasticism, which throughout the civilised world became a distinguishing feature of the Apostolic and Roman Church.

Ferteth, Earl of Strathern, must have had the principal share in the erection of a diocese called of Strathern or Dunblane, having its cathedral where Culdees had previously a home, the first bishop of which in certain record appears in 1155. His son completed his work and founded the house of Augustinian Canons where a 'hermit' with a community of brethren had been. Neither of these operations would have been performed by Celts who adhered to the Celtic ecclesiastical system, under which there was to have *been* one bishop styled *Episcopus Scottorum*, proved by record and illustrated by the early seals of St. Andrews. There is, however, tradition of an ancient see of Dunblane, long void.<sup>1</sup>

The Charters here printed have also a political value, for we get glimpses here and there of a peculiar feudal system. We find something to help in the study of thanage, for of the several great lay fiefs within the earldom the owners of two are expressly called 'my thanes,' namely, Dunning and Struin. Now we observe that whatever the tenure of a thanedom may have been,—respecting which the present editors at least are no more clear than English lawyers are respecting 'tenure by Barony,'—the churches of these thanedoms belonged to the earl, who granted them to his monastery. There is no trace of the thanes themselves giving the churches and of their gifts being confirmed by the earls, as happened to some extent in respect of English manors; but the earls granted, kings, bishops, and popes confirmed.

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<sup>1</sup> Theiner, xci.



We have in the Papal Letters proof that the Popes, chief of the whole hierarchical system, regarded the earls and not the kings of Scotland as patrons of the see of Strathern, afterwards called Dunblane.

The Charters of Inchaffray exhibit great officers of the earldom called by the same names as those of the king. We find in these charters a dapifer, a pincerna, a chamberlain, a marshal, a carver, a dispenser, and a judge or dempster. Such officials existed no doubt in all great fiefs and households, but here they are remarkably exemplified. Then we find two individuals called 'miles meus.' Whether this imports knighthood by the king or earl, or whether the description is purely one of tenure is a question of some importance. The experts of the present day usually take the latter view.

The word palatine is foreign to English and Scottish feudal law, and its precise meaning is not clear. But if the word be used to denote a quasi-sovereign fief, of which the lord is autocrat in respect of all internal jurisdiction, it would be difficult to find a more conspicuous example than Strathern. Afterwards when the word was adopted we find Strathern forfeited or resigned, and the new grantee, who received the earldom 'to hold as Malise held,' at once styled earl palatine.

We have thought it desirable, without attempting a full exposition of all that may be deduced from the Charters of Inchaffray, to offer a number of notes respecting the subject-matter, the parties to and the witnesses of a remarkable set of deeds. In several details the great development of historical research, with publication of records in the course of the last half-century, enables us to add to the information given by the editor of the Chartulary for the Bannatyne Club. Our notes are intended as suggestions rather than conclusions, as clues rather than discoveries, for we are still at the threshold rather than within the Temple of Antiquity.

We also offer some observations upon the genealogy of the Earls of Strathern and a few of their principal vassals, which

observations are made in respect of minor points, not by any means unfolding the whole political and historical status of the house which held so pre-eminent a place. Of all the ancient earldoms, Strathern was strategically the most important in the eyes of kings who desired to consolidate the government of Scotland beyond the Tay, and not unnaturally the Stewarts, when the whole kingdom was about to fall to their lot, coveted Strathern. Just as Lennox overhung the Stewartry, so did Strathern and Menteith the northern capital of the kingdom. In process of time the Stewarts obtained them all, as also Fife and Atholl. But while the monarchy was strengthened, and the national independence was established, the grandeur of the earldoms was lost. They emerged in myth like the Highlanders, and passed as the old order changed.

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Mallus or Malise appears as Earl of Strathern in the Chartulary of Scone, before 1124, and witnessed the charter of King David to Dunfermline, *c.* 1128; and others later.

Ferchard or Ferteth, Earl of Strathern, with five other earls, attended a Parliament at Perth in 1160, and expressed strong dissatisfaction with King Malcolm for having accompanied—perhaps as a vassal—King Henry II. to Toulouse.

This earl and his wife Ethen endowed the church of St. Cathan of Aberruthven with tithes and land. He died in 1171,<sup>1</sup> having had issue:—

1. Gilbert, his heir.
2. Malise, who is mentioned in a number of his brother's charters to Inchaffray, and took a conspicuous part in the settlement of the canons. He was a witness to Royal charters as a tenant in chief of the Crown, and also held estates mentioned in the first charter of the Appendix, some of which descended or passed to the Grahams and the Morays of Ogilvy.

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<sup>1</sup> *Chronicle of Melrose*, 84.

Sir Malise granted, *c.* 1208, the lands of Rathangothen, except the mill, to the Abbey of Lindores,<sup>1</sup> for the souls of himself, Ada, his wife, daughter of Earl David, and others. He also granted an annuity of half a mark to the Abbey of Arbroath from his fishing of Ure, confirmed by King William when Philip de Valoines was chamberlain. The Lady Ada granted a carucate of land to Lindores, that she might be buried there.

He apparently had no issue.

Christian is stated to have been daughter of Earl Ferteth, and wife of Walter Olifard, by Macfarlane on the authority of a charter quoted by Lord Strathallan.

Gilbert, Earl of Strathern, the founder of the Monastery of Inchaffray, granted a number of the more important charters printed in this volume. The distinction between those granted to brethren and those granted to canons is set forth, *ante* p. xxiv, and it is to be observed that in the great charter of foundation (No. ix.) he describes himself as son of Ferteth, and by the indulgence (= grace) of God earl. This style may be held to suggest that some of the subjects were given or promised by his father. The grantee Malise, priest and hermit, was not improbably a relation. This Malise appears in the place previously occupied by I., Isaac or the successor of Isaac, or possibly J. is Jonathas, second Bishop of Strathern. The earl witnessed a charter of King Malcolm to Scone in 1164, and was therefore born about 1150, and he died in 1223. He was justiciary, *c.* 1190.<sup>2</sup> He married (1) Matilda, daughter of William d'Aubigny, whom we suppose to have been 'Brito,' the founder of the house of Belvoir; (2), a lady named Ysenda, who granted a charter to

<sup>1</sup> Cf. *Chartulary of Lindores*, number forty-two of the Scottish History Society's publications.

<sup>2</sup> *Dunfermline Chartulary*, 35.

Inchaffray of five acres in her ville of Abercairny perambulated by her brothers Sir Richard and Galfridus de Gask (No. XLVI.).

He had issue:—

1. Gilchrist, witness to his father's charter of the Church of Aberruthven to the brethren of Inchaffray (No. III.), *c.* 1198. Died in the year 1198, and was buried at Inchaffray (No. IX.).
2. William, witness to Charters IV., V., IX., XIV., XV., XVII., and XXV., but disappears after 1208.
3. Ferthed, witness to Charters XI. and XII., and all those witnessed by William. He also disappears after 1208.
4. Robert, who succeeded to the earldom.
5. Fergus, who witnesses his father's charters after William and Ferthed cease and three of Earl Robert's as a knight. A charter was granted by him of a rent from Ouchtermakan *c.* 1247 (No. LXXV.). He confirmed his uncle's grant to Arbroath, and granted charters to Lindores.
6. Malise. He first appears as a witness to No. XXV. of the Charters, 1203-8, again to Charter XXXIX., his brother Robert's Charters XLI. and LII., and in August 1234 he witnessed the Bishop of Dunblane's charter remitting certain tithes. Afterwards as a knight he granted (No. CII.)<sup>1</sup> some land, pasturage, and peats to the Abbey of Inchaffray out of the tenement of Rossy, from which we learn that he had two sons.

(1) Malise.

(2) N. (= Nicholas) rector of the church of Crieff and chamberlain of Earl Malise II. (No. LXXXVI.) in 1257-8 which he had ceased to be 1266 (No. XCV.).

<sup>1</sup> *c.* 1272.

Sir Malise also witnessed the confirmation charter of his nephew Earl Malise 1247 (No. LXXVI.).<sup>1</sup>

7. Gilchrist, witness to Charter xxv. by his father and to none of his brothers.
8. Gilbert, witness to Charters xxxviii. and xxxix. by his father, and to xl. and li. granted by his brother Robert. He also witnessed Earl Robert's charter to Lindores in or after 1233. In 1213 he was in England as a hostage for the king, and living with William de Albin,<sup>2</sup> who died 1215. This Gilbert was apparently the ancestor of the family of Glencharny, for which see the *Chiefs of Grant*, by Sir William Fraser.

Matilda, witness to her father's Charters xi. and xii., married to Malcolm, son and successor of Earl Duncan. A charter of Glendovan, Aldie, and other lands to them granted by Earl Gilbert is printed in the Appendix to the *Lib. Ins. Miss.*

Cecilia, wife of Walter, son of Alan (Ruthven). They had charter of Kulgase from Earl Robert, confirming a gift by Earl Gilbert.

Ethne, first wife of David de Haia, erroneously named Helen in pedigrees, was probably a daughter of Earl Gilbert.

Robert, eldest surviving son, described as heir in Charter xxviii., was a knight in 1215,<sup>3</sup> and succeeded his father as Earl of Strathern. As heir-apparent he confirmed grants to the abbey by his father in 1219 (No. xli.), and as earl he granted a general confirmation (No. li.). He confirmed gifts by Nigel de Lutoft in Dolpatrick, and Henry, son of Tristram, in Kyntocher (No. lvi.), and confirmed (No. lviii.) a charter

<sup>1</sup> See Charters in the Appendix to the *Lib. Ins. Miss.* (Bannatyne Club).

<sup>2</sup> Bain, i. 574, 588.

<sup>3</sup> *Chartulary of Scone*, 90-1.

of Robert de Meggefen and Soliva his wife (No. LVII.) which he the earl had witnessed.

Earl Robert assented as patron of the see to an agreement between the Bishop of Dunblane and the abbey (No. LX.) dated in August 1234. He witnessed the treaty between the kings of Scotland and England respecting Northumbria 1237.<sup>1</sup>

He died before 1244. We have no record of his wife's name, but she is mentioned by her son as living in Charter LXXVI. He had issue:—

Malise II.

Hugo, a monk in 1257, when he witnessed a charter of his brother, and probably Abbot of Inchaffray.<sup>2</sup>

Gilbert, witness to Charters LXXXVI., LXXXVII., LXXXVIII., had a grant of the lands of Durie before 1269,<sup>3</sup> and of Ballenolleth from his brother, recited in Charter xcvi. He may therefore be the founder of the house of Durie.

Amabilia, to whom Earl Malise granted a charter of Kincardine as her marriage portion *c.* 1250. For this and a subsequent charter to Sir David de Graham, obviously her husband, and to Patrick de Graham, see *Historical MSS. Com. Report*, vol. ii. p. 166.<sup>4</sup>

Maria, to whom Earl Malise granted a charter<sup>5</sup> empowering her to follow natives of Straty and Pronny February 1268-9. She granted an amnesty to the abbey, ratified by her husband, Sir John de Jonstone, in 1284 (No. cxvi.).

Cecilia, to whom Earl Malise granted the lands of Kelour in Foulis.<sup>6</sup> These lands reverted to the earldom 1369, in the time of Robert the Steward, Earl of Strathern, on the ground that Sir Roger de Meckven was dead *s.p.*, and that the heirs of his grandmother,

<sup>1</sup> *Fad.*, i. 233.

<sup>3</sup> Inventory at Register House.

<sup>5</sup> App. IV.

<sup>2</sup> See p. 251.

<sup>4</sup> Montrose Charter Chest.

<sup>6</sup> *Reg. Hon. le Morton*, ii. 5.

to whom Earl Malise granted them, had failed,<sup>1</sup> whereupon Earl Robert granted Kelour to Sir James de Douglas, Lord of Dalkeith.

Malise II., born c. 1215-20, appears in Parliament 1244 and 1255,<sup>2</sup> and was one of those given as guarantors of the treaty of 1244 by Alexander II.<sup>3</sup> He was present at the coronation of King Alexander III.,<sup>4</sup> and was in the special confidence of King Henry III. respecting the safety of the Queen of Scotland. A letter of the earl to the King of England on this subject, written from St. Andrews in answer to one received on the Vigil of the Ascension, 1258, is preserved among the Royal Letters, and is printed in the National Manuscripts of Scotland.<sup>5</sup> He was of the party allied to England which opposed the Comyns in 1255, with English support.<sup>6</sup> Had a passport for going beyond seas in May 1259,<sup>7</sup> and was one of the earls mentioned in the letter of King Henry III., November 16, 1260.<sup>8</sup>

He married first Marjory, daughter and co-heir of Robert de Muschamp, before 1250, in which year, on the death of Robert, he paid fifty merks for relief in doing homage for lands in Northumberland. In the following year he was impleaded to warrant lands claimed by Isabella, widow of Robert, in dower, including the manor of Harndon, in Northamptonshire.<sup>9</sup> Countess Margery was dead in 1255, for in that year the earl paid one hundred pounds or fifteen merks gold for the custody of his daughters and her heirs, Muriel and Margery, and he is traced in the Northumberland Writs to near the end of his life.

Before December 1257 Earl Malise married Matilda, daughter of Gilbert, late Earl of Caithness and Orkney, and thereby acquired the barony of Cortachy in Angus. Subsequent events prove her to have been the mother of his son Malise III.

<sup>1</sup> *Reg. Hon. le Morton*, ii. 60 and 86.

<sup>2</sup> *Acts*, i. 703-7.

<sup>3</sup> *Fad.*, i. 257 (edition of 1816).

<sup>4</sup> Fordoun, III. xlviiii.

<sup>5</sup> See also *Fad.*, i. 371, and Bain, vol. i. No. 2125.

<sup>6</sup> *Fad.*, i. 326.

<sup>7</sup> Bain, i. 2156.

<sup>8</sup> *Fad.*, i. 402.

<sup>9</sup> Bain, i. 1801.

The earl granted the church of Cortachy to the Abbey of Inchaffray (No. LXXXVI.), in December 1257, at Crieff. He evidently held his first wife's property in Northumberland by the courtesy of England, for he was charged with scutage (1261-2).<sup>1</sup> At the same date he and Emma his wife are mentioned as owing five marks for an unjust detention, which sum was still owing in 1267.<sup>2</sup> Who this Emma was we have been unable to discover.<sup>3</sup>

In 1268 Earl Malise married Maria, widow of Magnus, King of Man, and daughter of Eugenius de Argadia.<sup>4</sup> This lady was remarried to Hugo de Abernethy, who died 1296. A post-nuptial dispensation, dated April 9, 1281-2, printed by Theiner, p. 125, probably relates to her. The parties were in the fourth degree of consanguinity. She did homage to King Edward in 1291 and 1296, was described as wife of William Fitzwarin 1298-9, a widow at Christmas 1299, and died before January 1304-5.<sup>5</sup> The earl died in 1271, having had issue:—

Malise, his heir.

Robert de Strathern,<sup>6</sup> probably identical with the Robert who did homage to King Edward in 1296, for his armorial seal exhibits a chevron.<sup>7</sup> He was committed to the Tower 1297.<sup>8</sup>

Muriel, co-heir of her mother, wife of William, Earl of Mar.

Marjory or Maria, co-heir, wife of Nicholas de Graham,

Lord of Dalkeith, and living a widow *temp.*

Robert I.<sup>9</sup>

<sup>1</sup> Bain, i. 2283.

<sup>2</sup> *Ibid.*, 2451.

<sup>3</sup> Mr. Bain wrote an article in the *Genealogist*, vol. v., new series, 105, on the question of the succession of the last earls, and suggested that these writs denoted the death of Malise II., and that Emma was wife of his successor; but no son of Malise II. could have any interest in the Muscamp property.

<sup>4</sup> *Extracta e 'Cronicis Scotie,'* p. 109. This statement is corroborated by No. xcvi. of the present Charters, showing Eugenius de Ergadia present and witnessing, at Crieff, at the approximate date.

<sup>5</sup> Bain, vol. ii. *passim*.

<sup>6</sup> *Ibid.*, ii. App. i. 222.

<sup>7</sup> *Lib. Ins. Miss.*, App. xviii.

<sup>8</sup> Bain, No. 964.

<sup>9</sup> Robertson's *Index*, 2, 38.



Malise III., born *circa* 1257. He succeeded 1271, but was not at first styled earl, which can only be accounted for on the ground of his minority, unless he had an elder brother whose name has been lost. He was party to the Norway marriage treaty of 1281 as earl.<sup>1</sup> As son this Malise granted the advowson of the church of Struy (Strowan) to the abbey, and shortly afterwards, as son and heir and earl, he, March 26, 1283 (Nos. cxiv., cxv.), granted annuities from Dunning and Pitcairn in accordance with an agreement to compensate the abbey for loss of tithes (No. cxiii.). In the charter of twenty merks from Dunning (No. cxiv.) the earl refers to Malise his father, and Gilbert his 'proavus.' On January 15, 1284-5, Pope Martin iv. addressed a letter to him as patron of the see of Dunblane, from Perugia, stating that William, abbot of Arbroath, was consecrated bishop.<sup>2</sup> The fact that all the Papal Letters are addressed to the earls, and that this bishop obtained a faculty to dispose of his personal property by testament—which property, in the case of his predecessors, had always been taken by the earls<sup>3</sup>—further indicates the status of this earldom. Earl Malise assented to a decision that the patronage of the vicarage of Strugeth belonged to the abbey, 1287 (No. cxviii.), the last of the writs yet discovered which connect the ancient earls with the abbey. In 1290 he rendered his account as farmer of the burgh of Auchterarder.<sup>4</sup> The earl took a leading part in affairs of State, and was a party to the treaties with Norway and England which preceded and followed the deaths of King Alexander and the Maid of Norway. He supported the claim of Baliol to the throne,<sup>5</sup> and did homage to King Edward, July 12, 1291, at Stirling;<sup>6</sup> was present when judgment was given for Baliol at Berwick, on Monday, November 17, 1292.<sup>7</sup> On July 24, 1291, Lady Maria, Queen of Man and Countess of

<sup>1</sup> *Fad.*, ii. 596.

<sup>2</sup> *Papal Letters*, i. 472-3.

<sup>3</sup> *Ibid.*, p. 540.

<sup>4</sup> *Exchequer Rolls*, i. 51.

<sup>5</sup> *Fad.*, iii. 767.

<sup>6</sup> *Ibid.*, iii. 772.

<sup>7</sup> *Ibid.*, iii. 780.

Strathern, evidently dowager, also did homage. In 1293 the earl gave his daughter Matilda in marriage to Robert de Toeny, son of Ralph. The marriage settlement, in the form of a notarial instrument, was dated at London, April 26, 1293, was recorded in the Memoranda Roll of 20-21 Edw. I., and is printed *in extenso* in *Historical Documents relating to Scotland*, vol. i. pp. 394-5-6. It proves that the spouses were quite young—the lady well under twenty. She was dead *s.p.* January 16, 1309-10.<sup>1</sup>

Earl Malise was summoned to London on military service, June 29, 1294.

The wife of this earl, about 1275, was named Marjory, as we understand the attesting clause of No. cv., and is stated by Wyntoun, Book VIII. chap. vi., to have been the second sister of John Comyn, Earl of Buchan, who negotiated on behalf of Earl Malise the marriage settlement above mentioned. She was therefore daughter to Alexander, Earl of Buchan, by the daughter of Roger, Earl of Winchester.

The earl swore fealty to King Edward, June 19, 1296, at Stirling, on August 28 at Berwick.

Earl Malise received a papal brief as patron, confirming the election of Alpinus as Bishop of Dunblane, and on death of William (of Arbroath), dated October 1296.

According to the *Scala Chronica*<sup>2</sup> he was one of those taken prisoner in England in 1296, and from this year we trace his sons at the English Court.

He informed King Edward by letter, August 1, 1297, that he had taken Macduff and his two sons prisoners. He was summoned to Parliament March 11, 1303-4; and was in the English army at Perth and dined with the Prince of Wales on Christmas Day 1303. Sat as Lieutenant of the Warden—North of Forth—September 11, 1305, and engaged to produce Andrew, son of the Steward, and John, son of the Earl of

<sup>1</sup> Bain, iii. 119.

<sup>2</sup> New edition, edited by Sir Herbert Maxwell.

Atholl, August 25, 1306. He was taken prisoner in 1307, sent to Rochester Castle, delivered to Aymar de Valence, and by him to the Sheriff of York.<sup>1</sup> In January 1306-7 the countess and Malise his son having written for news of him, the King of England from Lanercost directed the Earl of Pembroke to do as usual. Consequently the countess was permitted to join her husband, the son being a prisoner in Carlisle. The earl was sent to York, and afterwards tried at Westminster, pleaded that he had joined Bruce under duress, was acquitted of ill-fame, and apparently set free in November 1308, when Patrick, Earl of Dunbar (brother-in-law),<sup>2</sup> Robert de Tony (son-in-law), Alexander de Abernethy (son of his stepmother?), and Henry de Sinclair were his mainprenors. We trace him as in receipt of an English pension and in Berwick 1310, and as alive in 1312.

It is stated by Sir James Balfour,<sup>3</sup> on the authority of the Inchaffray Register, that this earl died *anno* 1312, and was buried in the abbey church on the right of the high altar. He refers to a folio not now in the Register, and there are strong reasons for inferring that both the first and last pages of the Register are missing. The historical facts support Sir James Balfour's statements, for Malise III. remained to the last an adherent of the English king; and about 1312-13 the reigning earl supported Bruce.

His wife's name at the close of his life was Agnes, who may be the countess indicted with William de Soulis.<sup>4</sup>

He had issue:—

1. Malise IV., son of Marjory Comyn.<sup>5</sup>
2. Gilbert, not improbably eldest son, a guest hostage or prisoner in England, August 1296-7,<sup>6</sup> but evidently treated with consideration, for he was living with King Edward's son in July,<sup>7</sup> and had a black horse

<sup>1</sup> *Fad.*, iii. 995.      <sup>2</sup> Wyntoun.

<sup>4</sup> Fordun, i. 348 (edit. 1871).

<sup>6</sup> *Historical Documents*, ii. 134.

<sup>3</sup> MS. in Advocates' Library.

<sup>5</sup> Wyntoun.

<sup>7</sup> *Ibid.*, 137.

which the king took and paid for.<sup>1</sup> The above authorities suggest that he was with the king in Flanders as an esquire.

3. Matilda, married to Robert de Thony.

The above children were clearly born 1275-80, and presumably by his first wife.

Malise iv., born, as we suppose, 1275-80, appears as a hostage in England, possibly in 1296-7, certainly in 1307, and was (or his brother was) a prisoner in the Tower of London 1297-8,<sup>2</sup> and was in Carlisle 1307.<sup>3</sup> He had grant of four casks of wine January 1309-10, and was receiving an allowance from the English king in January 1309-10.

He was earl when he granted Abercairney to his daughter and her husband,<sup>4</sup> and he was one of the nobles who sealed the letter to the Pope 1320. He also witnessed a Royal charter to Sir William Olifant, March 20, 1325-6, at Scone.<sup>5</sup>

We have little further information about him. He or his son is shown to have been in possession of part of the earldom of Caithness in 1331 by an entry in the *Chamberlain Rolls*,<sup>6</sup> and he is stated by Knighton, but by no other historian, to have been killed at Halidon Hill, 1333. It is more probable that he fell in the Perthshire campaign, and it assists the exposition of the pedigree if we assume that there was a devolution of the earldom about 1329, but the fact is uncertain. The earl is not mentioned as killed in 1333 in the *Scala Chronica*. And if an Earl of Strathern was at Halidon Hill it was more probably the last Malise, for the evidence strongly supports the view that Strathern was forfeited by, or resigned to, Baliol before that battle.

The earl's first wife is unknown. About 1323 he married Johanna de Menteith, daughter of the Sir John de Menteith who was dead *c.* 1323, when the earl granted her the Barony

<sup>1</sup> *Historical Documents*, 138.

<sup>3</sup> *Ibid.*, 1971.

<sup>5</sup> In possession of Earl of Wharncliffe.

<sup>2</sup> Bain, ii. 1027.

<sup>4</sup> *Lib. Ins. Miss.*, App. x.

<sup>6</sup> And-see *Exchequer Rolls*, i. 403.

of Cortachy, confirmed by King Robert. She may be the countess who had annuities specified in the *Exchequer Rolls* (vol. i.), and was living in 1370, when she confirmed a charter of her daughter Johanna de Moravia, Lady of Drumsagard.<sup>1</sup> It is alleged in all the printed peerages, and by Sir William Fraser in his Sutherland and Menteith books, that she was remarried to John, Earl of Atholl, and others—a subject which is discussed below.

The earl had issue by his first wife:—

1. Malise v.
2. Maria, wife of Sir John de Moravia of Drumsagard, to whom her father granted a post-nuptial charter, c. 1319-22, of the land of Abercairney.<sup>2</sup> This grant was confirmed by her brother, the last earl, c. 1330, *i.e.* between his succession and resignation.
3. ? a daughter Jean.

Malise v., born c. 1315, last Earl of Strathern, described as a notorious rebel by King Edward, and opposed to Edward Baliol, asserting himself to be King of Scotland, and maintaining himself in that position from the battle of Halidon Hill to 1338. We learn from Wyntoun that the whole gentry of Strathern supported him. Earl Malise, having succeeded to the Angus earls of Caithness and to the earldom of Orkney, evidently preferred to betake himself to the north, after vainly attempting to recover<sup>3</sup> the earldom of Strathern which Edward Baliol granted to John, Earl of Warren. He is alleged to have proposed to give it with his daughter Jean to Warren, but there is no certain record of such a daughter, and the Earl of Warren was married to Jean de Bar, from whom he endeavoured without success to obtain a divorce at Rome.

The action of Earl Malise, whatever it may have been, was considered to justify his forfeiture by King David. A Roll of

<sup>1</sup> *Laing Charters.*

<sup>2</sup> *Lib. Ins. Miss.*, App. x.

<sup>3</sup> *Fæd.*, ii. 878.

*Proceedings in Parliament*, which has recently come to the Register House, proves that in Parliament at Scone, held Monday, June 7, 1344, an accusation by Robert Mautalent of Earl Malise was heard, and it was found and decided that the earl had been tried and acquitted of felony and treason. Nevertheless by his having resigned the earldom of Strathern in the hands of Baliol as king *ad remanentiam*, he had ceased to be earl, and the earldom was in the king's gift. King David had already, it would seem, granted the fief or dignity to a lady named Jean and to Maurice de Moravia, her husband.

Earl Malise can thereafter be traced only in the north,<sup>1</sup> where he was Earl of Caithness and Orkney, having travelled to Norway to obtain investiture of the latter earldom. He there married two of his daughters to Swedish noblemen.<sup>2</sup> He died probably about 1353, certainly before April 1359. The latter part of his career and the succession to his northern earldoms is discussed very skilfully in the introduction by Joseph Anderson to an edition of the *Orkneyinga Saga*, published in Edinburgh 1893. In respect of the succession to Orkney, a diploma or memorandum was made out by Thomas, Bishop of Orkney about 1443, and as the bishop describes one of the earl's grandsons as then living, the document is clearly of great value. It is printed in the Appendix to the *Inchaffray Chartulary* of the Bannatyne Club.<sup>3</sup>

The earl married first, before his succession, a daughter of the Earl of Menteith. By her he had issue:—

Matilda, married to Welandus de Arde, by whom she had issue, Alexander, who resigned his right to Strathern and Caithness to King Robert II. previous to the creation of David Stewart as earl of both earldoms. It is to be observed that this grant to David is to

<sup>1</sup> See *Exchequer Rolls*, i. 458.

<sup>2</sup> *Ibid.*, i. 570.

<sup>3</sup> *Lib. Ins. Miss.*

hold Strathern as Malise held it. We infer that it was by no means clear to King Robert that Alexander de Arde had no claim as heir of line, but Lord Hailes, when compiling the additional case for the Countess of Sutherland, and giving evidence of females inheriting the ancient earldoms, was unable to offer any evidence as to Strathern before the Stewarts held it. Alexander de Arde afterwards claimed to be Earl of Orkney, and King Hakon of Norway granted it to him provisionally in 1375, not as earl but as commissioner, afterwards selecting one of the younger co-heirs.<sup>1</sup> He died *s.p.*

Earl Malise married, secondly, Margery, daughter of Hugh, Earl of Ross, styled Countess of Caithness and Orkney, by whom he had issue:—

1. Agneta, wife of Erngist Suneson, otherwise Hereginsill de Swethric, knight, who held the title in 1353 and was deposed 1357. She died *s.p.* before 1360, when her husband founded an obit mass for her soul at Calmar.<sup>2</sup>
2. Isabella, wife of William, Lord of St. Clair, and mother of Henry de St. Clair, Earl of Orkney, father of the earl in whose time the bishop's diploma was written.

The Earl of Orkney granted lands in Aberdeenshire by deed at Kirkwall, 1391, to his brother David in exchange for any right he had in Orkney and Shetland. Confirmed by King Robert III.<sup>3</sup>

3. ———, wife of Gothormo le Spere, knight, and mother of Malise le Spere or Sperra, knight, who was present at an assembly of nobles at Kelsingborg, September 1389, and was killed in a conflict in Shetland in the same year without lawful issue.
4. ———, died without issue.

<sup>1</sup> Introduction to *Orkneyinga Saga*.

<sup>2</sup> *Orkneyinga Saga*, Introduction, p. 59.

<sup>3</sup> *Reg. Mag. Sig.*, 196.

Mr. Anderson doubted the accuracy of the above statement on the ground of a charter<sup>1</sup> confirming a contract of marriage between Earl Malise and William, Earl of Ross. But Earl Malise granted not the hand but the 'marriage' of Isabella to Earl William, who was in fact her uncle, and could not himself espouse her. The diploma proceeds to state that Isabella survived all her sisters and all their issue, and was known 'to the eyes and ears' of persons living when the bishop wrote.

Thus ended the male heirs of the founders of Inchaffray, and the lineal heirs must be searched through Sinclair. Whether there exist any male descendants of the Earls of Strathern, and whether there was a surname Strathern peculiar to the house, we have no conclusive evidence. Several persons, male and female, are called de Stratherne, who may have been sons and daughters of the earls, but probably many others were styled de Stratherne merely because they came from the district.

John, Earl of Warren and Surrey, to whom the earldom of Strathern was granted by Edward Baliol, was one of the most trusted counsellors of King Edward III. His career, with special reference to his matrimonial difficulties, is the subject of a careful article printed in a recent volume of the *Yorkshire Archaeological Journal* (vol. xix. pp. 193-264). We are unable to find much to connect the earl with the effective possession of Strathern, and we observe that after the departure of Baliol he rarely styled himself Earl of Strathern. We have studied his career during the Baliol interregnum, with the view of ascertaining whether he could have proposed to marry a daughter or sister of Earl Malise. In fact the wife of Warren was Joan de Bar, and he was engaged for several years in

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<sup>1</sup> Robertson, li. 24.



attempting to divorce her. The history of these proceedings is of great importance to canon law, for in the result Pope Clement VI., in 1344, ruled that a dispensation for the fourth degree remained valid even though the parties were in the fourth and third degree, which ruling was held by all subsequent Popes as binding. It is therefore possible that the Earl of Warren might be thought free to marry during Baliol's reign. He died in 1347.

In 1339 there appears a lady named Johanna, Countess of Strathern, whom some previous writers have identified as Johanna de Menteith, widow of Earl Malise.

The countess married (1) John Campbell, Earl of Atholl; (2) Sir Maurice de Moravia of Brunsergarthen, for which marriage the Bishop of Dunblane received authority to grant a dispensation from Pope Benedict XII. dated 5 Ides of July 1339. Sir Maurice was created Earl of Strathern (in 1344), and was killed at the Battle of Durham in 1346. Countess Jean then married William, Earl of Sutherland, and the Bishop of Caithness received from Pope Clement VI. authority to grant a dispensation dated 3 Ides of November 1347, which states that John, Earl of Atholl and 'Maurice Earl,' were her former husbands, and that all the three successive husbands were related in the fourth degree to each other. No mention is made of a husband Malise, though both bishops must have known the fact if she had been his widow.

This lady as Countess of Sutherland granted with her husband the ward of John Mercer in her county of Strathern to Sir John Menteith, Sheriff of Clackmannan<sup>1</sup> before May 31, 1352, and apparently survived her last husband, who died 1361.

This countess<sup>2</sup> was therefore living contemporaneously with Johanna de Menteith.

<sup>1</sup> Fraser, *Sutherland Book*, iii, 16.

<sup>2</sup> This lady was wife of John, Earl of Atholl, killed at Halidon Hill. If H. Knighton were correct in stating that the Earl of Strathern was also killed at

King David granted the earldom to his nephew and heir-presumptive, Robert, the Steward of Scotland, in 1357, who confirmed to Inchaffray, May 8, 1358, at Crieff (No. cxxxiv.) the charter of an annuity of forty merks from the thanage of Dunning by Earl Malise, c. 1285 (No. cxiii.).

Earl Robert was always afterwards known as Earl of Strathern, though he had previously been created Earl of Atholl. He became king in 1370, and thereupon granted the earldom to his eldest son by his second consort to hold as

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that battle, Earl John could not have married his widow. It is proved by the Papal dispensations that the wife of the Maurice de Moravia, Earl of Strathern, and afterwards of William, Earl of Sutherland, was the widow of John, Earl of Atholl. In both the abstracts of these dispensations, printed by the Record Office, John is called her first husband, but the abstracts are both incorrect, for the words in each case mean former husband, as reported to me by Monsignore Lindsay, who has examined the original registers. But the narrative in the Sutherland dispensation certainly conveys the impression that the countess had had no more than two previous husbands.

Now, that there were two Joans, both Countesses of Strathern, is indicated by a charter in the *Cambuskenneth Chartulary*, p. 255, where the granter styles herself a widow. The charter is proved by the witnesses to be between 1351 and 1357, and during all those years a Joan, Countess of Strathern, was wife of the Earl of Sutherland. There is no evidence that Johanna de Menteith had any property in the earldom as distinguished from lands. She was a second wife, not the mother, of the earl, and was given the barony of Cortachy in fee. Joan, Countess of Sutherland, was in effective possession of the comitatus, as the charters to Sir John Menteith of the ward of a vassal proves. The Countess of Atholl, Strathern, and Sutherland is never called of Menteith nor Lady of Cortachy.

It is to be observed that in neither of the dispensations is any relationship mentioned between Maurice or William to the lady herself, or to Earl Malise. Not only is it, in my judgment, very improbable that Earl Malise was outside such relationship, but if Joan was either his wife or sister, and if Maurice de Moravia was son of Maria de Stratherne (as alleged by Lord Hailes, who stated that Maurice succeeded in right of his mother), their marriage was impossible. Either then Maurice de Moravia was not of Drumsargard, or he was son of some other mother than Maria de Stratherne. Nevertheless the charter of Abercairny to John, father of Maurice, is apparently made to a young man not then a knight. That there is error in the received opinion is clear, and I much regret that I cannot prove the exact truth. I must merely state that while I doubt whether Maurice de Moravia of Brunsergarthen, undoubted earl, was of Drumsargard, I am of opinion, as at present advised, that Joan, Countess of Strathern, Atholl, and Sutherland, was not Johanna de Menteith. There were two Johannas, Countesses of Strathern, and there were two Maurices de Moravia, both killed at Durham (*Scala Chronica*).—W. A. L.

Malise held—having previously bought up the rights, if any, of the heir of line. The subsequent history of this last creation forms the subject of a peerage claim which has been pending in the House of Lords for the last seventy years.

Earl David, styling himself Palatine, granted the abbey a protection for making a causeway and bridge, April 8, 1375 (No. CXXXVIII.), the last of the charters here printed granted by an Earl of Strathern.

#### STEWARDS AND MURRAY.

We learn from Charter II. that about the year 1195 Gillenem (or Gilliene) was dapifer or seneschal of Strathern, and that about 1199 (No. IV.) he had a son Malise. The name of the son suggests that the ancestors of Gillenem had been stewards during the twelfth century. About 1211 Malise succeeded to the office (Nos. XXXI-II-III.), but soon after the death of Earl Gilbert, Earl Robert appointed B. de Dunning (No. LVIII.), having had Jordan as his steward when heir-apparent (No. XL). In the year 1238 (No. LXIV.) Morinus de Kindeloch was steward, but probably steward of the Earl of Winchester, for Morinus witnesses Charter XLII., and seems identical with Morinus le Marr.<sup>1</sup> After this no charters are witnessed by the steward till 1271, when Bricius is the witness (No. XCIX.). In 1284 Malise who had been steward was dead,<sup>2</sup> and thenceforward the office is traced under Drummond. Not improbably the charters witnessed by the steward were those granted in the earl's court.

Malise, son of Gillenem, is the founder of the house of Tullibardine. Earl Robert granted the ville of Catherlauenoch called Tullibardine to Conghal, son of Duncan, son of Malise, to hold to him and his heirs by Ada, daughter of Ralph. Confirmed by King Alexander at Scone, April 3, 1234.<sup>3</sup>

<sup>1</sup> Cf. No. XXXVIII.

<sup>2</sup> Bannatyne Club, App. XXXVI.

<sup>3</sup> *Lib. Ins. Miss.*, App. XXIX.

Duncan and Gilletomas, sons of Malise, witnessed the charters of Earl Robert before his succession (No. XLI.).

Muriella, daughter of Coneval, married the Sir Malise who was steward of Strathern, after Bricius, and granted the lands with her daughter Ada to Sir William de Moravia, son of Sir Malcolm. Muriella had a son Henry who confirmed the grant to his sister; but right to the eastern half was challenged by one Maria, relict of Eugenius, son of Coning (Conan), natural son of Henry, Earl of Atholl,<sup>1</sup> and she, evidently co-heir with Muriel, granted it in feu-farm for her life.<sup>2</sup> In 1297, Earl Malise granted that he had no claim on Murray except for foreign ('forinsecum') service.<sup>3</sup> It is proper to add that Sir William Murray of Tullibardine was a younger son of Sir Malcolm; and John, son and heir of Sir Malcolm, granted to his brother the lands of Aldie which formed part of the 'maritagium' of Matilda, daughter of Earl Gilbert, on her marriage with Malcolm, son of Earl Duncan.<sup>4</sup> There is a traditional descent of the Murrays of Bothwell from this marriage. The present Duke of Atholl possesses a number of Strathern charters, reported by the Historical Manuscripts Commissioners,<sup>5</sup> for which there are four possible sources: (1) Descent of Tullibardine; (2) Descent of Aldie; (3) Representation of the Stewarts of Atholl; (4) Representation of Gask, and it is much to be desired that they should be compared with those at Drummond Castle, Abercairny, and elsewhere.<sup>6</sup>

#### MURRAY OF DRUMSARGARD.

The two writs numbered cxxix. and cxxx. are important in relation to the question of the descent of the earldom. The former shows that the abbey retained the counsel and aid of Maurice Moray of Drumsargard by granting him for life the land of Balmacgillon, and an annuity of six merks from

<sup>1</sup> *Scots Peerage*, i. 419.

<sup>2</sup> *Ibid.* xxxix.

<sup>3</sup> *Report*, vii. 704 ff.

<sup>2</sup> *Ibid.* xxxvii.

<sup>4</sup> *Lib. Ins. Miss.*, App. I.

<sup>6</sup> *Scots Peerage*, i. 450.

Abercairn on October 29 or 30, 1339. Maurice granted a letter of reversion. The letter is in form of indenture, and recites that owing to the state of war and the poverty of the inhabitants the canons had difficulty in collecting their annuity of forty-two merks from Dunning; consequently they grant the annuity to Sir Maurice, except ten merks from Peckaryn, from Pentecost 1344, for ten years, receiving as rent a stone of wax each of the first five years and two stone each of the latter five years, dated February 24, 1343-4. The question arises whether this Maurice is the Moray of 'Brunsergarthen' who obtained a dispensation to marry Joanna, Countess of Strathern, in July 1339, and therefore the Moray created Earl of Strathern in the spring of 1344. We are unable to find any such place as Brunsergarthen, which is not an unlikely version of Drumsargard, considering the constant misspelling of Scottish place-names in Papal briefs. It is therefore possible<sup>1</sup> that this Sir Maurice is the earl. We observe that in the former writ he is not styled knight, from which we infer that he is not identical with the Maurice de Moravia who was taking a prominent part in 1335-6, and was forfeited by Edward I.<sup>2</sup> If then, in 1339, Maurice of Drumsargard was a young man, he might be the son of Sir John de Moravia of Drumsargard by Maria de Strathern. This has, indeed, been frequently asserted by previous writers. We now know that Maurice did not succeed to Strathern in right of his mother, nor was it for his own merit only that he was created earl, but that he was so created because he had married the countess. However, if he was son of Marie, he cannot have married his grandfather or uncle's widow, and Joanna the countess was not Johanna de Menteith. There is one objection to this view arising from the two writs under examination, which is that

<sup>1</sup> Compare with p. lxxiii, note.

<sup>2</sup> Bain, iii. 368. The non-mention of knighthood in the record there printed is normal, and does not affect the argument in the text.

if Sir Maurice had married a countess in her own hereditary right he ought to have been styled Lord of Strathern. The answer is that Joanna could not be countess by hereditary right, and not improbably if a created countess she was created for life only. Maurice, Earl of Strathern, was killed at Durham, and his widow was remarried within a year as stated above.<sup>1</sup> If he was the party to Indenture cxxx., the annuity reverted to the abbey in 1346, and the second stone of wax was never paid. We have unfortunately no further evidence about the annuity till 1358, when the new Earl and High Steward again confirmed it, without any mention of its temporary alienation—cxxxiii. and cxxxiv.

## ARDROSSAN.

Bricius de Ardrossan appears as a witness to Charter lxxviii. (1240), and to the Charter xcvi. (1268) by which Earl Malise granted an annuity of six merks from Abercairny in lieu of a similar annuity from Ballenolleth. He also appears as a witness to a charter of Sir Fergus to Lindores.<sup>2</sup> This and the following charters set forth an arrangement of some importance. Bricius quitclaimed to the earl the lands of Bathaldy and Lanyrky to take effect after his death. The earl therefore makes a grant of four merks annuity from Mickrand or Muckrand, for the soul of Bricius as well as his own, for the purpose of endowing a chaplain, and also gives premises in Dunblane called Tolauch or Tuloch which Bricius had held. Bricius confirms this after the earl's death (No. xcvi.) in 1271, and adds an annuity of a merk from land in Petlandy (probably that granted by Theobald) which he held in feu-farm from Lucas, son of Theobald. Bricius further grants to the abbey the sixteen acres which the deceased earl had granted him in exchange for Tulochs. Finally, in Charter cl., Bricius resigns all interest in Petlandy, and gives

<sup>1</sup> See Strathern.

<sup>2</sup> Charter xxxi.

sasine on November 30, 1371, by the hands of two servants Michael and Martin. This complicated arrangement seems to result in a commercial transaction without any benefaction, and we suspect that Bricius, probably of a great Ayrshire family,<sup>1</sup> wishing to be quit of outlying possessions in Strathern, sold all his interest to the abbey, who acquired in such a way that Luke de Petlandy suffered no damage. This Bricius was not the dapifer of that name, for that officer witnessed his grant (No. xcix.) as did the bishop. Luke de Petlandy confirmed the whole arrangement (No. ciii.).

## COMYN.

Sir John Comyn, son of the late Sir John, granted to the abbey in 1278 (No. cviii.) a right of access to Perth through his wood of Rosmaddirnyne from the public road which leads from the monastery by the black ford, called in Scottish Athebethy, the abbey to make and maintain a bridge.

He also granted (No. cix.) the person of Gillecris Rothe, son of Gylletheny. Both these charters are granted at Gasknes in July, and with the same witnesses, first of whom are the granter's brothers, Sir William and Sir Alexander.

The granter of this charter must be the second Sir John Comyn of Badenoch, cousin of Alexander, Earl of Buchan, who might, at this date, be the proprietor of Gask in right of his wife Isabel de Quincy.

The genealogy of the Comyns has never been satisfactorily stated, and we are unable to explain by what title Sir John became possessed of property between Inchaffray and Perth; but that Gasknes, of which Rosmaddirnyne (Ross Farm) was a member, is shown to have belonged to the Comyns of Badenoch.<sup>2</sup> His brother, Sir William, claimed the earldom of Menteith, having married the daughter of Countess Isabella

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<sup>1</sup> See Fraser, *House of Eglington*.

<sup>2</sup> Robertson, 26-28.

by her second husband, Sir John Russell, and this William held Kirkintullach. The Sir John Comyn, deceased father of the granter, evidently had two wives, one of whom was, we think, Alicia, daughter of Sir William de Lyndesay of Lamberton,<sup>1</sup> and by the second wife (probably this Alicia) he had John (half-brother of the granter), Robert, and Alicia.

#### DUNNING.

Anechol, Thane of Dunning, one of the witnesses to Earl Gilbert's charter of foundation, also witnessed the previous charter of Maderty Church (No. iv.), 1199 and the subsequent charter of 1200 (Nos. xi., xii., xiv., etc. etc.).

Whatever the meaning of thane, it seems that the earl had the patronage of the Church, which Earl Gilbert gave to the abbey, confirmed by King William in 1203-4.

Anechol is succeeded, 1208, by Gillemichel de Dunning.

Bricius de Dunning witnesses the charter of Earl Robert (No. lv.) and the charter of Robert de Meggefen (No. lvii.), and as seneschal the earl's confirmation (No. lviii.). A Bricius de Dunning is witness in 1247 (No. lxxv.).

In 1258 Malise, son of Anechol, is a witness (No. lxxxix.), and in 1271 a Bricius is dapifer (No. xcix.).

Whether or no the families of the name now existing descend from this source, we have therefore no certain proof in these charters. Dr. Skene considered it likely that the later Thaners of Edindonung descended from Dunning.

#### GLENCHARNY.

Of the later charters to Inchaffray one of the most interesting is that of sale by Nevin MacEwyn and Mariota his wife, daughter and co-heir of Malmoran de Glencharny, for their souls, and specially for those of the said deceased Malmoran

<sup>1</sup> See Crawford article in new *Scots Peerage*.



and Cecilia his wife (No. cxxxv.). Nevin and Mariota sell for forty marks their right of succession to Malmoran's property in Crage, Ardweny, and Ardbany (all in Maderty), mortgaged to Malmoran by the abbey. Great formality is observed, and a number of important personages, ecclesiastics and laymen, assembled to witness the transaction, probably to protect the act of a married woman parting with her heritage.

The record, which was attested with the seals of the earl (Robert the High Steward) and others, took place in the parish church of Perth in November 1365.

Sir Gilbert de Glencharny witnessed the charter of Earl Malise to Gilbert de Hay,<sup>1</sup> and according to Sir William Fraser<sup>2</sup> was identical with Gilbert, son of Earl Gilbert.

#### GORTHE.

An early benefactor was Tristram, who granted to the abbey a croft in Edardoennech, near the pond of the mill of Gortin (No. xxvi.), witnessed by his wife Ela, his sons Henry, Tristram, and William, and his daughter Avice. This grant was confirmed by Earl Gilbert *c.* 1208, Henry, son of Tristram, being a witness with Galfridus de Gask (brother of Countess Ysenda) and Gillemichel de Dunning. Tristram appears as a witness to the great foundation charter of Earl Gilbert in 1200, about which time he probably became one of the principal vassals of the earldom. This Henry is the 'Rennarius' of Earl Robert, who witnessed No. xxxvii., when Tristram, son of Tristram, also witnessed. Henry the Rennarius of Earl Gilbert was perhaps his uncle. The brothers are also witnesses to No. xxxix., granted in 1219, and Henry, son of Tristram, appears as witness to Nos. xl.iii. xliv. Henry granted a toft and three acres in Kyntochir (No. lv.); and as

<sup>1</sup> *Lib. Ins. Miss.*, App. xxxiii. ex Errol Charter Chest.

<sup>2</sup> *Chiefs of Grant.*

the Rennarius witnesses No. LVI., Master H., son of Tristram, witnesses No. LVII. with Tristram de Gortin, and the identification of these brothers is perfected in the testing clause of No. LVIII. Tristram de Gortin appears alone in Nos. LXXIII., LXXIV., LXXVI. (1247), again in Nos. xcvi., xcix. (1271), cvi.

The same name appears in 1365 (No. cxxxv.), in 1454 (No. cxlix.), when we have Gorty of that ilk, and we learn from the decree of Bishop Robert in 1461 that a previous Tristram de Gorty had granted a mortuarium of one hundred shillings.

In 1507 Gorthy was erected into a barony, and the then Tristram was a tenant in chief of the king probably as of the earldom. Such was the origin of a gentle family whose possessions passed with an heiress to the Lundies and through the Murrays to the Grahams of Gorthie.<sup>1</sup>

#### LOVETOFT.

It appears from Charter LV. that Nigel de Lutoft, probably identical with Nigel de Dolpatrick of 1200 (No. ix.), granted six acres in Dolpatrick to Inchaffray in the time of Earl Robert. Sir Roger de Lovetoft witnessed Charters LVI. and LVII. of the same period. And William de Louetoft was a witness for Earl Malise, No. LXXXVIII. (1258).

There was an important family in the earldom of Huntingdon named Louetoft, descending in two lines, which both ended in heiresses, from William, who founded the Priory of Worksop. There can be little doubt that this Strathern family came from a cadet of the Huntingdon family, who obtained by grant or marriage the lands of Dolpatrick. The English pedigrees do not identify such a cadet, but the names William, Nigel, and Roger appear in both.

Richard de Lovetoft, Lord of Worksop, son of William, is

<sup>1</sup> See the account of the barony of Gorthie in *Fittis's Sketches of the Olden Times in Perthshire*.

stated by Philpot, Somerset Herald, to have had two younger sons, Richard and Walter.

There was a Roger de Lovetoft sheriff of Nottingham in 1257-8.<sup>1</sup> And the confirmation of the founder's charter by his son Richard is witnessed by Henry and Radulf de Luvetot.<sup>2</sup>

Louttitt, a name now existing in Scotland, may be a derivative. Loutfute appears in Drummond Charters.

See further under Meckfen, a comparison with which suggests that Soliva, wife of Robert de Meggefen, was daughter of Sir Roger de Luvetoft and that he was son of Nigel.

#### MACNAUGHTEN.

Gilchrist, son of Malcolm MacNathen, granted the advowson of the church of St. Mordac of Kellemurche or Kelmorch to Inchaffray by two charters of about the same date, for the witnesses are the same. In the former (No. LXXIII.) the gift takes effect from the death of the clerk, not mentioned in the second.<sup>3</sup> But the true reason for the second charter may have been the desire or necessity of obtaining episcopal sanction, and the second charter states that the Seal of the Bishop of Dunblane is procured, he being a custodian of the see of Argyll. Therefore Kellmurche is now Kilmorich in Argyll, and we have a Papal Brief by Innocent IV. <sup>4</sup> commissioning the Bishops of Glasgow and Dunblane to attend to the matter of the vacancy of the diocese of Argyll, which had lasted seven years.<sup>5</sup> The brief is dated 10 Kal. Jan. a.p. VI. Dec. 23, 1248.

Gilchrist mentions his wife Bethok, and his charters are witnessed by the late earl's uncle, Tristram de Gorthie and

<sup>1</sup> Bain, i. 2099-2105.

<sup>2</sup> Dugdale's *Monasticon Anglicanum*, vi., under 'Workesop.' See also Dugdale's *Baronage*, i. 569.

<sup>3</sup> Cf. the endorsement of the earlier given in facsimile.

<sup>4</sup> This Pope did not always adopt the same date for the commencement of the year.

<sup>5</sup> Theiner, 52; *Papal Letters*, i. 251.

William, son of Hauok. The charters indicate that he was of baronial rank. The ancient seat of the Macnaughtons was Dundaraw in Kilmorich parish.<sup>1</sup>

In the year 1257 Ath, a brother of Gilchrist, granted the church of St. Findoc at Inchealt, in the diocese of Argyll, with the consent of Sir Gilbert his brother, who witnessed Earl Malise's charter of Cortachy (No. LXXXVI.), no doubt the eldest of the brothers (No. LXXXV.).

It appears from the Taxt Roll of the lordship of Inchaffray that there was in 1630 a Macnaughten who rented the teinds of Kilmorich or Kirkmoriche, then estimated to be worth £66, 13s. 4d.; and the following entry appears to relate to Inchealt or Incheall, the proprietor being Patrick M'Kairtour of Tullievodiche.<sup>2</sup> These teinds are stated to be then worth £233, 6s. 8d.

The teinds of Kilmoriche were leased to Alexander Macnaughton, March 4, 1618, at Edinburgh, and those of Inchald to Patrick M'Arthur of Torradithe on the same date by the commendator, Lord Madertie, all the canons being dead.

#### MEKFEN.

Robert de Meggefen granted two tofts and four acres in Dolpatrick, otherwise Kenandheni (No. LVII.), with consent of Soliva his wife and their children, confirmed by Earl Robert (No. LVIII.). This suggests that the lands belonged to Soliva, and that she was the representative of Nigel de Dolpatrick, witness to Earl Gilbert's charter of foundation and to that earl's confirmation of Tristram de Gorthie's charter (No. XXVII.). The sons of Robert and Soliva were Philip and Robert (No. LVII.).

Roger Mekfen, knight, was a witness to the charter of Abercairny by Earl Malise to John de Moravia with Maria the earl's daughter.<sup>3</sup>

<sup>1</sup> *Orig. Par. Scotiæ*, ii. 84.

<sup>2</sup> *Lib. Ins. Miss.*, 116.

<sup>3</sup> *Ibid.*, App. XLII.

Roger de Mekven of that ilk granted the lands of Carnbo. He was probably grandson of Robert. His charter (No. cxxxvi.) is witnessed by a son William.

Robert de Mekven of that ilk granted his Brewland of Mekven with pasture for twenty cows, sixty sheep, and two horses, etc., at Perth, March 9, 1443-4. The same land was granted to the abbey by James II. in 1450, on the resignation of Andrew Toische (No. cxlvii.); indicating that between 1444 and 1450 the property of the de Mekvens had passed (perhaps with an heir-female) to the Toshachs of Monzievauid, who possessed the lands of Mekven in the sixteenth and seventeenth centuries.

#### PETLANDY.

Theobald, son of William, son of Clement, granted Charter lvi., witnessed by his brother Walter Clement. It would appear that the name of the ancestor was the surname of this family, for it will be observed that Earl Robert's charter, No. lv., is witnessed by W. Clement. Theobald granted to the abbey a toft of six perches long and six wide with two acres in his ville of Petlandy in the field (presumably tilled in runrig) called Fitheleres flat, with common pasture for eight cows, sixty sheep, and two horses. This interesting grant indicates the wealth that might attach in 1230 to a small toft. The grant was confirmed with definition of the boundaries by Luke, son of Theobald, *c.* 1272 (No. ciii.), who also confirmed as superior a gift by Bricius de Ardrossan (Nos. c. and ci.). Luke granted two further charters, one of a croft and toft near his house. And now the surname of Petlandy taken from the property is assumed (Nos. cv. and cvi.).<sup>1</sup>

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<sup>1</sup> Theobald de Foglais or Fowlis may be the Dispensarius of Charter xxxix., for Petlandy lies close to Fowlis.

## DE QUINCY.

Of the origin of the de Quincys we have no satisfactory information. One of the most diligent and, in our opinion, the most accurate of English Herald—John Philpot, Somerset Herald—records that Saher de Quincy, son of another Saher, married Matilda de St. Liz, and had a son Robert, who was father of Saher, created Earl of Winchester. Matilda would be doubtless a connection by marriage of Queen Matilda, and a son of hers, a likely companion of David, Prince of Cumbria, afterwards king.<sup>1</sup> The said son Robert married Orabilis (daughter of Nes, son of William), and by her had issue the future earl. We learn from the Bull of Pope Innocent (No. XXI.), that the late Orable granted eight acres in Gask to Inchaffray before 1203; and from No. XXXVIII. that Earl Saher granted ten acres and pasture in the common pasture of Gask for ten cows. Unfortunately we have not found the original of this charter, and the witnesses are not recorded in the Register, but the public life of Earl Saher indicates the period between May 1217 and the spring of 1219 as the probable date, for in that year he joined the Crusade, and died in November at Damietta. We infer, therefor, that the grant by Earl Saher was in addition to, perhaps in substitution for, that of his mother, and that he had succeeded to Gask in her right. This further grant was confirmed by Roger the earl's son (No. XLII.).

It is, of course, well known that Saher de Quincy, who, or his grandfather, had lands at Colum, in the Honour of Eye, granted in 1175-6,<sup>2</sup> married Margaret de Beaumont, younger sister and co-heir of Robert, Earl of Leicester. It was in consequence of his wife's succession to a share of the vast estates of Beaumont

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<sup>1</sup> Ascelina, daughter or step-daughter of Saher, held land in Northampton.—Bain, i. 218.

<sup>2</sup> Pipe Rolls Soc., xxv. 76.

and Grentemesnil that he was, March 13, 1307, created Earl of Winchester.<sup>1</sup> He was one of the barons who took a prominent part in the revolt from King John, and was succeeded by Roger, who had an elder brother Robert, and a younger brother also Robert. The elder Robert died *v.p.*, having married the heiress of Lincoln, which earldom descended to his female issue. The younger Robert married Helena, daughter of Llewellyn, Prince of North Wales, and widow of John le Scot, Earl of Chester and Huntingdon. Roger, who was not styled earl till after his mother's death in January 1235-6, married for his first wife Helen, eldest daughter of Alan de Galloway, half-sister of Devorgilla de Baliol; and he was recognised as Constable of Scotland. Their youngest daughter, Isabel, married Alexander Comyn, Earl of Buchan, who was also Constable. Their daughter married Malise III., Earl of Strathern.

Earl Roger died without male issue, and the earldom of Winchester, which was probably limited to male heirs, lapsed to the Crown. The sudden appearance of this family of de Quincy, and the great status it obtained by marriages both in Scotland and England, and its equally sudden disappearance, is very remarkable, and of great historical importance in relation to the position of subsequent claimants to the Crown of Scotland and adherents to Baliol.

Some observations on the pedigree were published by Mr. Bain in the *Genealogist*, vol. vii. p. 17.

Orable, mother of Saher de Quincy, is proved by the *Charterulary of the Priory of St. Andrews*, pp. 254-5, to have been daughter and heir of Nes, son of William, Lord of Leuchars in Fife (Sheriff of Perth), witness to charters of Malcolm IV. and King William before 1170. Whether 'heir' means sole legal representative is doubtful, for Nes had certainly two sons, Constantine and Patrick, probably by another wife.

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<sup>1</sup> Roger de Wendover, 1215.

The fief of Gask evidently descended to Saher, Earl of Winchester, for he granted the church to the Hospital of Brackley, in Northamptonshire, for the souls of his father, mother, and eldest son, Robert. The Charters IV., IV.A, IV.B in the Appendix to this volume deal with that transaction.

There are chronological discrepancies in the printed accounts respecting Orable and her son. Earl Saher is stated to have married about 1170, and to have been a knight in 1172.<sup>1</sup> If so, he must have been about sixty-five when he joined the Crusade, and his mother must have been married not later than 1155. On the other hand, the charter of the church of Leuchars to St. Andrews by Nes and Orable conveys the impression that Orable was then a child, and it is clear that it was this charter, and not that on p. 287 of the *Chartulary*,<sup>2</sup> which Orable attested as Countess of Mar, though the compiler of the *Chartulary* evidently thought otherwise. Her style as Countess of Mar is not explained by any known marriage; but, in the opinion of the present writer, Robert de Quincy,<sup>3</sup> having gone to the Holy Land in 1191, never returned,<sup>4</sup> and his widow married Gilchrist, Earl of Mar, whom we take to be G. Coñ de Mar, who witnessed Lady Orable's charters of the davoch Fethar hathyn to St. Andrews.<sup>5</sup> This suggestion implies that Saher de Quincy confirmed his mother's grant in the lifetime of both his parents.<sup>6</sup> Another suggestion which the present writer desires if possible to reject is that the marriage of Roger de Quincy and Orable was annulled. If this suggestion be correct, some relationship existed of which we have no explanation, and no document exists which accounts for Saher remaining her heir. It is evident that

<sup>1</sup> *Complete Peerage*, by G. E. C.

<sup>2</sup> *Registrum Prioratus S. Andree*.

<sup>3</sup> Bain, i. 218.

<sup>4</sup> It must, however, be admitted that debts owing by Robert de Ruenci are carried forward in the Pipe Rolls till 1207-8, when Saher, his son, becomes the debtor.—Bain, i. 425.

<sup>5</sup> Pp. 290-1.

<sup>6</sup> P. 291.



Nes, son of William, was a magnate, for the charters mention his Pincerna, Seneschal, and Chamberlain. Most of the Royal charters he witnessed were dated in Fife or Perth, and the charter of King Malcolm<sup>1</sup> indicates that he was an official in Fife *c.* 1160, but the Royal charters witnessed elsewhere are sufficient to show that he occasionally accompanied the king.

## MISCELLANEOUS.

Gilbert Socius Comitum (Nos. XI. and XII.). It will be observed that this person witnesses after the steward and before the judge or dempster. He is probably identical with Gilbert miles in Charters IV. and XIV., and we surmise that he served Earl Gilbert as an esquire and received knighthood from the earl. If this surmise be correct, we may further suspect that he received a knight's fee from the earl, which means about six hundred acres.

The interesting charter (No. LXXXVII.) granting a serf, Gilmory Makgillendes, to the abbey, is witnessed by Lorin Mac Gil, serf (son of the servant of St. Serf). This person reappears in Charter xcv. as Lorne Mack Gilherve—the *h* being substituted for *s*. He was apparently a personal attendant on the earl, and Gilmory probably a relation who became a lay brother in the abbey.

William, son of Hawok of Perth, sold to the Abbey of Inchaffray land which he previously held in feu-farm of Richard de Laycester, late burgess of Perth, and afterwards of the canons. We conclude that the abbey first bought in 1240 the superiority (No. LXIX.) and now the property of this land (No. LXX.) The abbey next bought land in the North Street of Perth, which the same William held of the abbot and convent of Scone (No. LXXI.), and the sale was confirmed

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<sup>1</sup> *Ch. of Dunfermline*, p. 25.

by Scone stating the then rent to be five shillings annually (No. LXXII.).

We learn from charter LIX., erroneously headed Charter of William de Laycestria, that the former land came to Richard de Laycester from John, son of David, and that the rent was sixteen shillings. Not improbably both these sales were originally wadsets, but no letters of reversion appear.

Unfortunately no mention of the second transaction appears in the Chartulary of Scone.

Robert de Laycester was a canon of Dunkeld, and no doubt the originator of these purchases.

#### GORDON AND DRUMMOND.

The principal actor in the ruin of Inchaffray was Alexander Gordon, second son of John Lord Gordon by Margaret, natural daughter of King James IV., and brother of George, fourth Earl of Huntly, the greatest champion of the Catholic cause in Scotland. Alexander entered holy orders, and was from 1544 to 1548 bishop designate of Caithness, to which see the queen asked Pope Paul III. to promote him.<sup>1</sup> Gordon accepted a pension of forty marks, and renounced all claim to the see, August 6, 1548. He was provided to the archiepiscopal see of Glasgow March 5, 1550, and granted the pall March 10;<sup>2</sup> but his election being disputed, 1551, he resigned the see to the Pope.<sup>3</sup> He was created titular Archbishop of Athens, September 4, 1551, and appointed to the Isles 1553, of which he was postulate till 1562, but was in the meantime elect of Galloway, of which he had rule of the temporality March 10, 1558-9.<sup>4</sup> He became Bishop of Galloway, but joined the party of John Knox. He succeeded John Hamilton as commendator of Inchaffray in the year 1551.<sup>5</sup>

<sup>1</sup> *Episc. Reg. Soc.*, ii. 222-3.

<sup>3</sup> *Reg. Episc. Glas.*, 513-15.

<sup>5</sup> Brady.

<sup>2</sup> Brady.

<sup>4</sup> *Exch. Rolls*, xix. 451.

The conduct of this Prelate, whose career is regarded with contempt by both Catholics and Protestants, is more fully explained by the documents at Dupplin Castle than elsewhere. He had a concubine called Barbara Logie, daughter of David Logie of King's Cramond, by whom he had five children; and the great object of his life was to provide for these children, and, if possible, get his lady recognised as a wife. Their issue were:—

1. John, educated at St. Andrews, Paris, and Orleans. Appointed Gentleman of the Chamber to three kings of France. He was granted the Bishoprick of Galloway and the Abbacy of Tongland, on his father's resignation, by royal charter, January 4, 1567, but seems to have gone abroad. He was made Dean of Salisbury in 1603, went to Balliol College, and was created D.D. August 13, 1605. He was also Rector of Upton Lovel. He married, first, Antoinetta de Marolles without surviving issue, and, second, Genevieve Petau, by whom he had a daughter Louise, married to Sir Robert Gordon of Gordonston. The dean died at Lewson, Dorsetshire, September 3, 1619, aged seventy-five.
2. George, died *s.p.*, had Royal gift of the bishopric 1586.<sup>1</sup>
3. Mr. Lawrence Gordon, who sold to Lady Drummond, in May 1577, two pensions from Inchaffray granted to him and his brother. The bishop contrived to get the temporalities of the see of Galloway granted to his son Lawrence, who was also made Commendator of Glenluce, erected into a lordship. His brother the dean succeeded to Glenluce, and sold it to Robert Gordon, who resold it in 1639 to the Marquess of Huntly. Mr. Lawrence was dead August 2, 1610, the date of his brother's retour.

<sup>1</sup> Scott's *Fasti*.

4. Robert, died *s.p.*
5. Barbara. She and her brother John elected Alexander Blair, burgess of Perth, their tutor, October 11, 1556.

The Bishop of Galloway was made a Privy Councillor November 5, 1565, and a Senator of the College of Justice. He died November 11, 1575.<sup>1</sup>

The House of Drummond, which ultimately acquired the Abbey of Inchaffray, and in respect of dignity obtained the first place in the Sheriffdom of Perth, first appears in these Charters in the person of Maurice, who witnessed the arrangement between Nevin Macnaughtan and his wife and the abbey in November 1365 (No. cxxxv.).

Maurice is then one of the principal knights of the earldom, and was created Steward, Forester, and Coroner of Strathern,<sup>2</sup> the lands of Drommane in Strathern being granted to him by Earl Robert in 1362.<sup>3</sup> The name was, however, taken, it is supposed, from Drymen in the earldom of Menteith, and the armorial bearings of the Drummonds are evidently derived from those of Menteith. There is also evidence of official connection with the earldom of Lennox. Maurice was brother to John de Drummond of Concraig, who made satisfaction for the slaughter of the brothers of Walter de Menteith, May 17, 1360,<sup>4</sup> and in all probability Margaret Logie, Queen of Scots, was their sister or near relation. Concraig is now Drummond Castle, and the licence to build the castle was granted by King James iv. in 1491 to John, Lord Drummond, who acquired Concraig and the office of Steward from the then Maurice Drummond.

On August 4, 1554, Alexander Gordon, Archbishop of Athens and Commendator of Inchaffray, granted a lease of the teinds of Kinkell to his mother, Margaret, Lady Gordon,

<sup>1</sup> *Edinburgh Testaments.*

<sup>2</sup> Drummond Castle Charters.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*, printed in Fraser's *Red Book of Menteith.*

and her husband Sir John Drummond of Innerpeffry. This lease was redeemed for six hundred merks by the abbey, and a lease granted to Barbara Logy and her natural son John Gordon, January 13, 1558-9, out of a thousand merks provided by Barbara and her brother Robert Logy.

Sir John was son of John, third son of the Lord Drummond who bought Concraig and built Drummond Castle, and Lady Margaret Gordon was daughter of King James iv. by Margaret Drummond, sister of the elder John.<sup>1</sup> Lady Gordon had letters of legitimation (February 1558-9). They had no son, and the lands of Innerpeffry, by arrangement with James Chisholm of Cromlix, Sir John's son-in-law, reverted to Lord Drummond, and were granted to James, afterwards Lord Madertie, Commendator of Inchaffray, by his father, David, Lord Drummond. Lord David was confirmed as Steward of Strathern, and the heir of line. Gilbert, Earl of Ancaster, is still hereditary Steward and Chamberlain of the Lordship of Strathern.

Upon November 7, 1560, Bishop Alexander Gordon, granted the whole abbey in tak to David, Lord Drummond, Lilius Ruthven his wife, and James, their son. James was made commendator, the lands were erected into a temporal lordship, and he was created Lord Madertie, January 31, 1609. By his wife Jean, sister of Sir John Chisholm of Buttergask, he had issue two sons—(1) John, Lord Madertie, who married Margaret Leslie, daughter of Patrick, commendator of Lindores; (2) James, ancestor of the Viscounts Strathallan.

John, second Lord Madertie, had issue several sons, of whom the fifth, Lieut.-General William Drummond, succeeded his brother as fourth lord, and was created Viscount Strathallan. He had an only daughter, Margaret, married to Thomas Hay of Balhousie, father of the Earl of Kinnoull, who succeeded to Maderty on the death of the viscount's

<sup>1</sup> Dispensation granted by Pope Clement vii., 16 March 1529-30.

grandson. The possession of the charters printed in this volume by the Earl of Kinnoull is thus explained, and it is satisfactory to observe that these valuable documents have never been out of legal custody.

From a writ at Dupplin Castle we give the preamble (also quoted in the Royal Confirmation, see Appendix x.), for it illustrates the form of conveyancing then adopted:—

‘We, Alexander, by the mercy of God Archbishop of Athens, postulate of Galloway, Commendator of the Abbey of Inchaffray and convent thereof, “chapterlie gadderit,” for the utility and profit of us, our successors, and our said place of Inchaffray before sene and considered,<sup>1</sup> and mature deliberation had thereupon, for reparation and upbuilding of the same, and patrimony thereof, for uplifting of the tenths, mails, fermes, rents, presents, and other debts from our tenants and parishioners, of all and sundry our lands and kirks lying within the Sheriffdom of Perth and Stewartry of Stratherne, and within the barony of Maderdy and lordship of Cardny respective. From whence in those rebellious days through lack of justice and persecution of the spirituality and spuilzing of their lands and tenths the same could not be obtained. And unto that time that the Eternal of his providence [render?] justice hereunto, and the same ministered to her afflicted . . . in diverse parts. It is thought expedient by us for the cause above and under specified, our said place and patrimony be set in tak and assedation. And that for great sums of money paid and delivered to us at the making of these presents in our necessity by a noble and mighty lord, David, Lord Drummond, and Dame Lilies Ruthven, his spouse, in numerat money really and . . . offered and converted by us and appoint(ed) to the creditors of our said place in whose debt we and our patrimony were

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<sup>1</sup> This clause is intended to avoid the effect of a Papal Bull prohibiting alienation of monastic lands except for the manifest utility of a monastery.

. . . and involved. And for other causes moving us<sup>1</sup> and for payment of the yearly rents underwritten. . . to have set in assedation, and by these presents sets, and for the yearly rents underspecified, in assedation lattis to the said noble and mighty lord, David, Lord Drummond, and Dame Lilius Ruthven, his spouse, the longer liver of them, and their assigns and subtenants one or more, all and whole the said abbey, monastery, place, and lordship of Inchaffray, with houses, yards, biggings, meadows, mosses . . . waters, fishing, perkis, pathways . . . lands, kirks, as well vicarages as parsonages, fewmails, fermis, rents, presents, and patrimony whatsumever, in general and in special belonging . . . as the same wer pertinently expressed.'

The rent was 900 merks Scots.

The pensions of the canons, not the whole but the proportion settled by law, granted pensions (*Anglice* corrodies):—

To Don. Patrick Murray, 40 pds.<sup>2</sup> and 40 mks.

„ Dom. John, the vicarage of Moonsvard, or 20 mks.

„ Harry Drummond, 20 mks.

„ Alex. Scot, 20 mks., and for the wadset lands £26, 13s. 4d.

„ William Murray, 3 chalders victual for a wadset.

„ the Poor, 2 chalders meal.

As at more length contained in their letters.

Inchaffray, November 7, 1560.

Signatures—

ALEX. COM<sup>R</sup>.

ALEX. MURRAY.

JOHN RAUFF.

THOMAS GARDEN PRIOR.

WILLIAM RUTHVEN.

WILLIAM MELROSE.

JAMES RONALDSON.

ANDREW.

PAUL CUNYNGHAM.

ROBERT CAR.

<sup>1</sup> There was an arrangement about the same time to provide for Barbara Logie in an annuity from Strugeth.

<sup>2</sup> A grant of £40 from the vicarage of Strowan was made to Dene Patrick Murray for faithful service in the office of granitarie, signed by the commendator, the prior, and eleven others, at Inchaffray, Oct. 2, 1557.

Upon the narrative that the late 'Abbot' James had dilapidated the abbey unlawfully, King Charles, by Royal charter dated June 8, 1626, created Patrick Murray, his cupbearer, commendator *quoad spiritualitatem* to provide for the churches out of the teinds, with the advice of John, Archbishop of St. Andrews, Patrick, Bishop of Ross, and the bishops of the dioceses. After the death of Patrick, Magdalen Murray his relict, and Elizabeth his daughter, relict of Thomas Menzies of Tiggermark, retoured heir to her brother Patrick, who was retoured heir to his father, made claims to both spirituality and temporality, and granted a lease of the teinds of Inchealt to Duncan Campbell, Captain of Dunune, dated at Edinburgh, 23. 1662.

Since the above narrative was written, the author has seen some charters at Drummond Castle which establish beyond doubt that Maurice, ancestor of the Drummonds of Concraig, was made Coroner and Forester of Strathern by the High Steward, and thereafter hereditary Steward. These charters also show that, notwithstanding counter claims by the Murrays of Tullibardine, the Drummonds of Concraig and their assignees, the elder Drummonds of Cargill, always retained the office. The family historian (MS.) explains this by alleging descent from Henry, son of Muriella (see p. lxxvi). The proof of this we have not found, but the office has been hereditary in the Drummond family since the fourteenth century.

W. A. L.



## APPENDIX TO INTRODUCTION

THE following from Mr. Lindsay's notes on the later Inchaffray Deeds are given to illustrate the value of such documents for pedigree purposes, and to add a little to our knowledge of the last days of the Abbey:—

1. Lease by George Abbot of Inchaffray and convent in chapter to our well beloved friend Jone of Row and his assigns, *i.e.* all children gotten between said John and his spousit wife, and failing them to Sir Thomas Row, and Lucas of Row, brether germane to said John, the fruits of our church of Kylbryde, etc. etc. for nineteen years . . . paying tene pundis at usual terms. Nativ. S. John Bapt. called Midsummer next fyve pundis and at ye fest of purification of our Lady callit Candlemas next thereafter, fyve pundis and so forth, the entry to be at beltane next after following the date of this present writing. John to pay all ordinary costs effeiring to the abbey for said church, both of the stall in the church of Dunblane, with visitations, procurations, synodals, etc. Non-payment of the duty to void the lease. Power to distrain for arrears. Sealed at our said Abbey 22 Feb. 1491[-92]. Et ego Georgius Abbas predictus infra scripta approbo manu propria. Et ego Henricus de Strathtern, et ego Johes Binsston [?], et ego Wills. Camera, et ego Johes Nonthank, ego Alex. Myr, ego Thos. Lyndesay, et ego Johannes Symson, et ego Patricius Mason, et ego Thomas Robertson, et ego Andreas Ednem, et ego Jacobus Balmannoch.—*Dupplin Charters*, No. 33.<sup>1</sup>

2. Lease by Alexander, Commendator of Inchaffray and convent, to Robert Row, son and heir to the late John Row in

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<sup>1</sup> The clause relating to the 'ordinary costs' is repeated in all the subsequent leases; but that of 1557 stipulates that the stall-silver shall be paid to the commendator and convent and their chamberlains, and to no other.

Dunblane, and his assignees, viz. (Margaret his spouse, struck out), Sir Denis Row, John of Row, and failing them to Thomas Row and James Row, of the fruits (teinds, etc.) of Kilbride for nineteen years from date of the deed. Entry to be at feast of the Invention of the Holy Cross called Beltane next. Rent £10 at usual terms, viz. Candlemas, and Nativ. of S. J. Bapt. called Midsummer. Robert to be true to us and our place, and fulfil all points of his Bond made thereupon.

Seal of the chapter appended at Inchaffray 18 July 1521.

Witnessed by Sir Maurice Johnston, chaplain, Sir David Dow, Fynlaw Smyth, and William Pollok.

Signed by

et ego Antonius Hog.

et ego Vilelmus kelt.

Archebaldus Jonstone.

Johannes Dridene.

Johs. Neyll.

Alex., Commendator of Inchaffray.

ego Robertus Fowllar.

ego Johannes Maneris.

ego Johannes Gray.

ego Jacobus Gardnar.

ego Jacobus Rannaldson.

ego Johannes Fargow.

—*Dupplin Charters*, No. 34.

3. Lease by Gauine, Archbishop of Glasgow, Commendator of Inchaffray and convent, to Margaret Sinclair, relict of Robert Row of Callentoyes and Robert Row their son and apparent heir, whom failing, to Margaret's assignees, viz. Elizabeth Cheisholme her daughter, of the church of Kelbride for nineteen years, to enter at Feast of Beltane, 1545. Rent £10. Granted at Inchaffray, 14 Jan. 1544[-45]. The grantees to pay all expenses of the stall in Dumblane Cathedral, etc.

Signed by

G., Coñmendatarius.

Johannes Maneris, Supprior.

Jacobus Rannaldson.

Johannes Rauff.

Thomas Gardener.

Vilelmus Kelt.

Andreas Farmar.

Robertus Kar.

Jacobus Gardnar.

Johannes Neyll.

Maurius Henderson.

—*Ibid.*

4. Lease (rent £10) to Robert Row of Callentois of the same for nineteen years from Beltane 1554, signed by Alex., commendatarius, by the above Canons (John Maneris being styled prior), except John Neyll and Maurice Henderson, and also by Paul Cunyngham, William Melross, Alexander Wycht, William Ruthven, and Alexander Murray. Inchaffray, 12 April 1554.—*Dupplin Charters*, No. 34.

5. Lease to Robert Row in Dumblaine and Marion Edmonstone his spouse and one heir, for their lives, of the same at £7 rent, dated at the Abbey, 8 April 1557. Signed by Alex., commendatarius, Thomas Gardenar, prior, Alexander Murray, Paul Cwynnghan, William Melross, James Ronaldson, Robert Kar, Andrew Farmer, William Ruthven, and George Spens.—*Ibid.*

6. Feu Charter to John Murray and Mareote Loutfute his spouse 8<sup>th</sup> part of lands of Williamstoun by Alexander, Archbishop of Athens, postulate of Sodor or the Isles, Commendator of Inchaffray. At Ins. Miss., 7 May 1555.

Alex. Com<sup>r</sup>.

John Manoris, prior.

George Spens. Thomas Gardenar, Supprior William Melross.

James Gardnar.

James Rannaldson.

John Rauff.

Andrew Farmer.

Alex. Murray.

Alex. Wycht.

—*Ibid.*, No. 51.

7. Feu Charter to David, Lord Drummond, Liliis, Lady Drummond, and James Drummond their second son, of a chalder of oatmeal yearly out of the barony of Innermachanie. At the Monastery, 4 June 1564.

Alex., Commendatarius.<sup>1</sup> William Ruthven.

Thomas Gardenar, prior. William Melross.

Robert Kar. Andrew Farmer.

James Rannaldson. John Rauff.

—*Ibid.*, No. 47.

8. Memorandum of monks' portions given out off the Abacy of

<sup>1</sup> The Commendator then Bishop of Galloway.



## CHARTERS



# CHARTERS OF INCHAFFRAY

## I

[Carta Symonis episcopi.<sup>1</sup>]

c. 1190.

Symon dei gratia Episcopus de Stratherne vniversis sui episcopatus personis sacerdotibus† clericis et laicis Salutem et paternam benedictionem. Vniuersitatis vestre dilectio nouerit me concessisse et hac mea carta confirmasse huic Isaac et omnibus successoribus eius ecclesiam Sancti Johannis euangeliste de Incheffren cum omnibus pertinentijs nunc acquisitis vel impostum<sup>2</sup> adquirendis. Preterea concedimus vt quisquis moriturus ibi sepulturam habere voluerit † dato jure propriæ<sup>3</sup> ecclesiæ liceat. Quod si quis contra hanc nostre paginam constitutionis se contentiose erexerit usque tercio correptus si non emendauerit excommunicationi subiaceat, Qui autem eam gratam habuerit, dei et nostram benedictionem habeat vigeat et valeat in spiritu[s] sancti gratia. Testibus Malgirhe canonico, Sythakh kelede, Ricardo Capellano comitis, Gille-mure diacono.

## II

De crofto de fowlis.<sup>4</sup>

c. 1195.

Gilbertus comes de stratheryn omnibus hominibus suis amicis clericis et laicis salutem Sciant tam presentes quam futuri me dedisse et concessisse et hac carta mea confirmasse deo et sancto Johanni apostolo de insula missarum et fratribus ibidem deo seruientibus tria jugera terre propinquiora Juxta

<sup>1</sup> From a copy on paper, apparently late sixteenth century, Dupplin Charter-chest, Bundle No. 157. Some passages which appear to be corrupt are obelized.

<sup>2</sup> MS. *impertuum*.

<sup>3</sup> MS. *propria*.

<sup>4</sup> From the Register (see *Liber Insule Missarum*, No. 18).

stagnum quod venit de predicta insula apud fowlis inperpetuam elemosinam libere et quiete sibi habenda ab omni penitus subieccione et ab omni seruili consuetudine et seculari seruicio Quare volo et precipio quatinus predictus sanctus et fratres in predicta insula deo ministrantes tria prenommata jugera adeo libere et quiete habeant et teneant sicut vlla elemosina in tota terra Scocie liberius et quiecius habetur et tenetur hii sunt testes Simon Episcopus Dunblanensis Matildis comitissa de stratheryn Gilbertus filius comitis Gilberti Gillenenam dapifer comitis Ricardus capellanus comitis Johannes clericus comitis ;

## III

De Aberrotawin.<sup>1</sup>

c. 1198.

Vniuersis sancte Matris ecclesie filiis. clericis et laicis. Gillebertus Comes de Strathern. Salutem. Sciant presentes et futuri me dedisse. et concessisse. et hac mea carta confirmasse. Deo et Ecclesie Sancti Iohannis apostoli et euangeliste de insula Missarum in fougles. et fratribus ibidem deo et sancto Iohanni seruientibus et seruituris. Ecclesiam sancti Cathani de Aberruadeuien diuine pietatis intuitu pro salute anime mee. et uxoris mee. et antecessorum meorum. cum omnibus decimis. et oblationibus. et omnimodis obuentionibus. cum terra per rectas diuisas suas quam pater meus ferthet. et Mater mea Ethen. dederunt eidem Ecclesie in dotem. et cum omnibus ad eam iuste pertinentibus. cum communi pastura. et omnibus aliis aisiamenis. in liberam. et puram. et perpetuam elemosinam. Quare uolo ut predicta Ecclesia sancti Iohannis et fratres eiusdem loci eandem Ecclesiam de Aberruadeuien cum omnibus iustis pertinentiis suis ita libere. et quiete. plenarie. et honorifice. Ab omni seculari seruitio et seruili actione. inperpetuum teneant et possideant : sicut aliqua Ecclesia liberius. et quietius. plenarius. et honorificentius. in regno scotie tenetur et possidetur. Testibus hiis. Jonatha Episcopo de Strathern.

<sup>1</sup> From the original, Dupplin, No. 118. Large seal in green wax, nearly entire. See facsimile.



Johanne Archidiacono de Strathern. Malgirk de Mothel. Thoma decano. Malis fratre Comitiss. Gillecrist filio Comitiss. Gillenanem dapifero Comitiss. Constantino Iudice. Gillecrist Gal. Dunecano filio Malisii. Maulde. Comitissa de Strathern. Abraham Capellano Comitiss. Malmure Capellano Episcopi.

## IV

De ecclesia de madirdin.<sup>1</sup>

c. 1199.

Gilebertus comes de Strathern ? Omnibus amicis et hominibus suis salutem · Sciatis me dedisse et concessisse et hac mea Carta confirmasse deo et ecclesie sancti Iohannis ewangeliste in Inche affren et eidem ecclesie seruiantibus et seruituris ? ecclesiam de Madernin cum omnibus Iustis pertinentijs suis in puram et perpetuam elemosinam pro anime mee salute et vxoris mee et pro animabus antecessorum meorum et salute liberorum meorum. Tenendam ita libere quiete plenarie et honorifice ? sicut aliqua ecclesia in toto regno scottorum<sup>2</sup> · ab aliquibus religiosis liberius quietius plenarius tenetur et honorificentius. Hijs Testibus. Malisio fratre meo · Mathilde comitissa · Willelmo et ferthed et Roberto filijs meis · Gillenem dapifero meo<sup>3</sup> et Malisio filio eius · Gileberto milite Abraham capellano · Briccio persona de cref · Constantino Iudice · Anechul theino meo ;

## V

De canis comitiss.<sup>4</sup>

c. 1199.

Gilebertus comes de Strathern ? Omnibus amicis et hominibus suis presentibus et futuris ? Salutem · Sciatis me dedisse et concessisse et hac mea Carta confirmasse · Deo et ecclesie Sancti Iohannis ewangeliste in Inche afren et eiusdem ecclesie Seruitoribus ? decimam canorum meorum In frumento · farina · brasio et caseo · et alijs rebus quas pro Cano accipio ? que ad

<sup>1</sup> From the original, Dupplin, No. 131 (= *Lib. Ins. Mis.* No. 68). Large seal in green wax, edges chipped away.

<sup>2</sup> Reg. *scotie*.

<sup>3</sup> Reg. *nostro*.

<sup>4</sup> From the original, Dupplin, No. 13. Large seal in green wax, nearly perfect.

cibaria pertinent? et decimam omnium piscium qui in curia mea expendantur? tenendam sibi a me et heredibus meis in puram et perpetuam elemosinam · plenarie et Integre pro salute anime mee et vxoris mee · et antecessorum meorum et liberorum meorum. his Testibus Malisio fratre meo · Willelmo filio meo · fertheth filio meo · Roberto persona de fovles Briccio persona de cref · Gillecristo gall · Constantino Iudice · Dunecano filio Malis · Henrico Rennario Malis dapifero · constantino Pincerna · Abraham capellano meo · Roberto dispensario.

## VI

1199-1200.

De ecclesia de aberrotheuen.<sup>1</sup>

· W. dei gracia Rex Scottorum · Omnibus probis Hominibus tocuis terre sue Clericis et laicis Salutem · Sciant presentes et futuri me concessisse et Hac Carta mea confirmasse deo et ecclesie sancti Iohannis apostoli et ewangeliste de Inche affrenne in fovles · et fratribus ibidem deo seruientibus Ecclesiam Sancti Cathani de Aberrotheven in Stardherne · quam Comes Gilebertus eidem loco dedit. Tenendam in liberam puram et perpetuam elemosynam · cum omnibus libertatibus ad eandem ecclesiam iuste pertinentibus · adeo libere et quiete · plenarie et honorifice · sicut Carta predicti Comitis Gileberti testatur · Testibus · Riccardo [*sic*] de prebenda clerico meo · Comite Dunecano Iusticiario · Henrico Comite atholie · Roberto de londoniis · Malisio filio ferthet · Malcolmlo filio comitis Dunecani Iohanne de Hastinge · Adam de Syreis · Henrico de graham · Henrico revel · apud Scone · v · die Septembris.

## VII

c. 1199.

Carta Johannis episcopi primi de abthan.<sup>2</sup>

Johannes Dei gratia Episcopus Dunkeldensis Uniuersi Sancte Matris Ecclesie filijs ad quos littere iste peruenerint

<sup>1</sup> From the original, Dupplin, No. 23. A large fragment of the Great Seal, in white wax, remains. See facsimile.

<sup>2</sup> Reg. (see *Lib. Ins. Mis.* No. 76); Antiquaries' MS., pp. 109 and 292. Dr. John Stuart had seen the originals of this and of Nos. XXIII. and L.; the editors have used the collations made on the margin of his copy of *Lib. Ins. Mis.* The rubric is taken from the Register.

salutem Sciant omnes presentes et futuri nos dedisse concessisse et hac carta nostra confirmasse deo et ecclesie sancti Johannis de Inche affran et fratribus ibidem deo seruentibus et seruituris terram nostram in Madernin que terra uocatur Abthen per suas rectas diuisas cum omnibus justis<sup>1</sup> pertinenciis suis ad petitionem comitis G · de Strathern et fratris ejus M · in redemptione<sup>2</sup> anime nostre et antecessorum nostrorum et predicti comitis G · et suorum Tenendam predictis fratribus et eorum successoribus in liberam et perpetuam elemosinam reddendo nobis et successoribus nostris annuatim unam marcam argenti scilicet dimidium ad pentecosten et dimidium ad festum sancti Martini Volumus Itaque et precipimus ut idem<sup>3</sup> fratres predicti et eorum successores<sup>4</sup> predictam terram teneant et possideant de nobis et successoribus nostris ita libere quiete plenarie et honorifice ab omni exaccione et consuetudine et servicio seculari ad nos pertinente in bosco et plano in pratis et pascuis in aquis et molendinis et in omnibus alijs aisiamentis ad eandem terram pertinentibus sicut aliqua terra in episcopatu nostro liberius plenius et honorificencius tenetur et possidetur salua duntaxat predicta pencie Testibus his · Johanne Archidiacono de Strathern<sup>5</sup> G Comite de Strathern et fratre ejus M · Reginaldo et fratre ejus Stephano Capellanis nostris Roberto et Petro capellanis de Tubermore<sup>6</sup> Bernardo et Ricardo Capellanis de Kergill<sup>7</sup> Magistro · H · et W · de lockestre<sup>8</sup> clericis nostris Waltero<sup>9</sup> pincerna Roberto et simone nepotibus nostris Petro de camera Roberto ferrone Galfrido ostiario Radulfo geruny<sup>10</sup> hamone coco Josep et alijs multis.

## VIII

[Protectio et Confirmatio Innocentii III. Pape.<sup>11</sup>] 1200.

INNOCENTIUS episcopus seruus seruorum dei · Dilectis filiis · J · heremite et fratribus sancti Johannis de Stradhern :

<sup>1</sup> MS. *certis*.

<sup>2</sup> MS. *redemptionem*.

<sup>3</sup> Reg. *eidem*.

<sup>4</sup> MS. *successorum*.

<sup>5</sup> MS. *Stradhern*.

<sup>6</sup> Reg. *Tybirmore*.

<sup>7</sup> Reg. *Cargil*.

<sup>8</sup> MS. *Lockest*.

<sup>9</sup> Reg. *Valant*.

<sup>10</sup> MS. *Beruny*.

<sup>11</sup> From the original, Dupplin Bull, No. 1. The Bulla remains attached by a cord of red and yellow silk. Indorsed 'J. heremite.' See facsimile.

salutem et apostolicam benedictionem. Cum a nobis petitur quod iustum est et honestum tam uigor equitatis quam ordo exigit rationis · ut id per sollicitudinem officij nostrj ad debitum perducatur effectum · Eapropter dilectj in domino filij uestris iustis precibus inclinatj · personas uestras cum omnibus bonis tam ecclesiasticis quam mundanis que impresentiarum rationabiliter possidetis aut in futurum iustis modis prestante domino poteritis adipisci sub beatj petrj et nostra protectione suscipimus · Specialiter autem possessiones quas · G · Comes de Straden domuj uestre in helemosinam assignauit sicut eas iuste et pacifice possidetis auctoritate uobis apostolica confirmamus et presentis scriptj patrocinio comunimus · Nulli ergo omnino hominum liceat hanc paginam nostre protectionis et confirmationis infringere uel ej ausu temerario contraire · Siquis autem hoc attemptare presumpserit indignationem omnipotentis dej et beatorum Petrj et Pauli apostolorum eius se nouerit incursum · Datum Laterani ij Nonas Decembris Pontificatus nostrj Anno Tertio.

## IX

1200.

[Magna carta Gilberti comitis super fundatione Monasterii.<sup>1</sup>]

✠ In nomine domini nostri ihesu cristi qui coequalis et coeternus est deo patri et spiritui sancto? Ego Gilbertus filius ferthead. dei indulgentia Comes de Stradern? et Ego Matildis filia Willelmi de aubengni comitissa? inspirante gratia diuina. volentes in feodo nostro et patrimonio ecclesiam dei exaltare · et ad dei cultum sancte religionis ibidem plantaria inserere? assentientibus deuotioni nostre Uenerabilibus episcopis nostris Iohanne dunkeldensi et Ionatha dunblainensi · liberisque nostris · militibus et theinis concedentibus? damus · Concedimus · et tradimus Inche Affren · quod latine dicitur Insulam [*sic*] Missarum? Domino nostro ihesu cristo et

<sup>1</sup> From the original, Dupplin, No. 106 (= *Lib. Ins. Mis.* No. 1). Large seal in green wax, of which about half remains, suspended by cords of red and yellow silk. Some words at the ends of lines are barely legible. See facsimile. The Register is also illegible in places, having been touched with gall. The original indorsement is 'De decimis canorum et Redituum.'

beate MARIE genitrici eius. Sanctoque Iohanni Apostolo : liberam · solutam · et quietam ab omni exactione seruitio · consuetudine et subiectione seculari · ea voluntate et intentione · qua aliquis locus in toto regno scottorum liberius solutius quietius et honorificentius diuino cultui et sancte religioni deputatur · Eamque cum omnibus possessionibus quas hactenus ei per nos siue per alios fideles diuina largitas contulit uel amodo collatura est · Custodie et dispensationi Domni Malisij presbiteri et heremite committimus. de ipsius discretione et religione plurimum confidentes. Unde uolumus. ut idem Malisius libera utatur facultate quoscumque uoluerit secum aggregandi · et eos secundum regulam sancti augustini · eo quem potius statuerit modo ad dei seruitium informandi · Post decessum uero illius ex parte dei prohibemus · ne aliquis omnino per cupiditatem congregationi illius loci se preponat<sup>1</sup> · nisi quem fratrum concors electio per assensum nostrum sibi preposuerit. Nec aliquis siue episcopus sit siue heres noster presumat inibi aliquem contra meram fratrum uoluntatem intrudere · Locum enim eundem ita dilectum habemus : quod in eo nobis et successoribus nostris sepulturam elegimus · et iam primogenitum nostrum ibidem sepeliuimus · Deo igitur et sancte MARIE perpetue<sup>2</sup> uirgini et sancto Iohanni apostolo eiusdem procuratori · et prefato Malisio · et omnibus in predicta Insula deo seruientibus et seruituris : Ecclesias et possessiones subscriptas : Damus ·<sup>3</sup> Concedimus · et presentis scripti munimine · per impressionem sigilli nostri confirmamus · Ecclesiam Sancti kattani de Aberruotheuen · Ecclesiam Sancti Ethernani de Madernin · Ecclesiam Sancti Patricii de Strufkeath · Ecclesiam Sancti Mechesseoc de Eohterdeuar. Ecclesiam sancti Beani de kinkelle · Decimam omnium Canorum nostrorum et Reddituum nostrorum In frumento. farina. brasio. grano. Caseis. et omnibus cibariis que annuatim expenduntur in curia nostra · et decimam totius piscis qui ad Coquinam nostram defertur · et decimam uenationis nostre · et decimam omnium lucrorum que proueniunt de placitis nostris et ceteris obuentionibus omnimodis · Licentiam quoque piscandi in Pefferin ubicumque uoluerint · et capiendi in nemoribus

<sup>1</sup> Reg. *proponat.*

<sup>2</sup> Reg. *semper.*

<sup>3</sup> Reg. *inserts et.*

nostris ubi<sup>1</sup> sibi magis oportunum fuerit? materiem ad edificationem domorum suarum et utensilium · et ad pastum ignis. Et tres acras terre illius que proxima est insule uersus aquilonem · quas dedimus ad dedicationem capelle ipsius. Hec igitur omnia · cum omnibus ad ea pertinentibus? uolumus ut prefatus Malisius et uniuersi cum eo uel post eum in prefata insula deo seruietes et seruituri? in pace dei · et domini Regis et nostra teneant et possideant de nobis et heredibus nostris in puram et perpetuam elemosinam. pro salute nostra et liberorum nostrorum et omnium amicorum nostrorum. et pro animabus omnium antecessorum nostrorum et precipue pro anima Gillecris primogeniti nostri ibidem quiescentis · ita libere. quiete · plenarie et honorifice? sicut aliqua domus religionis in toto Regno scottorum · suas possessiones · liberius. quietius · plenarius. et honorificentius tenet et possidet. Omnibus uero nostris ex parte dei et nostra firmiter prohibemus? ne quisquam eorum eidem loco uel eius ministris siue etiam pro pace querenda ad eum confugientibus aliquid molestie uel iniurie inferat · super nostram plenariam forisfacturam. Quicumque uero amicorum uel fidelium hominum nostrorum eidem loco aliqua de suis facultatibus caritatiue contulerit? conferat ei dominus bona in terra uiuentium. facta est hec confirmatio anno ab incarnatione domini · M<sup>o</sup> · cc<sup>o</sup> · Indictione iij. Anno Regni Regis Willelmi. xxxv<sup>o</sup>. Ab obitu prenominati filij nostri Gillecris anno secundo; Obijt autem · iij<sup>o</sup>. nonas octobris; Huius autem donationis et confirmationis sunt testes? hij · Rogerius episcopus sancti andree · Iohannes episcopus Dunkeldensis · Ionathas episcopus Dunblainensis · Henricus abbas de Aberbrothok · Reimbaldus abbas de Scon · Robertus abbas de Dunfermlin · Robertus de Quinci · Seierus de Quinci · Malisius frater comitis · Willelmus · ferthead · et<sup>2</sup> Robertus filij comitis. Gillenief<sup>3</sup> dapifer. Malisius filius eius · Constantinus Iudex · Dunecanus filius Malisij · Anecol · theinus de Dunin. Gillecris gall · Nigellus de Dolpatric · Tristrannus · Constantinus pincerna. Henricus Rennarius.

<sup>1</sup> Reg. *ubicumque*.

<sup>2</sup> Reg. *omits et*.

<sup>3</sup> Reg. *Gillenies*.

## X

Jonathe episcopi de decimis comitis.<sup>1</sup>

c. 1200.

Jonathas dei gratia episcopus de Stradern · vniuersis Sancte Matris Ecclesie filijs · tam presentibus quam futuris · salutem omnimodam ? Incolumitatem continuam ? benedictionem perpetuam ; Episcopalis officij esse dinoscitur. ad pietatis opera. fidelium mentes informare · Informatas approbare ? approbatas ? solidissime confirmare ? ne in summi pastoris presentia ex remisse operationis desidia quod absit arguamur · sed ex bone actionis merito confidentes · eam uocem gratulationis expectemus. quam dominus in ewangelio protulit dicens. Euge serue bone et fidelis · quia super pauca fuisti fidelis ? supra multa te constituam. Huius igitur saluberrime promissionis memores · deuotionem carissimi filij nostri Gilberti comitis de Stradern et Matildis eiusdem comitisse quam in eorum mentibus diuina infudit gratia de fundando in Insula missarum ? religiosorum cenobio carius amplectentes ? ad eorum pia opera tota mentis alacritate congaudemus · et ut pie inchoata plenius exequantur ? hortamur. et ut sue saluti sedulo affectu insistant ? pro nostre amministrationis officio diligenter instigamus ; Preterea · possessiones · beneficia · immunitates · quecumque bona siue in ecclesijs siue in decimis uel in predijs aut in obuentionibus per ipsos siue per alios fideles diuina largitas eidem loco et suis habitatoribus in dei seruitio commorantibus · in presentiarum iuste contulit · uel in futurum collatura est ? confirmamus · et presentis scripti testimonio comunimus · Statuentes in primis ut idem locus qui uocatur lingua scottica Inche affren ad exercitium sancte religionis in perpetuum deputetur ? que secundum sancti augustini regulam inuiolabiliter obseruetur · Sit que locus omnibus ad eum confugien-

<sup>1</sup> From the original, Dupplin, No. 130. Seal lost ; tag remains. See facsimile. On the back is the following memorandum :—

‘ Item ex dono eiusdem Gileberti Comitis ecclesiam de Madernin cum pertinentiis suis. Et molendinum super pefrin in Balemacgillon. Ex dono Orable Matris Seer de Quinci. viii. acras terre in territorio de Gasg.’ See the Bull of Innocent III., No. 21, *infra*.

tibus? pacis et quietis · ita ut nulli liceat eum intrare causa perturbandi · uel inquietandi · nisi sola causa orandi uel salutem corporis aut anime expetendi. Possessiones autem in nostra diocesi prefato loco assignatas? proprijs hic duximus annotare nominibus. Ecclesiam sancti kattani de Aberruotheuen · Ecclesiam sancti Patricii de Strufkead · Ecclesiam Sancti Mechessoch de Eohterardeuar · Ecclesiam Sancti Beani de kinkelle · Decimam omnium Canorum et Reddituum prefati comitis In frumento · farina · brasio · grano · caseis et omnibus cibarijs que annuatim expenduntur in curia sua · et decimam tocuis piscis qui ad coquimam suam defertur. et decimam uenationis sue et decimam omnium lucrorum que proueniunt de placitis suis et ceteris obuentionibus omnimodis · sicut carta comitis exinde facta testatur. Adicimus uero ut sepultura predicti loci libera sit · ut eorum uoluntati qui se ibi sepeliri uoluerint? nullus obsistat · Salua rectitudine ecclesiarum de quibus corpora mortuorum assumuntur · nec aliquis regimini ipsius preponatur loci? nisi qui communi consensu fratrum et per assensum comitis et heredum suorum? electus fuerit · Prohibemus insuper ut nullus omnino presumat possessiones uel beneficia prefato loco et suis inhabitatoribus assignata? diminuere · auferre · vel retinere. Salua in omnibus canonica nostri et successorum nostrorum iusticia · Siquis autem instinctu diabolico scienter contra hanc nostre institutionis paginam uenerit? tercio commonitus · si non congrue satisfecerit? reum se diuino examini cognoscat · et alienus a comunione fidelium fiat · Et omnibus eidem loco sua iura seruantibus Sit pax et gratia et benedictio domini nostri ihesu cristi. ut et in hac uita de bona actione fructum percipiant. et in futura? premia eterne remunerationis inueniant; AMen; Huius uero confirmationis et constitutionis nostre istos testes inscripsimus. Johannem archidiaconum nostrum. Michaellem personam de muothle · Mauricium capellanum nostrum · Abraham capellanum comitis. Matheum personam de Dunin · Martinum personam de Muithauard · Malisium personam de Struuin;



## XI

Carta Gilberti comitis de terris canonicorum.<sup>1</sup>

c. 1200.

Gillebertus Comes de Stratheren. Omnibus Amicis et Hominibus suis. clericis et laicis? Salutem. Sciant presentes et futuri. me Pietatis intuitu. et pro salute anime mee. et Matilde Comitisse de Stratheren. uxoris mee.<sup>2</sup> et Patris mei. et Matris mee. et Heredum meorum. dedisse. et Concessisse. et Hac Carta mea confirmasse. Deo et Ecclesie sancti Iohannis apostoli et Euuangeliste de Inche affren. et Canonicis ibidem deo seruientibus et seruituris totam terram de Arde eweni per rectas diuisas suas. et cum omnibus Iustis pertinentiis suis. Et totam terram de Achadlongsih.<sup>3</sup> per rectas Diuisas suas. et cum omnibus Iustis pertinentiis suis. Et totam terram de Dufinder. per rectas diuisas suas. et cum omnibus iustis pertinentiis suis. Et totam terram illam de Madernin. que antiquitus Abbacia uocabatur. per Rectas Diuisas suas. et cum omnibus iustis pertinentiis suis. Tenendas in liberam et puram. et perpetuam elemosinam. in bosco. et Plano. in terris et aquis. in pratis et pascuis. in Moris et Marresiis. in Peteriis et viuariis. In Stagnis et Molendinis. et omnibus aliis Iustis pertinentiis suis. et cum omnibus aliis aisiamentis? ad predictas terras iuste pertinentibus. libere. et Quiete. Plenarie et Honorifice. ab omni auxilio et seruicio. consuetudine. et seculari exactione. Quare uolo ut predicti Canonici<sup>4</sup> predictas terras per rectas diuisas suas et cum omnibus iustis pertinentiis suis. Ita libere et Quiete. Plenarie et Honorifice in liberam et Quietam. et Puram et Perpetuam Elemosinam. Habeant et Possideant. sicut aliqua elemosina in regno scotie. de aliquo Comite. liberius et Quietius. Plenius et Honorificentius. tenetur et Possidetur. Hiis Testibus. Ionatha Episcopo dunblanensi. · M · Comitissa de Stratherr. Malisio fratre Comitis. ferthet

<sup>1</sup> From the original, Dupplin, No. 10 (= *Lib. Ins. Mis.*, No. 13). Indorsed 'de terris nostris,' having no doubt been the top charter of a bundle. The above title is taken from the Register. Large seal in green wax, attached by silken cords, entire.

<sup>2</sup> Reg. omits *mee*.

<sup>3</sup> Reg. *Achlonsi*.

<sup>4</sup> Some words here erased in the original.

flio Comitis. Matilda filia Comitis. Iohanne Archidiacono. Abraham Capellano Comitis. Gillenanof dapifero Comitis. Malis filio suo. Gilleberto socio. Comitis. Constantino Iudice. Gillebrech. Anecol de Dunin. Dunecano filio Malih.

## XII

c. 1200.

Carta secunda de Ardeuny · Achlonx · Duffindre.<sup>1</sup>

Gilbertus comes de stratherenn omnibus amicis et hominibus suis clericis et laicis? Salutem. Sciant presentes et futuri me pietatis intuitu. et pro salute anime mee. et Matilde comitisse de stratheren. uxoris mee. et patris mei. et Matris mee. et heredum meorum dedisse. et concessisse. et hac carta mea confirmasse. Deo et ecclesie sancti iohannis apostoli et euuangeliste. de inse affrenn. et canonicis ibidem deo seruientibus. et seruituris. totam terram de Ardeugani per rectas diuisas suas. et cum omnibus iustis pertinentiis suis. et totam terram de Achadlongseg.<sup>2</sup> per rectas diuisas suas. et cum omnibus iustis pertinentiis suis. et totam terram de Dubinder. per rectas diuisas suas. et cum omnibus iustis pertinentiis suis. et totam terram illam de Madranin<sup>3</sup> que antiquitus Abbacia uocabatur. per rectas diuisas suas. et cum omnibus iustis pertinentiis suis. tenendas in liberam. et puram. et perpetuam. elemosinam. in bosco et plano. in terris et aquis. in pratis et pascuis. in moris et marresiis. in peteriis et uiuariis. in stagnis et molendinis. et omnibus aliis iustis pertinentiis suis. et cum omnibus aliis asiamentis ad predictas terras iuste pertinentibus. libere et quiete. plenarie et honorifice. ab omni auxilio. et seruitio. et consuetudine. et seculari exactione. Quare uolo ut predicti canonici predictas terras per rectas diuisas suas. et cum omnibus iustis pertinentiis suis. Ita libere. et quiete. plenarie et honorifice. in liberam et quietam. et puram et perpetuam elemosinam habeant et possideant. sicut aliqua elemosina in regno scotie. de aliquo comite. liberius. et quietius. plenius. et honorificentius. tenetur. et possidetur. Hiis testibus. Ionatha episcopo dun-

<sup>1</sup> From the original, Dupplin, No. 149 (= *Lib. Ins. Mis.* No. 24). Seal lost; it was attached by a tubular band of green silk braid, into which a lozenge pattern is worked in silver thread. See facsimile.

<sup>2</sup> Reg. *Achinlonxich.*

<sup>3</sup> Reg. *que Machranin.*

blanensi. M. Comitissa de stratherent. Malisio fratre comitis. ferthed filio comitis. Matilda filia comitis. Iohanne archidiacono. Abraham capellano comitis. Gillenanemh dapifero comitis. Malisio filio suo. Gilleberto sotio comitis. Constantino iudice. Gillebrec. Anachol de dunene. Duncano filio Maliso.<sup>1</sup>

## XIII

De ecclesia de Aberrotheuin.<sup>2</sup>

c. 1200.

Gillebertus comes de strathern omnibus hoc scriptum uisuris uel auditoris Salutem · Sciant tam presentes quam futuri me dedisse et concessisse et hac carta mea confirmasse deo et beate Marie et beato Iohanni Apostolo de Incheaffren · et Canonicis eiusdem loci eorumque successoribus pro dei amore et salute anime mee et uxoris mee. et antecessorum et heredum meorum ecclesiam sancti kathani de aberrotheuin cum omnibus iustis pertinentiis suis. In decimis et oblationibus et obventionibus omnimodis cum terra per rectas diuisas suas quam pater meus fferthet et mater mea · Ethen · dederunt eidem ecclesie in dotem · et cum communi pastura ceterisque aisiamentis ad eandem ecclesiam pertinentibus in puram et perpetuam elemosinam ad habendum et tenendum et possidendum de me et heredibus meis in perpetuum · ita libere et quiete plenarie · et honorifice · sicut aliqua ecclesia in toto regno scocie · liberius · quietius. plenarius · et honorificentius · habetur · tenetur · et possidetur · Hiis. testibus. Ionatha episcopo Dunblanensi · Iohanne archidiacono de stratheren · Malgirk de Mothel · Thoma decano · Malisio ffratre meo · Maltilde comitissa uxore mea · Abraham capellano · Constantino Iudice · Gillecris Gal · et multis aliis.

## XIV

Alia carta de eadem ecclesia [de Maddiryn].<sup>3</sup>

c. 1200.

Gilbertus comes de stratheryn omnibus hoc scriptum visuris vel auditoris salutem Sciant tam presentes quam futuri me

<sup>1</sup> Reg. *Malisij*.

<sup>2</sup> From the original, Dupplin, No. 2. Large seal in green wax, with small counter-seal, entire.

<sup>3</sup> Reg. (see *Lib. Ins. Mis.* No. 69).

dedisse et concessisse et hac carta mea confirmasse deo et sancte Marie et sancto Johanni apostolo de Inchaffray et canonicis eiusdem loci eorum que successoribus pro dei amore et pro salute anime mee et vxoris mee et an[te]cessorum et heredum meorum ecclesiam sancti Ethirvani de Maddiryn cum omnibus justis pertinencijs suis in decimis et oblacionibus et obuencionibus omnimodis cum terra ad eandem ecclesiam pertinente et cum communi pastura ceterisque aysiamentis omnimodis ad predictam ecclesiam pertinentibus in puram et perpetuam elemosinam ad habendum tenendum et possidendum de me et heredibus meis inperpetuum Ita libere quiete plenarie et honorifice sicut aliqui religiosi in toto rigno scocie aliquam ecclesiam liberius quiecuis plenarius et honorificencius habent tenent et possident Hijs testibus Malisio fratre meo Matilde comitissa Willelmo ffereteth Roberto filijs meis Gillenem Dapifero meo et Malisio filio eius Gilberto Milite Abbraam capellano Bricio persona de Crefe Constantino iudice Anecholle theino meo et Multis alijs ;

## XV

De ecclesia de kynkelle.<sup>1</sup>

c. 1200.

Gillebertus comes de strathern omnibus hoc scriptum uisuris uel auditoris salutem . Sciant tam presentes quam futuri me dedisse et concessisse et hac carta mea confirmasse deo et sancte Marie et sancto Iohanni apostolo de Incheaffren . et canonicis eiusdem loci eorumque successoribus pro dei amore et salute anime mee et uxoris mee et antecessorum . et heredum meorum ecclesiam sancti . Beani . de kynkelle . cum omnibus iustis pertinentiis suis . In decimis et oblationibus et obuentionibus omnimodis cum terra ad eandem ecclesiam pertinente . et cum communi pastura . ceterisque aysiamentis omnimodis ad predictam ecclesiam pertinentibus in puram et perpetuam elemosinam ad habendum et tenendum et possidendum de me et heredibus meis in perpetuum ita libere . et

<sup>1</sup> From the original, Dupplin, No. 125. Of the large seal, in green wax with small counter-seal, a small fragment remains.

quiete · plenarie · et honorifice · sicut aliqui religiosi in toto regno scotie aliquam ecclesiam liberius · quietius · plenarius · et honorificentius · habent · tenent · et possident. Hiis testibus. Malisio ffratre meo · Abraham capellano meo · Malcolmo clerico · Willelmo · fferthet · Roberto filiis meis · G · senescallo meo · Malisio filio eius · Constantino Iudice · Anecollo theino de Dunin · Duncano theino de struvin. et multis aliis.

## XVI

De decimis comitis.<sup>1</sup>

1200.

· Gillebertus comes de strathern omnibus hoc scriptum uisuris uel auditoris salutem. Sciant tam presentes quam ffuturi me dedisse et concessisse et hac carta mea confirmasse deo et beate Marie et beato Iohanni apostolo et ewangeliste de Incheaffren · et canonicis ibidem deo seruientibus et seruituris de me et heredibus meis in puram et perpetuam elemosinam decimam omnium canorum nostrorum in ffrumento · ffarina · Brasio · Grano · Caseis · carnibus · animalibus · et tocius uenationis nostre · et volucrum. et Piscium et omnium que nobis in cibariis et potibus euenerint · victum eciam ministro suo quemcumque ipsi posuerint in curiam nostram ad exigendum et percipiendum ex parte eorum predictas decimas nostras · plenarie et honorifice · sicut uni seruientium nostrorum. Licentiam quoque piscandi in peferin et in aliis aquis nostris ubi et quando uoluerint · et Materiem ad edificationem domorum suarum · et pasnagium et cortices · et ligna ad pastum ignis in nemoribus nostris capienda ubi sibi uisum fuerit oportunius · et quantum eis ffuerit necessarium. Hec igitur omnia uolo ut predicti canonici eorumque successores · habeant · teneant · et possideant de me et heredibus meis in puram et perpetuam elemosinam · ita libere · quiete · plenarie · et honorifice · sicut aliqui religiosi in toto regno scocie aliquam elemosinam · liberius · quiecuis · plenarius · et honorificentius habent · tenent. et possident. ffacta est hec donacio anno ab incarnatione

<sup>1</sup> From the original, Dupplin, No. 6. Large seal, in green wax, chipped at the edges. Small counter-seal.

domini · m<sup>o</sup> · cc<sup>o</sup>. Hiis testibus · Iohanne episcopo dunkeldensi · Ionatha episcopo Dunblanensi · Rainbaldo abbate de scona · Malisio fratre meo · Willelmo · fferthet filiis meis · Gilleneff Senescallo · Constantino Iudice · Anecol theino meo de dunin. et multis aliis.

## XVII

1200.

Libertas piscandi et aucupandi per omnes terras aquas et lacus Item de decimis secundis et libertas amputandi per omnia nemora vbi quando et quantum voluerint ad omnes vsus Item de terris non dandis nisi saluis iuribus et rectitudinibus istius monasterii.<sup>1</sup>

Gilbertus comes de Stratheryn omnibus sancte Matris ecclesie filiis hoc scriptum visuris vel auditoris salutem Nouerit vniversitas vestra me dedisse et concessisse et hac carta mea confirmasse deo et beate Marie et beato Johanni apostolo et canonicis de Inchaffryn in puram et perpetuam elemosinam de me et heredibus meis decimam omnium firmarum nostrarum et canorum nostrorum in frumento farina brasio grano casiis carnibus animalibus et decimam tocius venacionis nostre et omnium que nobis in volucris aut pissibus aut alicu[is]usmodi cibo vel potu prouenerint victum eciam seruienti suo quemcunque ipsi posuerint in curias nostras ad exigendum<sup>2</sup> et percipiendum ex parte eorum predictas decimas nostras plenarie et honorifice sicut vni seruencium nostrorum licenciam quoque et libertatem piscandi et aucupandi per omnes terras et aquas et lacus nostros vbi [et] quando voluerint et materiem ad edificia sua et ad omnes alios vsus suos et passnagium et Cortices et ligna · ad pastum ignis in siluis nostris vbi voluerint et quantum sibi fuerit de hiis singulis necessarium Hec igitur omnia volo quatinus predicti canonici teneant et possideant de me et heredibus meis in puram et perpetuam elemosinam ita libere et quiete plenarie et honorifice sicut aliqua elimosina in toto rigno liberius quiecuis plenarius et

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 5).

<sup>2</sup> Reg. *eregendum*.

honorificentius tenetur et possidetur Preterea concessi eisdem canonicis et hac carta mea confirmando confirmaui quatinus nec ego nec aliquis heredum meorum de cetero conferemus aliquo modo vel ad firmam commitemus terram aliquam vel possessionem alicui nisi saluis eis de eadem terra vel possessione omnibus rectitudinibus que eis dum nostro erant dominio exinde debebantur vel dum nos exinde aliquid contingebat Quare si quis aliquam contra eos cartam monstauerit ne Jus suum vindicare vel exigere debeant eam quantum ad hoc testificor esse cassandam facta est donacio anno gracie Millesimo cc<sup>mo</sup> hiis testibus Johanne Episcopo dunkeldensi Jonatha Episcopo dunblanensi Rainbaldo Abbate de scona comitissa Matilda de Aubegny vxori mea Milisio fratre meo Willelmo et fferteth filiis meis domino · W · canonico de scona Gillines Senescallo meo Constantino Iudice Anechol thaino meo de Dunyn et multis aliis.

## XVIII

De madredin. de ecclesia.<sup>1</sup>

c. 1201.

· W <sup>2</sup> dei gratia Rex Scottorum · Omnibus probis Homini-  
bus totjus terre sue clericis et laicis ꝑ salutem. Sciant presentes et  
futurj me concessisse · et hac carta mea confirmasse deo et  
ecclesie sancti Iohannis ewangeliste · de Inche afren · et uiris  
religiosis ibj deo seruientibus et seruituris donationem illam  
quam Gillebertus Comes de stradheren eis rationabiliter fecit  
de ecclesia de Madernin · cum omnibus iustis pertinentijs · et  
de ecclesia sanctj Beanj de kinkelle cum omnibus iustis perti-  
nentijs suis · et de ecclesia sancti Mahessoch de vchterardouere ·  
cum omnibus iustis pertinentijs suis · Tenendis in liberam et  
puram et perpetuam elemosinam cum Omnibus ad predictas  
ecclesias iuste pertinentibus ita libere et quiete · plenarie · et  
honorifice sicut carta predicti Comitiss Gilleberti iuste  
testatur · Testibus · Ricardo de prebenda clerico meo ·  
Willelmo Capellano meo · alano filio Rollandi constabulario ·  
Malcolmo filio Comitiss Dunecani · Malisio filio

<sup>1</sup> From the original Dupplin, No. 112 (= *Lib. Ins. Mis.* No. 72). Great seal in green wax, of which the greater part remains.

<sup>2</sup> Reg. *Willelmus*.

Comitis Fertethe Willelmo Giffard<sup>1</sup> · Roberto Croche<sup>2</sup> · alexandro vicecomite de striueljn · Radulpho de Camera ·<sup>3</sup> Heruico<sup>4</sup> de kinros · Ricardo filio Hugonis · Philippo Marescallo · Willelmo de Morauia · alexandro filio thore · apud striuelin xij · die augustj.

## XIX

1201-03.

De molendino super pefrin.<sup>5</sup>

Gilbertus comes de stratheryn omnibus amicis et hominibus suis salutem Sciatis me dedisse et concessisse et hac carta mea confirmasse deo et sancto Johanni euangeliste de Inchaffrin et canonicis ibidem deo seruientibus et seruituris locum Molendini<sup>6</sup> super pefrin in terra de Balmakgillona cum tofto et stagno et aliis aysiametis que pertinent ad molendinum sibi et successoribus suis de me et heredibus meis in puram et perpetuam elemosinam plenarie et honorifice et integre salua secta hominum meorum qui ad molendina mea venire debent hijs testibus ferteth et Roberto filijs meis Gilleneffe et Malisio filio eius senescallo meo constantino iudice Anechol Thenno de Dunin Duncano thenno de struin Gillecris Galle.

## XX

1201-02.

De abthein de Maderdin.<sup>7</sup>

· W.<sup>8</sup> dei gratia Rex Scottorum · Omnibus probis Hominibus totius terre sue clericis et laicis salutem · Sciant presentes et futuri me concessisse et hac carta mea confirmasse deo et ecclesie sancti Iohannis apostoli et euangeliste de Inche affren · et Canonicis ibidem deo seruientibus et seruituris · donationem illam quam Comes Gillebertus de stradherene eis rationabiliter fecit de tota terra de ardehewn per rectas diuisas suas · et cum omnibus iustis pertinentijs ·<sup>9</sup> et de tota terra

<sup>1</sup> Reg. *Galfrido*.Reg. *Crache*.<sup>3</sup> Reg. *Radulpho camerario*.<sup>4</sup> Reg. *Henrico*.<sup>5</sup> Reg. (see *Lib. Ins. Mis.* No. 27).<sup>6</sup> Reg. *Molendine*.<sup>7</sup> From the original, Dupplin, No. 120 (= *Lib. Ins. Mis.* No. 73). Great seal in green wax, nearly entire, suspended by cords of yellow silk. See facsimile.<sup>8</sup> Reg. *Willelmus*.<sup>9</sup> Reg. adds *suis*.



de archadlongsih · per rectas diuisas suas · et cum omnibus iustis pertinentijs suis · et de tota terra de Dufhinder · per rectas diuisas suas et cum omnibus iustis pertinentijs suis · et de terra illa<sup>1</sup> de Madernin<sup>2</sup> que antiquitus abbethen uocabatur per rectas diuisas suas · et cum omnibus iustis pertinentijs suis · Tenendis in liberam et<sup>3</sup> puram · et perpetuam elemosinam · per rectas diuisas predictarum terrarum · et cum omnibus ad predictas terras iuste pertinentibus · ita libere · et Quiete · plenarie · et honorifice? sicut carta predicti Comitis Gilleberti iuste testatur · ita tamen quod predictus Comes et heredes suj facient michi et heredibus meis de residuo de Madernin totum seruicium · quod michi debetur de toto feudo de Madernin · Testibus · Willelmo Episcopo Glasguensi Cancellario meo · Philippo de valoniis Camerario meo · Willelmo Cumjn · Willelmo Giffard · Thoma de Coleuille · alexandro vicecomite de striuelin · Radulpho<sup>4</sup> de Camera · Herberto de Camera · dauid de Haia · Philippo de lundin · Thoma Hostiario · apud striuelin · quinto die aprilis.

## XXI

[Magna Protectio et Confirmatio Innocentii III. 1203.  
Pape.<sup>5</sup>]

INNOCENTIUS episcopus seruus seruorum dej · Dilectis filiis · Priorj et Canonicis Monasterij sanctj Iohannis Apostoli et Euangeliste de Inche Affrem · salutem et apostolicam benedictionem. Solet annuere sedes apostolica piis uotis et honestis petentium precibus fauorem beniuolum impertiri. Eapropter dilecti in domino filij uestris iustis postulationibus clementer annuimus et Monasterium sancti Iohannis Apostoli et Euangeliste de Inche Affrem in quo diuino mancipatj estis obsequio sub beatj petri et nostra protectione suscipimus et presentis scripti patrocinio communitus · Preterea quascumque possessiones quecumque bona idem

<sup>1</sup> Reg. *illa terra.*

<sup>2</sup> Reg. *Maddirdyn (Maddirnyn below).*

<sup>3</sup> Reg. *omits et.*

<sup>4</sup> Reg. *Ricardo.*

<sup>5</sup> From the original, Dupplin, Bull No. 2. The Bulla remains attached by a cord of red and yellow silk.

Monasterium impresentiarum iuste et canonice possidet aut in futurum concessione pontificum · largitione Regum uel principum oblatione fidelium seu aliis iustis modis prestante domino poterit adipisci · firma uobis uestrisque successoribus et illibata permaneant · In quibus hec proprii duximus exprimenda uocabulis · locum ipsum in quo prefatum Monasterium situm est cum omnibus pertinentiis suis Ecclesias sancti katani · de Aberuotheuen · sancti Ethernani de Madernin · sancti Patricii de Strufgeath · sancti Mekesseoc · de Efferdardeuar · de Donine · et sancti Beani de kinkel cum omnibus pertinentiis earum · Ex dono dilectj filij nobilis uirj Gilebertj Comitis de Stradhern · ius patronatus predictarum ecclesiarum · Molendinum super pefrin in Balemacgillon · decimam omnium canorum suorum et reddituum in frumento · farina · brasio · grano · Caseis · Carnibus et omnibus cibariis que annuatim expenduntur in curia sua et omnium piscium quj ad coquinam deferuntur ipsius. Decimam etiam uenationis sue et omnium lucrorum que de placitis suis et rebus aliis prouenire noscuntur. Licentiam quoque piscandi in peferin ubicumque uolueritis · Ex dono eiusdem in nemoribus suis ubi uobis magis fuerit oportunum · Materiam · pasnagium · Cortices et ligna ad ignem necessaria · Tres Acras terre que proxima est Insule uersus aquilonem quas ad edificationem ecclesie uestre concessit · Totam terram de Ardeuganj · totam terram de Achatlongsi · totam terram de Duuinder · et totam terram de Madernine que Abthein antiquitus uocabatur cum omnibus rectis diuisis et pertinentiis earundem in bosco · plano · Terris · Aquis · pratis · pascuis · Maresiis · peteriis · uiuariis · stangnis · Molendinis · sicut in eius autenticis plenius continetur. Ex dono quondam Orable matris · seer de Quinci · octo acras terre in territorio de Gasgt · Libertates quoque et immunitates antiquas et rationabiles consuetudines ecclesie uestre concessas et hactenus obseruatas ratas habemus et eas perpetuis temporibus illibatas permanere sancimus Liceat quoque uobis clericos uel laicos liberos et absolutos e seculo fugientes ad conuersionem recipere et eos absque contradictione aliqua retinere · Prohibemus insuper ut nulli fratrum uestrorum post factam in Monasterio uestro professionem fas sit sine prioris suj licentia de eodem loco discedere · discedentem uero absque communium

litterarum uestrarum cautione nullus audeat retinere . Cum autem generale interdictum terre fuerit liceat uobis clausis januis exclusis excommunicatis et interdictis non pulsatis campanis suppressa uoce officia celebrare diuina . Ad hec auctoritate presentium inhihemus. ut nulli liceat in uos uel ecclesiam uestram sine manifesta et rationabili causa excommunicationis uel interdictj sententiam promulgare . Ad indicium autem huius a sede apostolica protectionis obtente . bizantium unum gratis oblatum nobis nostrisque successoribus annis singulis persoluetis . Decernimus ergo ut nulli omnino hominum liceat hanc paginam nostre protectionis confirmationis et inhibitionis infringere uel ei ausu temerario contraire . Siquis autem hoc attemptare presumpserit indignationem omnipotentis deij et beatorum petri et Pauli apostolorum eius se nouerit incursum . Datum ferentini ij kalendas Julij . Pontificatus nostri Anno sexto.

## XXII

De dunin . confirmacio . regis Willelmi.<sup>1</sup>

1203-04.

. W . dei gratia Rex Scottorum . Omnibus probis Hominibus totius terre sue clericis et laicis salutem . Sciant presentes . et futuri me concessisse . et hac carta mea confirmasse deo et ecclesie sancti Johannis ewangeliste . de incheaffren . et Canonicis ibidem Deo seruientibus et seruituris donationem illam quam Comes Gillebertus eis fecit de ecclesia de Dunine . cum omnibus iustis pertinentijs suis . et de ecclesia sancti Seruani de Monewarde . cum omnibus iustis pertinentijs suis . Tenendis in liberam et puram et perpetuam elemosinam ita libere . et quiete . plenarie . et honorifice : sicut Carte predicti Comitis Gilleberti inde facte iuste testantur . Testibus . Waltero Capellano meo . Willemo Cumin . Willemo de boscho et Hugone clericis meis . adam Hastenge apud Hadingtun . xxiiij . die aprilis.

<sup>1</sup> From the original, Dupplin, No. 129.† The last three words of the indorsement are in a later hand. A fragment of the Great Seal in green wax remains.

## XXIII

1203-10.

Confirmacio Ricardi episcopi de abthen de  
madirnyñ.<sup>1</sup>

Ricardus dei gracia Dunkeldensis episcopus vniuersis sancte Matris ecclesie filijs salutem sciant presentes et futuri nos concessisse et hac carta nostra confirmasse deo et ecclesie sancti Johannis apostoli de Incheaffran et fratribus ibidem deo seruiantibus et seruituris terram nostram in Madernin que terra uocatur Abthen per suas Rectas diuisas cum omnibus justis pertinencijs suis ad petitionem comitis Gilberti<sup>2</sup> de stratherne et fratris eius M · in redemptionem anime nostre et antecessorum nostrorum et predicti comitis G et suorum<sup>3</sup> Tenendam predictis fratribus et eorum successoribus in liberam et perpetuam elemosinam Reddendo nobis et successoribus nostris annuatim unam Marcam argenti scilicet dimidium ad penti-costen et dimidium ad festum sancti Martini volumus Itaque et precipimus vt hijdem fratres predicti et eorum successores predictam terram teneant et possideant de nobis et successoribus nostris Ita libere et quiete plenarie et honorifice ab omni exactione et consuetudine et seruitio seculari ad nos pertinente in boscho et plano in pratis et pascuis in aquis et molendinis et omnibus alijs aisiamentis ad eandem terram pertinentibus sicut aliqua terra in episcopatu nostro liberius plenius et honorificencius tenetur et possidetur et sicut carta Johannis episcopi predecessoris nostri testatur salua tamen predicta pencione Hijs testibus henrico Archidiacono nostro Radulfo Bernardo et Thoma capellanis nostris ludouico et Johanne clericis nostris Bricio persona de Chrefe Roberto capellano de Tubermora Gilberto filio Archidiaconi de stratheryñ.

## XXIV

1204-06.

De terris nostris.<sup>4</sup>

·W· dei gracia Rex Scottorum. Omnibus probis Hominiibus Tocius Terre sue. Clericis et laicis. Salutem. Sciant presentes

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 79); Antiquaries' MS., pp. 101 and 286. Dr. John Stuart's collation (see No. VII. note) has been used.

<sup>2</sup> Reg. *Gilberti comitis.*

<sup>3</sup> Reg. *successorum.*

<sup>4</sup> From the original, Dupplin, No. 126 (= *Lib. Ins. Mis.* No. 11). A fragment of the Great Seal in white wax remains.

et futuri. me Concessisse. et Hac Carta mea confirmasse Deo et Ecclesie Sancti Iohannis Euuangeliste de Incheaffrene. et Canonicis ibidem deo seruiantibus et seruituris. donationem illam quam Comes Gillebertus de Stradherene. eis fecit de Ahchelunche. et ardeweni. et Duffindir.<sup>1</sup> et ardbanine. et Baleful. Tenendis in liberam et puram et perpetuam Elemosinam. per Rectas diuisas suas. et cum Omnibus justis pertinentiis suis. Ita libere et Quietate. Plenarie et Honorifice. sicut Carta predicti Comitis Gilleberti de Stradhern. iuste testatur. Saluo seruicio meo. Testibus · Willelmo Episcopo sancti Andree. Hugone de Mortemer Priore de May. Comite Malcolmo de fif. Philippo de valoniis Camerario · Willelmo Cumin. Malisio filio Comitis ferteth. Waltero Olifarde. Willelmo de valoniis. Alexandro vicecomite de Striuelin. Willelmo Gifarde. Philippo de Lundine. Apud Striuelin. xix. die<sup>2</sup> Iulij.

## XXV

De catallis suspensorum.<sup>3</sup>

1203-8.

Gilebertus Comes de stradhern omnibus hominibus tocius terre sue salutem. Sciant presentes et futuri. me dedisse. concessisse. et hac carta mea confirmasse pro dei amore et pro<sup>4</sup> salute anime mee et uxoris mee. et antecessorum et heredum meorum. deo et Sancto Iohanni apostolo et ewangeliste de Incheaffrin et canonicis ibidem deo et<sup>5</sup> Sancto Iohanni seruiantibus et seruituris hanc libertatem. quod si aliquis hominum suorum de territorio quod ego in liberam elemosinam eis dedi retatus fuerit in curia mea de furto siue de alia aliqua querela que ad curiam meam pertinet. et si de illa reta iudicio dampnatus fuerit : solo michi et heredibus meis corpore relicto ad conseruandam iusticiam curie nostre. omnia catalla sua remanebunt Sancto Iohanni et Canonicis. et si forte aliquis hominum suorum de aliqua reta per pecuniam mecum uel cum heredibus meis finem fecerit : omnis illa finalis pecunia predictis canonicis remanebit. Hanc quidem libertatem deo et Sancto Iohanni

<sup>1</sup> Reg. *Drumfindyr.*<sup>2</sup> Reg. *xx die.*<sup>3</sup> From the original, Dupplin, No. 139 (i). (= *Lib. Ins. Mis.* No. 6). The last three words are spaced out to fill up the line. Seal lost ; tag remains.<sup>4</sup> Reg. omits *pro.*<sup>5</sup> Reg. omits *et.*

et predictis canonicis de me et heredibus meis in perpetuum habendam presenti scripto confirmaui. Hiis testibus. Malisio fratre Comitibus. Matilda Comissa.<sup>1</sup> Ionatha episcopo. Iohanne archidiacono. Abraham Capellano comitis. Constantino Iudice. Gillenanem. dapifero. Malisio filio eius. Willelmo. fertet. Roberto. fergus. Malisio. Gillecris filiiis meis. et Mvltis Aliis.

## XXVI

c. 1208. De terra in territorio de Gortin. Tristram.<sup>2</sup>

Sciunt tam futurj quam presentes quod ego tristram dedi et concessi et hoc scripto meo confirmaui deo et sancto Iohanni apostolo de incheaffrin et canonicis ibidem deo seruiantibus et seruituris. unum croftum in territorio meo. edardoennech. quod est propinquius<sup>3</sup> stagno Molendinj de Gortin. uersus orientem. per ipsas diuisas quas Malisius prior in uita sua tenuit. pro dei amore et pro salute anime mee in liberam et perpetuam elemosinam. tenendum sibi et habendum et possidendum de me et heredibus meis libere et quiete ab omni penitus seculari seruitio et seruii actione. Hij sunt testes. Abraham capellanus domini Comitibus de strathern. et artur filius eius. Isachar capellanus de foglais.<sup>4</sup> Dominus Reginaldus canonicus de scon.<sup>5</sup> Henricus. et tristram. et Willelmus filij tristram. et tebald de<sup>6</sup> foglais. Ela<sup>7</sup> femina tristram. et auiz<sup>8</sup> filia eius. et Mvltj Alij.<sup>9</sup>

## XXVII

c. 1208. De crofto tristrem.<sup>10</sup>

Sciunt tam futuri quam presentes quod ego .G. comes de strathern concessi et hac carta mea confirmaui deo et sancto

<sup>1</sup> Reg. *comitissa*.

<sup>2</sup> From the original, Dupplin, No. 11 (= *Lib. Ins. Mis.* No. 28). Seal in white wax, chipped at edges. See facsimile.

<sup>3</sup> Two or three letters erased in original.

<sup>4</sup> Reg. *ffoulis*.

<sup>5</sup> Reg. *strath'*.

<sup>6</sup> Reg. omits *de*.

<sup>7</sup> Reg. *cristina*.

<sup>8</sup> Reg. *anni* (or *auin*).

<sup>9</sup> Reg. *multis alijs*.

<sup>10</sup> From the original, Dupplin, No. 139 (ii) (= *Lib. Ins. Mis.* No. 29). Seal gone; tag remains.

johanni apostolo et ewangeliste de inseafren et canonicis ibidem deo seruiantibus et seruituris donationem illam quam eis tristram dedit. scilicet unum croftum in territorio suo. de Edardoennech. quod est propinquior stagno Molendini de Gortin uersus orientem. ita libere et quiete sicut liberius et quietius predicti tristram carta testatur. Hii sunt testes .G. archidiaconus. Abraham capellanus comitis. Bricius persona de cref. philippus de melkinh.<sup>1</sup> Ricardus miles de kenbuc. Ricardus uuieth. Nichellus<sup>2</sup> de dolpatric. Enricus filius tristram. Galfridus de Gaisk. Macbeth filius branj. Gille-michel<sup>3</sup> de dunin. et multi alij.

## XXVIII

[Carta comitis G. de ecclesia de Foulis.<sup>4</sup>]

1210.

G. Comes de Strathern · Omnibus amicis et hominibus suis. clericis et laicis presentibus et futuris salutem. Sciatis me dedisse et concessisse · et hac mea carta confirmasse deo et sancto Iohanni [apostolo]<sup>5</sup> et euuangeliste de Incheaffren. et canonicis ibidem deo seruiantibus et seruituris pro dei amore et pro salute anime mee. et uxoris mee. antecessorum meorum et heredum meorum ecclesiam sancti Beani de foulis. cum Omnibus iustis pertinentiis suis. in decimis et oblacionibus. et obuentionibus. cum dotali terra ecclesie · cum communi pastura parochie ceterisque aisiamenis ad predictam ecclesiam pertinentibus. in puram et perpetuam elemosinam · ad habendum. et tenendum. et possidendum sibi et successoribus suis · de me et heredibus meis in proprios usus perpetualiter. ita libere quiete · plenarie. et honorifice · sicut liberius. quietius. plenarius et honorificentius aliqui religiosi in toto regno Scotie ecclesias suas habent tenent · et possident · Hiis Testibus domino A · dunblanensi electo · G · eiusdem loci archidiacono · M · fratre meo · M · comitissa · Roberto filio et herede meo · et aliis filiis meis · Bricio persona de Cref · G · senescallo meo · et M · filio suo · Willelmo de haia clerico meo.

<sup>1</sup> Reg. *Melkinch.*<sup>2</sup> Reg. *nicholaus.*<sup>3</sup> Reg. *Gillmech.*<sup>4</sup> *Lib. Ins. Mis.* Appendix to Preface, No. 3. Corrected from the original in the Atholl charter-chest. Seal gone.<sup>5</sup> Not in the charter.

## XXIX

De foulis.<sup>1</sup>

1211-14.

· W · dei Gracia Rex scottorum. Omnibus probis Hominibus Tocius Terre sue Clericis et laicis ⁊ salutem. Sciant presentes et futuri · me Concessisse. et Hac Carta mea confirmasse. donationem illam quam · G · Comes de stradherene · fecit deo et sancto Iohanni Euuangeliste de Incheaffren. et Canonicis ibidem deo seruiantibus et seruituris de Ecclesia sancti Beani de foulis. Tenenda in puram et perpetuam Elemosinam. cum Omnibus ad predictam Ecclesiam iuste pertinentibus. ita libere et Quiete · plenarie et honorifice. sicut Carta predicti · G · Comitis de stradheren. testatur. Testibus. Willelmo de Boscho Cancellario meo. Oliuero et Willelmo Capellanis meis · Willelmo de valoniis · Alexandro vicecomite meo de striuelin. Apud forgrund · iij · die Decembris.

## XXX

c. 1211. De ecclesia de Aberrotheuin. Abrahe episcopi.<sup>2</sup>

Abraham dei gratia Dumblainensis episcopus. Vniuersis sancte matris ecclesie filijs. Salutem et benedictionem. Sciatis nos presentatione · G · comitis de strathern Dedisse et concessisse et hac carta nostra confirmasse. deo et sancto Iohanni apostolo et euuangeliste de Incheaffren. et Canonicis ibidem deo seruiantibus et seruituris. ecclesiam sancti Cathani de Aberrotheuin in puram et perpetuam elemosinam · Tenendam [sic] sibi cum omnibus iustis pertinentijs suis. et obuentionibus omnimodis in proprios vsus suos · Ita libere et quiete. plenarie et honorifice . sicut aliqui Religiosi in toto Regno scotie suas ecclesias liberius. quietius. plenarius. et honorificentius tenent et possident. saluis episcopalibus nostris. His testibus. G · Comite. Malisio fratre eius. Roberto filio comitis. fergus

<sup>1</sup> From the original, Dupplin, No. 111. Large seal in white wax, broken and crumbling.

<sup>2</sup> From the original, Dupplin, No. 113. Oblong seal in white wax, slightly broken. See facsimile.



fratre ejus. Gilleberto archidiacono. Bricio persona de Cref. Malisio persona de foules. Willelmo capellano episcopi. Malisio persona de killebride. Ricardo capellano comitis · Ricardo Milite · Malisio senescallo · Et Multis alijs.

## XXXI

De ecclesia de hlechterardouer Abrahe episcopi.<sup>1</sup> c. 1211.

Abraham dei gratia Dumblainensis episcopus · Uniuersis sancte matris ecclesie filijs · Salutem · Et benedictionem. Sciatis nos presentacione · Gilleberti Comitis de strathern · Dedisit et concessisse et hac carta nostra confirmasse deo et sancto Iohanni apostolo et ewangeliste de Incheaffren · et Canonicis ibidem deo seruientibus et seruituris. Ecclesiam sancti Mahessoc de hlechterardouer. in puram et perpetuam elemosinam. Tenendam sibi · Cum omnibus iustis pertinentijs suis · et obuentionibus omnimodis in proprios vsus suos · Ita libere et quiete · plenarie et honorifice · sicut aliqui Religiosi In toto Regno Scotie suas ecclesias liberius. quietius · plenarius. et honorificentius. tenent et possident. saluis episcopalibus nostris. His testibus. · G · comite de strathern. Malisio fratre eius. Roberto filio comitis. fergus fratre eius. Gilleberto archidiacono. Bricio persona de Cref. Malisio senescallo. Malisio persona de foules. Ricardo Milite. Willelmo capellano episcopi. Malisio persona de killebride. Ricardo capellano comitis. Et Multis alijs.

## XXXII

Confirmacio super ecclesia de Maddirdyn per · J · episcopum secundum.<sup>2</sup> c. 1211.

Johannes dei gracia ecclesie Dunkeldensis episcopus vniuersis sancte Matris ecclesie filijs eternam in domino salutem sciant presentes et futuri nos concessisse et hac carta nostra confirmasse in redempcione anime nostre et successorum nos-

<sup>1</sup> From the original, Dupplin, No. 15. Oblong seal in white wax, nearly entire.

<sup>2</sup> Reg. (see *Lib. Ins. Mis.* No. 70).

trorum Deo et sancte Marie et sancto Johanni apostolo de insula missarum et . J . priori et omnibus in eadem insula sub religione deo seruientibus et seruituris ecclesiam de Maddyrdyne cum omnibus justis pertinencijs suis in liberam et perpetuam elemosinam Tenendam ita libere et quiete plenarie et honorifice sicut aliqua ecclesia in nostro episcopatu liberius quocius plenius et honorificentius Religiose domui conceditur et possidetur et sicut carta episcopi Johannis predecessoris nostri testatur saluo jure episcopali hijs testibus Magistro henrico Archidiacono nostro Duncano decano Atholie Eugenio clerico . G . et W capellanis nostris Magistro Roberto clerico nostro Willelmo senescallo nostro Michaelae persona de Methfen et Multis alijs.

## XXXIII

1210-18.

Carta de balmakgillone.<sup>1</sup>

Gilbertus comes de stratheryn omnibus hoc scriptum visuris vel auditoris salutem nouerit vniuersitas vestra me dedisse et concessisse et hac carta mea confirmasse deo et beate marie et beato Iohanni apostolo et euangeliste de Inchaffray et canonicis ibidem deo seruientibus et seruituris Balmakgillonam per rectas diuisas suas et cum omnibus justis pertinencijs suis Tenendum in liberam et puram et perpetuam elemosinam in bosco et plano in terris et aquis in pratis et pascuis in moris in marresijs in stagnis et molendinis in viuarijs et piscarijs libere et quiete ab omni seruicio et exaccione seculari et ita libere et honorifice et integre sicut aliqua elemosina in toto rigno scocie ab aliquo comite vel barone liberius quocius plenius et honorificentius tenetur et possidetur<sup>2</sup> Ego vero et heredes mei totum forinsecum seruicium domini Regis quod ad terram illam pertinet inperpetuum adquietabimus hijs testibus Abbram Dunblanensi episcopo Willelmo Abbate de scona Roberto fe[r]gusio Malisio filijs meis Gilberto Archidiacono de st[r]atheryn Malisio senescallo meo Bricio persona de Creff et multis alijs.

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 34).

<sup>2</sup> Reg. *tenentur et possidentur.*

## XXXIV

De Molendino super hern.<sup>1</sup>

1210-18.

· G · comes de strathern o[mn]ibus dilectis amicis suis presens scriptum visuris uel auditoris salutem · Sciant tam presentes quam futuri Me dedisse et concessisse et hac carta mea confirmasse · deo et sancte Marie et beato iohanni de Incaffren [*sic*] et canonicis ibidem deo seruientibus et seruituris · vnum locum super aquam de hern ad faciendum Molendinum suum ubicumque Meliorem locum eligere potuerint · a Molendino de dunffallin quod tunc ibi erat quando hec carta composita fuit in orientem ; Ita tamen quod coadiuuantes sint homines sui cum meis ad stagnum faciendum siue ad aquam deducendam ad utrumque Molendinum · et quod ipsi nichil recipiant ad Molendum in Molendino suo de proprio teritorio meo nisi licentia mea ? aut eorum qui Molendina mea tenuerint ; et ut hec donatio rata et inconcussa eis in posterum haberetur in puram et perpetuam elemosinam libere et quiete · plenarie · et honorifice ab omni seculari seruicio et exaccione presens scriptum sigilli mei munimine dignum duxi roborandum ; testibus hiis domino · a · dumblanensi episcopo · R · et f · et G · filliis meis · Gilberto archidiacono de strathern · brecio · persona de cref Malisio filio suo Ricardo capellano meo Willelmo clerico meo · et Multis aliis.

## XXXV

De libertate tollenei.<sup>2</sup>

1215-21.

Alexander Dei gracia Rex scottorum omnibus probis hominibus tocius terre sue salutem Sciatis me concessisse canonicis de Inchaffryn vt quieti sint per totam terram meam de Tholleneo et consuetudine de hijs que ement ad vsus eorum proprios Quare pro hibeo firmiter ne quis eos iniuste vexare presumat exigendo de eis tollenium vel consuetudinem aliquam de hijs que ement ad vsus eorum proprios super meam defencionem

<sup>1</sup> Laing Charter, No. 13 (No. 5 of Calendar), in Edinburgh University Library. Seal and tag gone; slit remains. <sup>2</sup> Reg. (see *Lib. Ins. Mis.* No. 9).

Testibus Willelmo de boscho cancellario meo comite Malcolmo de ffyff apud streuyllyn decimo Die Marcii.

## XXXVI

1215-21.

De ecclesia de Madernin Hugonis Episcopi.<sup>1</sup>

· H · dei gratia Dunkeldensis episcopus omnibus sancte Matris ecclesie filijs Eternam in domino Salutem. Nouerit vniuersitas vestra nos concessisse et hac Carta nostra confirmasse · Dilectis in cristo filijs canonicis de Inche affran Ecclesiam de Madernin cum omnibus justis pertinentijs suis ita libere et quiete plenarie et honorifice · sicut Carta donationis quam dedit eisdem pie memorie Iohannes primus predecessor noster testatur · cum eadem ecclesia de Madernin ad donationem episcoporum Dunkeldensium qui veri dinoscuntur esse patroni? pertineat · Nos autem qui licet hora vndecima sumus inter operarios vinee domini sabbaoth a summo patrefamilias ewangelico vocati · Et si religio in nobis Minus sit sufficiens et vera? eam tamen in alijs pie confouere et religiosos honorabiliter<sup>2</sup> tractare debeamus. donationem memorati domini Iohannis predecessoris nostri · Necnon et confirmationes bone recordationis Ricardi · ij · et Iohannis · ij · predecessorum nostrorum super prefata ecclesia de Madernin latius et benignius interpretantes? de consilio clericorum nostrorum eisdem Canonicis eorum tenuitati et paupertati compacientes concedimus et hac carta nostra confirmamus vt omnes prouentus sepedicte ecclesie de Madernin in vsus suos proprios pro sue voluntatis arbitrio ad fratrum sustentacionem libere conuertant. Presbiteros tamen In eadem pro tempore instituendos nobis et successoribus nostris representent. qui nobis et eisdem successoribus nostris de spiritualibus et de plebis cura respondeant. ipsis vero simaluerint de temporalibus racionem exhibeant competentem · saluo etiam In omnibus omni iure episcopali. Vt autem hec nostra concessio futuris temporibus firma rata et inconcussa permaneat? eam sigilli nostri appositione duximus

<sup>1</sup> From the original, Dupplin, No. 117. Seal in green wax, nearly entire. See facsimile.

<sup>2</sup> A letter or two erased here.

roborandam. Hijs Testibus. Magistro henrico Archidiacono nostro. Gilleberto capellano. Willelmo capellano. Magistro Roberto de Raperes laue. Magistro Iohanne de hetone. Willelmo de Clonin. canonicis Dunkeldensibus. Matheo Decano · Eugenio persona de Clonjn. Adam persona de forgrund. hugone capellano nostro. vuiet capellano de aberdalgin. Beringario · Abraham · Alano clericis nostris. et Multis alijs.

## XXXVII

De Maresio.<sup>1</sup>

1218.

Vniuersis sancte matris ecclesie filijs et fidelibus presens scriptum uisuris uel auditoris Gillebertus comes de strathern. eternam in domino salutem. Nouerit uniuersitas uestra me dedisse et concessisse et hac carta mea confirmasse deo et sancte Marie et beato Iohanni de Inchaffren. et canonicis ibidem deo seruientibus. et seruituris tantum Maresij<sup>2</sup> adiacentis prenominate Insule in syro de foulis. quantum uallatum erat fossa eodem anno quo hec carta composita fuit. silicet. Anno ab incarnatione dominj Millessimo. cc°.x°.viii°. Tenendum sibi et successoribus suis de me et heredibus meis in puram et perpetuam elemosinam. libere quiete. plenarie. et honorifice ab omni seculari seruitio et exactione. Testibus hijs. Abraham. dunblanensi episcopo. Roberto. fergus. Malisio. Gilleberto. filijs meis. Malisio senescallo meo. Bricio persona de cref. Doncano filio malisi. henrico Rennario meo. Willelmo clerico meo. tristream filio tristream. et multis aliis.

## XXXVIII

Carta de decem acris in uilla de Gask.<sup>3</sup>

c. 1218.

Saherus de quinc[y] comes Wintonie omnibus cristi fidelibus hoc scriptum visuris vel auditoris salutem Nouerit uniuersitas uestra me pro salute mea et antecessorum meorum dedisse et confirmasse in puram et perpetuam elemosinam deo

<sup>1</sup> From the original, Dupplin, No. 139 (iii) (= *Lib. Ins. Mis.* No. 8). Seal and tag gone; slit remains.

<sup>2</sup> Reg. *Marresie*.

<sup>3</sup> Reg. (see *Lib. Ins. Mis.* No. 67).

et beate Marie et ecclesie de Inchafray et canonicis ibidem deo seruiantibus decim acras terre in territorio de Gask illas scilicet decim acras quas Willelmus de selfurd senescallus meus et Willelmus de fored et Willelmus clericus et Morinus le Marr [et] Adam Ruffus perambulauerunt eis per preceptum meum habendas et tenendas inperpetuum libere et quiete ab omni seculari seruiicio et exaccione dedi eciam eis pasturam decim vaccarum in communi pastura de Gask et vt hec mea donacio Rata et inconcussa permaneat eam sigilli mei appositione roborauit Sciendum eciam quod hec predicta dedi eis in escambium · vij · acrarum terre quas Idem canonici calu[m]p-  
niauerunt versus me hijs testibus<sup>1</sup>

## XXXIX

1219. Carta · terrarum · videlicet · de Achlonx · Ardeuny ·  
Ardbany · Duffindir · Balfoer · Balgilhon · tribus  
acris proximis marisco de foulis · Ruhehalache ·  
[Molendino super herne cum omni asiamento  
quod firmatum est .] Item de ecclesiis de  
strugethe · Dunyn · Abirrothauen huthirardor  
kinkel foulis Madirdi Mothavard kellebrid.<sup>2</sup>

Vniuersis sancte Matris ecclesie filijs et fidelibus. Gillebertus comes de stratheren · salutem. Nouerit uniuersitas uestra me quandam domum fundasse in honorem dei et sancte Marie et sancti Iohannis apostoli et euuangeliste in terra mea apud Incheaffren. ibique canonicos regulares posuisse. Ad cuius domus foundationem et canonicorum sustentationem sciat is me dedisse et concessisse et hac carta mea confirmasse canonicis ibidem deo seruiantibus et seruituris. achadlunxech. et ardeweni. et ardbani. et dofindre. et balfur. et balmacgillon. et tres acras terre illius que proxima est Marisco de foulis ·

<sup>1</sup> There is a gap in the Register here. See preface.

<sup>2</sup> From the original, Dupplin, No. 109 (= *Lib. Ins. Mis.* No. 3). Large seal in green wax, with counter-seal. About half remains, suspended by two cords of green and yellow silk. The bracketed part of the indorsement is added in a later hand. See facsimile.

uersus aquilonem. Et villam que dicitur Ruuehalach, quam dedi eis pro decimis lucrorum meorum que prouenient michi et heredibus meis de placitis et querelis de comitatu meo. De lucris autem que michi et heredibus meis aliunde euenerint,<sup>1</sup> eis decimas plenarie persoluemus. et tantum de Maresio de foulis adiacente prenominata Insule quantum uallatum est ab eis fossato anno ab incarnatione domini. M<sup>o</sup>.cc<sup>o</sup>.xix<sup>o</sup>. et vnum Molendinum super heren apud dunfallin. quod firmauerunt Iuxta meum Molendinum<sup>2</sup> cum omni asiamento quod firmatum est anno ab incarnatione domini .M<sup>o</sup>.cc<sup>o</sup>.xix<sup>o</sup>. Hec autem omnia uolo ut prefati canonici habeant. teneant. et possideant. In puram et perpetuam elemosinam. In bosco et plano. in terris et aquis. in pratis et pascuis. in Moris et Maresijs. in stagnis et Molendinis. et piscarijs. per omnes rectas suas diuisas. cum omnibus iustis pertinentiis suis. Ita libere et quiete . plenarie. et honorifice. sicut aliqua elemosina in toto regno scotie ab aliquo comite uel barone. liberius. quietius. plenarius. et honorificentius tenetur et possidetur. Ego uero et heredes mei totum forinsecum seruitium domini regis quod ad prenominatas terras pertinet. inperpetuum adquietabimus. Preter hec autem adieci ad honorem dei et promotionem loci et prefatorum canonicorum sustentationem. Ecclesiam Sanctj Patricij de strugeth. Ecclesiam sancti Seruanj de dunin. Ecclesiam Sanctj katanj de aberrothuin. Ecclesiam Sanctj Mohessoc de vchterardouer. Ecclesiam Sanctj Beanj de kinkelle. Ecclesiam Sancti Beani de foulis. Ecclesiam sancti Iþernanj<sup>3</sup> de Madernj. Ecclesiam Sanctj Seruanj de Moydeuard. Ecclesiam Sancte Brigide de kilbrigde. Tenendas sibi et successoribus suis cum terris et pasturis. et herbagijs et omnibus alijs iustis pertinentijs suis et asiamentis. In puram et perpetuam elemosinam. Ita libere et quiete. plenarie et honorifice. sicut aliqui religiosi aliquas ecclesias in toto Regno scotie. liberius . quietius. plenarius et honorificentius tenent et possident ex dono alicuius comitis uel Baronis. Hijs testibus. Abraham Dunblanensi episcopo. Willelmo abbate de scona . Gilleberto archidiacono. de stratheren. Roberto. fergus. Malisio. Gilleberto filijs meis . Malisio senescallo meo.

<sup>1</sup> Reg. *venerint.*

<sup>2</sup> Reg. *molendinum meum.*

<sup>3</sup> Reg. *Iphernani.*

Briccio persona de cref. Donecano. et Gillethoma filijs Malisij. Donecano filio brani. Gillecris filio iudicis de strath-eren. Henrico Rennario meo. Tristram filio tristram Constantino dapifero Thebaldo dispensario meo. et multis alijs.

## XL

1219/20.

Confirmatio regis alexandri.<sup>1</sup>

Alexander Dei gracia Rex scottorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciant presentes et futuri me concessisse et hac carta mea confirmasse deo et sancte Marie et ecclesie sancti Iohannis apostoli et euangeliste apud Inchafryn et canonicis ibidem deo seruientibus et seruituris dona que comes Gilbertus de stratheryn fundator ipsius ecclesie pia deuocione eis dedit scilicet Inchafryn Achinluxiche et Ardewny et Ardbany et Duffynder et balfur et Balmakgillon et tres acras terre illius que proxima est Marresio de fowlis versus aquilonem et villam que dicitur Ruhalach quam Idem comes dedit eis pro decimis lucrorum suorum que prouenient ei et heredibus suis de placitis et querelis de comitatu suo saluis eisdem canonicis decimis que predicto comiti et heredibus suis aliunde euenerint et de Maresio de ffowlis sicut continetur in carta ipsius comitis et vnum Molendinum super Eryn apud Dunfallyn sicut similiter continetur in carta ipsius comitis et preterea decimam omnium canorum et Reddituum ipsius comitis in frumento farina grano brasio casiis et omnibus cibariis que annuatim expendantur in curia eius et decimam tocius piscis que ad quoquinam ipsius defertur et decimam venacionis sue licenciam quoque piscandi in Peffryn vbicumque voluerint et capiendi in nemoribus ipsius comitis vbi eis magis oportunum fuerit materiem ad edificacionem domorum suarum et vtencilium et ad pastum ignis concedo eciam et confirmo deo et dictis canonicis ecclesiam sancti Patricii de strogeth ecclesiam sancti seruani de Dunyn ecclesiam sancti kattani de Abruthfen ecclesiam sancti Makkessani de ouchtirardore ecclesiam sancti Beani de kynkelle ecclesiam sancti Beani de

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 15).



frowlis ecclesiam sancti Ethirnani de Maddirnyne ecclesiam sancti seruani de Moyheuard ecclesiam sancte Brigide de kylbryde Quare volo vt predicta ecclesia et canonici eiusdem loci omnia prescripta teneant et possideant in puram et perpetuam elemosinam cum omnibus justis pertinenciis suis ita libere et quiete plenarie et honorifice sicut carte ipsius comitis eis inde facte testa[n]tur saluo seruicio meo Testibus Willelmo Abbate de scona Willelmo de Boscho cancellario meo Waltero filio Alani senescallo henrico de Bayleyhef Waltero de fontibus henrico de streuyllyn filio comitis dauid Johanne de haya Waltero Cumin Allexandro de setona Willelmo de lyndesay filio Walteri de lyndesay apud Sconam quinto die Januarii.

## XLI

Confirmatio domini Roberti de ecclesiis et terris c. 1220.  
Tercia.

Robertus filius Gilleberti comitis de stratheren. Omnibus dilectis amicis suis presens scriptum visuris uel auditoris. salutem. Sciant tam presentes quam futuri me pro salute anime mee et patris mei et matris mee et antecessorum meorum concessisse et hoc presenti scripto meo confirmasse donationem illam quam fecit predictus comes pater meus. Deo. et Sancte Marie. et Sancto Iohanni de Incheaffren et canonicis ibidem deo seruientibus et seruituris de hijs terris. scilicet. adlunxi et ardewanj. et ardbanj. et dofindre. et balfur. et balmakilleoen. et de tribus acris terre illius que proxima est Marisco de foulis. uersus aquilonem et de villa qui [*sic*] dicitur Ruuehalach. et de tanto Marisij de foulis adiacente prenominate Insule quantum vallatum est ab eis fossato. Anno ab incarnatione dominij. M<sup>o</sup>.cc<sup>o</sup>.xix<sup>o</sup>. et de vno Molendino super heren apud dunfallin quod firmauerunt iuxta Molendinum predictj comitis patris mej cum omnj aisiamento cum quo firmatum est anno ab incarnatione domini . M<sup>o</sup>.cc<sup>o</sup>.xix<sup>o</sup>. Et ut hec omnia prefati canonicj teneant et

<sup>1</sup> From the original, Dupplin, No. 140 (i). The last word of the indorsement is doubtful. Seal lost; tag remains. See facsimile.

possideant in puram et perpetuam elemosinam. jn bosco et plano. et in terris et aquis. in pratis et pascuis. in moris et maresijs. in stagnis et molendinis et piscarijs. per omnes rectas suas diuisas cum omnibus iustis pertinentijs suis. Ita libere et quite. plenarie. et honorifice. sicut carta prenominatj comitis patris mei testatur et confirmat presens scriptum predictis canonicis sigilli mei munimine roborauj. Preterea cum omnibus hijs pretaxatis concedo eis et confirmo has ecclesias quas pater meus eis donauit. scilicet. Ecclesiam sanctj patricij de struget. Ecclesiam Sanctj Seruanj de dunin. Ecclesiam sanctj Beanj de foulis. ecclesiam sanctj Beanj de kinkelle. ecclesiam sancti katanj. de aberrothuin. Ecclesiam Sanctj Mohessoc de vterardouer. ecclesiam sanctj Seruanj de Moydeuard. ecclesiam sancti Seruanj de tulliedene. Ecclesiam Sancte brigide de killbrigde. ecclesiam sanctj ydarnasij de Madornj. Tenendas et possidendas sibj et successoribus suis cum terris et pasturis et herbagijs et alijs iustis pertinentijs suis et esiamtis in puram et perpetuam elemosinam. Ita libere et quiete. plenarie et honorifice. sicut carta sepe dictj comitis patris mej testatur et confirmat. Hijs testibus. Abraham dunblanensi episcopo. Willelmo abbate de scona. Gilleberto archidiacono de strathern. fergus. Malisio. Gilleberto. fratribus meis. Malisio senescallo predicti patris mej. Iurdano senescallo meo. Bricio persona de cref. dunecano et Gilletoma filijs malisij. Gillecrist filio iudicis de stratheren. henrico Rennario patris mej. et Multis alijs.

## XLII

c. 1220. Confirmatio Rogeri de Quinci de.x. acris terre in territorio de Gasc.<sup>1</sup>

.Vniuersis cristi fidelibus ad quos presens scriptum peruenit Rogerus de Quinci Salutem. Nouerit vniuersitas vestra Me pro salute mea et antecessorum meorum concessisse et hac carta mea presenti confirmasse in puram et perpetuam

<sup>1</sup> From the original, Dupplin, No. 141 (i). Seal lost ; tag remains.

elemosinam deo et beate marie et Ecclesie de Incheaffran · et Canonicis ibidem deo seruientibus et seruituris decem acras terre in territorio de Gasc · scilicet · illas quas prudentes homines domini patris mei Comitis Wintonie perambulauerunt et pasturam .x. vaccarum · In communi pastura de Gasc · tenendas in perpetuum libere et quiete ab omni seculari seruitio et exactione. sicut carta patris mei quam habent testatur · Et ut hec concessio et confirmatio Rata et inconcussa permaneat Hu[i]c scripto sigillum meum apposui · Et sciendum est quod predictam terram · scilicet · x acras prenominate concessi canonicis prenominate in escambium vjj acrarum quas idem canonici uersus patrem meum Calumpniauerunt · Hiis Testibus · Gilberto Comite de stratherne · Roberto et Fergus filiis suis euerardo de trumpitune. Willelmo de Selforde · Morino de kyndelouth et W · de Fore et multis aliis.

## XLIII

De libertate proprie curie nostre.<sup>1</sup>

c. 1220.

Gilbertus filius ferthet Comes de strathern Omnibus amicis suis et hominibus has litteras uisuris uel auditoris salutem. Sciatis quod dedi et concessi deo et sancto iohanni De incheaffren et priori et canonicis ibidem deo seruientibus et seruituris hanc libertatem in puram et perpetuam elemosinam vt cum aliqua querela que ad curiam meam debet spectare mota fuerit super aliquem hominem manentem in terris eorum non trahatur de terris eorum ad respondendum alibi? set teneant libere placita sua prefatus prior et canonici in terra sua ubicumque uoluerint et per quoscumque eis placuerit. Precor etiam amicos meos · et hominibus et bailliuis meis scilicet senescallo et iudici meo precipio · quatinus cum necesse fuerit et requisiti fuerint a prefato priore et canonicis omni occasione et dilatione remota in fidelitate quam michi debent ueniant ad prefatos priorem et canonicos et teneant placita canoni-

<sup>1</sup> From the original in the Gask Charter-chest (= *Lib. Ins. Mis.* No. 4). Printed, with facsimile, in *Oliphants in Scotland*, p. 1. Seal gone; tag remains.

corum ubi canonicis placuerit sicut mea propria . Ita ut prefati prior et canonici habeant omnia forisfacta et omnia que ad curiam meam pertinent salua michi et heredibus meis iusticia corporum. Do eciam eis licentiam capiendi namos de firmariis meis pro decima que eis contingit de dono decime mee si forte ad terminos statutos non persoluerint. Precipio etiam firmiter super forisfactum meum seruientibus meis ne quis eorum infra terras prefati prioris et canonicorum uolentiam uel disturbancem aliquam faciant . nec aliquid exigant nisi per eorum uoluntatem et licenciam. Et ut hec libertas et concessio mea a me et heredibus meis rate et inconcusse habeantur inperpetuum presens scriptum sigilli mei appositione roborauit. Hiis testibus . Domino Willelmo abbate de scona . Roberto priore eiusdem Loci . Iohanne et Ricardo et cungi<sup>1</sup> capellanis meis . Malisio senescallo meo . Willelmo clerico meo . Henrico filio tristram et multis aliis ;

## XLIV

c. 1220.

De libertate proprie curie nostre.<sup>2</sup>

Gilbertus filius ferthet comes de strathern Omnibus amicis suis et hominibus has litteras uisuris uel audituris Salutem. Sciatis quod dedi et concessi deo et Sancto Iohanni de Incheaffren et priori et canonicis ibidem deo seruientibus et seruituris hanc libertatem in perpetuam elemosinam vt cum aliqua querela que ad curiam meam debet spectare mota fuerit super aliquem hominem manentem in terris eorum non trahatur de terris eorum ad respondendum alibi. sed teneant libere curiam suam prefatus prior et canonici in terra sua ubicumque uoluerint et per quoscumque eis placuerit. Precor etiam amicos meos. et hominibus et bailluis meis scilicet senescallo et Iudici meo precipio. quatinus cum necesse fuerit et requisiti fuerint a prefato priore et canonicis omni occasione et dilatione remota in fidelitate quam michi debent ueniant ad prefatos priorem et canonicos et teneant curiam canonicorum ubi canonicis placuerit sicut meam propriam. Ita ut

<sup>1</sup> Reg. *cungi*.<sup>2</sup> From the original, Dupplin, No. 139 (iv). Seal gone ; tag remains.

prefati prior et canonici habeant omnia forisfacta et omnia que ad curiam meam pertinent. salua michi et heredibus meis iustitia corporum. Do eis etiam licentiam capiendi namos de firmariis meis pro decima que eis contingit de dono decime mee. si forte ad terminos statutos non persoluerint Precipio etiam firmiter super forisfactum meum seruientibus meis nequis eorum infra terras prefati prioris et canonicorum uiolentiam uel disturbance[m] aliquam faciant. nec aliquid exigant nisi per eorum uoluntatem et licentiam. Et ut hec libertas et concessio mea a me et heredibus meis rate et inconcusse habeantur in perpetuum [*sic*] presens scriptum sigilli mei appositione roborau[i]. Hiis testibus. Dompno Willelmo Abbate de scona. Roberto priore eiusdem loci. Iohanne. et Ricardo. et cungi capellanis meis. Malisio senescallo meo. Willelmo clerico. Henrico filio tristram. Et multis aliis.

## XLV

De Ecclesia de Gasc.<sup>1</sup>

1221-3

Gillebertus comes de stratherne · vniuersis sancte Matris ecclesie filiis Salutem · Sciatis me dedisse et concessisse et hac Carta mea confirmasse Deo et Sancto Iohanni apostolo et Euangeliste de Insula Missarum · et abbati et Canonicis ibidem deo · seruientibus et seruituris · Ecclesiam Sancte Trinitatis de Gasc · In puram et perpetuam Elemosinam · Tenendam sibi de Me et heredibus meis inperpetuum · In decimis et oblacionibus et obuencionibus omnimodis cum terra ad eandem Ecclesiam pertinente et cum communi pastura Parochie et ceteris aisiamentis omnimodis ad predictam Ecclesiam pertinentibus · Ita libere et quiete Plenarie et honorifice · sicut aliqui religiosi in toto Regno Scocie aliquam Ecclesiam de dono alicuius Comitis · liberius · quietius Plenarius et honorificentius · habent · tenent · et possident · Hiis Testibus · Abraham dunblanensi episcopo · W · de bosco cancellario domini Regis · W · Abbate de scona · G · archidiacono

<sup>1</sup> From the original in the Atholl charter-chest; printed *Lib. Ins. Mis.* Appendix to Preface No. 5. Large seal, with counter-seal.

Dunblanensi · Dompno Roberto Canonico de scona · Ricardo de kelchou clerico domini Cancellarii · Willelmo clerico Meo · et multis aliis.

## XLVI

Carta de abircarny.<sup>1</sup>

1221-23.

Omnibus sancte matris Ecclesie filiis presens scriptum uisuris uel audituris Ysenda sponsa Comitis Gilleberti de Strathern salutem · Sciatis me diuine caritatis intuitu per consensum<sup>2</sup> prenominati Comitis domini mei dedisse et concessisse et hac carta mea confirmasse Abbati et Canonicis de Insula Missarum · quinque · acras terre in uilla mea de Abercharni · illam scilicet terram quam eisdem Abbati et Canonicis probis hominibus presentibus perambulauī · uidelicet domino Ricardo Milite et Galfrido de Gasç fratribus meis · henrico · et · Tristrem filiis tristrem · Willelmo clerico Comitis<sup>3</sup> et multis aliis tenendum sibi in perpetuam elemosinam · libere et quiete ab omni seruicio et exaccione seculari · cum communi pastura duodecim vaccarum et duorum equorum et cum omnibus aliis aisiamentis eiusdem territorii ad tantam terram pertinentibus · In Huius<sup>4</sup> Rei testimonium quoniam eo tempore quo hec carta facta fuit sigillum proprium non habui: huic scripto sigillum Domini Abrahee Dunblanensis Episcopi qui huius donacionis testis est quod ad<sup>5</sup> hoc ipse michi accommodauit apposui · vt hec autem mea donacio in perpetuum Rata et inconcussa habeatur hanc cartam prenotatus<sup>6</sup> Comes Dominus meus in signum sui consensus sigilli sui appositione Roborando confirmauit · Hiis testibus · Dompno Abraham Dunblanensi episcopo · G · Archidiacono de Stradhern · M · senescallo Comitis · Macbet iudice · T · filio arnaldi · et multis aliis.

<sup>1</sup> *Lib. Ins. Mis.* Appendix to Preface No. 7; from the original charter at Abercainey, not at present available for collation (= *Lib. Ins. Mis.* No. 65). The rubric is from the Register.

<sup>3</sup> Reg. omits *Comitis*.

<sup>2</sup> Reg. *assensum*.

<sup>4</sup> Reg. *cuius*.

<sup>5</sup> So Reg.; the original as printed has *ac*.

<sup>6</sup> Reg. *preminatus*.

## XLVII

Confirmatio comitis Roberti.<sup>1</sup>

1221-23.

Uniuersis sancte Matris ecclesie filijs hoc scriptum visuris vel auditoris Robertus filius Gilberti comitis de stratheryn eternam in domino salutem Nouerit vniuersitas vestra me fideliter promississe et me ipsum obligasse erga dompnum Innocencium Abbatem et conuentum de insula missarum fide mea interposita in manu Dompni Abbrahe Episcopi Dunblanensis coram viris: fidedignis scilicet Gilberto archidiacono Dunblanensi <sup>2</sup> et Cristino fratre ejus Duncano filio Ade Milite de fiff Milisio senescallo de stratheryn B[r]icio persona de Creffe et malisio filio eius Makbeth iudice et multis alijs in ecclesia de strogeth quod nunquam in tota vita mea prefatum Abbatem vel conuentum iniuste vexabo Inmo ipsos tanquam amicos meos specialissimos diligam et in omni loco honorabo et domum predictam saluis iure et honore meo per consilium amicorum meorum quantum potero accrescam Et eis ecclesias de Gask et de strogeth et omnes alias ecclesias terras possessiones libertates rectitudines consuetudines aysiamenta et decimas omnimodas et cetera omnia que in cartis prenominati comitis domini et patris mei et meis continentur sicut e[e]dem carte testantur benigne concedens et hac carta mea confirmans eis hec omnia contra omnes homines warantizabo et eos quite et pacifice ipsa possessione tenere faciam Preterea si aliquid eis latrocinium furtum iniuria vel uexacio aliqua illata fuerit jus eorum tanquam meum proprium et sicut patronus domus in omnibus prosecuturus et iniurias vindicaturus causam eorum manutenebo et iniuriosos ad satisfaciendum eis secundum posse meum constringam et ab eis nullam pacem vel concordiam admittam nisi cum consilio ipsorum Abbatis et conuentus et nisi saluis eorum plenario jure et honore vt hec autem mea concessio et confirmacio rata et inconcussa permaneat presens scriptum sigilli mei et sigillorum predicti domini Abbrae episcopi Dunblanensis et domini hugonis Episcopi Dunkeldensis et

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Reg. (see *Lib. Ins. Mis.* No. 16).

<sup>2</sup> Blank space in Reg.

Domini hugonis Abbatis de sancto seruano et domini ffergusij fratris mei qui huius testes sunt appositione dignum dux[i] roborare.

## XLVIII

c. 1221. [De ecclesia de Maderdin Hugoni episcopi Carta altera.<sup>1</sup>]

Hugo dei gratia Dunkeldensis episcopus Omnibus Sancte matris ecclesie filiis. eternam in domino Salutem. Nouerit uniuersitas uestra nos concessisse et hac carta nostra confirmasse Dilectis in cristo filiis Dompno abbati de Inche affren. et Canonicis ibidem deo seruiantibus et seruituris. Ecclesiam de Marderdin<sup>2</sup>. cum omnibus iustis pertinentiis suis ita libere. et quiete. plenarie. et honorifice. sicut carta donationis quam dedit eisdem Canonicis pie memorie Iohannes primus predecessor noster testatur. cum eadem Ecclesia de Marderdin ad donationem Episcoporum Dunkeldensium qui ueri dinoscuntur esse patroni pertineat. Nos autem qui licet hora undecima sumus inter operarios uinee Domini sabaoth a summo patre familias euangelico uocati. quamuis religio in nobis minus sit sufficiens et uera. eam tamen in aliis pie confouere et Religiosos honorabiliter tractare debeamus.<sup>3</sup> Donationem memorati Domini Iohannis predecessoris nostri. nec non et confirmationes bone recordationis Ricardi secundi<sup>4</sup> et Iohannis secundi. predecessorum nostrorum super prefata ecclesia de Maderdin. latius et benignius interpretantes de consilio et assensu capituli Dunkeldensis predictis abbati et canonicis eorum tenuitatj et paupertatj compatientes concedimus. et hac carta nostra confirmamus. ut omnes prouentus sepedicte<sup>5</sup> Ecclesie de Marderdin in usus suos proprios pro sue uoluntatis arbitrio libere conuertant. Presbiteros tamen in eadem Ecclesia pro tempore instituendos nobis et successoribus nostris presentent. qui nobis et successoribus nostris

<sup>1</sup> From the original, Dupplin, No. 144 (i.) (= *Lib. Ins. Mis.* No. 71). Two seals and tags lost; slits remain.

<sup>2</sup> Reg. *Maddyrynyn* (in other clauses *Maddyrdyn*).

Reg. *debemus*.

<sup>3</sup> So also in Reg. ; omitted in Bannatyne Club edition.

<sup>5</sup> Reg. *predicte*.



de spiritualibus respondeant. saluo etiam in omnibus iure Episcopali. vt autem hec nostra concessio inperpetuum firma. Rata. et inconcussa permaneat. tam nos quam Capitulum ipsum in signum assensus sui sigilla nostra apposimus. Hiis Testibus. Magistro Henrico archidiacono nostro. Gilleberto capellano. Willelmo capellano. Magistro Roberto de Raperlau. Magistro Iohanne de Hetune. Adam de prebenda. Willelmo de Clonin. Canonicis Dunkeldensibus. Matheo Decano. Eugenio persona de Clonin. Hugone et Abraham Capellanis nostris. Berengario. Alano. Clericis nostris. et multis aliis.

## XLIX

Confirmacio hugonis episcopi de abthan de  
madiryn.<sup>1</sup>

c. 1221.

Hugo dei gracia episcopus Dunkeldensis vniuersis sancte Matris ecclesie filijs salutem sciant omnes presentes et futuri nos concessisse et hac carta nostra confirmasse Deo et ecclesie sancti Iohannis de Inchaffryn et fratribus ibidem deo seruientibus et seruituris terram nostram in Madirynne que terra vocatur Abthen per suas rectas diuisas cum omnibus iustis pertinencijs suis Tenendam de nobis predictis fratribus inperpetuum Reddendo nobis et successoribus nostris annuatim vnam Marcam argenti scilicet dimidium ad Pentecosten et dimidium ad festum sancti Martini Volumus itaque vt Idem fratres predictam terram teneant et possideant de nobis et de successoribus nostris Ita libere et quiete plenarie et honorifice ab omni exactione et consuetudine et seruicio seculari ad nos pertinente in bosco et plano in pratis et pascuis in aquis et molendinis et in omnibus alijs aysiametis ad eandem terram pertinentibus sicut aliqua terra in episcopatu nostro liberius plenius et honorificencius tenetur et possidetur salua duntaxat predicta pencione Testibus hijs Magistro henrico Archidiacono nostro Magistro Roberto de Raperes laue Magistro Iohanne de hetona Adam de Prebenda Gilleberto capellano de Aberlauedy

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 77).

canonicis Dunkeldensibus Ewgenio persona de Clonyn Bernardo capellano de kergille hugone Abraham capellanis nostris Berengario et Alano clericis nostris et Multis alijs.

## L

. 1221. Quita clamacio cani et conueti de maddirnyn.<sup>1</sup>

Hugo dei gracia Dunkeldensis episcopus omnibus presens scriptum uisuris uel audituris eternam in domino salutem Nouerit uniuersitas uestra nos caritatis et diuine pietatis intuitu remisisse et inperpetuum quietum clamasse Abbati et canonicis de insula missarum canum et conuetum<sup>2</sup> quod clerici ecclesie Dunkeldensis percipere consueuerunt apud Madirdin<sup>3</sup> de terra<sup>4</sup> que scotice<sup>5</sup> dicitur Abthen ad huius autem quiete clamacionis robur perpetuum huic scripto sigillum nostrum apposuius Teste capitulo Dunkeldensi.

## LI

1223-24. Confirmacio Roberti comitis de ecclesiis terris et decimis et aliis.<sup>6</sup>

Robertus Comes de Stratheren Omnibus hoc scriptum visuris uel audituris salutem. Sciant presentes et futuri me concessisse et hac Carta mea confirmasse deo et Beate Marie et Beato Iohanni Apostolo de Incheaffren et Canonicis eiusdem loci eorumque successoribus tenendum sibi de me et heredibus meis in Puram et perpetuam elemosinam Omnes Ecclesias. terras.<sup>7</sup> Possessiones. libertates. Rectitudines. Consuetudines. Aisiamenta. et Decimas omnimodas in domo nostra. et in terris nostris. et Cetera omnia que prenomiatus Comes dominus

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 75); Antiquaries' MS. pp. 97 and 283. Dr. John Stuart's collation (see No. VII. note) has been used.

<sup>2</sup> Reg. *conetum*; Ant. MS. *conuetum*.

<sup>3</sup> Reg. *Maddirdyn*; Ant. MS. *Maderin*.

<sup>4</sup> Reg. omits *de terra*.

<sup>5</sup> Reg. *scocie*.

<sup>6</sup> From the original, Dupplin, No. 123 (= *Lib. Ins. Mis.* No. 21). Large seal in green wax, slightly broken away at sides. The indorsement is faint, and of some of its words the reading is doubtful. See facsimile.

<sup>7</sup> Reg. inserts *et*.

et Pater meus eisdem Canonicis dedit et concessit . et per Cartas suas inde factas confirmavit. Ita libere et quiete. Plenarie et honorifice et integre: sicut in<sup>1</sup> eisdem Cartis patris mei et meis continetur. Preterea concedo predictis Canonicis . et eis perpetuo de me et heredibus meis inconcusse tenendum presenti Carta confirmo . quatinus nullus nostrum det uel aliquo modo conferat alicui terram uel quicquam aliud: nisi saluis elemosinis et<sup>2</sup> Rectitudinibus ad ipsos Canonicos de iure pertinentibus. hiis testibus. Abraham Episcopo Dunblanensi . Gilleberto archidiacono de stratheren . ffergus . Malisio . Gilleberto fratribus meis . Bricio Persona de Cref . Mackebet more Donecano et Gillethoma filiis Malisii . et Multis aliis.

## LII

Carta terre de Rath.<sup>3</sup>

1223-24.

Robertus comes de stradhern Omnibus hoc scriptum uisuris uel audituris salutem . Scient presentes et futuri me dedisse et concessisse et hac carta mea confirmasse Deo et beate maRje et beato Johanni apostolo et euangeliste de insula missarum et abbati et canonicis ibidem deo seruientibus et seruituris in puram et perpetuam elemosinam terram que dicitur Rath scilicet quartam partem tocuis Dunphalin cum omnibus iustis pertinenciis suis in bosco et plano in pratis et pascuis in moris et maresiis in aquis et molendinis et cum communi pastura et omnibus aliis communibus aisiamentis terrarum mearum prenominate terre uicinarum . Tenendum de me et heredibus meis libere et quiete ab omni seruitio et exactione seculari excepto solummodo auxilio domini regis quando scilicet ipse dominus rex commune auxilium super totum regnum posuerit . Ego uero et heredes mei totum reliquum forinsecum seruitium domini regis quod ad illam terram pertinet pro eis perpetuo faciemus . Hiis testibus .

<sup>1</sup> Reg. omits *in*.

<sup>2</sup> Reg. omits *et*.

<sup>3</sup> From *Lib. Ins. Mis.* Appendix to Preface No. 9 (= *Lib. Ins. Mis.* No. 60). The original in the Dollerie Charter-chest is not available for collation. The rubric is from the Register.

Abraham Dunblanensi episcopo · domino Fergus et malisio  
fratribus meis · G · Archidiacono · Malisio senescallo [meo · ]<sup>1</sup>  
Macbeth iudice et multis aliis.

## LIII

1225. De pace domini regis et de natiuis fugitiuis  
reducendis.<sup>2</sup>

Alexander dei gracia Rex Scottorum · Omnibus probis  
hominibus tocius terre sue? Salutem · Sciatis nos domum  
et abbatem et Canonicos de Incheafrane<sup>3</sup> · et homines et terras  
et possessiones eorum uniuersas? sub firma pace et protectione  
nostra iuste suscepisse. Quare prohibemus firmiter. Ne quis  
eis iniuriam uel molestiam aut grauamen aliquod iniuste inferre  
presumat? super nostram plenariam forisfacturam · Con-  
cessimus eciam predictis abbati et Canonicis? ut<sup>4</sup> ubicumque  
inuenire poterunt extra dominia nostra natiuos et fugitiuos  
homines suos qui sui de ratione esse debent? eos iuste habeant ·  
Et prohibemus firmiter. Ne quis eos eis iniuste detinere  
presumat? super nostram plenariam forisfacturam · Testibus.  
Thoma de Striuelin Archidiacono Glasguensi. Henrico de  
Baillol Camerario. apud Striuelin. Octauo die Iunii. anno  
Regni nostri vndecimo.

## LIV

1226. De decima de Vterardouer.<sup>5</sup>

Alexander dei gracia Rex Scottorum · Omnibus probis  
hominibus Tocius terre sue Clericis et laicis? Salutem · Sciant  
presentes et futuri nos dedisse et Concessisse et hac Carta

<sup>1</sup> Supplied from the Register.

<sup>2</sup> From the original, Dupplin, No. 16 (i) (= *Lib. Ins. Mis.* No. 17). Small fragment of seal in white wax, attached by a strip of the parchment of the charter. See facsimile.

<sup>3</sup> Reg. *Inchafray*.

<sup>4</sup> Reg. omits *ut*.

<sup>5</sup> From the original, Dupplin, No. 16 (ii). (= *Lib. Ins. Mis.* No. 7). A fragment of the Great Seal remains, in white wax.

nostra confirmasse deo et ecclesie sancti Iohannis apostoli et Euuangeliste de Incheaffrane · et Canonicis ibidem deo seruiantibus et in perpetuum seruituris totam decimam redditus nostri de Vchterardouere · Tenendam eisdem Canonicis in liberam puram et perpetuam elemosinam · percipiendam singulis annis per manus firmariorum et Bailliuorum nostrorum de Vchterardouere · Testibus · Thoma de Striuelin Cancellario · Henrico de Baillol Camerario · Roberto Capellano · Waltero Cumin · Iohanne de haya · Willelmo de Muntfichete · Willelmo de Bruse · Waltero Bysete · Apud Clonin · terciodecimo die Augusti · anno Regni nostri duodecimo.<sup>1</sup>

## LV

Carta de vno tofto et tribus acris in kyntochir.<sup>2</sup> 1226-34.

Robertus comes de stratheryn omnibus hoc scriptum visuris vel auditoris salutem Nouerit vniuersitas vestra me concessisse et hac mea carta confirmasse deo et beate marie et beato Iohanni apostolo et euangeliste et Abbati et conuentui de insula missarum illas sex acras terre quas nigellus de lutoft eis dedit in territorio de Dolpatrik et illud toftum et illas tres acras terre quas henricus filius Trestram dedit eis in villa sua de kyntochir cum communi pastura quinque vaccarum et vnus equi et cum omnibus alijs communibus aysiamenis eiusdem ville ad tantam pertinentibus terram Que videlicet predicta prenominati Nigellus et henricus ultimum suum facientes testamentum memoratis Abbati et conuentui pro redempcione animarum suarum in perpetuam et liberam ab omni seruicio diuiserunt elemosinam Quare volo vt ipsi Abbas et conuentus toftum predictum et acras predictas cum prefatis pertinencijs teneant et possideant inperpetuum libere et quiete ab omni seruicio et exaccione seculari hijs testibus domino Ricardo Milite meo Dompno M · et · R · capellanis meis B de Dunyne G · de Morauia · W · clemente P · coco B · de kyntochir R decimario et Multis alijs.

<sup>1</sup> Reg. *vndecimo*.

<sup>2</sup> Reg. (see *Lib. Ins. Mis.* No. 59).

## LVI

Theobaldus.<sup>1</sup>

1226-34.

Omnibus sancte Matris ecclesie filiis presens scriptum uisuris uel auditoris Thebaldus filius Willelmi filii Clementis Salutem. Sciant presentes et futuri me diuine caritatis intuitu dedisse et concessisse et hac carta mea confirmasse deo et beate MARIE et beato Iohanni apostolo et euangeliste et abbati et conuentui de Insula Missarum in puram et perpetuam elemosinam unum toftum sex percatarum longitudinis et sex latitudinis cum duabus acris terre in uilla mea Petlandi · uidelicet in agro qui dicitur fithelers flat. et cum communi pastura octo uaccarum. et sexaginta ouium. et duorum equorum et cum omnibus aliis communibus aisiamentis predicte uille. Tenendum sibi in perpetuum de me et heredibus meis. libere. quiete. plenarie. et honorifice. Ego uero et heredes mei hanc eandem elemosinam eis contra omnes homines warentizabimus et liberam et quietam ab omni onere et<sup>2</sup> exaccione et seruicio seculari faciemus. In huius rei testimonium huic scripto sigillum meum apposui. Vt autem hec mea donatio perpetuis rata temporibus permaneat? ad hoc assensum serenissimi domini mei Roberti comitis de stradhern impetraui. qui et in signum sui assensus hanc ipsam<sup>3</sup> meam donationem ad mee supplicationis instantiam sigilli sui testimonio confirmauit. Testibus. Domino fergus filio comitis. Domino Rogero de luuetoft. Domino Ricardo milite. Magistro. C. persona de Muggedha.<sup>4</sup> Henrico rennario. Macbeth mor. Waltero clemente fratre meo.<sup>5</sup> et Multis aliis.

## LVII

1226-34. Roberti de Meggefen de duobus toftis et quatuor acris in Dolpatric.<sup>6</sup>

Omnibus sancte Matris ecclesie filiis presens scriptum uisuris

<sup>1</sup> From the original, Dupplin, No. 8 (= *Lib. Ins. Mis.* No. 20). The granter's seal, in green wax, is nearly perfect. The earl's seal is lost; its tag remains. See facsimile. The registered charter may possibly have been, not the existing original, but a duplicate. <sup>2</sup> Reg. omits *onere et.* <sup>3</sup> Reg. omits *ipsam.*

<sup>4</sup> Reg. *Muyhe.*

<sup>5</sup> Reg. omits last witness.

<sup>6</sup> From the original, Dupplin, No. 7 (= *Lib. Ins. Mis.* No. 61). Slightly

uel auditoris Robertus de Meggefen Salutem. Sciant presentes et futuri me ex assensu domine Soliue uxoris mee et liberorum nostrorum dedisse et concessisse et hac carta mea confirmasse Deo et beate MARIE et beato Iohanni apostolo et euangeliste de Insula Missarum et abbati et conuentui eiusdem loci in puram et perpetuam elemosinam. duo tofta et quatuor acras terre in uilla de kenandheni que alio<sup>1</sup> nomine [d]ici[tur] Dolpatric. uidelicet toftum in quo Alanus de kyntocher mansit eo tempore<sup>2</sup> quo hanc cartam meam eis dedi. cum ac[ra que] pertinuit ad idem toftum tempore predicto. et cum edificiis que tunc erant super idem toftum. et toftum et terram que [tunc i]acuerunt inter domum Ricardi et domum Malsnacht. et illam terram quam addidi eis alibi in agro ad perficiendum pre[dictas qu]atuor acras<sup>3</sup> et pasturam uiginti uaccarum et sexaginta ouium et duorum equorum cum omnibus aliis communibus aysiamenis prenominate uille Dolpatric. Tenendum sibi et possidendum de me et heredibus meis plenarie et honorifice. et libere et quiete ab omni exactione et seruicio seculari. Ego uero et heredes mei prefatam elemosinam predictis abbati et conuentui contra omnes homines warentizabimus et totum forinsecum seruicium quod ad iam dicta pertinuerit pro eis inperpetuum adquietabimus. Hiis Testibus Domino. R. comite de stradhern. Domino. ff. fratre ipsius. Domino. R. de luuetoft. predicta domina Soliua uxore mea. Philippo et Roberto filiis nostris.<sup>4</sup> magistro. C. clerico predicti comitis. B. de Dunin. Magistro. h. filio tristram. Tristram de Gortin. et Multis aliis.

## LVIII

Confirmacio roberti comitis super donacione . R . de 1226-34.  
Mekfen de toftis et quatuor acris in dolpatryk.<sup>5</sup>

Robertus comes de stratheryn omnibus probis hominibus totius terre sue tam clericis quam laicis salutem sciant pre-

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damaged. A few words are supplied (in brackets) from the Register. Seal in green wax, broken at edges.

<sup>1</sup> Reg. *ab alio*.

<sup>2</sup> Reg. *īpe* (for *tpe*).

<sup>3</sup> Reg. *Marcas*.

<sup>4</sup> Reg. *meis*.

<sup>5</sup> Reg. (see *Lib. Ins. Mis.* No. 12).

sentis et futuri me concessisse et hac carta mea confirmasse deo et beate Marie et beato Iohanni apostolo et euangeliste de insula missarum et Abbati et conuentui eiusdem loci in puram et perpetuam elemosinam duo tofta et quatuor acras terre et pasturam viginti vaccarum et sexaginta ouium et duorum equorum que dominus Robertus de Mekfen per assensum domine solie vxoris sue et liberorum suorum eis dedit in villa de kenaydheni que alio nomine dicitur dolpatrik cum omnibus alijs communibus aisiamentis eiusdem ville Tenendas sibi et possidendas inperpetuum ita libere et quiete plenarie et honorifice sicut Idem dominus Robertus eis eadem carta sua inde facta confirmat saluo toto forinseco seruicio quod tam ipse dominus Robertus quam heredes sui pro prefatis Abbate et conuentu inperpetuum adquietabunt sicut ipse in predicta carta sua testatur hijs testibus domino R · filio lugan Milite meo · B de Dunin senescallo meo do[m]pno R capellano H · filio trestram ronnario meo G de Morauia Trestram de Gorty et multis alijs.

## LIX

1230-36.

Carta ecclesie de maddirdyn confirmatoria G  
episcopi.<sup>1</sup>

Vniuersis sancte Matris ecclesie filijs presens scriptum visuris vel Auditoris G miseracione diuina ecclesie Dunkelensis minister humilis eternam in cristo salutem Nouerit vniuersitas vestra nos diuine pietatis intuitu concessisse et hac carta nostra confirmasse carissimis in cristo filijs dompnis Abbati et conuentui de insula missarum ecclesiam de Maddirdyn cum omnibus iustis pertinencijs suis et terram que Abthen de Maddirdyn dicitur cum omnibus pertinencijs suis Tenendas sibi et successoribus suis de nobis et successoribus nostris inperpetuum in vsus suos proprios prout in cartis venerabilium Iohannis Ricardi Iohannis hugonis predecessorum nostrorum plenius dicitur contineri Ratum et gratum habentes pro nobis et successoribus nostris quitam clamacionem cani et coneueti quod

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<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 78).



clerici Dunkeldenses percipere consueuerunt de Abthan de Maddirdyn quam videlicet quitam clamacionem tam venerabilis predictus · H · quam capitulum Dunkeldense prefatis Abbati et conuentui caritatiue fecerunt vt hec autem nostra concessio confirmacio necnon et ratahabicio futuris temporibus inuiolata permaneat huic scripto sigillum nostrum apposimus Testibus dominis Thoma et R capellanis nostris Magistro W Johanne R camerario · h · clericis nostris M decano A · H · R · Willelmo seruientibus nostris et Multis alijs.

## LX

[Conuentio inter nos et episcopum Dunblanensem.]<sup>1</sup> 1234.

Omnibus Sancte Matris Ecclesie filiis · presens scriptum visuris vel auditoris · G. Dei gratia Dunkeldensis Episcopus · et I. et Ph: eadem gratia de Lundors et de Scon Abbates humiles · eternam in Christo Salutem · Cum mota esset controversia inter venerabilem patrem · Dominum Clementem Dunblanensem Episcopum · ex una parte · et Dominum Innocentium Abbatem et Conuentum de Insula Missarum ex altera · super Ecclesijs de Aberrotheven et de Thullieden et super decimis provenientibus de redditibus et omnimodis perquisitis Domini Comitis de Stradhern que secunde decime appellantur; Que omnia idem Episcopus petebat · Dicens ea nomine Ecclesie sue ad mensam suam pertinere. Tandem per consilium proborum virorum · idem Episcopus pro se et successoribus suis · de consensu et assensu totius cleri Dunblanensis. ad quem Episcopi pertinet electio · nec non et assensu Domini Roberti Comitis de Stradhern · ejusdem sedis Patroni · Et dicti Abbas et Conuentus pro se et successoribus suis in nos compromiserunt super dictis articulis · necnon et super omnibus alijs ecclesijs et possessionibus tunc temporis eis collatis et concessis · Tali pena adjecta · quod si idem Episcopus vel aliquis successorum suorum ab arbitrio nostro vellet resilire · Inprimis si quod commodum Ecclesie sue per arbitrium nostrum proveniret · illud parti adverse restitueret · et nihilominus ad fabricam pontis de Pert nomine pene ducentas

<sup>1</sup> Antiquaries' MS., pp. 97 and 283.

libras sterlingorum ante litis ingressum persolueret. Et si Abbas et conventus vel successores sui a nostro arbitrio vellent resilire · eidem ponti nomine pene trecentas libras ante litis ingressum persoluerent. Nos igitur partibus in nostra presentia constitutis et auditis hinc inde propositis · et habito super propositis diligenti tractatu; Tandem de virorum prudent[i]um consilio ita ordinavimus · videlicet · quod idem Episcopus pro se suisque successoribus nomine Ecclesie sue · remitteret omnem actionem quam intendebat · et renunciaret omni juri quod petebat vel credebat se habere super predictis · Et quod dicti Abbas et Conventus dicto Episcopo et successoribus suis · nomine Ecclesie Dunblanensis. annum redditum sex decim librarum sterlingorum arbitrio bonorum virorum taxatum certis locis assignarent. Partes vero istud nostrum arbitrium acceptantes · ut robur perpetue firmitatis obtineret · illud in scriptum modo cyrographi confectum redigi petierunt. Cujus altera pars sigillis nostris · una cum sigillo dicti Episcopi penes supradictum Monasterium de Insula Missarum · altera vero similiter sigillis nostris · et sigillo Capituli ejusdem Monasterij signata penes dictum Episcopum resideret. Datum Anno ab incarnatione Domini M<sup>o</sup>. cc<sup>o</sup>. xxx<sup>o</sup>. iiii<sup>o</sup>. Mense Augusti.

## LXI

1234

[Remissio decimarum per C. episcopum.<sup>1</sup>]

Vniuersis sancte matris ecclesie filiis ad quos presens scriptum peruenerit · C · dei gracia Dunblanensis episcopus eternam in domino salutem Nouerit vniuersitas uestra veneranda quod cum dominus Innocencius abbas de Insula missarum eiusdemque loci conuentus ex prouisione venerabilium virorum Domini · G · dei gracia Dunkeldensis episcopi · et domini · J · et domini · ph · de lundors et de scona abbatum In quos pretextu cuiusdam controuersie Inter nos suborte pariter compromisimus ut patet ex communibus et principalibus cirograffis eorundem super hoc habitis et confectis et penes utramque partem residentibus In redditu sexdecim librarum sterlingorum

<sup>1</sup> From the original, Dupplin, No. 145 (i). Seal lost; slit remains. There is a detached seal in the charter-chest which perhaps belongs to this deed.

nobis et successoribus nostris tenerentur : ex hiis decem libratas  
 In certis locis videlicet in decimis garbarum de Tulibarden et  
 kincardin et in quinta parte decimarum de barderel nobis et  
 successoribus nostris inperpetuum percipiendas assignauerunt .  
 Sex uero libratas quas nondum nobis assignauerunt : eorum  
 parentes inopie et paupertati domus compacientes mera  
 pietate pro nobis nostrisque successoribus remisimus quousque  
 In alicuius ecclesiarum istarum videlicet de strugeth . de foulis  
 de Gask cristi . de Moytheuard . de Dunin . plenam et cor-  
 poralem missi fuerint possessionem . Datum anno ab Incar-  
 natione domini. M<sup>o</sup> cc<sup>o</sup> xxxiiij<sup>o</sup> . Mense augusti Hiis Testibus  
 Domino . G . dei gracia episcopo Dunkeldensi . Domino . S .  
 eadem gracia episcopo sodorensi. Domino . J . abbate de  
 lundors . Domino Ph abbate de scone Domino . A . priore  
 de abirbrothot . Domino . G . archidiacono Dunblanensi .  
 Magistro . p . de Castro terri . Magistro . H . de bosco.  
 Domino fergus filio comitis gilberti . Malisio fratre eius .  
 Magistro . l . de Mothel . Magistro cristino . Magistro nigello  
 et aliis.

## LXII

[Compositionis cum episcopo Dunblanensi facte 1237.  
 Confirmatio Papalis.<sup>1</sup>]

GREGORIUS episcopus seruus seruorum dej . Uenerabili  
 fratri . . Episcopo Dunblanensi . Salutem et apostolicam  
 benedictionem . Ea que iudicio uel concordia terminantur / firma  
 debent et illibata persistere / et ne in recidiue contentionis  
 scrupulum relabantur / apostolico conuenit munimine roborari.  
 Significasti siquidem nobis / quod cum inter te ac clericos  
 ecclesie Dunblanensis ex parte una / et . . Abbatem ac Conuen-  
 tum de Insula Missarum Dunblanensis diocesis ex altera / super  
 ecclesiis decimis / redditibus et rebus alijs questio suborta  
 fuisset / tandem mediantibus bonis uiris / amicabilem inter uos  
 compositio intercessit . quam apostolico petiisti munimine

<sup>1</sup> From the original, Dupplin, Bull No. 3. The Bulla remains attached by a cord of red and yellow silk. Indorsed 'Gamelinus'; below, a grotesque profile face.

roborari · Tuis igitur precibus grato concurrentes assensu/compositionem ipsam sicut sine prauitate prouide facta est et ab utraque parte sponte recepta /et hactenus pacifice obseruata/auctoritate apostolica confirmamus /et presentis scripti patrocinio communimus. Nulli ergo omnino hominum liceat /hanc paginan nostre confirmationis infringere /uel ei ausu temerario contraire. Siquis autem hoc attemptare presumpserit /indignationem omnipotentis dej et beatorum Petri et Pauli apostolorum eius se nouerit incursum. Datum viterbij · ij . kalendas Maij. Pontificatus nostri Anno vndecimo.

## LXIII

1237. Donacio et quita clamacio terre de Druncrok canonicis.<sup>1</sup>

Omnibus [hoc] scriptum visuris vel auditurus Duncanus de Melginch salutem in domino cum essem conuentus ab Abbate et conuentu de insula missarum auctoritate iudicum a domino papa diligitorum videlicet domini Abbatis de Abirbrothok et de Maij prioris et hoc per quamdam cartam patris mei per quam · scilicet · dicti Abbas et conuentus vendicabant sibi medietatem totius terre de Druncrok in parrochia de Melginch cognita autem rei veritate deum habens pre oculis nolens amplius ipsos laboribus et expensis iniuste vexari predictam terram sponte et absolute eisdem in iudicio quietam clamaui inperpetuum et si quid juris potuit michi competere ex persona mea vel antecessorum meorum vel aliunde in dicta terra hoc totum deo et beato Johanni et dictis Abbati et conuentui in redempcionem anime mee vxoris et liberorum meorum necnon pro anima patris mei et an[te]cessorum meorum in puram et perpetuam elemosinam dedi et hac presenti carta mea confirmaui Et vt hec concessio robur firmitatis optineat inperpetuum huic scripto sigillum meum vna cum sigillis dictorum iudicum necnon et sigillo venerabilis patris philippi dei gracia Abbatis de sconam qui huius testis est feci apponi Datum apud sconam ad festum sancti Michaelis Anno graciae M<sup>o</sup> cc<sup>o</sup> xxx<sup>o</sup>

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 45).

vij<sup>o</sup> hijs testibus Domino philippo Abbate et domino . h .  
 priore de scona domino Ricardo priore de kambuskenelle et  
 Magistro Johanne Rectore ecclesie de striuillyn Patricio filio  
 Willelmi vicecomite de Perth et multis alijs.

## LXIV

[Conventio super decimis de Petneweue.<sup>1</sup>]

1238.

## C Y R O G R A P H U M

Cum mota esset controuersia inter abbatem et conuentum  
 de Insula Missarum petentes ex una parte. et magistrum et  
 fratres hospitalis sanctorum Iacobi et Iohannis de Brackeley  
 tenentes ex altera super decimis et omnibus rebus alijs quas  
 dicti petitores sibi uendicabant de terra que dicitur Petneweue  
 ratione ecclesie de Gasccristi. et quas dicti tenentes posside-  
 bant ratione ecclesie sue de Nesgasc. Tandem ita conuenit  
 inter partes. quod dicti petentes remiserunt et quiete clamaue-  
 runt pro se suis que successoribus predictis tenentibus eorum  
 que successoribus in perpetuum totum ius et totum clamum quod  
 ipsi uel antecessores sui uel successores habent. uel habuerunt.  
 uel habere poterunt in futuro in omnibus rebus quas ecclesia de  
 Nesgasc tempore huius compositionis possidebat. super quibus  
 uidelicet. inter ecclesiam de Gasccristi ratione ipsius ecclesie ?  
 et ecclesiam de Nesgasc posset aliquo tempore causa uentilari.  
 Prefati uero tenentes pro bono pacis perpetue obligauerunt se  
 et successores suos predictis petentibus eorum que successoribus  
 in perpetuum ad solutionem unius marce esterlingorum  
 annuatim faciendam de decimis supradicte Petneweue ad  
 festum sancti Martini in hyeme apud Nesgasc ipsis petentibus  
 uel eorum certo assignato. Et ut hec conuentio et pacis  
 reformatio firmiter et inuiolabiliter obseruetur ? spontanea

<sup>1</sup> From the original at Magdalen College, Oxford, marked Evenley and Astwick 63. The seal of Inchaffray Abbey, obverse and reverse, in green wax, remains nearly entire. See facsimile. There is a duplicate in the same repository, marked Brackley D 126, which has no indenting, and is described by Mr. W. D. Macray as 'apparently a contemporary copy,' yet it seems to have had a seal. It has been used to complete the text where defective.

uoluntate utriusque partis statutum est. ut si altera pars ab hac conuentione et pacis reformatione temptauerit resilire? parti aduerse viginti marcas esterlingorum ratione pene persoluat. Ad maiorem etiam securitatem utraque pars iurisdictioni domini episcopi Dunblanensis qui fuerit pro tempore se subiecit. ut ipse plenariam habeat potestatem omni occasione. cauillatione. appellatione. priuilegio ecclesiastico uel ciuili competenti uel competituro remotis? constringere et compellere per censuram ecclesiasticam partem resilientem ad prefatam penam alteri parti persoluendam. et nichilominus ad predictam formam pacis obseruandam. In huius rei testimonium et securitatem una pars huius cyrographi penes dictum monasterium de Insula missarum deposita est communi sigillo fratrum predictorum de Brackeley signata. altera uero pars penes predictum hospitale de Brackeley communi sigillo dicti monasterii de insula missarum communita. Hiis Testibus. Domino Rogero de Quinci comite Wintonie constabulario socie. Magistro dauid de Bernam domini regis camerario. Dominis Thoma de Alneto. Seero de sancto Andrea. Willelmo de Haya. Henrico biset. Duncano sibaud. militibus. Morino de kindeloch senescallo comitis. Magistro Hugone persona de lochres. Simone de Noysi persona de Ormestun. Eustagio capellano. Magistro Thoma de Man. et multis aliis. Datum anno gratie Millesimo. Ducentesimo. tricesimo. Octauo.

## LXV

Galfridus.<sup>1</sup>

1238.

Vniuersis sancte Matris Ecclesie filiis presens scriptum uisuris uel audituris Galfridus diuina permissione Dunkelensis Episcopus eternam in domino salutem · Noueritis nos ad plenum inspexisse bone memorie Iohannis primi · Ricardi · Iohannis secundi · Hugonis · et Gilberti. predecessorum nostrorum Episcoporum scilicet Dunkeldensium donaciones · con-

<sup>1</sup> From the original, Dupplin, No. 144 (ii) (= *Lib. Ins. Mis.* No. 76). A detached seal of Bishop Galfrid, in green wax, entire, has now been restored to this charter, to which it evidently belongs. The indorsement adds, in a later hand, 'et ista confirmacio est duplicata ab eodem · G ·'

cessiones et confirmaciones Monasterio de Incheafran quod Insula Missarum dicitur et Canonicis ibidem deo seruientibus et seruituris factas super Ecclesia de Maderdin cum omnibus pertinenciis suis et super Terra que Abthayn de Maderdin dicitur et super quieta clamacione de Chan et de Coneueth que Clerici Dunkeldenses antiquitus de eadem Abthayn percipere consueuerunt . Et cum de iure non possemus nec uellemus eorum facto honesto iniuste contraire nec pias eorum collaciones pauperi Monasterio in prima sui fundacione factas infirmare . nos eodem spiritu pietatis ducti quo et illi de consensu et assensu Capituli Ecclesie Dunkeldensis donaciones concessiones et confirmaciones dicte Ecclesie de Maderdin et predictae Abthayn et supradictam quietam clamacionem eisdem Canonicis factas ratas et gratas habentes concedimus et imperpetuum confirmamus . salua nobis et successoribus nostris vna tantummodo Marca argenti annuatim de eadem Abthayn pro omni exaccione consuetudine et servicio seculari ad nos pertinente persoluenda ad duos terminos . scilicet medietate ad Pentecosten et medietate ad festum sancti Martini sicut in predictorum Episcoporum authenticis inuenimus contineri . Concedimus eciam Abbati et Canonicis prefati Monasterij et eorum successoribus in perpetuum . ut predictam Ecclesiam de Maderdin<sup>1</sup> in bonis temporalibus omnimodis in usus suos proprios pro sue uoluntatis arbitrio conuertant . faciendo eidem Ecclesie<sup>2</sup> per idoneum Capellanum uel si maluerint per aliquem Canonicum de suo collegio deseruiri . saluis Episcopalibus . In huius rei testimonium huic scripto sigillum nostrum apposuimus . Datum apud Dunkelden anno gracie Millesimo ducentesimo tricesimo octauo Pridie kalendas Ianuarii Pontificatus nostri anno tercio . Testibus . Domino Adam de Prebenda Decano Ecclesie Dunkeldensis . Magistro Petro de Castro Theodorico eiusdem Ecclesie Precentore . Magistro Willelmo de Edenhame eiusdem sedis Archidiacono Domino Roberto Thesaurario . Domino Willelmo Subdecano . Domino Malcolmmo Succentore . Magistro Roberto de Laycestria concanonico<sup>3</sup> nostro et aliis.

<sup>1</sup> Reg. *Maddirnyn* (in other clauses *Maddirdyn*).

<sup>2</sup> *Sic* in Reg. ; the old edition has *eandem ecclesiam*, and below *cuius* for *huius*.

<sup>3</sup> Reg. *canonico*.

## LXVI

1238/9.

Carta decani dunkeldensis ecclesie.<sup>1</sup>

Omnibus cristi fidelibus hoc scriptum uisuris uel auditis .  
 Adam de Prebenda Decanus Dunkeldensis et eiusdem Ecclesie  
 Capitulum eternam in cristo salutem . Noueritis nos plenius  
 inspectis instrumentis venerabilium Patrum . Iohannis primi .  
 Ricardi . Iohannis secundi . Hugonis . Gilberti et Galfridi  
 Episcoporum Dunkeldensium super donacionibus . concessioni-  
 bus . confirmacionibus suis factis pauperi Monasterio de  
 Incheaffrane quod Insula Missarum dicitur super Ecclesia de  
 Maderdine<sup>2</sup> . et super terra que Abthain de Maderdin  
 dicitur . et super quieta<sup>3</sup> clamacione de chan et de Cuneueth .  
 que Clerici Dunkeldenses antiquitus percipere consueuerunt  
 de eadem Abthayn mere caritatis intuitu unanimo assensu pre-  
 dictas donaciones . concessiones . confirmaciones . et quietam<sup>4</sup>  
 clamacionem concessisse et hac carta nostra confirmasse sicut  
 in memoratis autenticis plenius repperimus contineri . vide-  
 licet . ut Ecclesiam de Maderdin in bonis temporalibus  
 omnimodis pro sue uoluntatis arbitrio in usus suos proprios  
 conuertant . faciendo eidem Ecclesie per idoneum Capellanum  
 uel si maluerint per aliquem sue congregacionis canonicum  
 deseruii . saluis episcopalibus . Et predictam Abthayn cum  
 omnibus iustis pertinenciis suis teneant et possideant . Red-  
 dendo inde annuatim domino Episcopo Dunkeldensi qui fuerit  
 pro tempore pro omni exaccione consuetudine . et seruicio  
 seculari ad ipsum pertinente : vnam tantummodo Marcam  
 argenti . Medietatam scilicet ad Penthecosten . et medietatem  
 ad festum sancti Martini . Quietum eciam clamaimus et  
 remisimus in perpetuum Abbati et canonicis prefati Monas-  
 terii Canum et Coneuetum que Clerici Dunkeldenses antiquitus  
 solebant percipere de predicta Abthayn . et totum Ius et  
 totum clamum : quod nos uel successores nostros contingere

<sup>1</sup> From the original, Dupplin, No. 116 (= *Lib. Ins. Mis.*, No. 81). Seal in green wax, broken.

<sup>2</sup> Reg. *Maddirnyn* (in other clauses *Madirdyn* and *Maddirdyn*).

<sup>3</sup> Reg. *quita*.

<sup>4</sup> Reg. *quitam*.



possit de eadem · Recipientes eos in perpetuam fraternitatem · et Ecclesie nostre beneficiorum spiritualium participium<sup>1</sup> : salua nobis et successoribus nostris vna libra Incensi ad Pentecosten annuatim ab eis<sup>2</sup> persoluenda · nomine fraternitatis gratis concessa · In huius rei testimonium Commune sigillum Capituli Ecclesie nostre huic scripto apposuimus · Teste Capitulo Datum apud Dunkeldene anno gracie · M<sup>o</sup> · cc<sup>o</sup> · xxx<sup>o</sup> · octauo · quarto Nonas Ianuarij.

## LXVII

Confirmacio capituli de Dunblan . de ecclesiis nostris <sup>1239/40.</sup>  
in proprios vsus reuocandis [?] et de taxacione  
vicariarum.<sup>3</sup>

Omnibus hoc scriptum visuris uel audituris Decanus et Capitulum Dunblanensis Ecclesie Eternam In domino salutem. Nouerit vniuersitas vestra quod Inspectis Instrumentis collationum et confirmacionum venerabilium patrum · Ionathe · et Abrahe quondam Dunblanensium Episcoporum necnon et venerabilis patris nostri Clementis dei gracia Eiusdem loci episcopi super Ecclesiis quas in Diocesi Dunblanensi Monasterium de Incheaffran possidet · De consensu Cleri Dunblanensis quondam concessis : per que optinuit Omnes prouentus et fructus Ecclesiarum · De strugeth · De hueterardouer · De kinkelle · De Aberrotheuen · De Dunyn · De Gaske cristi · De faulis · De Moytheuard · De Tulieden · De kellebride · In vsus dicti Monasterii In perpetuum counertendos : salua porcione vicariorum et Taxacione vicariarum Inferius notanda · Et saluis hiis que pro sexdecim libris Domino · C · Dunblanensi episcopo Et eius successoribus In decimis garbarum · De Tulibardin · kyncardin · Barderel · et Ogeluin · ab abbate et conuentu dicti Monasterii sunt concessa : propter quamdam controuersiam Inter dictum venerabilem patrem nostrum · C · Dunblanensem Episcopum ex vna parte · et

<sup>1</sup> So also Reg. The former edition has *participationem*.

<sup>2</sup> Reg. *eisdem*.

<sup>3</sup> From the original, Dupplin, No. 26 (i). Seal gone; tag remains. See facsimile.

abbatem et conuentum dicti Monasterii ex altera subortam? Necnon et saluis decimis garbarum De Rossyn et strathyn · De strugeth et Arneluoy<sup>1</sup> · De panan et Ruuehalache · pro viginti marcis arbitrio bonorum virorum? archidiaconatui Ecclesie Dunblanensis construende? deputatis · Saluis eciam similiter Decimis garbarum de Huctermaffiny · et ville de fedale spectantis ad Ecclesiam de hucterardouer assignatis ad vnam prebendam construendam In ecclesia Dunblanensi a predicto abbate et conuentu de Incheafran? Ipsorum venerabilium patrum concessionem et confirmationem super Dictis Ecclesiis In vsus proprios dicti Monasterii conuertendis? vnanimi et sollempni voluntate et consensu concessimus et confirmauimus · Preterea Taxacionem vicariarum dictarum ecclesiarum que Interueniente consensu vtriusque partis tam per venerabiles patres · Glasguensem · et Dunkeldensem Episcopos · quam per venerabilem patrem nostrum · C · Dunnenblasem Episcopum facta est? Inspecta vtilitate ecclesie nostre vnanimi consensu nostro sicut Melius et plenius in autentico super premissa taxacione per ipsos · confecto continetur? Ratam Gratamque habentes concessimus et confirmauimus · Et sigilli nostri appositione vna cum Manuum nostrarum subscripcione presens scriptum communiuimus. Datum apud Dunblaen anno gracie · Millesimo ducentesimo tricesimo nono · Die dominica proxima ante purificationem beate virginis.

Ego · W · Decanus Dunblanensis subscribo.

Ego Nicolaus precentor ecclesie dunblanensis subscribo

Ego · Lucas · Archidiaconus · ecclesie · Dunblanensis · subscribo.

## LXVIII

1240. Karta Gilberti de Haya de quatuor bollis frumenti.<sup>2</sup>

Omnibus hoc scriptum visuris vel auditoris Gilbertus de haya salutem In domino. Nouerit vniuersitas vestra me pro

<sup>1</sup> Or *Ameluoy*; the reading is uncertain.

<sup>2</sup> From the original, Dupplin, No. 1. Seal in green wax, nearly entire.

salute anime mee et antecessorum meorum concessisse et hac presenti carta confirmasse · Donacionem illam quam dauid de haya pater meus fecit deo et beate marie et sancto Iohanni apostolo et canonicis de Incheaffran ibidem deo seruientibus et seruituris : de quatuor bollis frumenti percipiendis annuatim eisdem canonicis. Preterea dedi et concessi pro salute anime mee et antecessorum meorum deo et ecclesie sancti Iohannis de Incheaffran et canonicis ibidem deo seruientibus et seruituris : quatuor bollas frumenti annuatim percipiendas In terra mea de Inchemichel · vnde uolo et concedo ut dicte quatuor bolle frumenti quas habent de dono patris mei et alie quatuor bolle frumenti quas eisdem canonicis dedi et concessi : singulis annis Inperpetuum ab eisdem canonicis recipiantur In terra mea de Inchemichel · Ita ut dicti canonici singulis annis Inperpetuum habeant Integram dimidiam celdram frumenti In dicta terra mea de Inchemichel · scilicet quatuor bollas ante natale domini et quatuor bollas ante festum purificationis beate uirginis. In cuius rei testimonium huic scripto sigillum meum apposui. Datum apud Incheaffran vigilia ascessionis [*sic*] domini anno gracie M<sup>o</sup> · cc<sup>o</sup> · quadragesimo · Hiis testibus · Domino Malcolmo de haya auunculo meo · Domino Willelmo de haya fratre meo · Bricio de ardrossan · Iohanne de fentone · ada hylde · Roberto de haya · et aliis.

## LXIX

Carta Willelmi de laicestria de Perth.<sup>1</sup>

1240.

Omnibus hoc scriptum visuris vel auditoris Ricardus de laycestria burgensis de perth eternam in domino salutem Nouerit vniuersitas vestra me pro salute anime mee et an[te]cessorum meorum dedisse concessisse et hac carta mea confirmasse deo et beate marie et beato Iohanni Apostolo et euangeliste de Inchaffrin et canonicis ibidem deo seruientibus et seruituris in puram et perpetuam elemosinam totam illam terram que me contingit de terra Iohannis filij dauid que quidem terra jacet inter terram quondam Dauid filij Galfridi

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 42).

et terram Abbatis et conuentus de scona quam terram Willelmus filius hawok tenet de me et meis attornatis sibi et heredibus suis Tenendam et habendam sibi et successoribus suis inperpetuum ita libere et quiete sicut aliquod burgagium in villa de Perth liberius quociens ab aliquo tenetur vel possidetur salua conuencione predicti Willelmi filij hawoch de sexdecim solidis de predicta terra michi et attornatis meis de se et heredibus suis annuatim reddendis e[t] saluo seruicio domini Regis In cuius rei testimonium huic scripto sigillum meum vna cum sigillo communi de Perth apponi feci hijs testibus Magistro Roberto de laycestria domino henrico filio Galfridi domino Iohanne de Batalia Johanne sokyn David yep Galfrido de len henrico de bedford et alijs<sup>1</sup> actum apud Perth die saboti prima post festum sancti Nicholai Anno gracia Millesimo cc<sup>mo</sup> quadragesimo.

## LXX

Carta terre de Perthe.<sup>2</sup>

c. 1245.

Omnibus hoc scriptum visuris vel audituris Willelmus filius hawok de perth salutem eternam in domino Noueritis me dedisse concessisse ac quitum clamasse pro me et heredibus meis inperpetuum deo et beate Marie et sancto Iohanni apostolo et euangeliste de insula missarum et canonicis ibidem deo seruientibus et inperpetuum seruituris pro quadam summa peccunie quam michi pre manibus in mea magna necessitate dederunt totum jus quod habeo et quod michi et heredibus meis competere poterit infuturum in terra quam prius tenui pro quadam certa firma annua de Ricardo de laycestria quondam burgensi de Perthe et postea de ipsis canonicis in villa de perth in via boriali Tenendum et habendum ipsis canonicis et eorum successoribus inperpetuum libere quiete plenarie et honorifice sine omni onere et sine omni clameo et calumpnijs mei et heredum meorum faciendo tantum domino nostro Regi de dicta terra seruicium debitum et con-

<sup>1</sup> Reg. *Allyne*.<sup>2</sup> Reg. (see *Lib. Ins. Mis.* No. 39).

suetum Ego vero et heredes mei dictam donacionem dictis canonicis et eorum successoribus contra omnes homines et feminas inperpetuum warantizabimus et defendemus In cuius rei testimonium presens scriptum sigilli mei inpressione roborauī hijs testibus Iohanne kokyn Iohanne de labatil Iohanne Albot Nicholao de scardbrow Willelmo de Dunde Andrea teket henrico de bedford Ricardo de berewik et multis alijs.

## LXXI

Carta Willelmi filij hauyk de terra de Perth.<sup>1</sup> c. 1245.

Omnibus cristi fidelibus hoc scriptum visuris vel auditoris Willelmus filius hawoc burgensis de Perth salutem eternam in domino Noueritis me dedisse concessisse et hac presenti carta mea confirmasse pro me et heredibus meis inperpetuum deo et beate Marie et sancto Iohanni apostolo et euangeliste de insula missarum et canonicis ibidem deo seruientibus et inperpetuum seruituris pro quadam summa pecunie quam michi pre manibus in mea magna necessitate dederunt totam terram quam tenui de Abbate et conuentu de scona in villa de Perth in via boriali et totum jus quod habeo et quod michi et heredibus meis competere poterit infuturum in terra predicta Tenendam et habendam ipsis canonicis de insula missarum et eorum successoribus inperpetuum libere quiete plenarie et honorifice Reddendo inde annuatim ipsis Abbati et conuentui de scona firmam quam ego eis soluere consueui · videlicet · quinque solidos ad duos anni terminos medietatem · scilicet ad Penticosten et aliam medietatem ad festum sancti Martini in yeme pro omni seruicio seculari consuetudine exaccione et demanda saluo seruicio domini Regis In cuius rei testimonium huic scripto sigillum meum apposui Hijs testibus Willelmo de Dunde Andrea Teket Martino de lene henrico Tenteman Nicholao de scardborow henrico de bedford Malisio treisdeneris et Multis aliis.

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<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 40).

## LXXII

c. 1245. Carta de scona de terra Willelmi filij hauoch.<sup>1</sup>

Uniuersis sancte matris ecclesie filijs hoc scriptum visuris vel auditoris Robertus dei gracia abbas de scona et eiusdem loci conuentus humilis salutem in domino eternam noueritis nos communi consensu et voluntate capituli nostri illam vendicionem quam Willelmus filius hawoch de Perth viris religiosus abbati et conuentui de Insula missarum fecit ratam et firmam habentes presentis scripti nostri munimine roborasse volentes et concedentes quod dicti Abbas et conuentus dictam terram de nobis et successoribus nostris inperpetuum libere et quiete teneant et possideant faciendo nobis Idem seruicium quod prefatus Willelmus facere consueuit scilicet reddendo nobis quinque solidos annuatim medietatem ad Penticosten et medietatem ad festum beati Martini pro omni seruicio seculari saluo forinseco seruicio domini Regis Et nos predictam terram eisdem Abbati et conuentui contra omnes homines warantizabimus et defendemus In cuius rei testimonium hoc scriptum sigillo nostro communi roborauimus . Teste capitulo.

## LXXIII

c. 1246. Collacio Gillecrist de ecclesia de kelmurth . In  
vita rectoris eiusdem.<sup>2</sup>

Omnibus cristi fidelibus presens scriptum visuris uel auditoris . Gillecrist filius malcolmi Macnacthan eternam in domino salutem . Nouerit uniuersitas uestra me diuine pietatis intuitu . pro salute anime mee et vxoris mee bethoc et parentum et antecessorum ac heredum meorum dedisse et concessisse . et hac carta mea confirmasse post mortem mauricij clerici . in puram et perpetuam elemosinam deo et beate marie . et beato Iohanni apostolo et euangeliste de insula missarum et canonicis ibidem deo seruientibus et inperpetuum seruituris . ecclesiam sancti Mordaci de kellemurthe cum

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 41).

<sup>2</sup> From the original, Dupplin, No. 141 (ii). Seal and tag lost ; slit remains.

omnibus iustis pertinentijs suis tenendam et habendam Sibi de me et heredibus meis In perpetuum . Ita libere quiete plenarie et honorifice . sicut aliquis baro tocius regni scocie liberius . plenarius . quietius aliquam ecclesiam dare potest uel conferre . Vt autem ista mea donatio firma et inconcussa iugiter permaneat . presens scriptum sigilli mei munimine roborauj . Hiis testibus . Domino Ioachim milite de kenbuc . domino malisio auunculo domini . M . comitis de stratherin . Tristram de gortin . Iohanne melulath . Willelmo filio hauoc et Iohanne albo burgensibus de pert et multis alijs.

## LXXIV

Donum Gillecrist Mac Nathen de Kelmorch.<sup>1</sup> c. 1247.

Omnibus cristi fidelibus Presens scriptum visuris uel auditis . Gilcrist filius Malcolmi Mac nacthan salutem . Nouerit vniuersitas vestra Me diuine pietatis Intuitu pro salute anime mee et vxoris mee bethoc et parentum . antecessorum ac heredum meorum dedisse Concessisse . et hac Carta mea confirmasse . In puram et perpetuum elemosinam deo et Beate Marie et Beato Iohanni apostolo et Ewangeliste de Insula missarum . et Canonicis ibidem deo seruientibus et Inperpetuum seruituris . Ecclesiam de kelmurkhe Cum Omnibus Iustis pertinentencijs<sup>2</sup> suis . Tenendam sibi et habendam Inperpetuum . Ita libere plenarie . Quietie . et honorifice . sicut aliquis baro tocius regni scocie liberius . plenarius . Quiecius . aliquam Ecclesiam dare vel Conferre potest. vt autem ista mea donacio firma et Inconcussa Iugiter permaneat presens scriptum sigilli mei munimine vna Cum sigillo venerabilis patris . C . de gracia dunblanensis Episcopi . tempore huius collacionis curam episcopatus argadie optinentis . roborari procurauj . hiis testibus domino Ioachim milite de kynbuc . Domino . Malisio auunculo domini Comitis de stratherin . Tristrem de gorti . Iohanne Melulath . Willelmo filio hauoc . et Iohanne albo Burgensibus de pert et multis alijs.

<sup>1</sup> From the original, Dupplin, No. 9. The granter's seal in green wax is entire, attached by cords of yellow silk. The bishop's seal is lost; its tag remains. See facsimile.

<sup>2</sup> Orig. *pertinenencijs*.

## LXXV

c. 1247. Carta de una celdra farine de ouchtirmachan.<sup>1</sup>

Omnibus hoc scriptum visuris vel auditoris ffergius filius Gilberti quondam comitis de stratheryn salutem in domino Nouerit vniuersitas vestra me dedisse concessisse et hac presenti carta mea confirmasse de me et heredibus meis deo et sancto Johanni apostolo et euangeliste de insula missarum et Abbati et canonicis ibidem deo seruiantibus et seruituris inperpetuum vnam celdram farrine auene in villa de ouchtirmakan sibi et successoribus suis inperpetuum de me et heredibus meis per manus firmarij mei eiusdem ville annuatim percipiendam pro salute anime mee amicorum et antecessorum meorum et ad securitatem solucionis dicte farine dictis Abbati et canonicis ad festum sancti Johannis Baptiste in estate sine aliqua cauelacione annuatim faciendam me et heredes meos obligo inperpetuum In huius rei testimonium sigillum meum vna cum sigillis venerabilis patris C · Dunblanensis episcopi et domini M · comitis de stratheryn huic scripto apponi procuravi hijs testibus C dei gracia episcopo Dunblanensi M comite de stratheryn Magistro l · decano Dunblanensi Bricio de Dunyn Thoma clerico meo Malisio nepoti meo et alijs.

## LXXVI

1247. Confirmacio comitis Malisii super donis predeces-  
sorum suorum.<sup>2</sup>

Omnibus hoc scriptum visuris vel auditoris · M · Comes de stratherin salutem. Nouerit vniuersitas uestra quod cum nos et heredes nostri Teneremur<sup>3</sup> ex dono nobilis viri Gilberti aui nostri · et etiam ex Confirmatione bone memorie Roberti patris nostri Comitum de stratherin · Canonicis de Insula

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 10).

<sup>2</sup> From the original, Dupplin, No. 12 (i) (= *Lib. Ins. Mis.* No. 25). The rubric is taken from the Register. Two seals and tags, both lost; slits remain.

<sup>3</sup> Reg. *tenemur*.



missarum ad solucionem decimarum Omnium reddituum et Canorum nostrorum In frumento · farina · brasio · grano · Caseis · Carnibus · piscibus · auibus · venacionibus · et Omnibus cibariis que In curia nostra annuatim expendantur :<sup>1</sup> sicut In carta et Confirmacione predictorum Comitum predecessorum nostrorum prenominatis<sup>2</sup> Canonicis Inde confectis plenius continetur · et Quamuis idem Canonici In plena et pacifica predictarum decimarum omnium per multa tempora fuerint possessione : Nobis tamen quod minus plene eas per defectum · balliuorum nostrorum aliquando receperint :<sup>3</sup> quam sepius grauem deposuerunt querelam · vnde quia pia vota parentum nostrorum nobis non licet aliquo modo Infringere : Set potius ea diuina annuente dispositione · illius non Inmemores qui omnium bonorum pius est retributor aumentare · et pio desiderio eadem confirmare · hinc est quod predictis canonicis pro decimis superius nominatis · quas singulis annis ante annum · domini · M · cc · xl · vij · In curia nostra iuste consueuerunt percipere viginti quatuor Marcas annuatim percipiendas · videlicet · xx<sup>ti</sup> · marcas de firma nostra apud dunin · et quatuor marcas de abberrufuin In vita comitisse matris nostre · quas eisdem post decessum eiusdem · nos uel heredes nostri In alio certo loco et competenti soluemus · medietatem ad pentecosten et aliam medietatem ad festum beati martini In hyeme · quousque nobis uel heredibus nostris quocumque Iure vberiora bona acreuerint : assignauimus<sup>4</sup> · Ceteris articulis omnibus tam In cartis Gilberti aui nostri quam in confirmacione Roberti patris nostri contentis : In suo robore duraturis · Volentes eisdem canonicis secundum bonorum nostrorum augmentum :<sup>5</sup> decimarum suarum augeri porcionem · Et ne predictos canonicos per defectum dicti redditus suis terminis non soluti contingere possit in posterum Quacumque calliditate grauari : Nos et bona nostra vniuersa · Iurisdictioni episcopi dunblanensis qui pro tempore fuerit : subiecimus · vt nos et balliuos nostros ad solucionem predictae peccunie sicut predictum est · Quacumque Censura ecclesiastica decreuerit monicione premissa : possit compellere · In cuius testimonium huic scripto sigillum nostrum apposimus · Et ad maiorem securitatem sigillum

<sup>1</sup> Reg. *expendantur*.<sup>2</sup> Reg. omits *prenominatis*.<sup>3</sup> Reg. *receperunt*.<sup>4</sup> Reg. *assignamus*.<sup>5</sup> Reg. *annuatim*.

venerabilis patris nostri · C · dei gracia dunblanensis episcopi  
 eidem apponi procurauimus · hiis testibus venerabili patre  
 nostro<sup>1</sup> · C · dei gracia dunblanensi episcopo · nobilibus viris  
 domino Ioachim de kynbuc · et domino Gilberto de rothwin  
 militibus · domino Malisio auunculo domini · M · Comitis ·  
 Tristrem de gorti alano maresscallo dicti Comitis · summer-  
 leth · et multis aliis.

## LXXVII

1247. De decimis malisii comitis capiendis de thano  
 de dunyn.<sup>2</sup>

· M ·<sup>3</sup> comes de stratheryn dilecto et fideli suo Bricio thano  
 de dunin salutem · Noueris · nos dominum<sup>4</sup> abbatem et con-  
 uentum de inchafran ad viginti marcas apud dunin de firma  
 nostra medietatem ad festum sancti martini · et aliam medie-  
 tatem ad pentecosten singulis annis percipiendas assignase.  
 Quare uolumus et precipientes firmiter mandamus · quatenus  
 nulli balliuorum nostrorum siue nulli alicui alij nisi tantum-  
 modo abbati et canonicis de inchafran uel eorum assignatis de  
 predictis viginti marcis ad predictos terminos persoluendis ·  
 studeas respondere · Et ut maiorem circa solutionem adhibeas  
 diligenciam · statuentes precipimus · quod si infra octauum  
 diem predictorum terminorum a solutione dictorum denari-  
 orum cessaueris · penam · xx · solidorum qualibet septimana  
 post predictum octauum diem apud nos incurras · In huius<sup>5</sup>  
 rei testimonium sigillum nostrum presenti scripto patenti  
 apposuimus.

## LXXVIII

1248. [Commissio Innocentii iv. Pape ad bona  
 monasterii recuperanda.<sup>6</sup>]

Innocentius episcopus seruus seruorum dei. Venerabili

<sup>1</sup> Reg. omits these three words.

<sup>2</sup> From the original, Dupplin, No. 12 (ii) (= *Lib. Ins. Mis.* No. 26).  
 Seal gone; tag remains.

<sup>3</sup> Reg. *Malisius*.

<sup>4</sup> Reg. *deum*.

<sup>5</sup> Reg. *cuius*.

<sup>6</sup> From the original, Dupplin, Bull No. 4. Trimmed at the foot and the  
 corners cut off. No trace of the Bulla. Indorsed 'Roff.'

fratri . . Episcopo Brechinensi. Salutem et apostolicam benedictionem. Ex parte dilectorum filiorum . . Abbatis et Conventus Monasterij de Insula missarum ordinis sancti Augustini Dumblanensis diocesis fuit nobis humiliter supplicatum. ut cum tam ipsi quam predecessores eorum possessiones redditus et quedam alia bona ipsius Monasterij datis super hoc litteris et interpositis iuramentis necnon et penis adiectis quibusdam clericis et laicis ad uitam nonnullis uero in perpetuum sub annuo censu concesserint in enormem ipsius Monasterij lesionem prouidere sibi super hijs de benignitate sedis apostolice curaremus. Cum igitur persone delictum non debeat in dampnum ecclesie redundare fraternitati tue per apostolica scripta mandamus. quatinus ea que de bonis predicti Monasterij per concessionem huiusmodi alienata inueneris illicite uel distracta / non obstantibus premissis et etiam litteris confirmationis sedis apostolice in communi forma obtentis . ad ius et proprietatem eiusdem Monasterij studeas legitime reuocare. Contradictores per censuram ecclesiasticam appellatione postposita compescendo. Datum Lugduni v Idus Julii. Pontificatus nostri Anno Sexto.

## LXXIX

[Commissio Innocentii iv. Pape de compositione 1248.  
cum episcopo Dunblanensi.<sup>1</sup>]

Innocentius episcopus seruus seruorum dei. venerabili fratri . . Episcopo Brekinensi Salutem et apostolicam benedictionem. Sua nobis . . Abbas et Conventus de Insula missarum ordinis sancti Augustini petitione monstrarunt. quod cum inter ipsos ex parte una et venerabilem fratrem nostrum . . Dublinensem Episcopum super de Strugeth et quibusdam alijs ecclesijs diocesis Dunblanensis ex altera exorta fuisset materia questionis. tandem mediantibus bonis uiris amicabilis inter eos compositio interuenit. quam apostolico petierunt munimine roborarj. Quocirca fraternitati tue per apostolica

<sup>1</sup> From the original, Dupplin, Bull No. 5. The Bulla is lost, but the holes in the parchment bored for its string remain.

scripta mandamus. quatinus compositionem eandem sicut prouide et rite ac sine prauitate facta est et ab utraque parte sponte recepta et hactenus pacifice obseruata / facias auctoritate nostra appellatione remota firmiter obseruari. Datum Lugduni vi Idus Augusti. Pontificatus nostri Anno Sexto.

## LXXX

1250. [Confirmatio Innocentii iv. Pape super ordinatione iudicum delegatorum.<sup>1</sup>]

Innocentius Episcopus servus servorum Dei. Dilectis filijs Abbati et Conuentui de Insula Missarum. Ordinis Sancti Augustini Dumblanensis Diocesis Salutem et apostolicam benedictionem. Ex parte vestra fuit propositum coram nobis. Quod venerabilis frater noster Dumblanensis Episcopus olim dari optinuit venerabilibus fratribus nostris Glasguensi et Dunkeldensi<sup>2</sup> Episcopis Apostolicis literis in mandatis. ut quartam partem decimarum omnium Ecclesiarum parochialium Dumblanensis diocesis eidem Dumblanensi Episcopo facerent assignari. cumque idem Dumblanensis Episcopus coram dictis Episcopis quartam decimarum huiusmodi sibi juxta tenorem mandati Apostolici peteret assignari. vobis ipsi Episcopo in huiusmodi petitione obsistentibus. tandem utraque pars voluntarie ordinationi dictorum Episcoporum tam super quarta decimarum Ecclesiarum ad monasterium vestrum spectantium. quam super taxatione vicariarum quarumdam ex ipsis Ecclesiis et ordinatione quarumdam aliarum Ecclesiarum suarum nimis exilium et ad deserviendum facilius. juramento hinc inde prestito se submitit; qui demum ordinaverunt quod vos viginti marcas pro una dignitate. et decem pro una prebenda instituendis de novo in Ecclesia Dumblanensi in certis et competentibus locis annis singulis exolvatis. per quod a solutione predicte quarte decimarum omnium Ecclesiarum vestrarum esse debetis. omni tempore liberi et immunes. Ceterum quia per ordinationem huiusmodi monasterium vestrum in solutione huiusmodi pecunie nimium videbatur esse gravatum. in recom-

<sup>1</sup> From the Antiquaries' MS., pp. 99 and 284.

<sup>2</sup> MS. *Dumblanensi*, an evident mistake. See below.

pensationem hujusmodi gravaminis modestam vicariarum in quibusdam Ecclesijs vestris taxationem. et ut in quibusdam alijs ecclesijs non per vicarios sed per capellanos serviatur idoneos provide statuerunt. prout in ipsorum literis super hijs confectis plenius continetur. Nos igitur vestris supplicationibus inclinati. quod super premissis a prenominationis Glasguensi et Dunkeldensi Episcopis provide factum est. et in alterius prejudicium non redundat ratum habentes et gratum. id auctoritate apostolica confirmamus. et presentis scripti patrocinio communimus. Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere. vel ei ausu temerario contraire. Si quis autem hoc attemptare presumpserit. indignationem omnipotentis Dei et beatorum Petri et Pauli Apostolorum ejus se noverit incursum. Datum Lugduni viiiij. Kalendas Maij. Pontificatus nostri anno septimo.

## LXXXI

[Commissio super confirmatione precedente.<sup>1</sup>] 1250.

Innocentius Episcopus servus servorum Dei. dilectis filijs Abbati de Scona Sancti Andree Diocesis et Priori Sancti Andree Salutem et apostolicam benedictionem. Ex parte dilectorum filiorum Abbatis et Conventus de Insula Missarum Ordinis Sancti Augustini Dumblanensis diocesis fuit propositum coram nobis quod venerabilis frater noster Dumblanensis Episcopus olim dari optinuit venerabilibus fratribus nostris Glasguensi et Dunkeldensi Episcopis apostolicis litteris in mandatis ut<sup>2</sup> quartam partem decimarum omnium Ecclesiarum parochialium Dumblanensis diocesis eidem Dumblanensi Episcopo facerent assignari. Cumque idem Dumblanensis Episcopus coram dictis Episcopis quartam decimarum hujusmodi sibi juxta tenorem mandati apostolici peteret assignari. dictis Abbate et Conventu<sup>3</sup> eidem Episcopo in hujusmodi petitione obsistentibus. tandem utraque pars voluntarie ordinationi dictorum Episcoporum tam super quarta decimarum Ecclesiarum ad monasterium dictorum Abbatis et conventus spectan-

<sup>1</sup> From the Antiquaries' MS., pp. 100 and 285.

<sup>2</sup> MS. *in*. See the preceding Bull.

<sup>3</sup> MS. *Abbati et Conventui*.

tium. quam super taxatione vicariarum quarundam ex ipsis Ecclesijs et ordinatione quarundam aliarum Ecclesiarum eorundem nimis exilium et ad deservendum facilius. juramento hinc inde prestito se submitit. Qui demum ordinauerunt quod ijdem Abbas et Conventus viginti marcas pro una dignitate et decem pro una prebenda instituendis de novo in Ecclesia Dumblanensi in certis et competentibus locis singulis annis exolvant. per quod a solutione predicte quarte decimarum omnium Ecclesiarum ipsorum esse debent omni tempore liberi<sup>1</sup> et immunes. Ceterum quia per ordinationem hujusmodi ipsorum monasterium in solutione hujusmodi pecunie nimium videbatur esse gravatum. in recompensationem hujusmodi gravaminis. modestam vicariarum in quibusdam Ecclesijs eorundem taxationem. et ut in quibusdam alijs Ecclesijs non per vicarios sed per capellanos serviatur idoneos provide statuerunt. prout in ipsorum litteris super hijs confectis plenius continetur. Nos igitur eorundem Abbatis et Conventus supplicationibus inclinati. quod super premissis a prenominitis Glasguensi et Dunkeldensi Episcopis provide factum est. et in alterius prejudicium non redundat ratum habentes et gratum. id auctoritate apostolica duximus confirmandum. Quocirca discretioni vestre per apostolica scripta mandamus. quatenus eosdem Abbatem et Conventum contra confirmationis nostre tenorem super hijs non permittatis ab aliquibus indebite molestari. Molestatores hujusmodi per censuram Ecclesiasticam appellatione postposita compescendo. Datum Lugduni. viiiij Kalendas Maij. Pontificatus nostri anno septimo.

## LXXXII

1252.

[Alia Commissio Innocentii iv. Pape ad bona monasterii recuperanda.<sup>2</sup>]

Innocentius episcopus servus servorum dei. Dilectis filiis . . . Abbati de Sacronemore Glasguensis diocesis et . . . Sacriste

<sup>1</sup> MS. *libere*. See the preceding Bull.

<sup>2</sup> From the original, Dupplin, Bull No. 7. The Bulla is lost, but a part of the string from which it was suspended remains. On the flap 'Alip.' Indorsed: 'Ea que de Bonis.'

Glasguensi Salutem et apostolicam benedictionem. Peruenit ad audientiam nostram. quod tam dilecti filij . . Abbas et Conuentus de Insula missarum ordinis sancti Augustini Dumblanensis diocesis / quam predecessores eorum / terras / Maneria / pensiones / redditus / possessiones et quedam alia bona ipsius Monasterij nonnullis clericis et laicis quibusdam eorum ad uitam / aliquibus uero perpetuo / et alijs ad non modicum tempus ad firmam / uel sub censu annuo concesserunt. datis super hoc litteris / penis adiectis et interpositis iuramentis in eiusdem Monasterij non modicam lesionem. quorum aliqui super hijs in forma communi a sede apostolica confirmationis litteras impetrarunt. Cum igitur ad nostrum spectet officium lesis ecclesiis subuenire / discretioni uestre per apostolica scripta mandamus? quatinus ea que de bonis ipsius Monasterij per concessionem huiusmodi alienata inueneritis illicite uel distracta / non obstantibus litteris / penis / iuramentis / et confirmationibus supradictis / aut quod aliqui ex indulto apostolico excommunicari / seu interdicti nequeant uel suspendi / ad ius et proprietatem eiusdem Monasterij studeatis legitime reuocare. Contradictores per censuram ecclesiasticam appellatione postposita compescendo. Testes autem qui fuerint nominati si se gratia / odio uel timore subtraxerint / per censuram eandem appellatione cessante cogatis ueritati testimonium perhibere. Datum Perusij vj Idus Junij. Pontificatus nostri Anno Nono.

## LXXXIII

Carta de abirbrothok.<sup>1</sup>

1252.

Omnibus cristi fidelibus presens scriptum visuris vel audituris Willelmus dei gratia Abbas de Arbrothok et eiusdem loci conuentus eternam in domino salutem Nouerit vniuersitas uestra nos communi assensu et consensu tocius capituli nostri dedisse concessisse et hac carta nostra confirmasse deo et ecclesie sancti Iohannis apostoli et euangeliste de insula missarum et Abbati et conuentui ibidem deo seruientibus et inperpetuum

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<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 38).

seruituris omnes terras domus et possessiones quas Willelmus filius Rayngod in villa de Abirbrothok De nobis tenuit et possedit quas quidem terras Idem Willelmus pro se et heredibus suis nobis in plena curia de Abirbrothok reddidit et quitum clamauit necnon et totum Ius quod ipse vel heredes sui in dictis terris habuerunt vel h[ab]ere poterint Tenendas et habendas dictis Abbati et conuentui in liberum burgagium cum omnibus libertatibus et aysiamenis rectitudinibus ad dictum burgagium infra villam et extra villam Iuste pertinentibus adeo libere quiete et plenarie sicut dictus Willelmus vel predecessores sui dictas terras de nobis tenuerunt vel possiderunt salua tamen quod dictas terras viris religiosis quibuscu[n]que vel aliquibus alijs nullo titulo nisi de speciali nostra licencia vendent vel alienabunt In cuius rei testimonium huic scripto sigillum nostrum comune apposuiimus et ad maiorem securitatem sigillum ville nostre de Abirbrothok fecimus apponi Teste capitulo nostro Datum anno domini Millesimo cc<sup>mo</sup> quinquagesimo secundo / v<sup>o</sup> Idus nouembris Apud Abyrbrothok.

## LXXXIV

1256. [Commissio Alexandri iv. Pape ad bona monasterii recuperanda.<sup>1</sup>]

Alexander episcopus seruus seruorum dej . Dilectis filiis . .  
 Abbati et . . Priori de Sacro nemore ordinis Premonstratensis  
 Glasguensis diocesis . Salutem et apostolicam benedictionem .  
 Ad audientiam nostram noueritis peruenisse quod tam dilecti  
 filij . . Abbas et Conuentus ecclesie de Insulamissarum  
 ordinis sancti Augustini Dumblanensis diocesis / quam pre-  
 decessores eorum / decimas / redditus / Molendina / nemora /  
 iurisdictiones / terras / possessiones / et quedam alia bona  
 ipsius ecclesie nonnullis clericis et laicis / tam religiosis quam  
 secularibus / aliquibus eorum ad non modicum tempus / qui-  
 busdam uero perpetuo / et alijs dum uiuerent ad firmam / uel  
 sub censu annuo concesserunt / datis super hoc litteris adiectis

<sup>1</sup> From the original, Dupplin, Bull No. 8. The Bulla remains, attached by a hempen string. Indorsed, 'Bernardus,' with a cross above. See facsimile.



penis / et interpositis iuramentis. in enormen lesionem ecclesie supradicte . quorum aliqui dicuntur / super hijs a sede apostolica in communi forma confirmationis litteras impetrasse . Quia uero nostrum est lesis ecclesijs et Monasterijs subuenire . discretioni uestre per apostolica scripta mandamus . quatinus ea que de bonis eiusdem ecclesie / per concessionem huiusmodi alienata inueneritis illicite uel distracta / non obstantibus penis litteris / iuramentis / et confirmationibus supradictis / ad ius et proprietatem ipsius legitime reuocare curetis . Contradictores per censuram ecclesiasticam appellatione postposita compescendo . Testes autem qui fuerint nominati si se gratia odio uel timore subtraxerint / censura simili appellatione cessante cogatis ueritati testimonium perhibere . Datum Anagnie iij kalendas Septembris. Pontificatus nostri Anno Secundo.

## LXXXV

Donum Athe macnachtan super ecclesia de Inchalt.<sup>1</sup> 1257.

Omnibus cristi fidelibus presens scriptum visuris uel audituris . . Ath filius malcolmi macnaughtan salutem In domino sempiternam . Nouerit uestra uniuersitas . Me diuine caritatis Intuitu . ex assensu et uoluntate domini Gilleberti fratris mei Militis . et pro salute animarum nostrarum et antecessorum nostrorum et heredum nostrorum . Dedisit et concessisse et hac Carta mea confirmasse . Deo Et beate Marie . et Sancto Iohanni apostolo Et Euangeliste de Insula missarum . Et Abbati et Canonicis Ibidem Deo seruientibus . et in perpetuum seruituris . Ecclesiam sancte findoce de Inchealt . Ergadiensis diocesis . cum omnibus Iustis pertinentijs suis . Cum decimis . obuencionibus et oblacionibus . Et cum communi pastura . Et omnibus alijs aysiamentis . ad predictam ecclesiam pertinentibus . Nec non et totum Ius quod in eadem ecclesia habui uel habere potero . de me et successoribus meis . Eisdem abbati et canonicis contuli caritatiue . Tenendam et possidendam sibi et successoribus suis

<sup>1</sup> From the original, Dupplin, No. 5. The granter's seal in white wax, entire, the other seal lost; its tag remains.

In puram et perpetuam elemosinam · Adeo libere et quiete · plenarie et honorificencie · sicut aliqua Ecclesia in toto regno scocie · Ex dono alicuius viri nobilis liberius · quocius · plenarius et honorificencius Tenetur et possidetur. In Cuius rei testimonium huic scripto patenti sigillum meum vna cum sigillo domini · G · fratris Mei ex mera consciencia et voluntate nostra sunt appensa · Datum anno domini · M<sup>o</sup> · cc<sup>o</sup> · l · septimo · In festo apostolorum petri et pauli.

## LXXXVI

1257.

De ecclesia de Cortaky.<sup>1</sup>

Vniuersis sancte Matris ecclesie filiis presens scriptum uisuris uel auditoris. Malisius Comes de stratherne salutem Eternam In domino Nouerit vniuersitas uestra nos pro salute anime nostre et antecessorum nostrorum et heredum nostrorum dedisse concessisse et hac carta nostra confirmasse. deo et Beate Marie · et sancto Iohanni apostolo et Ewangeliste de Insula missarum · et abbati et conuentui eiusdem loci aduocationem ecclesie de Cortachyn Breyhynnensis diocesis · In perpetuum ad sustentacionem canonicorum deo seruiencium in predicto monasterio. Quare uolumus et presenti scripto concedimus · ut predicti abbas et conuentus habeant et possideant dictam ecclesiam in puram et perpetuam elemosinam · scilicet quicquid layca persona potest in ecclesia dare et concedere sine aliqua diminucione uel retencione · sicut liberius quocius plenarius · et honorificencius aliqua ecclesia de dono Comitum uel Baronum in Regno scocie tenetur uel possidetur · obligamus eciam nos et heredes nostros quos habuerimus de Matilda sponsa nostra filia domini Gilleberti quondam Comitum katannie et orkadie · vt ipsi in perpetuum pro se et heredibus suis dictam donacionem nostram ratificent defendant et warrantent · nec contra ipsam aliquo tempore uenire presumant · et vt ista donacio perpetue firmitatis robur optineat · presens scriptum sigilli nostri munimine roboramus · Testibus domino Willelmo de Breyhyn · Dominis Iohanne

<sup>1</sup> From the original, Dupplin, No. 146 (i.). Seal lost; tag remains. See facsimile.

de dundemor · Gilleberto de Rothewen et Gilleberto Macnacthin · fratre hugone · et Gilleberto fratribus nostris domino · N · Camerario nostro persona de Creff · alano maresscallo petro clerico Colino de tyncgry et Multis aliis · Datum apud creff · anno gracie domini M<sup>o</sup>. cc<sup>o</sup>. l<sup>o</sup>. vij<sup>o</sup> · pridie Idus decembris.

## LXXXVII

Carta de Gilmory makgillendes seruo.<sup>1</sup>

1258.

Omnibus hoc scriptum visuris uel auditoris Malisius Comes de Strathernt eternam in domino salutem. Nouerit uniuersitas uestra nos caritatis intuitu et pro salute anime nostre et animarum antecessorum nostrorum dedisse concessisse et hac presenti carta nostra confirmasse pro nobis et heredibus nostris deo et Ecclesie sancti Iohannis Ewangeliste de Insula Missarum et Canonicis ibidem deo seruientibus et inperpetuum seruituris in puram et perpetuam Elemosinam · Gilmuri Gilendes seruum nostrum cum tota sequela sua · Et nos et heredes nostri dictum Gilmuri Gilendes ut supradictum est · dictis ecclesie et Canonicis warantizabimus inperpetuum · In cuius rei testimonium sigillum nostrum presenti Carte nostre apposuimus. Hiis testibus, dominis<sup>2</sup> Malisio filio Comitis · Ioachim de kinbuc Militibus · Gilberto fratre Comitis · Nicholao rectore ecclesie de Cref tunc Camerario Comitis · Alano Marschallo · Lorin Mac Gil serf et multis aliis · Datum apud kenmore die annunciacionis beate Marie virginis · anno dominice Incarnacionis · M<sup>o</sup>. cc<sup>o</sup>. l<sup>o</sup>. octauo.

## LXXXVIII

Carta Johannis starnes.<sup>3</sup>

1258.

Omnibus hoc scriptum visuris vel auditoris Malisius comes de stratheryn salutem eternam in domino Nouerit uniuersitas

<sup>1</sup> From the original, Dupplin, No. 107 (= *Lib. Ins. Mis.* No. 57). Seal in white wax, entire. The title is taken from the Register. The indorsement (not contemporary) is, 'Donacio elemosine per Malisium comitem.'

<sup>2</sup> Reg. *domino*.

<sup>3</sup> Reg. (see *Lib. Ins. Mis.* No. 58).

vestra me caritatis intuitu pro salute anime mee et antecessorum et successorum meorum Dedissee et concessisse et hac carta mea quitum clamasse de me et heredibus meis inperpetuum deo et beato Johanni apostolo et euangeliste et Abbati et conuentui de insula missarum in puram et perpetuam elemosinam Johannem dictum starnes filium thome filij thore cum tota sequela sua concedo et pro me et heredibus meis inperpetuum ipsis Abbati et conuentui omne Jus et clameum quod habeo in eodem Johanne vel prole ab ipso suscitata vel h[ab]ere potero aut heredes mei imposterum habere poterint prohibeo et omnibus hominibus meis ne aliquis eorum dicto Johanni vel alicui prolis sue molestiam aut grauamen aut aliquod impedimentum inferre presumat In cuius rei testimonium presenti scripto sigillum meum apposui Datum anno domini Millesimo ccc<sup>mo</sup> quinquagesimo octauo vij<sup>o</sup> Idus Maij Testibus domino Petro priore de scona Gilberto fratre meo Gilberto de Morauia Willelmo de louetoft Malisio filio Anecole Alano Mariscallo et multis alijs.

## LXXXIX

1261. Confirmacio composicionis facte · inter · Abbatem ·  
et fratres hospitalis de braclej.<sup>1</sup>

URBANUS episcopus seruus seruorum dej. Dilectis filijs · · Abbati et Conuentuj Monasterij de Insula Missarum ordinis sancti Augustini Dumblanensis diocesis / Salutem et apostolicam benedictionem. Ea que iudicio uel concordia terminantur firma debent / et illibata persistere / et ne in recidiue contentionis scrupulum relabantur / apostolico conuenit presidio communiri. Exhibita siquidem nobis uestra petitio continebat / quod olim inter uos ex parte una / et . . Magistrum ac fratres Hospitalis sanctorum Apostolorum Jacobi et Johannis / de Brackele / Lincolniensis diocesis / ex altera / super quibusdam decimis / et rebus alijs materia questionis exorta? tandem

<sup>1</sup> From the original, Dupplin, Bull No. 9. The Bulla remains attached by a cord of red and yellow silk. Indorsed 'ferracan.' At Magdalen College, Oxford, the corresponding Bull sent to Brackley is preserved; identical with the above *mutatis mutandis*.

mediantibus bone memorie . . Dumblanensi in cuius diocesi decime huiusmodi consistunt. et venerabili fratre nostro . . Sanctiandree Episcopis super hijs amicabile inter partes / compositio interuenit. prout in litteris inde<sup>1</sup> confectis plenius dicitur contineri / quam apostolico petijstis munimine roborari. Nos igitur uestris iustis precibus grato concurrentes assensu / compositionem ipsam sicut rite<sup>2</sup> sine prauitate prouide facta est et ab utraque parte sponte recepta / et hactenus pacifice obseruata / auctoritate apostolica confirmamus / et presentis scripti patrocinio communimus. Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere / uel ei ausu temerario contraire. Siquis autem hoc attemptare presumpserit indignationem omnipotentis deij et beatorum Petri et Pauli apostolorum eius se nouerit incursum. Datum Viterbij ij Idus Septembris. Pontificatus nostri Anno Primo.

## XC

Confirmacio Ricardi episcopi Dunkeldensis super<sup>1263.</sup>  
ecclesia de maddiryn et cano et coneueto  
et abthen.<sup>3</sup>

Vniuersis sancte Matris ecclesie filijs presens scriptum visuris vel Auditoris Ricardus permissione diuina Dunkeldensis episcopus eternam in domino salutem Noueritis nos ad plenum inspexisse bone memorie Johannis primi Ricardi Johannis secundi hugonis Gilberti et Galfridi predecessorum nostrorum episcoporum scilicet Dunkeldensium Donaciones concessionones et confirmaciones Monasterio de Inchaffryn et canonicis ibidem deo seruientibus et seruituris factas super ecclesia de Maddiryn cum omnibus pertinencijs suis et super terra de Maddiryn que Abthan dicitur et super quita clamacione de Cane et de Coneuethe que clerici Dunkeldenses de eadem Abthane antiqutis percipere consueuerunt et cum de Jure non possumus nec volumus eorum honesto facto iniuste contraire nec pias eorum collaciones pauperi monasterio factas infirmare Nos

Two letters erased. The Bull at Magdalen College has *exinde*.

<sup>2</sup> Written on an erasure.

<sup>3</sup> Reg. (see *Lib. Ins. Mis.* No. 80).

eodem spiritu pietatis ducti quo et illi de consensu capituli ecclesie Dunkeldensis Donaciones concessionones et confirmaciones dicte ecclesie et predicti Abthane et supradictam quitam clamacionem eisdem canonicis factas Ratas et gratas habentes et concedimus et inperpetuum confirmamus salua nobis et successoribus nostris vna Marca argenti annuatim de eodem Abthan persoluenda ad Duos terminos scilicet medietate ad Penticosten et medietate ad festum sancti Martini sicut<sup>1</sup> predictorum episcoporum autenticis contineri<sup>2</sup> inuenimus Concedimus eciam Abbati et canonicis predicti monasterij et eorum successoribus inperpetuum vt predictam ecclesiam in bonis temporalibus omnimodis in vsus suos proprios pro sue voluntatis Arbitrio conuertant faciendo eidem ecclesie per ydoneum capellanum vel si maluerint per aliquem canonicum de suo collegio deseruiri saluis episcopalibus In huius rei testimonium huic scripto sigillum nostrum apposuimus Datum apud Tybyrmore quarto nonas Augusti Anno dominj Millesimo cc<sup>mo</sup> sexagesimo tercio Pontificatus nostri Anno duodecimo hijs testibus Magistro Roberto de streuillyn Decano Dunkeldensis ecclesie Magistro Thoma de Perth officiali nostro Magistro David Belle canonico Dunkeldensi domino Thoma canonico de insula sancti Columbe Willelmo Rectore ecclesie de Mukyrsty et alijs.

## XCI

1265/6. Concordia indentata inter conuentum et tristrame super quibusdam terris inter ipsos antea in litem pendentibus.<sup>3</sup>

Omnibus cristi fidelibus hoc scriptum visuris vel auditoris Alanus dei gracia Abbas de insula missarum et eiusdem loci conuentus eternam in domino salutem Nouerit vniuersitas vestra quod cum controuersia esset mota inter Trestram de Gortyn ex parte vna et nos ex altera super terris de Cambinche que ex arbitrio virorum prudencium prouisa fuit et adjudicata in perpetuum jacere in communi inter nos sicut in scripto de ipso

<sup>1</sup> The Register has *sicut*.

<sup>2</sup> The Register seems to read *continentur*.

<sup>3</sup> Reg. (see *Lib. Ins. Mis.* No. 47).

arbitrio confecto plenius continetur et ceteris terris quas nos possidebamus in quibus dictus Trestram sibi et heredibus suis jus vendicabat et maxime de infirmatorio nostro et capella et alijs terris circumiacentibus sicut fossatum est circumquaque tandem omnis lis et contencio super dictis terris mota vel mouenda in hunc modum conuenit<sup>1</sup> videlicet quod dictus Trestram totum jus et clameum quod habuit vel habere potuit in prefatis terris nobis et successoribus nostris pro se et heredibus suis inperpetuum quitum clamauit saluo in omnibus iure domini nostri comitis de stratheryn Renunciando quoque pro ipso et heredibus suis impetratis et impetrandis omnimodis ne decetero nos aut successores nostros super dictis terris in puram et perpetuam et liberam elemosinam nobis concessis et per multa tempora pacifice possessis in foro laycali vel clericali fatigare presumat Nos vero predicto Trestram et Cristine sponse sue et heredibus suis fraternitatem monasterij nostri in oracionibus elemosinis martilogio et ceteris bonis que fiunt generaliter pro confratribus nostris caritatiue concessimus et hoc Idem heredibus ipsorum concessimus si hoc caritatiue pecierint Concessimus eciam eidem trestram et heredibus suis quatenus in no[bi]s est quod habeant capellam suam in qua eis possint diuina scelebrari salua in omnibus indempnitate matris ecclesie Ad hec omnia supradicta fideliter sine dolo fraude et machinacione aliqua pro se et heredibus suis obseruanda per fidem suam necnon tactis sacrosanctis per sacramentum suum corporale se obligauit et nos pro nobis et successoribus nostris Idem fecimus In cuius rei testimonium huic carte ad modum cyrography confecte remanenti inperpetuum penes nos et successores nostros sigillum dicti Trestram et domini Malisij comitis de stratheryn sunt appensa et parti remanenti penes dictum trestram et heredes suos inperpetuum sigillum commune capituli nostri et venerabilis patris Roberti dei gracia Dunblanensis episcopi sunt appensa Datum apud insulam missarum die sancti valentini martiris Anno gracie Millesimo cc<sup>mo</sup> sexagesimo sexto.<sup>2</sup>

<sup>1</sup> The old edition reads *quicuit*; a possible conjecture.

<sup>2</sup> Either the 1266 of this deed or the 1265 of the one next following is probably an error. But they may be reconciled by dating both deeds 1265/6.

## XCII

1265/6. Altera indentura super terris de cambinch.<sup>1</sup>

Omnibus cristi fidelibus hoc scriptum visuris vel auditoris Tristram de gortyn eternam in domino salutem Nouerit vniuersitas vestra quod cum controuersia mota esset inter Abbatem et conuentum de insula missarum ex parte vna et me ex altera super terris de Cambinch que ex arbitrio virorum prudencium prouisa fuit jacere in communi inter nos sicut plenius continetur in scripto de ipso arbitrio confecto et ceteris terris quas prefati religiosi possidebant in quibus ego dictus Tristram michi et heredibus meis [jus] vendicabam et maxime de infirmatorio et capella et alijs terris circumiacentibus sicut fossatum est circumquaque Tandem inter nos die sancti valentini martiris Anno gracie millesimo cc<sup>mo</sup> sexagesimo quinto apud insulam missarum sub hac forma conuenit<sup>2</sup> videlicet quod ego dictus Tristram promisi fideliter pro me et heredibus meis quod dictos Abbatem et conuentum et eorum successores inperpetuum indemnes conseruarem in omnibus de forisfactis commissis et committendis in curia dominj comitis de stratheryn occasione omnimodarum conuencionum motarum inter nos super dictis terris et alijs conuencionibus et controuersijs super quibus ipsos ad iudicium traxi seculare et totum jus meum quod habui vel habere potui in prefatis terris dictis Abbati et conuentui de insula missarum pro me et heredibus meis inperpetuum quitum clamaui saluo in omnibus jure dominj nostri comitis de stratheryn Renunciando quoque pro me et heredibus meis impetratis et impetrandis omnimodis ne Decetero eosdem Abbatem et conuentum nec successores suos super predictis terris in puram liberam et perpetuam elemosinam eis concessis et per multa tempora pacifice possessis in foro laicali fatigare presumam ad hec omnia suprascripta fideliter sine dolo et fraude et machinacione aliqua pro me et heredibus meis inperpetuum obseruanda per fidem meam nec non tactis sacrosanctis per sacramentum meum corporale me obligauit sponte prestitum et dicti Abbas et conuentus Idem fecerunt Predicti vero Abbas et conuentus michi et Cristine

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 48).

<sup>2</sup> Reg. *conuenit.*



sponse mee et heredibus meis fraternitatem monasterij sui in oracionibus elemosinis et martilogio et ceteris bonis que fiunt generaliter pro confratribus diuine caritatis intuitu concesserunt et hoc Idem heredibus meis si caritatiue pecierint concesserunt Concesserunt eciam dicti Abbas et conuentus michi et heredibus meis quatenus in eis est capellam nostram in qua nobis possint diuina scelebrari salua in omnibus indempnitate matricis ecclesie In cuius rei testimonium huic scripto sigillum meum apposui et ad instanciam meam sigillum comitis huic scripto est appensum.

## XCIII

[Confirmatio Clementis iv. Pape de ecclesia de Maderdin.<sup>1</sup>] 1266.

Clemens Episcopus servus servorum Dei / Dilectis filiis Abbati et Conventui Monasterij de Insula Missarum / Ordinis Sancti Augustini Dumblanensis diocesis. Salutem et apostolicam benedictionem / Solet annuere sedes apostolica pijs votis et honestis petentium precibus favorem benivolum impertiri. Exhibita siquidem nobis vestra petitio continebat quod bone memorie Johannes primus Dunkeldensis Episcopus Ecclesiam de Mardindin<sup>2</sup> Dunkeldensis diocesis in qua jus patronatus habetis de consensu Capituli sui vobis et Monasterio vestro cum juribus et pertinentijs suis in proprios usus concessit / ac postmodum pie memorie Ricardus · Johannes secundus / Hugo / Gilbertus et Galfridus / ac venerabilis frater noster Ricardus Dunkeldenses Episcopi successores ipsius Johannis / quod super hoc ab ipso factum extitit approbarunt et etiam confirmarunt / ac idem Ricardus Episcopus de consensu Capituli sui vobis concessit / ut in eadem Ecclesia possitis per aliquem de vestris concanonicis facere deserviri prout in Litteris inde confectis plenius dicitur contineri. Nos itaque vestris supplicationibus inclinati / concessionem hujusmodi ab eodem Episcopo sicut provide facta est Ratam et firmam habentes eam auctoritate apostolica confirmamus / et presentis

<sup>1</sup> Antiquaries' MS., pp. 103 and 287.

<sup>2</sup> The second copy has *Mardinin*.

scripti patrocinio communimus. Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere / vel ei ausu temerario contraire. Si quis autem hoc attemptare presumpserit / Indignationem omnipotentis Dei / et beatorum Petri et Pauli apostolorum ejus se noverit incursum Datum Viterbij x. Kalendas Junij Pontificatus nostri anno secundo.

## XCIV

1266. *Commissio archidiacono laudonie ad restituendum jura et libertates.*<sup>1</sup>

Clemens episcopus servus servorum dei. Dilecto filio . . Archidiacono laudonie in ecclesia sancti Andree in Scotia. Salutem et apostolicam benedictionem. Ad nostram noueris audientiam peruenisse. quod tam dilecti filij . . Abbas et Conuentus Monasterij de Insula Missarum ordinis sancti Augustini Dumblanensis diocesis quam predecessores eorum / decimas terras uineas / domos / prata nemora / molendina pascua piscarias redditus et quedam alia bona eiusdem Monasterij nonnullis clericis et laicis tam religiosis quam secularibus aliquibus eorum ad uitam / quibusdam uero ad non modicum tempus et alijs perpetuo ad firmam uel sub censu annuo datis super hoc litteris factis renuntiationibus adiectis penis et iuramentis interpositis concesserunt / in ipsius Monasterij lesionem enormem / quorum aliqui dicuntur super hijs litteras confirmationis in forma communi a sede apostolica impetrasse. Quia uero nostra interest lesis Monasterijs subuenire? Discretionem tue per apostolica scripta mandamus. quatinus ea que de bonis eiusdem Monasterij per concessionem huiusmodi alienata inueneris illicite uel distracta non obstantibus litteris iuramentis penis renuntiationibus necnon et confirmationibus supradictis ad ius et proprietatem ipsius Monasterij legitime reuocare procures. Contradictores per censuram ecclesiasticam appellatione postposita compescendo. Testes autem qui fuerint nominati si se gratia / odio

<sup>1</sup> From the original, Dupplin, Bull No. 10. The Bulla is lost, but part of the hempen string by which it was suspended remains.

uel timore subtraxerint / censura simili appellatione cessante compellas ueritati testimonium perhibere. Datum Viterbij kalendis Julij Pontificatus nostri Anno Secundo.

## XCV

De lapicina.<sup>1</sup>

1266.

Omnibus presentes litteras visuris uel audituris . . M . comes de stratherne . salutem in domino . Noueritis nos dedisse et concessisse et hac carta nostra confirmasse pro nobis et heredibus nostris . in puram et perpetuam elemosinam . deo et beate marie ac beato iohanni apostolo et ewangeliste . et Religiosis uiris abbati et conuentui de insula missarum . caritatis intuitu et pro salute anime nostre ac<sup>2</sup> antecessorum nostrorum . licenciam et potestatem inperpetuum . fodiendi . et secandi lapides in lapidicina nostra et terra nostra de nethirgasche . ad ecclesiam suam et officinas suas ac omnia edificia in dicto Monasterio pro uoluntate sua construenda . Concedimus eciam eisdem per totam terram nostram de nethirgasche . liberum transitum ad predictam lapidicinam . introitum in eandem et liberum exitum cum hominibus . animalibus . quadrigis . ueturis quibuscumque lapides ducentibus seu portantibus . et duas acras terre dicte lapidicine ex parte occidentali proximo<sup>3</sup> adiacentes . vt ibidem lapides suos<sup>4</sup> possint recolligere<sup>5</sup> . et domum in qua eosdem incidant ⁊ pro uoluntate sua edificare . et de residuo duarum acrarum pro uoluntate sua disponere . In cuius rei testimonium sigillum nostrum presentibus fecimus apponi . Hiis testibus . domino Gilberto de Rothewane . domino Ioachim de Kinbucche . Magistro Ricardo de striuiline . camerario<sup>6</sup> domini comitis . lorne Mach gilherve . Iacobo persona de buffudire . et multis alijs . Datum apud crefe . in crastino beati Martini in yeme . Anno gracie . M<sup>o</sup> . cc<sup>o</sup> . sexagesimo sexto.

<sup>1</sup> From the original, Dupplin, No. 105 (i) (= *Lib. Ins. Mis.* No. 64). Of the seal, in white wax, small traces remain on the tag.

<sup>2</sup> Reg. *et*.

<sup>3</sup> Reg. *primo*.

<sup>4</sup> Reg. *quos*.

<sup>5</sup> Reg. *colligere*.

<sup>6</sup> Reg. *cancellario*.

## XCVI

1268?

Carta de sex marcis de abircarnich.<sup>1</sup>

Omnibus cristi fidelibus ad quorum noticiam presentes [perue]nerint malisus comes de stratheryn eternam in domino salutem nouerit vniuersitas vestra quod cum viri religiosi abbas et conuentus Monasterii de insula missarum essent in possessione re[ci]piendi sex marcas sterlingorum nomine secundarum decimarum nostrarum de firma terre de Ballenolleth in syro de Foglais Idem religiosi ad instanciam nostram patienter sustinuerunt nos illam terram de Ballenolleth domino G fratri nostro conferre et sic eisdem Religiosis in eisdem sex marcis remansimus obligati Quare volumus et concedimus eisdem religiosis per hanc scripturam mera nostra voluntate confectam pro nobis et heredibus nostris vel assignatis quod dicti religiosi dictas sex marcas nomine secundarum decimarum nostrarum sine contradiccione nostri vel heredum nostrorum vel assignatorum nostrorum de firma tenementi de Abircarnych recipiant inperpetuum per manus cuiuscumque dictum tenementum de Abircarnyche de nobis vel heredibus nostris vel assignatis tenentis soluendas ad duos anni terminos scilicet vnam medietatem ad festum penticostes et aliam medietatem ad festum sancti Martini in yeme Item cum teneremur eisdem religiosis in triginta sex libris sterlingorum quas cepimus de fratre hugone tunc temporis terrario eiusdem monasterij de peccunia quondam Rogeri de Colin clerici quam quidem peccuniam Idem Rogerus fabrice ecclesie dicti monasterij donacione inter viuos dedit et in decem libris sterlingorum quas ab eisdem recepimus mutuo per literas nostras obligatorias super hoc eisdem confectas et eciam in viginti quatuor marcis sterlingorum de solucione predictarum sex marcarum de firma predictae terre de ballenollethe per nos a predictis religiosis per quatuor annos retentatum Nos vero eisdem religiosis satisfacere uolentes eisdem concedimus pro nobis heredibus nostris et assignatis et volumus quod ipsi religiosi recipiant quolibet anno ad terminos prenomatos quatuor

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 35).

marcas sterlingorum de firma predicti tenementi de Abircarniche sine contradictione [nostri] vel heredum nostrorum vel assignatorum quousque predicti Religiosi totum predictum debitum de predicta firma sepredicti tenementi de Abircarniche dictis terminis sicut predictum est plenarie et integre receperint termino prime solutionis dicte peccunie incipiente ad festum pentecostes anno gracie Millesimo cc<sup>mo</sup> decimo octauo.<sup>1</sup> In cuius rei testimonium literis presentibus sigillum nostrum fecimus apponi Datum apud Crefe Die sancti ambrosij anno supradicto Hijs testibus domino Roberto dei gracia episcopo Dunblanensi domino Ewgenio de argadia domino M · auunculo nostro domino N Rectore ecclesie de Crefe dominis G J et B · rectoribus ecclesiarum de Comry de Buchfydir de Monyhge T de Gortyn Bricio de Ardrossane et multis alijs Nos vero et heredes nostri vel assignati predictas sex Marcas sicut predictum est dictis religiosis et eorum successoribus in perpetuum contra omnes warantizabimus et defendemus et acquitabimus.

## XCVII

Donacio quatuor marcarum annui redditus de terra c. 1270.  
de Mukrand.<sup>2</sup>

Omnibus hoc scriptum visuris vel audituris Malicius comes de stratheryn salutem eternam in domino Nouerit vniuersitas vestra me Dedisse concessisse et hac presenti carta mea confirmasse deo et beate Marie et cuidam capellano celebranti diuina in elemosinaro de insula missarum pro animabus antecessorum meorum et omnium fidelium defunctorum et pro anima Bricij de Ardrossane pro quita clamacione terre de Buthaldy et de lanyrky quam quidem terram dictus Bricius michi et heredibus meis post dies suos quitam clamauit: quatuor Marcas argenti de firma terre que vocatur Mukrand percipiendas singulis annis in perpetuum in liberam et perpetuam elemosinam de me et heredibus meis per manus firmariorum eiusdem terre

<sup>1</sup> *Sic*; perhaps for 1268, as the Bannatyne Club editor suggested.

<sup>2</sup> Reg. (see *Lib. Ins. Mis.* No. 52).

quicumque fuerint pro tempore in dicta terra commorantes ad sustentacionem dicti capellani quicumque fuerit inperpetuum Preterea do et concedo et hac carta mea confirmo dicto<sup>1</sup> capellano et successoribus suis inperpetuum in liberam et perpetuam elemosinam illam particulam terre quam prenominatus Bricius de Ardrossane tenuit in villa de Dunblane que vocatur Tolauch per omnes rectas diuisas suas Tenendam et habendam de me et heredibus meis dicto capellano et successoribus suis ad inueniendum calicem et ornamenta dicto capellano Item do et concedo potestatem Abbati de insula missarum qui pro tempore fuerit<sup>2</sup> cum capellanus aliquis qui ibidem<sup>3</sup> celebrauerit diuina in fata discedit in periculo anime sue alium capellanum ydoneum constituendi predicto loco sine aliqua contradiccione mei vel heredum meorum Si autem contingat me vel heredes meos aliquo casu quod absit contra hanc donacionem et concessionem venire subicio me et heredes meos interdiccioni Episcopi Dunblanensis qui pro tempore fuerit renunciatis omni appellacioni excepcioni cauillacioni et omni juris remedio canonici et ciuilibus vt ipse per sensuram ecclesiasticam ad predictam donacionem et concessionem fideliter inperpetuum obligando me et heredes meos de die in diem compellat Vt autem hec mea donacio et concessio perpetue firmitatis robur optineat presens scriptum sigilli mei munimine roborauit Testibus domino A . abbate de insula missarum domino Gilberto de Ruthfen Malicio filio comitis Militibus domino Nicholao persona de Crefe Willelmo de Rothfen tunc camerario meo et multis alijs.

## XCVIII

1271. Confirmacio terre mukrand et vnus marce capellano celebranti in elemosinario.<sup>4</sup>

Omnibus cristi fidelibus ad quos litere presentes peruenerint Bricius de Ardrossan eternam in domino salutem Nouerit vniuersitas vestra me ratam et firmam ac stabilem quantum ad me pertinet habuisse collacionem domini Malisij bone memorie

<sup>1</sup> *dno* written, and the *n* deleted. Old ed. *domino*. <sup>2</sup> Reg. inserts *ut*.

<sup>3</sup> *Qui ibidem* repeated in Reg.

<sup>4</sup> Reg. (see *Lib. Ins. Mis.* No. 53).

quondam comitis de stratheryn factam deo et beate marie et cuidam capellano celebranti diuina in elemosinario de insula missarum pro animabus dicti comitis et suorum antecessorum et pro anima mea et omnium fidelium defunctorum de quatuor marcis sterlingorum percipiendis singulis annis de firma terre de Mukracht inperpetuum in puram et perpetuam elemosinam prout in carta dicti comitis inde confecta plenius continetur et quia predictus comes terram de Tulach quam eidem capellano et suis successoribus ad calicem et ornamenta ibidem inueniendum per prenominatam cartam donauerat et concesserat deo et ecclesie Dunblanensi de ordinacione eiusdem loci episcopi postea mutata voluntate assignauit ego vero nolens pro defectu dictorum ornamentorum diuina officia in dicto elemosinario cessare ex mea mera voluntate do et presenti carta confirmo pro salute anime mee et antecessorum meorum et dicti domini M comitis et suorum antecessorum sepedicto capellano et suis successoribus inperpetuum vnam marciam argenti ad duos anni terminos scilicet medietatem ad pentecosten et aliam medietatem ad festum sancti Martini in yeme percipiendam singulis annis de terra quam ad feodo firmam teneo per cartam in territorio de Petlandy per Abbatem et conuentum de insula missarum quibus dictam terram per cartam meam assignaui Volo eciam et concedo quod si dicta terra a predictis Abbate et conuentu aliquo casu seu occasione per aliquem fuerit euicta quod heredes mei seu assignati ad quos quocumque titulo terre mee transierint de ipsis terris predicto capellano et suis successoribus singulis annis terminis supradictis dictam Marciam argenti prout dictum est sine contradiccione aliqua persoluant et ad hec ecclesiastica districcione si necesse fuerit compellantur Ita videlicet quod cetere terre ad quemcumque transierint pro prestacione dicte marce remaneant inperpetuum obligate In cuius rei testimonium hijs literis presentibus sigillum meum apposui hijs testibus domino Roberto dei gracia episcopo Dunblanensi domino A eadem gracia Abbate de insula missarum et eiusdem loci conuentu Magistro Ricardo Magistro Gilberto Magistro J . de logy ecclesie Dunblanensis canonicis domino J decano T de Gorty et multis alijs Datum apud insulam missarum Anno gracia Millesimo cc<sup>mo</sup> septuagesimo primo die sancti clementis pape et martiris.

## XCIX

1271.

Carta bricii de ardrossane de xvj acris.<sup>1</sup>

Omnibus cristi fidelibus has literas visuris vel auditoris Bricius de Ardrossane eternam in domino salutem Nouerit vniuersitas vestra me pro salute anime mee et domini mei Malisij bone memorie quondam comitis de stratheryn et antecessorum meorum et suorum dedisse conce[ssi]sse et hac presenti carta confirmasse inperpetuum deo et beate Marie et sancto Johanni apostolo et euangeliste et Abbati et conuentui de insula missarum et eorum successoribus illas sexdecim acras terre citas juxta pontem Abbathie ex parte orientali in campo qui vocatur langflathe cum suis omnibus pertinencijs et aysiamenis quas quidem sexdecim acras terre dictus dominus meus Malisius bone memorie quondam comes de stratheryn michi et heredibus meis et assignatis et eorum heredibus in excambium pro terra de Cullath donauit et concessit quam quidem terram de Cullath dictus comes ex consensu meo deo [et] ecclesie de Dunblanene inperpetuum assignauit Tenendas et habendas sibi et suis successoribus de me et heredibus meis et assignatis inperpetuum in puram et perpetuam elemosinam libere pacifice et quiete ab omni exaccione seculari et consuetudine et demanda In cuius rei testimonium hijs literis sigillum meum apposui hijs testibus Domino Roberto dei gracia episcopo Dunblanensi Magistro Ricardo Magistro Johanne de loggy eiusdem ecclesie canonicis domino J · decano domino · N · rectore ecclesie de Crefe Trestram de Gorty ach et Monach filijs Alpini et Bricio Dapifero et multis alijs Datum apud insulam missarum Anno gracia millesimo cc<sup>mo</sup> septuagesimo primo die sancti Clementis pape et Martiris.

## C

Carta terre de Dunnyduf.<sup>2</sup>

Omnibus hoc scriptum visuris vel auditoris Bricius de Ardrossane eternam in domino salutem Nouerit vniuersitas

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 19).

<sup>2</sup> Reg. (see *ibid.* No. 44).



vestra me pro salute anime mee et an[te]cessorum meorum concessisse et assignasse et hac presenti carta mea confirmasse deo et beate Marie et sancto Johanni apostolo et euangeliste et Abbati et conuentui de insula missarum et suis successoribus inperpetuum illam particulam terre sitam in territorio de Petlandy quam ego de luca filio theobaldy ad feodam firmam teneo cum omnibus suis pertinencijs et ceteris aysiammentis per suas rectas diuisas prout in carta inter dictum lucam et me super hoc facta plenius continetur Tenendam et habendam sibi et successoribus suis inperpetuum de me et heredibus meis seu assignatis libere et quiete sicut liberius quiecius ego dictam terram tenui vel tenere potui Reddendo inde annuatim vnam Marcam argenti scilicet medietatem ad Penticosten et aliam medietatem ad festum sancti Martini cuidam capellano diuina celebranti in elemosinario de insula missarum ad comparandum<sup>1</sup> seu inueniendum ibidem calicem et ornamenta diuino<sup>2</sup> cultui necessaria volo et concedo quod si dictam terram per aliquem aliquo casu seu occasione de predictis Abbate et conuentu quod absit inposterum euinci contigerit sepedictos Abbatem et conuentum a predictae marce prestacione extunc fore absolutos et me et heredes meos seu assignatos ad quos ceterae terre mee quocumque titulo transierint ad predictae marce prestacionem annuam predicto capellano de ipsis terris faciendam supradictis terminis inperpetuum teneri et ad hoc per sensuram ecclesiasticam si necesse fuerit compelli et perstringi Reddendo nichillominus sepedicto luce et suis heredibus vel assignatis dictam terram ad fe[od]o firmam michi et heredibus meis seu assignatis inperpetuum concedentibus pro omni seculari seruicio exaccione consuetudine et demanda warantizacione proteccione et defencione duodecim denarios ad duos anni terminos scilicet sex denarios ad penticosten et sex denarios ad festum sancti Martini in yeme et preterea tres denarios tantummodo pro quolibet Regis auxilio seu exercitu quociens dominus Rex commune[m] exercitum vel commune auxilium exigere contigerit a toto suo rigno In cuius rei testimonium huic scripto sigillum meum apposui hijs testibus domino Roberto dei

<sup>1</sup> Old ed. *operandum* ; misreading the Register.

<sup>2</sup> Reg. *diuine*.

gracia episcopo Dunblanensi domino N · rectore de Crefe domino Johanne tunc decano de stratheryn rectore ecclesie de Glendofona dominis G et J · rectoribus ecclesiarum de Cumry et de Buffidir trestram de Gorty Magistro Johanne de logy ach et Munach filijs Alpin et multis alijs Datum apud insulam missarum die sancti clementis martiris et pape Anno gracie Millesimo cc<sup>mo</sup> septuagesimo primo.

## CI

1271. **Litera testimonialis saysine terre Bricii de ardrossane.<sup>1</sup>**

Omnibus has literas visuris vel auditoris Bricius de Ardrossane eternam in domino salutem Nouerit vniuersitas vestra me mea spontanea voluntate tra[di]disse Abbati et conuentui de insula missarum plenariam saysinam tocius terre mee quam ad feodofirmam tenui in territorio de Petlandy atque misisse Michaellem et Martinum famulos meos quibus vero concessi meam plenariam potestatem in hoc ad ponendum dictum Abbatem vel suos procuratores vnum vel plures in plenariam saysinam dicte terre mee de Petlandy saluis in omnibus domino feudi hijs que in carta inter me et ipsum confecta plenius contine[n]tur In cuius rei testimonium literis presentibus sigillum meum apposui vna cum sigillo venerabilis domini Roberti dei gracia Episcopi Dunblanensis Datum apud insulam missarum Anno gracie Millesimo cc<sup>mo</sup> septuagesimo primo die sancti Andree apostoli.

## CII

c. 1272. **Carta terre in tenemento de Rossy.<sup>2</sup>**

Omnibus cristi fidelibus presens scriptum visuris vel auditoris Malisius filius G quondam comitis de stratheryn Miles eternam in domino salutem Nouerit vniuersitas vestra me caritatis intuitu pro salute anime mee et an[te]cessorum

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 51).

<sup>2</sup> Reg. (see *ibid.* No. 63).

meorum et Malisij filij mei et heredum meorum et ceterorum successorum meorum dedisse concessisse et hoc presenti scripto confirmasse deo et beate Marie et beato Johanni apostolo et euangeliste de insula missarum et Abbati et conuentui eiusdem loci et eorum successoribus in puram et perpetuam elemosinam illam particulam terre in tenemento de Rossy per illas metas per quas ego coram fidedignis in propria persona perambulauī scilicet a petario de Rossy qui scotice<sup>1</sup> dicitur pethath sicut riuulus dicti petarij descendit versus orientalem partem vsque ad viam que se extendit de strathyn vsque ad Rossy et sic per illam viam versus austrum vsque ad aseruum lapidum per me [factum]<sup>2</sup> ibidem et sic similiter vsque ad alium aseruum per me factum et sic versus occidentalem partem per albam metam scilicet paruam semitam vsque ad dictum petarium et sic versus aquilonalem partem vsque ad exitum dicti riuuli dicti petarij que quidem particula terre continueate continet in se tres acras terre et amplius Tenendam et habendam sibi et suis successoribus et eorum assignatis de me heredibus meis in puram et perpetuam elemosinam libere et quiete inperpetuum cum pastura duodecim vaccarum et viginti ouium et vnus equi vna cum aysiamento sumendi in dicto petario singulis annis viginti karucas petarum vel si maluerint quater viginti onera equorum cum ceteris aysiamentis omnimodis infra willam et extra prout liberius et quociens aliquis miles aliquam elemosinam in toto rigno scocie dare vel concedere potest Ego vero dictus Miles et heredes mei hanc elemosinam predictis religiosis et eorum successoribus collatam contra omnes homines et feminas inperpetuum warantizabimus protigemus et defendemus atque liberam et quietam ab omni onere exaccione et demanda seculari et seruicio penitus faciemus et obseruabimus In cuius rei testimonium huic scripto sigillum meum apposui hijs testibus domino Patricio de Graham domino N rectore ecclesie de Creffe filio meo Magistro Thoma decano Dunblanensis ecclesie Magistro Ricardo de stryuyllyn eiusdem ecclesie canonico domino G persona de Comry domino J persona de Buffyddir domino Donaldto decano de Metthel Willelmo clerico et multis alijs.

<sup>1</sup> Reg. *scocie*.

<sup>2</sup> Supplied in the former edition conjecturally.

## CIII

[Carta Luce filii Tebaldi.<sup>1</sup>]

c. 1272.

Omnibus sancte matris ecclesie filiis presens scriptum visuris uel auditoris · lucas filius tebaldi filii · Willelmi eternam in domino salutem Sciant omnes tam presentes quam futuri Me caritatis Intuitu et pro salute anime mee et antecessorum meorum et successorum dedisse concessisse et hac presenti carta mea confirmasse deo et beate marie et beato Iohanni apostolo et euangeliste · et abbati et conuentui de Insula missarum et luminari maioris altaris sancte marie eiusdem ecclesie In puram et perpetuam elemosinam totam illam particulam terre In terra mea de pechlandy · que iacet Inter terram quam pater meus et ego dictis abbati et conuentui caritatie contulimus in terra que uocatur fithlerflath<sup>2</sup> et viam magnam que vadit et tendit uersus buchteny<sup>3</sup> · et sic per illam viam versus aquilonem vsque ad terram de dunyduf quam bricius de ardrossan quondam de me et heredibus meis ad feudo firmam tenuit · vna cum illa particula terre que se extendit ab oriente versus occidentem vsque ad riuulum illum qui currit Inter pethlandy et pethmane · que quidem particule terre continue continent in se quatuor acras terre et aliquantulum plus · et cum bracina totius terre de pethlandy · Tenendas et habendas sibi et successoribus suis de me et heredibus meis Inperpetuum Cum communi pastura octo vaccarum et duorum equorum et cum omnibus communibus<sup>4</sup> asyamentis Infra villam de pethlandy et extra In bosco et plano pascuis moris et marisiis · bruariis petariis stagnis aquis et molendinis et ceteris asyamentis omnibus ad terram de pethlandi spectantibus uel spectare valentibus · libere · quiete plenarie et honorifice Ita quod omnes supradicte particule terre tam de dono patris mei quam de dono meo quam de dono bricii de ardrossan eisdem religiosis assensu meo et concensu facto de terra de dunyduf ·

<sup>1</sup> From the original in H. M. Register House, Edinburgh, No. 57 of Calendar (= *Lib. Ins. Mis.* No. 62). Seal and tag gone; slit remains. Indorsed, 'Carte de petlandi pro iiij acris'; and the rubric in the Register is the same.

<sup>2</sup> Reg. *flechirflat*.

<sup>3</sup> Reg. *buchny*.

<sup>4</sup> Reg. omits *communibus*.

simul sine aliquo retinemento iaceant continue inperpetuum . Ego uero lucas et heredes mei hanc eandem elemosinam dictis Religiosis per me collatam tam de predictis . terra . pastura et bricina cum omnibus asyamentis vt predictum est contra omnes homines et feminas warentizabimus et defendemus inperpetuum . et liberam et quietam ab omni onere exactione et seruitio seculari omnino faciemus . Ego etiam donationem patris mei predictis religiosis de vno toufto et duabus acris terre et quadam pastura secundum quod plenius et melius continetur In carta quam dicti abbas et conuentus a dicto . T . patre meo ex inde habent confectam . vna cum terra de dundyuf . quam habent de dono bricii de ardressan assensu et consensu meo facto eisdem . pro me et heredibus meis inperpetuum ratifico et confirmo . In Cuius rei testimonium huic scripto sigillum meum apposui . Hiis testibus . domino Roberto dei gratia episcopo dunblanensi . magistro thoma eiusdem ecclesie decano . magistro Ricardo de striflyn eiusdem ecclesie canonico domino . N . rectore ecclesie de cref . dominis . G . et y . de comri et de butfuder personis . Magistro Rogero de scardtheburge clerico domini regis . henrico firmario dicto . symone . Iohanne . et hugone filiis dicti henrici . Willelmo clerico . Gillefelan Iudice . Rogero filio iacobi cimentarii petro filio dicti cimentarii . Rogero et iacobo filiis . W . gena . bricio dapifero et multis aliis.

## CIV

[Commissio Gregorii x. Papa ad bona monasterii 1274.  
recuperanda.<sup>1</sup>]

Gregorius episcopus seruus seruorum dej / Dilecto filio . . Decano ecclesie Dumblanensis Salutem et apostolicam benedictionem. Ad nostram noueris audientiam peruenisse quod tam dilecti filij . . Abbas et Conuentus Monasterij de Inchafran ordinis sancti Augustini Dumblanensis diocesis quam prede-

<sup>1</sup> From the original, Dupplin, Bull No. 11. The Bulla is lost, but the holes bored for the string by which it was suspended remain. Indorsed 'Ea que de bonis,' and some illegible words.

cessores eorum / decimas / terras / possessiones / redditus / domos / Casalia / Molendina / iura iurisdictiones · et quedam alia bona ipsius Monasterij datis super hoc litteris interpositis iuramentis factis renuntiationibus / et penis adiectis in grauem ipsius Monasterij lesionem / nonnullis clericis et laicis aliquibus eorum ad uitam quibusdam uero ad non modicum tempus et alijs perpetuo ad firmam uel sub censu annuo concesserunt. Quorum aliqui super hijs confirmationis litteras in forma comunj a sede apostolica impetrasse dicuntur. Cum igitur nostra intersit lesis Monasterijs subuenire / discretioni tue per apostolica scripta mandamus quatinus ea que de bonis prefati Monasterij per concessionem huiusmodi alienata inueneris illicite uel distracta / non obstantibus litteris / penis / iuramentis renuntiationibus et confirmationibus supra dictis / ad ius et proprietatem ipsius Monasterij legitime reuocare procures. Contradictores per censuram ecclesiasticam appellatione postposita compescendo. Testes autem qui fuerint nominati si se gratia odio uel timore subtraxerint / censura simili appellatione cessante compellas ueritati testimonium perhibere. Datum Lugduni Idibus Julij Pontificatus nostri Anno Tertio.

## CV

c. 1275.

Carta de vno crofto et tofto in Petlandy.<sup>1</sup>

Omnibus cristi fidelibus presens scriptum visuris vel auditoris lucas filius teobaldi de Petlandy de petlandi [*sic*] eternam in domino salutem Nouerit vniuersitas uestra me pro salute anime mee et sponse mee et antecessorum meorum et successorum dedisse concessisse et presenti carta mea confirmasse deo et beate Marie et sancto Iohanni apostolo et euangeliste de insula missarum necnon Abbati et conuentui eiusdem loci vnum croftum et toftum que sunt in tenemento meo de Petlandy propinquiore Iacencia ante ostium domus mee ex parte aquilonari magne vie que venit ad ecclesiam de fowlis per quam Itur versus Buthny videlicet a vado ex parte aquilonari domus mee et sic ascendendo per dictum riululum vsque

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 66).

ad magnum lapidem Iuxta dictum riuulum et sic versus orientalem partem vsque ad terram Martini generis [*sic*] mei et sic descendendo versus meridionalem partem vsque ad dictam magnam viam et sic per eandem viam vsque ad predictum vadum que quidem particula terre continet in se quartam partem vnus acre in puram et perpetuam elemosinam vna cum brasina tocius territorij de Petlandy et omni Iure brasine et cum omnibus alijs Iuribus aysiametis infra villam et extra ad dictam terram de Petlandy spectantibus vel spectare valentibus sine aliquo retinemento in bosco et plano in moris et Marresijs petarijs et bruarijs Tenenda et habenda sibi et successoribus suis et assignatis et eorum heredibus de me et heredibus meis vna cum dicta brasina tocius terre de Petlandi et omni Iure brasine in puram et perpetuam elemosinam libere et quiete ab omni seculari seruicio inperpetuum Ego vero lucas et heredes mei dicta toftum et croftum vna cum dicta brasina et omni Iure brasine et omnibus alijs pertinencijs sicut predictum est dictis viris religiosiis et eorum successoribus contra omnes homines warantizabimus protegemus et defendemus inperpetuum Et vt hec mea donacio et carte mee confirmacio robur firmitatis et stabilitatis in omni optineat presentem cartam meam sigilli mei inpressione roborauit Hijs testibus Magistro Thoma decano ecclesie Dunblanensis dominis G et J de Cumry et de Buffydir domino Mauricio capellano tunc<sup>1</sup> maioris comitisse de stratheryn henrico filio Malcolmi Mauricio dicto knyht Petro dicto Parkare vtting fabro de streuillyn Rogero dicto de Dunfallyn et multis alijs.

## CVI

Carta brasine de petlandi.<sup>2</sup>

c. 1275.

Omnibus cristi fidelibus presens scriptum visuris vel auditoris lucas filius thebaldi de Petlandy eternam in domino salutem nouerint vniuersi me pro salute anime mee et sponse mee et an[te]cessorum meorum dedisse et concessisse et hac carta mea confirmasse deo et beate Marie et sancto Johanni apostolo in

<sup>1</sup> *Tunc* is possibly a misreading of the countess' Christian name.

<sup>2</sup> Reg. (see *Lib. Ins. Mis.*, No. 32).

insula missarum necnon Abbati et conuentui eiusdem loci tota[m] brasinam tocius terre de Petlandy cum omnibus libertatibus iuribus et aisiamentis omnimodis infra uillam et extra ad dictam terram de Petlandy spectantibus vel spectare ualentibus sine aliquo retenemento Tenendam et habendam sibi et successoribus suis et assignatis et eorum heredibus de me et heredibus meis in puram et perpetuam elemosinam libere et quiete ab omni seculari seruicio inperpetuum Ego uero et heredes mei dictam brasinam cum pertinencijs omnimodis sicut predictum est dictis religiosis et eorum successoribus contra omnes homines et feminas warantizabimus protegemus et defendemus inperpetuum Et ut hec donacio mea et carte mee confirmacio robur firmitatis et stabilitatis in omni optineat presentem cartam meam sigilli mei inpressione roborau i hijs testibus Magistro Thoma decano Dunblanensis ecclesie et magistro Ricardo eiusdem ecclesie canonico domino N rectore ecclesie de Cref domino J persona de Buffydir dominis · M · et M · capellanis domine comitisse Trestram de Gorty · Willelmo gallico<sup>1</sup> et multis alijs.

## CVII

1278. [Bulla Nicolai III. Pape de utendis privilegijs.<sup>2</sup>]

Nicolaus episcopus seruus seruorum dei · Dilectis filijs · · Abbati et Conuentui monasterij de Inchafran ordinis sancti Augustini Dumblanensis diocesis / Salutem et apostolicam benedictionem. Cum sicut ex parte uestra fuit propositum coram nobis uos et predecessores uestri qui fuerunt pro tempore quibusdam priuilegijs<sup>3</sup> et indulgen[ci]js<sup>3</sup> a predecessoribus nostris Romanis pontificibus Monasterio uestro concessis propter simplicitatem et iuris ignorantiam usi non fueritis temporibus retroactis · Nos uestris supplicationibus inclinati / Monasterij eiusdem indemnitati uolentes imposterum precauere utendi decetero non obstante negligentia seu omissione huiusmodi eisdem priuilegijs et indulgencijs / dummodo eis non sit per

<sup>1</sup> Reg. *gllcō*. Old edition *Gillicolmo*.

<sup>2</sup> From the original, Dupplin, Bull No. 12. The Bulla remains attached by a cord of red and yellow silk.

<sup>3</sup> There are holes in the parchment at these places.



prescriptionem uel alias legitime derogatum auctoritate uobis presentium concedimus facultatem · Nulli ergo omnino hominum liceat hanc paginam nostre concessionis infringere uel ei ausu temerario contraire · Siquis autem hoc attemptare presumpserit indignationem omnipotentis dei et beatorum Petri et Pauli apostolorum eius se nouerit incursum. Datum Viterbii Nonis Julij Pontificatus nostri Anno Primo.

## CVIII

Carta Domini Iohannis Cumyn super concessione <sup>1278.</sup>  
pontis nigri vadi et vie per siluam.<sup>1</sup>

Vniuersis cristi fidelibus presens scriptum visuris uel audituris · · Iohannes Cumyne<sup>2</sup> filius bone memorie quondam Domini Iohannis Cumyne salutem eternam in domino · Nouerit uniuersitas uestra nos pro salute anime nostre et uxoris nostre ac liberorum nostrorum et precipue pro anima inclite memorie dicti<sup>3</sup> Domini Iohannis Cumyne patris nostri ac antecessorum<sup>4</sup> nostrorum dedisse et concessisse et ac<sup>5</sup> presenti carta nostra confirmasse pro nobis et heredibus nostris in perpetuum deo et beate marie ac sancto Iohanni apostolo et ewangeliste et uiris religiosis · abbati et conuentui Monasterii de Insula Missarum et eorum hominibus in puram et perpetuam elemosinam liberam potestatem transeundi cum animalibus · cariagiis et aliis bonis suis per publicam uiam que ducit a dicto Monasterio per nigrum vadum qui<sup>6</sup> scotice dicitur athebethy<sup>7</sup> · in nemore nostro de Rosmadydyne usque ad uillam de Perthe · pontemque ibidem firmandi super terram nostram et firmatum sustentandi sumptibus dictorum abbatis et conuentus · eodem que ponte utendi in perpetuum pro libero sue uoluntatis arbitrio sine aliqua reclamacione contradiccione aut grauamine nostri uel<sup>8</sup> heredum nostrorum · vnde firmiter inhibemus seruientibus nostris qui pro tempore fuerint dictum nemus nostrum custodi-

<sup>1</sup> From the original, Dupplin, No. 104 (= *Lib. Ins. Mis.* No. 36). Seal in green wax, entire. See facsimile.

<sup>2</sup> Reg. omits *Iohannes Cumyne*.

<sup>3</sup> Reg. *quondam*.

<sup>4</sup> Reg. *predecessorum*.

<sup>5</sup> Reg. *hac* (rightly).

<sup>6</sup> So also in Reg. <sup>7</sup> Reg. *achbethy*.

<sup>8</sup> Reg. *aut*.

entibus et in posterum custodituris ne dictis religiosis seu eorum hominibus cum per dictum pontem et viam transierint predictam pro negociis suis expediendis in rebus suis aut personis · Molestiam · dampnum aliquod aut<sup>1</sup> grauamen eis aut eorum cuiquam inferre presumant. volumus eciam pro nobis et heredibus nostris quod si contingat animalia dictorum abbatis et conuentus aut hominum suorum in pasturam nostram transgressum facere unum denarium argenti pro quolibet transgressu dictorum animalium nomine pene sine maiori exaccione seruientibus nostris et heredum nostrorum persoluant · nisi animalia dictorum religiosorum abbatis et conuentus sev hominum eorundem in nostra pastura predicta de nocte uel die pastore tenente uel pascente inueniantur pascencia · Nos vero et heredes nostri dictam donacionem nostram ut predictum est contra omnes homines in perpetuum warentizabimus et defendemus · In cuius rei testimonium huic scripto sigillum nostrum apponi fecimus · Datum apud Gasknes die lune proxima ante festum sancte Marie Magdalene · Anno gracie · M<sup>o</sup> · c<sup>o</sup> · septuagesimo octauo · Hiis testibus · Dominis Willelmo et Alexandro fratribus nostris · dominis Nicholao de vepunt et Philippo holifarde<sup>2</sup> Militibus · Alano clerico · ffergusio Mac kenedi · Hugone fabro · Alano seruiente nostro et multis aliis.

## CIX

1278.

Carta Iohannis Cumyne de Gillecristo Rothe.<sup>3</sup>

Omnibus hoc scriptum visuris uel auditoris Iohannes Cumyne filius bone memorie quondam domini Iohannis Cumyne eternam in domino salutem · Nouerit vniuersitas uestra nos caritatis intuitu et pro salute anime nostre et animarum heredum nostrorum et antecessorum nostrorum dedisse · quietumclamasse et hac presenti carta nostra confirmasse pro nobis et heredibus nostris inperpetuum deo et beate marie et sancto Iohanni apostolo et euangeliste et uiris religiosis abbati et canonicis

<sup>1</sup> Reg. *dampnum aut aliquid.*<sup>2</sup> Reg. *olyfard.*<sup>3</sup> From the original, Dupplin, No. 4 (= *Lib. Ins. Mis.* No. 56). Seal in green wax, part broken away.

Monasterii de Insula missarum ibidem deo seruiantibus et inperpetuum seruituris in puram et perpetuam elemosinam · Gillecristum Rothe filium gylletheny cum omni sequela sua ab ipso progressa et inperpetuum progressura et cum omni iure quod nos in ipso et in tota sequela sua habuimus uel aliquo tempore habere poterimus · Et ad maiorem securitatem presenti scripto sigillum nostrum apposuiimus · Datum apud gasknese die lune proxima ante festum sancte marie Magdalene · Anno gracie · M<sup>o</sup> · cc<sup>o</sup> septuagesimo Octauo · Hiis testibus · Dominis Willelmo et alexandro fratribus nostris · dominis Nicholao de Wepount · et Philippo olifarde Militibus · Alano clerico · ffergusio Makenedy · Hugone fabro · Alano seruiante nostro et multis aliis.

## CX

Composicio inter canonicos et Walterum pistorem *c. 1279.*  
de terra in perthe.<sup>1</sup>

Omnibus cristi fidelibus presens scriptum visuris vel audituris Walterus pistor de Perth et hawys sponsa sua filia et heres quondam Nicholai pape burgensis de perthe salutem eternam in domino Nouerit vniuersitas uestra quod cum inter viros religiosos Abbatem et conuentum de insula missarum ex parte vna et me et sponsam meam predictam ex altera super quadam terra que fuit quondam predicti Nicholai pape que quidem terra jacet inter terram Galfridi dicti fratris Iohannis decani ex vna parte et terram Duncani dicti de cellare quam de dictis religiosis ad firmam tenet ex altera in plena curia de Perth coram venerabili patre domino Roberto dei gracia episcopo Dunblanensi domino Willelmo de Morauia milite et eciam balliuis de Perth et multis alijs fidedignis materia questionis verteretur ac eciam dictos religiosos pro iure quod in dicta [terra] credeuimus optinere per literas domini nostri Regis in dicta curia fatigauimus per multum tempus Tandem vero ad instanciam dictorum proborum et per assensum et consensum partis vtriusque talis amicabile composicio inter-

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 43).

uenit uidelicet quod ego Walterus et hawys sponsa mea dedimus et concessimus de nobis et heredibus seu assignatis dictis religiosis et eorum successoribus omne jus et clameum si quod in dicta terra habuimus vel in posterum h[ab]ere poterimus pro quadam summa pecunie quam dicti Religiosi in magna nostra necessitate nobis dederunt pre manibus quam quidem summam pecunie cognoscimus nos totaliter recipisse et in nostros vsus necessarios conuertisse Denunciantes in hac parte sponte et absolute pro nobis et heredibus nostris siue assignatis omni jure et facti remedio excepcioni non facte promissionis paccionis et conuencionis et rei sic non geste doli et fraudis priuilegio fori et omni jure et legum auxilio canonici et ciuilis consuetudini et statuto ac eciam literis regijs et apostolicis impetratis et impetrandis ac omnibus alijs tam non nominatis quam nominatis que contra <sup>1</sup> presens instrumentum possi[n]t obici vel apponi quocienscumque contra premissa vel aliquid premissorum inpugnare vel litem mouere presumamus vel intendimus et ad maiorem rei securitatem faciendam huic scripto sigillum meum et sigillum dicte sponse mee apposimus necnon et sigilla dicti venerabilis patris Episcopi Dunblanensis et Cristini de insula tunc vicecomitis de Perth et Johannis Albot et Johannis de Perth apponi procurauimus Hijs testibus domino Roberto dei gracia episcopo Dunblanensi necnon Willelmo de Morauia milite Cristino de insula tunc vicecomite de Perth Johanne Albot Thoma de insula Johanne de Perth Willelmo filio Wymark Johanne filio Ricardi balliuis tunc temporis de Perth et multis alijs.

## CXI

1282 (?). Concordia inter abbatem de cupro et abbatem insule missarum.<sup>2</sup>

Cum inter viros Religiosos Andream dei gracia Abbatem de cupro et eiusdem loci conuentum ex parte vna et hugonem

<sup>1</sup> The Register has *quod*. The reading in the text is conjectural.

<sup>2</sup> Reg. (see *Lib. Ins. Mis.* No. 49). The date 1202 is clearly wrong. The suggestion that it should be 1282 is due to the editor of the Bannatyne Club edition; but 1272 is also possible.

eiusdem gracia Abbatem de insula missarum et eiusdem loci conuentum ex altera suborta fuisset materia questionis super quodam annuo redditu duodecim librarum cere quem quidem redditum Idem Abbas et conuentus de cupro sibi annuatim deberi dicebant de quibusdam domibus et terris sitis in villa de Perth quas magister Willelmus Dunstane et Michael dictus de Inchaffraan ad feodo firmam tenent de dicto monasterio de insula missarum Tandem licet monasterium predictum de insula missarum predictas domus et terras ab huiusmodi redditus sere prestacione liberas et immunes triginta et nouem annos et amplius possedissent ac de iure vel possessione dictorum Abbatis et conuentus de Cupro in hac parte sufficienter non liqueret interuenientibus tamen communibus amicis inter partes ipsas huiusmodi amicabilis composicio et specialis conuencio interuenit videlicet quod prefati Abbas et conuentus de Cupro dictum Annuum redditum cere nunquam decetero peterent vel petere poterunt Predicti vero Abbas et conuentus de insula missarum pro bono pacis et redempcione vexacionis sue super reditu predicto supradictis Abbati et conuentui de Cupro et eorum monasterio reddent annuatim inperpetuum duas libras cummini et duas libras peperis infra octavas natiuitatis beati Iohannis baptiste in capella pontis de perth. Quod si Dicti Abbas et conuentus de insula missarum in solucione dicti redditus peperis et cummini in totum vel partem cessauerint quod absit licebit prefatis Abbati et conuentui de Cupro de licencia balliuorum domini Regis de Perth qui pro tempore fuerint tam infra domus quam extra distringere et namos capere donec de dicto Redditu et eius arreragijs si que fuerint plene fuerit eis satisfactum ad hanc autem composicionem fideliter et sine fraude perpetuo obseruandam Abbates predicti pro se et suis conuentibus Iuramento corporaliter et canonicè interposito se et monasteria sua obligauerunt et ad maiorem huius composicionis securitatem partes prenominate renunciauerunt in hac parte pro se et successoribus suis inperpetuum exceptioni doli et . . . . condicioni ex lege et sine causa vel i[n]iusta causa beneficio restitucionis<sup>1</sup> in integrum et nouarum constitucionum omnibus eciam inhibicionibus et con-

<sup>1</sup> The Register inserts *et*.

stitutionibus et impetracionibus et literis tam regijs quam apostolicis et specialiter super bonis alienatis et distractis necnon gracijs indulgencijs et priuilegijs contra compositionem presentem impetratis et impetrandis ac omni accioni et exceptioni consuetudini et statuto necnon omni cauillacioni et impugnacioni ac omnibus auxilijs et remedijs tam Iuris quam facti quibus presens compositio et eius effectus possent impugnari vel infirmari seu impediri vel deferri In cuius rei testimonium parti huius cirograffi penes predicto[s] Abbatem et conuentum de insula missarum residenti appositum est sigillum comune predicti Monasterij de Cupro parti vero cirograffi [penes predictos Abbatem et conuentum de Cupro]<sup>1</sup> residenti appositum est sigillum comune monasterij de insula missarum Datum apud villam de Perth die natiuitatis sancti Iohannis baptiste Anno gracie Millesimo cc<sup>mo</sup> secundo.

## CXII

1282/3.

Collatio aduocationis ecclesie de struy.<sup>2</sup>

Omnibus cristi fidelibus presens scriptum visuris uel audituris · Malisius filius quondam Malisii Comitum de stratherne · salutem eternam in domino · Noueritis nos pro salute anime nostre et antecessorum nostrorum dedisse · concessisse [*sic*] · et presenti Carta nostra confirmasse in liberam puram et perpetuam elemosinam deo et monasterio sancti Iohannis apostoli et euangeliste de insula missarum et Canonicis ibidem deo seruientibus · et in perpetuum seruituris · aduocationem ecclesie de struy · cum solo in quo fundatur ipsa ecclesia · vna cum illa particula terre de qua per nos dotata fuit ipsa ecclesia in sua dedicacione · et quicquid laica persona in ecclesia dare poterit uel concedere · Tenendam et habendam aduocationem dicte ecclesie cum solo sicut predictum est · de nobis et heredibus nostris · sibi et successoribus suis · ita libere · quiete · plene · pacifice · et honorifice sicut aduocacio alicuius

<sup>1</sup> The bracketed words are not on the Register, but were supplied in the Bannatyne Club edition.

<sup>2</sup> From the original, Dupplin, No. 146 (ii). See facsimile. A detached seal similar to that on No. 113, which evidently belongs to this charter, has now been re-attached thereto, but is not shown in the facsimile.

ecclesie ab aliquo Comite uel barone in regno scocie · aliquibus  
 uiris religiosis · liberius · quocius · plenius · et honorificentius  
 in liberam · puram et perpetuam elemosinam dari poterit · et  
 ab ipsis teneri · et possideri · Nos uero et heredes nostri pre-  
 dictam donacionem et concessionem nostram de predicta  
 aduocacione sicut predictum est: contra omnes homines et  
 feminas. warantizabimus · adquietabimus · et deffendemus ·  
 Et ut hec nostra donacio · concessio et Carte nostre confir-  
 macio · rata · et stabilis inperpetuum permaneant: hoc  
 scriptum sigilli nostri munimine roborauimus · Hiis testibus ·  
 Uenerabili patre Domino Roberto dei gracia Episcopo Dun-  
 blanensi. Magistro Thoma eiusdem loci decano · Magistro  
 Augustino Dunblanensi archidiacono · Domino Beda rectore  
 ecclesie de Mothyethe · Domino Patricio de Graham · Domino  
 iohanne de striuelyne · Domino Willelmo de Morauia filio  
 Domini Malcolmi de Morauia · Militibus · et multis aliis.

## CXIII

Conuencio cirographata Inter comitem et Monas- 1283.  
 terium · de xx marcis apud dunyn pro  
 secundis decimis.<sup>1</sup>

## C I R O G R A P H V S

Ad perpetuam rei memoriam notum sit vniuersis quod cum  
 religiosi uiri Abbas et conuentus de Insula Missarum a nobili  
 viro domino Malisio Comite de Stratherne de omnibus aug-  
 mentis et incrementis vniuersorum reddituum suorum firmarum  
 et canorum tam in denariis quam in frumento · farina ·  
 braseo · caseo carnibus · piscibus · placitis · querelis et omnibus  
 aliis bonis et obuentionibus que dicto comiti ab anno domini  
 Millesimo ducentesimo quadragesimo septimo accreuerunt seu  
 accrescere potuerunt · sibi nomine secundarum decimarum cum  
 instancia peterent ex integro satisfieri que prefati religiosi sibi

<sup>1</sup> From the original, Dupplin, No. 110. The word *Cirographus* is upside down. The earl's large seal is broken away, but his 'Secretum' remains entire, in white wax. Four other seals lost; three tags remain. See facsimile. The Indorsement adds, 'scripta in libro.' The Indenture is not in the existing Register.

ex donatione et concessione Comitum de Stratherne predecessorum suorum deberi asserebant? Idem dominus Comes habita cum discretis viris deliberatione prouida et amicorum suorum fretus consilio ne ab ipso uel heredibus suis de cetero talia exigi poterunt in perpetuum Die annunciationis beate Marie anno gracie Millesimo ducentesimo octogesimo tercio intrante? dedit concessit et presenti scripto confirmauit deo et Monasterio sancti Iohannis apostoli et ewangeliste de Insula missarum . et Abbati et canonicis predictis deo ibidem seruiantibus et in perpetuum seruituris in liberam puram et perpetuam elemosinam viginti Marcas annui redditus de Thanagio de Dunyne et de Petikarne per manus illorum qui pro tempore dictas terras tenuerint singulis annis in perpetuum percipiendas ad tres anni terminos uidelicet ad festum pentecostes tres Marcas de Dunyn et quinque marcas de Petikarne . et ad festum sancti petri quod dicitur aduincula proximo sequens quatuor marcas de Thanagio de Dunyn que ipsi Comiti pro fretellis dari consueuerunt . et ad festum sancti Martini in hyeme tres marcas de Dunyne et quinque marcas de Petikarne . Tenendum et habendum dictum redditum viginti marcarum ipsi monasterio sicut predictum est de supradicto Comite et heredibus suis uel assignatis in perpetuum . ita libere quiete plenarie et pacifice? sicut aliquis redditus ab aliquo comite uel barone in regno Scocie aliquibus viris religiosis . liberius . quocius plenius et honorificencius in liberam puram et perpetuum elemosinam dari potest et ab ipsis teneri et possideri . Et dictus dominus Comes et heredes sui et assignati donationem concessionem et confirmationem predicti annui redditus sicut predictum est prenominato monasterio et canonicis predictis contra omnes homines et feminas warentizabunt adquietabunt et defendent in perpetuum . et a domino Rege Scocie illustri procurabunt confirmari precibus necnon et litteris suis patentibus et in capella sua inrotulari . Pro ac autem donatione et concessione predicti annui redditus viginti Marcarum . prenominati Abbas et conventus premissis omnibus consencientes et ea vnanimiter acceptantes? totum jus et clameum quod in predictis augmentis et incrementis a predicto tempore et citra habuerunt uel habere poterunt pro se et successoribus suis prefato domino Comiti et heredibus suis et assignatis totaliter



resignarunt et quietum clamarunt . Ceteris tamen articulis et donationibus omnibus et singulis aliis in cartis dictorum Comitum predecessorum suorum contentis predicta augmenta et incrementa non tangentibus : in suo robore duraturis . In cuius rei testimonium et ad maiorem securitatem ne de premissis in posterum aliqua inter partes oriatur hesitacio : facta est hec scriptura in modum Cyrographi ita quod parti Cyrographate penes dominum Comitem residenti : appositum est sigillum commune Monasterii vna cum sigillis venerabilis patris . Roberti dei gracia episcopi Dunblanensis et ipsius loci capituli qui premissis omnibus consenserunt et auctoritatem dederunt et dominorum Patricii de Graham et Wilelmi de Morauia militum . Parti uero alteri penes Monasterium residenti : appensum est sigillum domini Comitis . vna cum sigillis Episcopi Capituli et militum predictorum . Hiis testibus venerabili patre domino Roberto dei gracia Episcopo Dunblanensi . Magistro Thoma eiusdem loci decano . Magistro Augustino Dunblanensi Archidiacono . Domino Beda rectore ecclesie de Mothiethe . domino Patricio de Graham . domino Iohanne de Striuelin . domino Wilelmo de Morauia filio domini Malcolmi de Morauia militibus et multis aliis.

## CXIV

Carta xx marcarum de dunyne.<sup>1</sup>

1283.

Omnibus hoc scriptum visuris vel audituris Malicius comes de stratheryn salutem in domino sempiternam Noueritis nos dedisse concessisse et hac presenti carta nostra confirmasse deo et Monasterio sancti Johannis<sup>2</sup> apostoli et euangeliste de insula missarum et canonicis ibidem deo seruientibus et in perpetuum seruituris in liberam puram et perpetuam elemosinam pro resignatione et quita clamacione quas ipsi Religiosi nobis et heredibus nostris in perpetuum fecerunt pro se et successoribus suis de Jure quod eis competebat vel competere<sup>3</sup> poterit

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 14).

<sup>2</sup> *Johannis* repeated in Reg.

<sup>3</sup> Reg. has *competere potere poterit*.

infuturum in augmentum et incrementum secundarum decimarum nostrarum ab anno domini Millesimo cc<sup>mo</sup> quadragesimo septimo in posterum viginti marcas annuas de thanagio de Dunyne et Peticarne per manus illorum qui pro tempore dictas terras tenuerint ad tres anni terminos inperpetuum percipiendas videlicet ad festum Penticostes tres Marcas de Dunyn et quinque Marcas de Petcarn et ad festum sancti Petri quod dicitur a[d]uincula proximum sequens quatuor marcas de thanagio de Dunyne que nobis pro frecellis dare consueuerunt et ad festum sancti Martini in yeme tres Marcas de Dunyne et quinque Marcas de Petkarn preter viginti Marcas quas predicti viri Religiosi prius optinuerunt de Dunyn ex dono Malisij quondam bone memorie patris nostri Tenendas et habendas predictas viginti marcas annuas in predictis locis percipiendas vt predictum est de nobis et heredibus nostris seu assignatis sibi et successoribus suis bene in pace ita libere quiete plenarie et honorifice sicut aliquis redditus ab aliquo comite vel barone in rigno scocie aliquibus viris Religiosis liberius quocius plenius et honorificencius in liberam puram et perpetuam elemosinam dari poterit et ab ipsis teneri et possideri Ceteris eciam articulis et donacionibus omnibus et singulis aliis in cartis bone memorie Gilberti proau<sup>1</sup> nostri et Malicij patris nostri quondam comitum de stratheryn contentis augmenta et incrementa<sup>2</sup> non tangentibus in suo robore duraturis Nos vero et heredes nostri et assignati predictas viginti Marcas prefato monasterio et canonicis predictis sicut predictum est contra omnes homines et feminas warantizabimus acquietabimus et inperpetuum defendemus Et vt hec nostra donacio concessio et presentis carte nostre confirmacio perpetue firmitatis robor optineant presens scriptum sigilli nostri munimine roborauimus hijs testibus venerabili patre domino Roberto dei gracia Episcopo Dunblanensi Magistro Thoma eiusdem loci decano Magistro Augustino Dunblanensi Archidiacono Domino Beda rectore ecclesie de Muyhe domino Patricio de Graham domino Johanne de streuyllyn domino Willelmo de Morauia filio domini Malcolmi de Morauia Militibus et multis alijs.

<sup>1</sup> Reg. *preau*.

<sup>2</sup> Reg. *inerumenta*.

## CXV

Carta de decim marcis in Petcarn.<sup>1</sup>

1283.

Omnibus has literas visuris vel audituris Malisius comes de stratheryn filius et heres Malisij quondam comitis de stratheryn salutem eternam in domino Noueritis nos assignasse abbatem et conuentum de insula missarum ad decim Marcas<sup>2</sup> argenti de tenemento nostro de Peccarn annuatim et inperpetuum percipiendas ad duos anni terminos videlicet medietatem ad festum Penticostes et aliam medietatem ad festum sancti Martini in Ieme Quare volimus concedimus et firmiter precipiendo mandamus Makbeth filio fferchware libere tenenti nostro predicti tenementi et heredibus suis vel assignatis quibuscumque quatinus nulli balliuorum nostrorum nec alicui alij nisi tantummodo abbati et canonicis de Inchaffrin vel eorum assignatis de predictis decim marcis ad dictos terminos persoluendis aliquo tempore respondeant sed easdem prefatis religiosis vel eorum attornatis seu assignatis sicut predictum est fideliter et absque dampno dilacionis plenarie persoluant In cuius rei testimonium presentibus sigillum nostrum apponi fecimus Datum apud Innyrpefyr in crastino annunciacionis beate Marie uirginis Anno gracie Millesimo cc<sup>mo</sup> octogesimo tertio.

## CXVI

Ratificacio domini Johannis de Jonstone de firma de strathy.<sup>3</sup>

1284.

Omnibus hoc scriptum visuris vel auditurus Johannes de Jonstone Miles salutem eternam in domino Noueritis me ratas et gratas habere ac firmas et stabiles tenere donacionem et concessionem quas domina Maria sponsa mea Monasterio de insula missarum et canonicis eiusdem de consensu meo fecerat de quadam porcione annue<sup>4</sup> pencionis centum solidorum argenti quo ad uixerit percipienda a dictis canonicis de tenemento suo de strathy ad duos anni terminos prout in carta super hoc

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 30).<sup>3</sup> Reg. (see *Lib. Ins. Mis.* No. 55).<sup>2</sup> *Marcas* repeated in Reg.<sup>4</sup> Reg. *annui*.

confecta plenius continetur et ne donacio et concessio predicta ea occasione quod dicta Maria tempore dicte donacionis facte michi in lege conjugij fuerat [ ]<sup>1</sup> aliquam inposterum paciatur calumpniam voluntatem meam et consensum meum expressum in hijs affuisse per presentes literas sigillo meo roboratas exprimo et declaro Datum apud strathy in vigilia sancte trinitatis Anno gracie Millesimo cc<sup>mo</sup> octogesimo quarto.

## CXVII

1287. [Protectio Malisii comitis de succursu per religiosos facto.<sup>2</sup>]

Omnibus cristi fidelibus has litteras visuris uel auditoris Malisius Comes de stratherne Salutem eternam in domino . Nouerit vniuersitas vestra quod licet viri Religiosi Monasterii nostri de Insula Missarum nobis de hominibus suis succursum fecerunt pro pace et tranquillitate Regni scocie sustinendis post obitum felicis recordacionis Domini Alexandri Regis scotorum illustris . volumus tamen quod ex illa curialitate quam nobis ex sua speciali gracia tunc fecerunt? Dictis Religiosis aut eorum successoribus uel Monasterio suo nullum fiat alias preiudicium . nec per nos nec heredes nostros aliquo tempore inducatur . uel petatur in consuetudinem. cum ab huiusmodi exactionibus per infeodacionem antecessorum nostrorum Comitum de stratherne penitus sint quieti . In cuius rei testimonium presentibus sigillum nostrum apponi fecimus . Datum apud predictum monasterium In crastino Pente-costes . Anno gracie Millesimo . Ducentesimo . Octogesimo Septimo.

## CXVIII

1287. [Carta Malisii comitis de vicaria de Strugeth.<sup>3</sup>]  
Wniuersis cristi fidelibus presentes litteras inspecturis Malisius Comes de stratherne salutem . in eo qui est omnium

<sup>1</sup> Word left blank in Reg.

<sup>2</sup> From the original, Dupplin, No. 142 (i). Seal gone; tag remains. See facsimile.

<sup>3</sup> From the original, Dupplin, No. 12 (iii). One small seal, in green wax, that of the earl, remains; four others are lost, but their tags remain.

vera salus . Noueritis quod cum vicaria de strugeth per mortem bone memorie Magistri Ricardi de striuelyn quondam eiusdem loci vicarii de iure et de facto vacaret : et venerabilis pater dominus . W . dei gracia Episcopus Dunblanensis credens ius conferendi eandem vicariam sibi suo iure competere eam nostri contemplacione domino Iohanni de legirdwode tunc capellano nostro de facto conferret : Religiosi viri abbas et conuentus Monasterii de Insula Missarum . asserentes tam ex largicione comitum predecessorum nostrorum quam ex concessione pontificum ecclesie Dunblanensis ac speciali confirmacione capituli loci eiusdem se veros esse patronos et ius presentandi ad eandem vicariam ad ipsos de iure pertinere . collacioni per ipsum episcopum prefato Iohanni prout supradictum est de facto facte indilate se opposuerunt . et per publica instrumenta sigillis predictorum predecessorum nostrorum necnon et predecessorum prefati Domini Episcopi . ac capituli supradicti signata . et auctoritate apostolica confirmata . ac eciam per fidedignos quamplures omni excepcione maiores in presencia predicti Domini Episcopi et nostra . presentibus Domino . I. tunc abbate de kambuskynethe Magistris . W . de Monros tunc archidiacono Dunblanensi . W . de striuelyne . Roberto de Dundee . et alpinio<sup>1</sup> tunc Canonicis loci eiusdem . Domino . N . tunc rectore de Crefe . Alano de kynbuk . Colino filio gilleglas . Malcolmo de kinros . Moynache filio alpini . et multis aliis . liquide ostenderunt . et euidenter probarunt se veros esse patronos Memorate vicarie . et quod ius presentandi ad eandem ad ipsos indubitanter pertinet . et quod predicti Religiosi sunt in pacifica possessione presentandi ad eandem . Propter quod prefatus dominus Episcopus tractatu habito nobiscum et cum clero ecclesie sue prelibate . volens prout ex officio tenetur . et nos ex debito affectare . et deffensare tenemur iura et libertates predictorum Religiosorum illibata conseruare . et conseruata deffendere . predictos abbatem et conuentum veros esse patronos eiusdem vicarie . et ius presentandi ad eandem ad eosdem pertinere necnon et ipsos in pacifica possessione presentandi esse / causa cognita decreuit . et

<sup>1</sup> A dot under the last *i* of *alpinio*, perhaps in token of deletion.

publice pronunciauit . ac predictum Iohannem capellanum ad eorundem Religiosorum tanquam verorum patronorum presentacionem admisit prout ex litteris ipsius Episcopi perpendi potest . quas sigillo suo signatas non abolitas uel cancellatas nec in aliqua sui parte viciatas in forma que sequitur ad plenum perspeximus . Omnibus cristi fidelibus has litteras inspecturis . W . miseracione diuina Episcopus Dunblanensis eternam in Domino salutem . Noueritis quod cum confereremus vicariam ecclesie de strugethe vacantem per mortem magistri Ricardi quondam dicte ecclesie vicarii de iure . et de facto . credentes nos ius conferendi dictam vicariam habere ex relatu quorundam subditorum nostrorum / tandem facta diligenti inquisitione per fidedignos omni exceptione maiores . ac inspectis quibusdam publicis monumentis sigillis predecessorum nostrorum . ac predecessorum domini . M . comitis de stratherne signatis . inuenimus dictos Religiosos clarum Ius presentandi habere . et in possessione presentandi esse ad eandem . Quare volentes ius suum vniciuique tribuere . et nulli quod suum est auferre . prout tenemur et artamur ex merito pastoralis officii ipsos predictos Religiosos ad presentandum ad vicariam dicte ecclesie . et Ius presentandi ad eam decreuimus habere . ac ad eorundem presentacionem nobis infra tempus a iure statutum factam Dominum Iohannem cappellanum dictum de Legirdwode ad dictam vicariam admisimus . et in corporalem possessionem induci fecimus . In cuius rei testimonium Sigillum nostrum autenticum presentibus apposuumus . Datum apud abirbrothok . die Dominica in festo sancti Mathei apostoli . Anno gracie Millesimo . Ducentesimo . Octogesimo . Septimo . Et vt omnia predicta pro iure supradictorum Religiosorum . quantum ad predictam vicariam decetero perpetue memorie recomendentur nec aliquam profuturis temporibus recipiant dubitacionem . presenti scripto sigillum nostrum vna cum sigillis testium suprascriptorum est appensum. Datum apud kenmor die dominica proxima ante festum sancti Michaelis archangeli . Anno domini Millesimo . Ducentesimo . Octogesimo . Septimo.

## CXIX

Confirmacio Episcopi Glasguensis super collacione <sup>1303.</sup>  
Ecclesie de Butbren.<sup>1</sup>

Vniuersis presentes litteras inspecturis Robertus miseracione diuina Ecclesie Glasguensis Minister humilis salutem eternam in domino · Spoliacionibus et combustionibus ac innumeris afflictionibus quas viri Religiosi Abbas et Conuentus Monasterii de Insula missarum per communem guerram multipliciter sustinuerunt pie compacientes ꝛ ac illorum miserias / paupertatem et angustias quantum in nobis est releuare volentes Ecclesiam de Buthbrene nostre diocesis cuius Jus patronatus dominus Thomas de Cromennane Miles caritatiue contulerit dictis Religiosis ꝛ ipsam collacionem in omnibus ratam habentes ꝛ dictam ecclesiam cedente uel decedente Rectore eiusdem dictis Religiosis in proprios vsus de consensu Capituli nostri concedimus · Omnem defectum si quis fuerit in dicta collacione de plenitudine ordinarie potestatis nostre penitus supplentes ꝛ saluis Iuribus episcopalibus et Archidiaconalibus et quod per simplicem Capellanum secularem vel vnum de Canonicis dicti Monasterij predicte ecclesie et parochie honorifice deseruiatur sine alicuius vicarii constitucione ad quod nolumus dictos Religiosos aut eorum successores aliquialiter compelli · In cuius Rei testimonium sigillum nostrum autentium presentibus est appensum. Datum apud Balindarge in Aneagus Tercio die Octobris · Anno graciae · Millesimo Tricentesimo Tercio.

## CXX

[Commissio Clementis v. Pape ad bona monasterii <sup>1307.</sup>  
recuperanda.<sup>2</sup>]

Clemens Episcopus seruus seruorum dei · Dilecto filio · ·  
Abbati Monasterij de Culros Dumblanensis diocesis · Salutem

<sup>1</sup> From the original, Dupplin, No. 108. Of the seal, in white wax, the greater part remains.

<sup>2</sup> From the original, Dupplin, Bull No. 13. The Bulla remains attached by

et apostolicam benedictionem . Ad audientiam nostram peruenit quod tam dilecti filij . . Abbas et Conuentus Monasterij de Insula Missarum ordinis sancti Augustini Dumblanensis diocesis quam predecessores eorum decimas terras domos uineas prata pascua nemora molendina siluas maneria grangias piscarias iura iurisdictiones et quedam alia bona ipsius Monasterij datis super hoc litteris confectis exinde publicis instrumentis interpositis iuramentis factis renuntiationibus et penis adiectis in grauem eiusdem Monasterij lesionem nonnullis clericis et laicis aliquibus eorum ad uitam quibusdam uero ad no[n] modicum tempus et alijs perpetuo ad firmam uel sub censu annuo concesserunt . quorum aliqui super hijs in communi forma confirmationis litteras a sede apostolica impetrasse dicuntur . Quia uero nostra interest super hoc lesis Monasterijs subuenire discretioni tue per apostolica scripta mandamus quatinus ea que de bonis eiusdem Monasterij per concessionem huiusmodi alienata inuenis illicite uel distracta Non obstantibus litteris instrumentis renuntiationibus iuramentis penis et confirmationibus supradictis / ad ius et proprietatem eiusdem Monasterij legitime reuocare procures . Contradictores per censuram ecclesiasticam appellatione postposita compescendo . Testes autem qui fuerint nominati si se gratia odio uel timore subtraxerint censura simili appellatione cessante compellas ueritati testimonium perhibere . Datum Pictauis xv kalendas Decembris . Pontificatus nostri Anno Tertio.

## CXXI

1313/4. Carta roberti regis de terris de cardnay.<sup>1</sup>

Robertus dei gratia Rex scottorum omnibus probis hominibus tocius terre sue tam clericis quam laicis salutem Sciunt

a hempen string. On flap, 'n Raynulf.' Indorsed, 'Bartholomeus de Guerino et Raynerius de Podiobonzi.' Also, 'Bulla impetrata per Adam de Abbirbrothok attaminata. Ea que de bonis,' then in different ink, 'et attaminata primo fuit super Johannem aileboth filium Johannis ailebot et Johannem fratrem haldani tunc existente procuratore . Roberto gray.'

<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 22).



presentes et futuri nos pro salute anime nostre et pro salute animarum predecessorum et successorum nostrorum regum scocie dedisse et concessisse et hac carta nostra irreuocabiliter confirmasse deo et ecclesie sancti Johannis apostoli et euangeliste de insula missarum et canonicis ibidem deo seruiantibus et inperpetuum seruituris totam terram nostram de Cardny et de Dolcorachy in thanagio de fforteuyot cum pertinencijs Tenendam et habendam eisdem Religiosis in liberam puram et perpetuam elemosinam sine aliquo retinemento inperpetuum per omnes Rectas metas et diuisas suas et cum omnibus libertatibus commoditatibus et aisiametis suis in boscis et planis pratis et pascuis vijs et semitis moris et marresijs aquis stagnis multuris molendinis petarijs et turbarijs in aucupacionibus venacionibus nemoribus et piscarijs et cum omnibus alijs justis pertinencijs suis tam non nominatis quam nominatis ad dictam terram pertinentibus aut inposterum pertinere valentibus adeo libere et quiete<sup>1</sup> integre plenarie pacifice et honorifice ab omni seruicio seculari exactione seruili consuetudine seu demanda que per nos aut successores nostros inposterum inde poterunt exigi seu demandari sicut aliqua terra elemosinata in toto rigno nostro ex dono Regum scocie predecessorum nostrorum liberius quocius plenius seu honorificencius tenentur seu possidentur [*sic*] In cuius rei testimonium presenti carte nostre sigillum nostrum precipimus apponj hijs testibus Bernardo Abbate de Aberbrothok cancellario nostro Roberto Abbate de Dunfermlyn Malcolmo comite de Leuynax Johanne de Mene[te]th Gilberto de haya hugone de Ertht et Roberto de keith Marascallo nostro scocie Militibus Apud fontem scocie xvj die februarij anno rigni nostri octauo.

## CXXII

[Commissio Johannis xxii. Pape ad bona monasterii 1316/7. recuperanda.<sup>2</sup>]

Johannes Episcopus servus servorum Dei · Dilecto filio Dunicano Precentori Ecclesie Dunkeldensis Salutem et apos-

<sup>1</sup> Reg. repeats *quiete*.

<sup>2</sup> Antiquaries' MS., pp. 108 and 291.

tolicam benedictionem · ad audientiam nostram pervenit · quod tam dilecti filii · Abbas et Conventus Monasterii de Inchaffray Ordinis Sancti Augustini Dumblanensis diocesis quam predecessores eorum · decimas · terras · domos · prata · pascua · nemora · molendina · Grangias · Jura · Jurisdictiones et quedam alia bona ipsius Monasterij · datis super hoc litteris · confectis exinde publicis instrumentis · interpositis Juramentis · factis renunciacionibus · et penis adjectis in gravem ejusdem Monasterij lesionem · nonnullis Clericis et Laicis aliquibus eorum ad vitam quibusdam vero ad non modicum tempus et alijs perpetuo ad firmam vel sub censu annuo concesserunt · quorum aliqui dicuntur super hijs confirmationis litteras in forma communi a sede apostolica impetrasse. Quia vero nostra interest super hoc de oportuno remedio providere · discretioni vestre per apostolica scripta mandamus · quatinus ea que<sup>1</sup> de bonis ipsius Monasterii per concessionem hujusmodi alienata inveneris · illicite vel distracta · non obstantibus Litteris · Instrumentis · Juramentis · Renunciacionibus · penis et confirmationibus supradictis ad jus et proprietatem ejusdem Monasterii legitime revocare procures · Contradictores per censuram Ecclesiasticam appellatione postposita compescendo. Testes autem qui fuerint nominati si se<sup>2</sup> gratia · odio vel timore subtraxerint censura simili · appellatione cessante compellas veritati testimonium perhibere. Datum avinione xvij Kalendas ffebruarii · Pontificatus nostri anno primo.

## CXXIII

1317/8. Donum Roberti Regis de jure patronatus ecclesie de kyllyn sub sigillo secreto.<sup>3</sup>

Robertus Dei gracia Rex scottorum omnibus probis hominibus tocius terre sue salutem Sciatis nos Dedisse et concessisse deo et beate Marie virgini et beato Johanni apostolo et euangeliste et Religiosis viris Abbati et conuentui de insula missarum in puram et perpetuam elemosinam jus patronatus

<sup>1</sup> MS. *eaque*.

<sup>2</sup> MS. *nominati sese*.

<sup>3</sup> Reg. (see *Lib. Ins. Mis.* No. 82).

ecclesie de kyllyn in Glendochyrthe cum omnibus libertatibus fructibus et pertinentijs omnimodis ad dictam ecclesiam qualitercumque pertinentibus Ita tamen quod dicti Abbas et conuentus inperpetuum inueniant vnum canonicum diuina scelebrantem in ecclesia de strathfulane In cuius rei testimonium presentibus sigillum nostrum priuatum fecimus apponi Datum apud Clakmanane xxvj die februarij Anno Rigni nostri duodecimo.

## CXXIV

Carta Roberti regis sub magno sigillo de ecclesia de <sup>1318.</sup> kyllyn.<sup>1</sup>

Robertus Dei gracia Rex scottorum omnibus probis hominibus tocius terre sue tam clericis quam laicis salutem Sciatis nos pro salute anime nostre et pro salute animarum omnium antecessorum et successorum nostrorum Regum scocie Dedisse concessisse et hac presenti carta nostra confirmasse deo et beate Marie virgini et beato Johanni apostolo et euangeliste et Religiosis viris Abbati et conuentui de Insula missarum jus patronatus ecclesie de Kyllyn in Glendorithe Tenendum et habendum dictis Religiosis et eorum successoribus inperpetuum cum omnibus libertatibus commoditatibus aysiametis et justis pertinentijs suis in liberam puram et perpetuam elemosinam adeo libere et quiete plenarie et honorifice sicut aliqua elemosina in Rigno scocie per nos aut predecessores nostros aliquibus in elemosinam concessa liberius seu quiecuis tenetur seu possidetur In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum Testibus Bernardo Abbate de Abbirbrothok cancellario nostro Willelmo de lyndesay camerario nostro Waltero senescallo scocie Jacobo domino de Dowglas Roberto de kethe Marescallo nostro Johanne Wissard et Allexandro de setone Militibus apud Beruycum super twedam Duodecimo die Apprilis Anno Rigni nostri terciodecimo.

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<sup>1</sup> Reg. (see *Lib. Ins. Mis.* No. 83).

## CXXV

1318. Mandatum regis Roberti quod teneatur tenor carte Abbatis Insule missarum.<sup>1</sup>

Robertus dei gracia Rex Scotorum Camerario suo scocie uel cuiuscunque locum suum tenenti · et vicicomi de perth et quibuscunque suis ministris qui pro tempore fuerint salutem · Mandamus vobis precipientes Quatinus plenarie teneri faciatis domino Abbati et conuentui de Insula missarum tenorem Carte sue de terris de Cardenay et de dalchorrachy in quibus per nos infeodantur in omnibus et singulis articulis suis et libertatibus in dicta Carta contentis saluo solummodo quod ipsi Abbas et conuentus nobis et heredibus nostris de dictis terris respondeant prout alij Religiosi Regni nostri in terris elemosinatis infeodati nobis et heredibus nostris respondebunt Datum apud litwy vicesimo septimo die Iulij Anno rigni nostri terciodecimo.

## CXXVI

1318. Confirmacio Willelmi episcopi de dicta ecclesia de kyllyn.<sup>2</sup>

Vniuersis sancte matris ecclesie filijs ad quos presentes littere peruenerint Willelmus miseracione diuina ecclesie Dunkeldensis minister humilis · salutem in domino sempiternam · Nouerit vniuersitas vestra · nos de vnanimi consensu et assensu capituli nostri · habito super hoc prius inter nos in capitulo nostro Diligenti et frequenti ac solempni tractatu caritatis intuitu · pro cultu diuino augendo et hospitalitate tenenda · concessisse et contulisse inperpetuum Religiosis viris Abbati de insula missarum et canonicis eiusdem Monasterij per Dis-

<sup>1</sup> From the original, Dupplin, No. 122. Of the Privy Seal, in white wax, a fragment remains. See facsimile.

<sup>2</sup> Reg. (see *Lib. Ins. Mis.* No. 84); the first few lines only being there engrossed. The remainder is given (within brackets) from the copy contained in the *Inspeximus* next following. The latter part has been conformed to the practice of the Register in the use of *u* and *v*, of *i* and *j*, and of *c* and *t*, which the Antiquaries' MS. has evidently modernised. The punctuation is from the Antiquaries' MS. throughout.

posicionem sui Abbatis · Deo inperpetuum [seruituris in capella Sancti Felani in Blendochred [*sic*] nostre diocesis · ibidem per predictum Abbatem qui pro tempore fuerit mittendis · ponendis et amouendis · Ita tamen quod secundum situm loci et facultates eiusdem sufficiens numerus canonicorum inibi ordinetur et inueniatur · Ecclesiam de Killyn · cuius ius patronatus Dominus noster Dominus Robertus Dei gracia Rex Scotorum illustris ipsius Ecclesie verus patronus prius concessit dictis Religiosis · cum terris et omnibus alijs redditibus · obuencionibus et iuribus quibuscunque ad dictam Ecclesiam pertinentibus seu pertinere valentibus · ad vsus suos proprios; saluis nobis et successoribus nostris inperpetuum Episcopalibus et Archidiaconis Ecclesie Dunkeldensis qui pro tempore fuerint · omnibus que de dicta Ecclesia solebant habere seu percipere · Ita videlicet quod omnes fructus et proventus dicte Ecclesie cum pertinencijs conuertantur per ordinacionem predicti Abbatis in vsus Prioris et Canonicorum commorancium ad dictam Capellam pro cultu diuino · Et prior presentandus ad prioratum dicte Capelle per Abbatem et Conuentum dicti Monasterij quocienscunque et quodocunque ipsum prioratum contigerit vacare · nobis et successoribus nostris presentetur · et a nobis et successoribus nostris instituatur · et curam suscipiat · Et sciendum est · quod predicti Religiosi viri Abbas et Conuentus dicti Monasterij presentabunt nobis et successoribus nostris qui pro tempore fuerint ad vicariam dicte Ecclesie de Killyn · vnum Canonicum vel vnum capellanum secularem si quem maluerint · qui curam dicte Ecclesie [gerat]<sup>1</sup> et respondeat de eadem · cuius porcionem pro sustentacione sua et pro iuribus nostris Episcopalibus et Archidiaconalibus soluendis · taxamus decem libras sterlingorum et volumus taxari in futurum. In cuius rei testimonium presentibus sigillum nostrum apposuimus · Et ad huius rei euidentiam pleniorum et confirmacionem maiorem sigillum commune capituli nostri presentibus est appensum. Datum apud Dunkeldene in capitulo nostro · Die Iouis proxima ante festum apostolorum Symonis et Iude · anno Domini Milesimo Tricentesimo decimo Octauo].

<sup>1</sup> Blank in MS. Supplied by conjecture.

## CXXVII

1318. [Confirmatio decani et capituli Dunkeldensis  
super eadem.<sup>1</sup>]

Universis Cristi fidelibus has litteras visuris vel auditoris .  
Decanus et Capitulum Ecclesie Dunkeldensis . Salutem in  
Domino sempiternam . Noverit universitas vestra . nos cartam  
donationis facte Religiosis viris Abbati et Conventui de  
Insula Missarum per Reverendum patrem Dominum Willel-  
mum Dei gratia Episcopum Dunkeldensem vidisse et in-  
spexisse . non cancellatam non abolitam . nec in aliqua parte  
sui viciatam . in forma que sequitur. Universis etc. [*ut in  
carta precedente*]. Quam donationem . collationem et conces-  
sionem approbamus . ratificamus et per presentes confirmamus ;  
Et si quid per incuriam vel per negligentiam in dicta carta  
fuerit omissum . id ex certa scientia supplemus per presentes.  
In cujus rei testimonium commune sigillum Capituli nostri  
presentibus apposuimus. Datum in Capitulo nostro die Iovis  
proxima ante festum Apostolorum Symonis et Iude . anno  
Domini Milesimo Tricentesimo decimo Octavo.

## CXXVIII

1329. Donatio et quita clamatio de vna marca anui  
redditus de tulibardyn.<sup>2</sup>

Omnibus hanc cartam visuris vel Auditoris Andreas de  
Moravia de Tulibardyn salutem eternam Cum cuiusdam con-  
trouersie distancia inter religiosos viros Abbatem et conuentum  
de insula missarum ex parte vna et me ex parte altera per  
triennium et vltra fuisset racione vnus marce annui Redditus  
per dictum tempus a dictis Religiosis per me detente et  
abstracte quam quidem marcam dicti Religiosi asserebant se  
percepisse annuatim ad duos terminos videlicet ad festa Penti-  
costes et sancti Martini de tenemento de Tulybardyn nomine dic-  
tarum decimarum eiusdem habita hinc inde super hec inter ipsos

<sup>1</sup> From the Antiquaries' MS., pp. 106 and 290.

<sup>2</sup> Reg. (see *Lib. Ins. Mis.* No. 46).

et me sepius litis altercacione tandem ad ordinacionem venerabilis patris in cristo domini Mauricij dei gracia episcopi dunblanensis cognita rei veritate euidenter repertum erat quod prefati Religiosi et suum monasterium fuerunt in possessione pacifica a tempore cuius non exstat memoria illam marcam vt premittitur recipiendi secundum quod in literis donacionum antecessorum meorum inde confectis plenius Dicitur contineri Deum enim habens pre oculis votaue pia parentum meorum infringere nolens sed potius augens nec dictos religiosos vlterius vexari iniuste cup[i]ens totam clamacionem per me ortam seu habitam vel per me aut heredes meos aliquo modo titulo vel tempore in dicta marca decetero habendam eisdem Religiosis sponte et penitus resigno et prenominatam marcam vt predictum est quolibet anno percipiendam deo et beate Marie et beato Johanni apostolo et euangeliste et canonicis prefate insule pro salute anime mee et animarum predecessorum successorum et parentum meorum in puram et perpetuam elemosinam per presentes irreuocabiliter confirmo et si quid in donacionibus predecessorum meorum defuit supplere non recuso et vt hec confirmacio mea robur firmitatis optineat inperpetuum subicio me et heredes meos ac omnes possessiones nostras cohercioni et iurisdiccioni episcoporum et ordinariorum ecclesie Dunblanensis qui pro tempore fuerint sub pena centum solidorum fabricie dunblanensi applicandorum si contingat nos quod absit in parte vel in toto vt premissum est deficere seu contra hanc confirmacionem aliquo modo venire nullo in contrarium contra presens scriptum inposterum proponendo obstante Ego vero Andreas et heredes mei predictam marcam prefatis religiosis inperpetuum warantizabimus et defendemus In cuius rei testimonium presenti scripto sigillum meum apposui et ad plenioram euidentiam dictis religiosis faciendam sigilla venerabilis patris domini Mauricij dei gracia episcopi Dunblanensis et domini donaldi decani eiusdem presentibus sunt appensa Datum in festo beati Beani episcopi et confessoris Anno domini Millesimo ccc<sup>mo</sup> vicesimo nono.

## CXXIX

1339.

[Littere Mauricii de Moravia.<sup>1</sup>]

Vniuersis has litteras inspecturis vel auditoris · Mauricius de Morauia Dominus de Drumsergarthe salutem in domino et amorem · Quod gratis alicui conceditur in dampnum concedentis non decet redundare · hinc est quod viri Religiosi Abbas et Conuentus de Insula Missarum nobis pro tempore vite nostre terram suam de Balmacgillon · vna cum sex marcis annui redditus sui de terra de Abercarny · pro consilio · labore · et auxilio eis per nos factis et faciendis nomine annue pensionis mere et sponte assignarunt · vt in scripto suo inde confecto continetur. Volumus igitur et concedimus per presentes · pro nobis · heredibus · nostris siue assignatis · vt ex hoc predictis Religiosis post decessum nostrum · nullum preiudicium aliquo tempore inde generetur · set quod dicta terra de Balmacgillon · cum predictis sex marcis prefatis Religiosis in perpetuum libere reuertatur · sine aliqua perturbatione heredum nostrorum · aut assignatorum · In cuius rei testimonium presenti scripto sigillum nostrum apposimus · Et ad plenioram euidenciam · sigillum venerabilis patris domini Mauricii dei gracia Episcopi Dunblanensis est appensum · Datum apud Insulam Missarum · die Iouis in festo apostolorum simonis et Iude · Anno domini · M<sup>o</sup>.ccc<sup>o</sup>.xxx<sup>o</sup> nono.

## CXXX

1343/4.

[Indentura facta cum domino Mauricio de Morauia.<sup>2</sup>]

Pateat vniuersis presentem Indenturam visuris vel auditoris · Religiosos viros Abbatem et Conuentum Monasterij Insule Missarum · · Ex diutina consuetudine ac pacifica possessione

<sup>1</sup> From the original, Dupplin, No. 143. The two seals, each suspended from a strip of the parchment of the deed, are lost. The indorsement is too faint to be read with certainty.

<sup>2</sup> From the original, Dupplin, No. 145 (ii). Both seals, which were suspended by strips of the parchment of the deed, are lost.



fuisse et esse possessos annuatim percipiendi de tenemento de Donyng · Quadraginta duas marcas sterlingorum annuj redditus ex donacione et concessione Comitum de Strathern in puram et perpetuam elemosinam De quo redditu ob inopertunitatem gwerre ac propter paucitatem Incolarum inhabitantium tempore confeccionis presencium parum perceperunt · vnde sub spe maioris emolumenti pro commodo eorum in futuro augmentando / prefati Religiosi dictum suum annuum redditum / excepto redditu suo annuo decem Marcarum de terra de Peckaryng · Nobili viro domino Mauricio de Moravia domino de drumsergarth Militi dictorum Religiosorum amico speciali pro termino decem annorum a festo Pentecostes Anno domini M<sup>o</sup>.CCC<sup>o</sup> · quadragesimo quarto plenarie complendorum nomine pensionis concesserunt ac dimiserunt · Reddendo inde causa possessionis et recognicionis dicti Redditus annuj eisdem Religiosis per primos quinque annos vnam petram cere quolibet anno ad festum purific[acionis] Et per alios quinque annos · vltimos · duas petras cere vt supra soluendas. Prestando eciam fideliter eisdem Religiosis consilium suum et auxilium in negociis eorum ac Monasterij commoditatibus / ipsos autem Religiosos / terras que possessiones suas / Iura ac libertates eorundem defendendo · protegendo / et manutenendo pro viribus suis tanquam iura sua propria / necnon et bona ac redditus ipsorum Religiosorum per balliuos suos compellendo. Et si contingat ipsum dominum Mauricium infra predictos decem annos qualitercumque decedere · ac post lapsum dictorum decem annorum quod dictus annuus redditus absque contradicione aliqua seu clamio heredum / executorum / aut assignatorum dicti domini Mauricij ad prefatos Religiosos libere et penitus inde reuertatur · Ad que premissa firmiter ac fideliter obseruanda partes predictae bona fide ac pura consciencia se adinuicem obligarunt. In cuius rei testimonium parti huius Indenture penes predictum dominum Mauricium · remanenti appositum est sigillum commune dictorum Religiosorum · parti vero penes ipsos Religiosos residenti appensum est sigillum dicti domini Mauricij Et ad maiorem euidenciam vtrique parti appositum est sigillum venerabilis patris in cristo domini Mauricij dei gracia Episcopi Dunblanensis · Datum in festo beati Mathie apostoli · Anno · domini · M<sup>o</sup>.ccc<sup>o</sup> · Quadragesimo Tercio.

## CXXXI

1348.

Confirmatio ecclesie de kyllyn.<sup>1</sup>

CLEMENS episcopus seruus seruorum dei / Dilectis filijs . .  
 Abbati et Conuentui Monasterij Insulemissarum ordinis sancti  
 Augustini Dumblanensis diocesis salutem et apostolicam bene-  
 dictionem . Cum a nobis petitur quod iustum est et honestum  
 tam uigor equitatis quam ordo exigit rationis ut id per solici-  
 tudinem nostri officij ad debitum perducatur effectum . Sane  
 petitio uestra nobis exhibita continebat / quod clare memorie  
 Robertus Rex Scotie Illustris de propria salute cogitans et  
 cupiens terrena in celestia et transitoria in eterna salubri  
 commertio commutare jus patronatus ecclesie de kyllyn  
 dunkeldenensis [*sic*] diocesis tunc ad eum pertinens pro suo  
 ac parentum suorum animarum remedio vobis et Monasterio  
 uestro pia ac prouida liberalitate donauit prout in patentibus  
 litteris inde confectis eiusdem Regis sigillo munitis plenius  
 dicitur contineri . Nos itaque uestris supplicationibus inclinati  
 quod super hoc ab eodem Rege pie ac prouide factum est  
 ratum et gratum habentes id auctoritate apostolica confir-  
 mamus et presentis scripti patrocini communitus . Nulli ergo  
 omnino hominum liceat hanc paginam nostre confirmationis  
 infringere uel ei ausu temerario contraire . Siquis autem hoc  
 attemptare presumpserit indignationem omnipotentis dei et  
 beatorum Petri et Pauli Apostolorum eius se nouerit incur-  
 surum . Datum Auinione Idibus Nouembris Pontificatus nostri  
 Anno Septimo :

## CXXXII

1358. *Litera testimonialis Archidiaconi Dunblanensis de  
 viginti solidis annuatim.*<sup>2</sup>

Pateat vniuersis cristi fidelibus nos Nicholaum de kybuk  
 Archidiaconum Dunblanensem per instrumenta autentica  
 sigillis venerabilium in cristo patrum dominorum episco-

<sup>1</sup> From the original, Dupplin, Bull No. 14. The bull remains attached by a cord of red and yellow silk. On flap 'B. de Carpineto.' Indorsed 'Raynerius de Podio boinzi.'

<sup>2</sup> Reg. (see *Lib. Ins. Mis.* No. 31).

porum sanctiandree et Dunblanensis et domini Rogeri quincy comitis Wyntonie<sup>1</sup> constabillarij scocie roborata non cancellata nec in aliqua sui parte viciata bene et decenter cyrograffata certificari nos et successores nostros Archidiaconos Dunblanenses firmiter obligatos teneri dictis Abbati et conuentui de insula missarum et successoribus suis in viginti solidis sterlingorum annuatim soluendis eisdem vel suo certo assignato ad festum sancti Martini in yeme apud nesgask pro decimis et omnibus rebus alijs quas dicti domini Abbas et conuentus percipere solebant de terra que dicitur Pettynefue racione ecclesie sue de Gask cristi et quas nos possidemus racione ecclesie nostre de nesegask gracia composicionis inter predecessores nostros facte sicut in indentura super hoc confecta plenius continentur et hoc omnibus quorum interest tenore presencium significamus In cuius rei testimonium presentibus sigillum nostrum apposuimus et in euidencius testimonium sigillum venerabilis in cristo patris domini Willelmi dei gracia episcopi Dunblanensis et domini laurencii Prioris de Abbirnethi apponi procurauimus datum apud Dunblane die Mercurij<sup>2</sup> xj die mensis apprilis anno ab incarnatione cristi Millesimo ccc<sup>mo</sup> quinquagesimo octauo.

## CXXXIII

Donacio xl marcarum de thanagio de duni[n]g.<sup>3</sup> 1358.

Robertus senescallus scocie Comes de strathern omnibus Maris suis de Dony[n] quicumque fuerint pro tempore Salutem · Quia in Curia nostra tenta apud Creffe octauo die Mensis Maij Anno domini M<sup>o</sup> · tricentesimo quinquagesimo octauo visis et cognitis cartis et monumentis non obolitis<sup>4</sup> non cancellatis nec in aliqua sui parte viciatis Religiosorum virorum dominorum abbatis et conuentus de Insula Missarum de annuo Redditu suo quadraginta duarum marcarum de Thanagio de Dony[n] ex prouida deliberacione boni consilii nostri statum et possessionem predicti annui Redditus eisdem Religiosis caritatiue<sup>5</sup> dedimus

<sup>1</sup> Reg. *szintona*.

<sup>2</sup> Reg. *Mercurie*.

<sup>3</sup> From the original, Dupplin, No. 140 (ii) (= *Lib. Ins. Mis.* No. 23). Seal appended by a strip of the parchment of the charter) lost. See facsimile.

<sup>4</sup> Reg. *abolitis*.

<sup>5</sup> Reg. *caritate*.

et concessimus suo perpetuo percipiendi prout antiquitus percipere consueuerunt · Vobis et cuilibet vestrum qui pro tempore fuerit firmiter precipiendo Mandamus quatinus amodo semper infuturum eisdem Religiosis Responderi faciatis et deseruiri secundum antiquam consuetudinem ad terminos vsuales · Et tenentes dicti Thanagii · ad solucionem prefati Redditus annui pro sua proparte ipsos contingente districte compellatis · sicque facientes in premissis ne pro defectu vestro iustam quere-  
moniam amplius audiamus sub pena que competit · In Cuius Rei testimonium sigillum nostrum presentibus apponi fecimus apud Methfen xiiij<sup>o</sup> · die Mensis predicti Anno supradicto.

## CXXXIV

1358. Confirmacio roberti Senescalli Scotie super annuo redditu de thanagio terre de Dony. <sup>1</sup>

Omnibus cristi fidelibus hanc cartam visuris uel auditoris Robertus senescallus scotie Comes de Strathern salutem in domino sempiternam // Sciatis nos in Curia nostra tenta apud Creffe octauo die Mensis Maij Anni domini Millesimi trecentissimi quinquagesimi octauo in spexisse et veraciter intellexisse ex prouida deliberacione boni consilii nostri cartas Religiosorum virorum dominorum Abbatis et conuentus de Insula Missarum de annuo redditu suo quadraginta duarum Marcarum de Thanagio de Dony dato et concesso eisdem Religiosis per nobiles viros bone memorie Malisium primum et Malisium secundum quondam comites de Strathern predecessores nostros// Quas quidem cartas in omnibus punctis condicionibus articulis et circumstanciis suis forma pariter et effectu Ratificamus approbamus et tenore presentis carte nostre pro nobis et heredibus nostris inperpetuum confirmamus // In Cuius Rei testimonium presenti carte nostre Sigillum nostrum fecimus apponi apud pperthe in festo Sancti Iohannis Baptiste Anno supradicto hiis testibus · dominis Iohanne Senescalli fratre nostro · hugone de Eglyntona · Thoma de ffawsyd Militibus · Willelmo Sympil · Willelmo de Meldrwm et multis aliis.

<sup>1</sup> From the original, Dupplin, No. 146 (iii) (= *Lib. Ins. Mis.* No. 54). The seal, which was suspended by two strips of the parchment of the deed, is lost.

## CXXXV

Concessio quarundam terrarum per neuinum Mac 1365.  
Ewyn et Mariotam vxorem eiusdem.<sup>1</sup>

Vniuersis cristi fidelibus hoc scriptum visuris vel audituris · Neuinus Mac Ewyn · et Mariota filia et vna heredum Malmorani de Glencharny vxor eiusdem Neuini eternam in domino Salutem · · Nouerit vniuersitas vestra nos mera et spontanea voluntate nostra · habito prius super hoc diligenti et solempni tractatu Consanguineorum et amicorum nostrorum vtli et salubri consilio · concessisse dedisse et pro nostra vtilitate et precipue animarum salute dicti quondam Malmorani et Cicilie / vxoris sue / predecessorum et successorum suorum et pro proparte nostra · quadraginta marcarum sterlingorum · quas dominus Iohannes Miseracione diuina Abbas Monasterii Insule Missarum pro se et conuentu suo tradidit et pacauit in pecunia numerata vendidisse dicto domino Iohanni · Abbati Monasterii antedicti et eiusdem loci conuentui et Successoribus suis · omnes et singulas litteras scripta · instrumenta · et Monumenta · ac totum ius et rectum et successionis clamium · a nobis heredibus et successoribus nostris · quas et que dictus quondam Malmoranus predicesor noster habuit in terris de Achelon-syche que dicitur le Crage · Ardeweny · et Ardbany · infra shiram de Madyrdy existentibus · racione inpignoracionis dictum Monasterium tangentis · quas quidem terras cum pertinenciis dominus Symon de Scona quondam Abbas dicti Monasterii · et eiusdem loci conuentus dicto quondam Malmorano et heredibus suis pro quadraginta libris sterlingorum inpignorauerunt et pignori firmiter obligauerunt sigillo communi Capituli sui et autenticis Multorum aliorum sigillis et priuatis in quam plurimis instrumentis super hoc confectis · · De quarum quadraginta marcarum solucione · propartem nostram tangente nobis plenarie et fideliter facta et in vsum et vtili-

<sup>1</sup> From the original, Dupplin, No. 132. Two seals in red wax remain, viz. those of Marion of Glencharny and the Dean of Dunblane, suspended by tags of blue and white brocade. Six other tags remain. Twelve seals in all are said to have been appended. Another indorsement is 'Hic est baronia de madirly.' See facsimile.

tatem nostram bene conuersa nos bene contentos habemus et pacatos . et prædictos Abbatem conuentum et Successores suos quietos clamamus et indempnes seruabimus contra omnes homines et feminas in perpetuum . Ad quam quidem concessionis donacionis et vendicionis firmitatem perpetualiter in posterum obseruandam . tactis et iuratis solempniter sanctis dei ewangeliis fideque nostra corporali Mediante in Capella sancte Marie de Inerpefry . coram venerabili in cristo Patre . domino Waltero dei gracia Episcopo Dunblanensi. dominis Adam et Andrea Decano et Archidiacono ecclesie antedictæ. dominis Douenaldo et Iohanne de Strougethe et de Mothille perpetuis vicariis . domino Thoma de ffawsyde Milite . Mauricio de Dromyd . Waltero de Morauia domino de Tulybaryn Tristramo de Gorty et Multis aliis ? clericis et laicis fidedignis in quorum omnium testimonium uocatis et rogatis .

· Nos heredes nostros et Successores firmiter obligamus sub pena ducentarum marcarum sterlingorum fabricæ ecclesiarum Dunblanensis et Monasterii antedicti sine remissione soluendarum et applicandarum . . Ac eciam sub pena Maioris excomunicacionis et separacionis a comunione fidelium in personas nostras ? heredum et successorum nostrorum ipso facto fulminande . quod nunquam contra predictarum concessionis donacionis et vendicionis firmitatem aliquo casu vel causa excepcionis doli vel mali in quocunque statu casu vel auctoritate nos heredes et successores nostri fuerimus aut fuerint . ausu temerario in periculum animarum nostrarum deuenire presumemus nec aliquid facere temptabimus uerbo . facto aut impetracione . Et propterea volumus et concedimus . quod si que littere obligatorie instrumenta Scripta vel Monumenta . dictam in pignorationem predictarum terrarum dicti Monasterii tangencia aliquo loco decetero inueniantur . in cuiuscunque vel quorumcunque manibus existant vel potestate . nullius ualoris uirtutis sint nec Momenti . sed omni careant robore firmitatis . Et tamen sumptibus nostris propriis obligamus nos heredes et successores nostros ad annullandum ipsas et ipsa . exsoluendum . et dictis dominis Abbati et conuentui aut successoribus suis qui pro tempore fuerint diliberandum . ne dictis uiris religiosis noceant perturbent aut inquietent in futurum . . Subicientes nos heredes

et successores nostros sub penis premissis . iurisdictioni cohercioni ac censure ecclesiastice dominorum Episcopi Dunblanensis decani Archidiaconi ac officialium eorundem qui pro tempore fuerint vbicunque locorum fuerimus aut fuerint quod ipsi inspecto tenore presencium sine alicuius cause cognitione vel processu ordinario valeant racione contractus presentis per omnimodam censuram ecclesiasticam nos heredes et successores nostros artius compellere ad inconcussam premissorum obseruanciam . Non obstantibus quibuscunque priuilegiis aut indulgenciis excepcionibus et precipue beneficio legis ipsius valliani cuiuscunque status aut fori temporum preteriti presentis aut futuri impetratis aut impetrandis propositis aut proponendis in foro ecclesiastico aut ciuili . que eisdem viris religiosis aut successoribus suis circa premissa aut premissorum aliquid obesse poterunt et nobis aut vni nostrum heredibus aut successoribus nostris qualitercunque poterunt prodesse . Et si contingat . quod absit nos aut aliquem nostrum nostro perpetuo aliquos aliquem ve heredum et successorum nostrorum in predicte concessionis donacionis et vendicionis obseruanciam et continuacionem eisdem viris religiosis et successoribus suis contrariari aut obiurgari seu alicuius reclamacionis qualitercunque controuersiam Mouere . volumus presentis scripti auctoritate et vigore et ad hoc heredes et successores nostros firmiter obligamus sub omnibus et singulis penis superius annotatis . quod dicta pena ducenatarum marcarum plenius leuetur et soluatur ut predicitur . pacto presentis conuencionis nichilominus in suo vigore irreuocabiliter permanente . In Cuius Rei testimonium sigilla nostra huic scripto nostro perpetue renunciacionis in premissis sunt appensa Et ad Maiorem huius facti firmitatem in perpetuum obseruandam . sigilla nobilis viri et potentis domini Roberti Senescalli Scocie Comitis de Stratherne . Reuerendorum in cristo patrum Walteri Miseracione diuina Episcopi Dunblanensis et Willelmi eadem gracia Abbatis de Scona . dominorum Ade et Andree decani et Archidiaconi ecclesie Dunblanensis ac discretorum virorum domini Thome de ffawsyde Militis . Mauricii de Dromyd Walteri de Morauia . Tristrami de Gorty . Aythe filii Thome tunc balliui de Stratherne antedicto scripto nostro presenti apponi procurauimus . Datum

in ecclesia parochiali de Perthie die veneris [proximo]<sup>1</sup> ante festum beati Andree apostoli . . Anno domini Millesimo . Tricentesimo . Sexagesimo . Quinto . . Hiis testibus viris Religiosis dominis Adam de Breichyne Priore fratrum predicatorum de Perthie<sup>1</sup> [ . Th]oma de Inchyrethe Priore fratrum Carmelitarum de Tolylom . Andrea perpetuo vicario de Perthie . Reginaldo Capellano parochie eiusdem . Iohanne de Petscoty tunc Aldirmanno . Roberto de Gatmylke . et Malcolmno Barbere balliuis de Perthie . Iohanne Mercere . Iohanne Gylle . Thoma de Spensa . laurencio de Spensa . Thoma de Stratherne . Andrea Bruky burgensibus de Perthie et Multis alijs.

## CXXXVI

c. 137c.

Carta de carnbo.<sup>2</sup>

Omnibus hanc cartam visuris vel audituris Rogerus de Mekfen dominus de eadem salutem in domino eternam Noueritis me spiritu deuocionis ac pura mente et mera pro salute anime mee concessisse dedisse et hac presenti carta mea confirmasse inperpetuum deo et beate Marie et beato Iohanni apostolo et euangeliste de insula missarum ac dilectis meis Abbati et conuentui eiusdem loci in puram et perpetuam elemosinam totam et integram terram meam de Carnibo per rectas metas suas et diuisas et cum omnibus libertatibus commoditatibus et aysiamentis et om[n]imodis pertinenciis ad dictam terram quoquo modo spectantibus vel spectare valentibus Tenendam et habendam inperpetuum eisdem Religiosis et successoribus suis de me heredibus meis et successoribus ab exaccione seculari ita libere quiete sicut aliqua terra liberius seu quiecuis a barone vel milite dari potest vel conferri saluo forinseco seruicio domini nostris Regis et faciendo forinsecum seruicium ac debitum domino comiti de stratheryn pro me et heredibus meis In cujus rei testimonium presenti carte mee meum sigillum est appensum Testibus nobilibus v[i]ris dominis Iohanne senescalli et thoma de ffawside militibus Willelmo filio Martyne ache filio Elpine Willelmo filio [*sic*] et multis alijs.

<sup>1</sup> Holes in the parchment here.

<sup>2</sup> Reg. (see *Lib. Ins. Mis.* No. 33).



## CXXXVII

Carta donacionis terrarum de ochterardour per  
Willelmum filii [*sic*] malisii.<sup>1</sup> c. 1370.

Omnibus presens scriptum visuris vel auditoris Willelmus filius Malisij salutem in domino eternam · Sciant presentes et futuri · me sponte et mere / concessisse / dedisse · et in perpetuum confirmasse / in puram et perpetuam elemosinam pro salute anime mee · Deo et beate Marie · et beato Iohanni apostolo et<sup>2</sup> Ewangeliste de Insula Missarum ac Canonicis eiusdem loci / Omnes et singulas particulas terrarum me aliquiditer<sup>3</sup> contingentes infra vel extra villam de huterardor<sup>4</sup> per omnes metas et diuisas suas / cum omnibus suis pertinenciis<sup>5</sup> / Ad inueniendum luminare<sup>6</sup> coram ymagine beate Marie in choro Ecclesie eiusdem loci · Quasquidem terras Ego emi in perpetuum a Iohanne filio baldini<sup>7</sup> · Tenendas et habendas vt predictum est cum omnimodis suis Iuribus · libertatibus et aisiamentis · Saluo duntaxat seruicio domini<sup>8</sup> Regis · In cuius rei Testimonium huic scripto sigillum meum apposui · Et ad maiorem securitatem et pleniorem euidenciam · Sigillum commune burgi de huterardor presentibus apponi procurauī · Hiis testibus Nobilibus viris · dominis Daud de Graham · et Thoma de ffawsyde militibus / Waltero de Morauia domino de Tholibardyn Iohanne filio Iudicis · brecio bane · Roberto filio Iohannis burgensibus de huterardor · et pluribus aliis.

## CXXXVIII

Protectio dauid comitis de Stratherne de subsidijs.<sup>9</sup> 1375.

Omnibus has litteras visuris vel auditoris Daud Comes Palatinus de Stratherne Salutem in domino Cum dilecti

<sup>1</sup> From the original, Dupplin, No. 22 (= *Lib. Ins. Mis.* No. 37). The two seals in white wax are both defaced.

<sup>2</sup> Reg. omits *et*.

<sup>3</sup> Reg. *qualitercunque*.

<sup>4</sup> Reg. *ouchtirardor* (twice below *ouchtirardore*).

<sup>5</sup> Reg. *pertinenciis suis*.

<sup>6</sup> Reg. *illuminare*.

<sup>7</sup> Reg. *baltini*.

<sup>8</sup> Reg. inserts *nostris*.

<sup>9</sup> From the original, Dupplin, No. 142 (ii). Seal gone; it was attached by a strip of the parchment of the deed.

Capellani nostri Abbas et Conuentus abathie nostre insule missarum certa subsidia ad fabricam Poncium et le Capse jacencium ex parte occidentali Abathie predicte per maresium versus terram nostram dominicalem le ffoulys concesserunt . Vnde nolumus quod dictam concessionem dictorum subsidiorum per clameum cuiuscumque persone preiudicium dicte Abachie aut religiosi viris in eadem commorantibus vel commoraturis in aliquo generetur In cuius rei testimonium has litteras nostras sub sigillo nostro sibi fieri fecimus patentes apud ffoulys octauo die Aprilis Anno domini Millesimo Trecentesimo Septuagesimo Quinto.

## CXXXIX

1381. [Supplicatio ad Clementem VII. Papam pro Willelmo de Culros electo abbate Insule Missarum.<sup>1</sup>]

Beatissime pater Dudum vacante monasterio de Insula missarum ordinis sancti Augustini Dumblanensis diocesis per obitum quondam domini Iohannis de Kelly ultimi ipsius monasterii Abbatis extra Romanam curiam defuncti prior et canonici eiusdem monasterii devotum oratorem vestrum Willelmum de Culros canonicum eiusdem monasterii vicarium de dunyne virum utique providum et discretum litterarum sciencia vitaque et moribus merito commendandum in dicti monasterii abbatem unanimiter elegerunt quam electionem bone memorie dominus Andreas tunc episcopus Dunblanensis auctoritate sua ordinaria confirmavit eidemque electo munus benedictionis inpendit. Supplicant igitur sanctitati vestre dicti prior et canonici quatenus huiusmodi electionem confirmationem et muneris benedictionis inpensionem et quecumque inde secuta ratas et gratas habere dignemini et ex certa sciencia auctoritate apostolica confirmare reservationibus apos-

<sup>1</sup> *Registrum Supplicationum in Archivis Vaticanis conservatum*, lib. lxi. fol. 2 (second series of pages); Bliss, *Calendar of Petitions to the Pope*, p. 565. This and the two following are transcribed by Signor E. Ranuzzi, of the Vatican Archives. The Commission issued on No. CXXXIX. was delayed for some years (see No. CXL1.); that on No. CXL. is not to be found in the Papal Registers.

tolicis non obstantibus quibuscumque cum clausulis oportunis ut in forma.

Concessum quod committatur Episcopo Glasguensi quod confirmet si sit canonica uel provideat si sit ydoneus.

## CXL

[Supplicatio ad eundem de ecclesia de Strugeht.<sup>1</sup>] 1381.

Beatissime pater Dudum vacante parrochiali ecclesia de strugeht Dunblanensis diocesis per obitum ultimi Rectoris eiusdem extra Romanam Curiam defuncti que pleno iure spectabat ad collationem etc. episcopi Dunblanensis condam [sic] bone memorie dominus Waltherus qui tunc presidebat ipsi ecclesie Dunblanensi predictam parrochiam ecclesiam sic vacantem auctoritate sua ordinaria contulit abbati et conventui monasterii de Isula [sic] missarum ordinis sancti Augustini dicte diocesis et [ad] monasterium eorundem perpetuo univit cuius possessionem pacifice et quiete possiderunt sed quia dubitant super ipsis collatione et unione propter defectum confirmationis sedis apostolice in posterum molestari Supplicant sanctitati vestre humiliter et devote predicti Abbas et conventus humiles oratores vestri quatenus dictas collationem et unionem et quecunque inde secuta ratas et gratas habentes dignemini ex certa scientia auctoritate apostolica misericorditer confirmare et si necesse fuerit ei[s]dem Abbati et conventui predictam parrochiam ecclesiam de novo conferre et dicto monasterio unire de defectu si qui intervenerint suplentes statutis ordinationibus constitutionibus apostolicis et alijs in contrarium editis non obstantibus quibuscumque cum clausulis oportunis etc.

Concessum quod committatur predicto episcopo glasguensi quod se informet et prout iustum fuerit confirmet. Avinione quarto Nonas Decembris anno quarto.

<sup>1</sup> *Ibid.* The date is evidently that of the granting of both Petitions.

## CXLI

1387. [Commissio per Clementem VII. papam ad preficiendum Willermum de Culros in abbatem Insule Missarum].<sup>1</sup>

Venerabili fratri episcopo Dunkeldensi<sup>2</sup> salutem etc. Suscepti cura regiminis cor nostrum continua pulsat instantia ut solitudinis debitum ad quod universis orbis ecclesiis et monasteriis nos apostolice sedis servitutis necessitas eorum obligat singulis prout nobis ex alto conceditur exolvamus in eo potissime ut illorum Regimina que propriis sunt destituta pastoribus personis talibus committantur per quarum solerciam circumspectam ecclesie et monasteria ipsa in spiritualibus et temporalibus valeant adaugeri Dudum siquidem quondam Johanne Abbate monasterii Insulemissarum ordinis sancti Augustini Dumblanensis diocesis regimini eiusdem monasterii presidente . Nos cupientes eidem monasterio cum illud vacare contigerit per apostolice sedis providenciam utilem et ydoneam presidere personam provisionem ipsius monasterii ordinationi et dispositioni nostre duximus ea vice specialiter reservandam decernentes extunc irritum et inane si secus super hiis per quoscumque quavis auctoritate scienter vel ignoranter contigerit attemptari. Postmodum vero prefato monasterio per obitum dicti Johannis Abbatis qui extra Romanam curiam decessit vacante dilecti filii prior et conventus dicti monasterii reservationis et decreti predictorum forsitan ignari vocatis omnibus qui voluerunt debuerunt et potuerunt commode interesse die ad eligendum prefixa ut moris est convenientes in unum dilectum filium Willermum de Culros canonicum eiusdem monasterii ordinem ipsum expresse professum et in

<sup>1</sup> Vatican Archives, *Regesta Avinionensia*, 251, fol. 22. Note at end, 'P. Bosquerii Expedita iiii. kalendas Augusti anno ix. po. de Curte. J. iii. kalendas Augusti Anno Nono Dominicus Stephani litera correcta Expedita iiii Idus Decembris Anno decimo pon. de curte. Tradita parti litera Rebullata et correcta xix kalendas Januarii Anno Decimo Johannes.' In margin at beginning, 'de camera de S. Mart. A[uscultata]'; at end, 'Debet signari rebullata et correcta de mandato S. Marc.'

<sup>2</sup> Originally addressed 'Dilecto filio Waltero sancte Romane ecclesie presbitero Cardinali olim Episcopo Glasguensi apostolice sedis legato.' The corrections were probably made necessary by the Cardinal's death.

sacerdocio constitutum in eorum et dicti monasterii Abbatem licet de facto concorditer elegerunt idemque Willermus reservationis et decreti predictorum similiter inscius electioni huiusmodi illius sibi presentato decreto consensit etiam de facto in hiis omnibus statutis a iure temporibus observatis et deinde prefatus Willermus reservatione et decreto predictis ad eius deductis noticiam premissa omnia proponi fecit coram nobis nos igitur electionem ipsam utpote contra reservationem et decretum huiusmodi temere attemptatam et alia inde secuta prout sunt irrita et inania reputantes ac cupientes ipsi monasterio de cuius provisione nullus preter nos hac vice se intromittere potuit neque potest reservatione et decreto obsistentibus supradictis de persona ydonea celeriter et salubriter providere ac de ipsius Willermi meritis ac sufficientia et ydoneitate ad hoc certam noticiam non habentes fraternitati<sup>1</sup> tue de qua in hijs et alijs plenam in domino fiduciam obtinemus per apostolica scripta committimus et mandamus quatenus de meritis et ydoneitate ac sufficientia ipsius Willermi diligentius te informes et si per informationem huiusmodi ipsam utilem et ydoneam ad regimen ipsius monasterii esse reppereris de sua alioquin de alia persona eiusdem vel alterius monasterii dicti ordinis sufficienti et ydonea eidem monasterio hac vice auctoritate apostolica provideas ipsamque illi preficias in Abbatem curam et administracionem eiusdem monasterii sibi in spiritualibus et temporalibus plenarie committendo sibi faciendo a suis subditis obedientiam et reverenciam debitas exhiberi contradictores quoque<sup>2</sup> per censuram ecclesiasticam<sup>2</sup> appellatione postposita compescendo Et insuper eidem Willermo vel alij persone huiusmodi per aliquen antistitem gratiam et communionem dicte sedis habentem munus benedictionis impendi facias vel impendas<sup>3</sup> ut est moris. Volumus autem quod tu vel<sup>3</sup> idem Antistes ab eodem Willermo vel alia persona predicta postquam munus huiusmodi sibi impenderis vel impenderit<sup>3</sup> nostro et ecclesie Romane nomine fidelitatis debite solitum recipias seu recipiat<sup>3</sup> iuramentum iuxta formam quam sibi sub bulla nostra mittimus interclusum et quod idem

<sup>1</sup> Originally *circumspectioni*.

<sup>2</sup> Originally *auctoritate nostra*.

<sup>3</sup> *Vel impendas, tu vel, vel impenderit, and seu recipiat*, are additions.

Willermus vel persona predicta formam iuramenti quod prestatbit nobis de verbo ad verbum per suas patentes literas tuo sigillo sigillatas per proprium nuntium nobis quam tocius destinare procuret. per hoc autem venerabili fratri nostro . . . Episcopo Dumblanensi cui prefatum monasterium ordinario iure subesse dinoscitur nullum volumus imposterum preiudicium generari. Datum Avinione xiiii. kalendas Augusti Anno nono.

## CXLII

1389. Donacio capelli sancte trinitatis de uuyst et terre de karyneche et quatuor denaritorum terre.<sup>1</sup>

Omnibus cristi fidelibus has litteras inspecturis uel audituris Gothfridus de Insulis dominus de Wyste salutem in viceribus saluatoris Nouerit vniuersitas vestra nos dedisse concessisse ac per<sup>2</sup> presentes confirmasse pro salute anime nostre et nostrorum predecessorum in honore sancte trinitatis et beate marie virginis gloriose Monasterio sancti Johannis euuangeliste in Insulamissarum et conuentui eiusdem in puram et perpetuam elemosinam capellam sancte trinitatis in Wuyste et totam terram de karyneche et quatuor denariatas terre in ylara inter hussaboste et kanusorarrath<sup>3</sup> cituatas sicut melius liberius honorificencius et vtlius Cristina filia alani bone memorie vera heres et Reginaldus dictus m<sup>o</sup>Rodry verus dominus et patronus dictam capellam cum prefatis terris dictis monasterio et conuentui contulerunt . Nos vero volentes collacionem et donacionem eorundem firmam ac stabilem permanere easdem per presentes affirmamus ratificamus approbamus ac innouamus et sub ea forma videlicet quod noster dilectus ac specialis dompnus thomas sepedicti Monasterij canonicus nomine dicti Monasterij dictam capellam cum prefatis terris et omnibus suis pertinencijs integre pacifice et quiete possideat ac plenarie . In cuius Rei Testimonium sigillum nostrum presentibus apponi fecimus apud Castrum nostrum de Elane tyrym septimo die mensis Iulij anno domini M<sup>o</sup>ccc<sup>o</sup> octogesimo nono.

<sup>1</sup> From the original, Dupplin, No. 147 (= *Lib. Ins. Mis.* No. 50). Seal and tag lost; slit remains.

<sup>2</sup> Reg. omits *per*.

<sup>3</sup> So the charter seems to read. Reg. *kanevrrarach*, omitting *et*, which in the original is inserted above the line.

## CXLIII

Confirmacio domini donaldi de ylle super ecclesia de <sup>1410.</sup>  
hwyste.<sup>1</sup>

Nouerint vniuersi presentes litteras visuri vel audituri quod nos donaldus de yle dominus Insularum ratificamus et confirmamus per presentes donacionem Cristine filie alani domine et heredis de Wyste factam in puram elimosinam de cappella sancte trinitatis in Wyste cum terris et pertinenciis venerabilibus viriis Abbati et conuentui monasteri Insule missarum diocesis dunblanensis ibidem deo seruiantibus et in posterum seruituris sicut melius plenius et honorificentius dicta cappella cum pertinenciis a prefata domina et suis postmodum successoribus reginaldo rodrici quondam domino de Wyste et goffredo de Insulis fratre nostro earundem terrarum hereditario domino per suas litteras data fuit seu concessa vel carta confirmata Ita tamen quod prefati abbas et conuentus tam spiritualiter quam temporaliter faciant et obseruent nobis et heredibus nostris ea que predictis donatoribus facere et obseruare tenebantur prout in litteris originalibus super hoc confectis plenius continetur In cuius ratificacionis et confirmacionis testimonium Sigillum nostrum presentibus apponi fecimus apud Castrum nostrum de dunAros in Mulle vj<sup>o</sup> die mensis decembris Anno domini Millesimo quadringentesimo decimo.

## CXLIV

[Obligatioun be Patoun Yhung.<sup>2</sup>]

1439.

Beit kend till all men be thir present lettres me patoun yhung burges of the burgh of pertht tobe haldin and thruch the tenoure of thir lettres sekirli and leleli tobe oblist to a venerabil faddir in crist Iohnne thruch the grace of god abbot of Inchechafrai and to the conuent of that / ilk / that meg makky the spouse of Iohnne quhyte na zete nane in hir name sal mak clame questioun na demande be resoun of hir

<sup>1</sup> From the original, Dupplin, No. 128. Seal in red wax, nearly entire.

<sup>2</sup> From the original, Dupplin, No. 3. One seal (the granter's) in red wax, nearly entire. The other is lost; its tag remains.

dowry or Ioyntfement to twa Rude of land liand togeder in the southgate of the saide burch sald to the said abbot and conuent be the saide Iohnne quhit with the consent of the said meg in maner and fourme as the euident propertis na neuer sal agayn call it in tyme tocum na mak strubulance to thaim in the said landis but fraude or gile / and gif scho dois or ony in hir name as god forbede it do I the said patoun oblise me myne ayris executouris landis rentis and possessiounis and al our gudis movabil and vnmovabil quharsumeuer thai be fundin tobe distrenzet pundit and at the wil of the saidez abbot and conuent to be sald without lefe of ony Iuge spirituale or temporale quhill alswele to the saidez abbot and conuent of thair costis skathis expens and interessis fulleli be made assith as of the principale soum that thai sal sustene thurch the forsaide clame questione or demande thurch the forsaide meg or ony in hir name tobe made In witnes herof my sele with the sele of Iohnne foulare ane of the bailliez of the burch of pertht to thir lettres is toset at pertht the xxij dai of Iulij the yhere of our lorde a thousand four hunder xxxix.

## CXLV

1443/4.

Donacio terre de m<sup>c</sup>wene.<sup>1</sup>

Omnibus hanc cartam visuris vel audituris Robertus de mekven dominus eiusdem eternam in domino Salutem Sciatis me dedisse concessisse et hac presenti carta mea imperpetuum confirmasse deo et beate marie et beato Iohanni apostolo et evangeliste monasterii Insule missarum abbati et conuentui eiusdem ibidem deo seruientibus et seruituris in puram et perpetuam elimosinam illam terram meam brasinam ville de mekven cum toftis eiusdem cum octo acris terre circumiacentibus in dominio de mekven infra vicecomitatum de perth Tenendam et habendam cum pertinentiis predictis abbati et conuentui ac eorum successoribus a me et heredibus meis de domino de methven in feodo et hereditate imperpetuum vna

<sup>1</sup> From the original, Dupplin, No. 103. The granter's seal in red wax remains entire. The other two seals are lost; tags remain. See facsimile.



cum pastura viginti vaccarum sexaginta ouium et duorum equorum ac cum omnibus aliis et singulis libertatibus commoditatibus et aisiamentis ac iustis pertinenciis quibuscumque ad dictam brasinam terram tofta et octo acras terre spectantibus seu spectare valentibus quomodolibet infuturum adeo libere et quiete sicut ego aut predecessores mei ipsas tenui seu possedi tenuerunt seu possiderunt Reddendo inde annuatim dicti abbas et conuentus et successores sui domino de methven vnum denarium argenti nomine albe firme si petatur tantum pro omni alio onere seruicio seculari exaccione seu demanda que de eisdem exigi poterunt vel requiri . Et ego dictus Robertus et heredes mei predictam terram brasinam tofta et octo acras terre cum pertinenciis predictis abbati et conuentui et successoribus suis in omnibus et per omnia ut premisum est contra omnes mortales warantizabimus acquietabimus et imperpetuum defendemus In cuius Rei testimonium presenti carte mee Sigillum meum apposui Et pro maiori huius rei euidencia Sigilla dauid flemyng et Iohannis de hadingtoun burgensium burgi de perth huic eciam carte apponi procurauim apud perth nono die mensis marcii anno dominij millesimo quadringentesimo quadragesimo tercio.

## CXLVI

[Carta Jacobi II. regis de baronia de Cardenai.<sup>1</sup>] 1444/5.

Jacobus dei gracia . Rex Scotorum . Omnibus probis hominibus tocius terre sue clericis et laicis Salutem . Noueritis quod cum inter curas et solitudines quibus animus noster afficitur ad hoc precipue perpensius aspiret quod ecclesie domus dei in Regno nostro constitute ad laudem cultumque et honorem domini nostri Iesu cristi solerter regantur . et que in eis sunt deformia reformentur . et nostris temporibus felicia suscipiant incrementa . Sane concepimus et plene intelleximus qualiter progenitorum nostrorum Regum Scocie Comitumque de Strathern ac aliorum procerum et fidelium

<sup>1</sup> From the original, Dupplin, No. 135. A small fragment of the Great Seal remains.

Regni nostri digna recolenda prioritas propter diuini cultus augmentum monasterium Insulemissarum diuersis possessionibus dotauit et priuelegiis multis communiuit. Quamobrem Sciatis nos matura deliberacione et auisamento concilii nostri prehabitis dedisse concessisse et hac presenti carta nostra confirmasse deo et beato Iohanni apostolo et ewangeliste necnon Iohanni abbati monasterii Insulemissarum ordinis Sancti Augustini dunblanensis diocesis . et eiusdem loci conuentui . ac eorum successoribus . omnes et singulas terras domini de Cardynnai et dalhorochquhi et siluam de Cardenai cum pertinenciis ac terras domini de madirdene inferius nominatas . et alias cum silua de madirden . terras uidelicet de Williamstoune : que alias dicitur Balfour . Soutartoun . dubbotis . ardbany . le bordland . monasterii terram de Crag cum pertinenciis . balmacgillone . Rath . molendinum de dvnfallly super aquam de Erne cum quatuor acris sibi annexis et cum pastura octo Summarum in dominio de dunfalli . mvkrath . rahalath . kincladi Inchenath cum quinque acris sibi adiacentibus in dominio de Abircarny . hangandside . dunnedufe cum brevlant de petlandi et certis acris sibi adiacentibus . terram que dicitur breuland que iacet versus monasterium ex parte boriali eiusdem . terram quam quondam trestramus de gorty dedit dicto monasterio que iacet inter dominium de gorty et molendinum de myltoune terram monasterii que iacet in dominio de Cluchybeg terram ecclesiasticam de gask crist terram ecclesiasticam de kilbride terram ecclesiasticam de madirdene . et terram ecclesiasticam de kinkel cum pertinenciis . quas quidem terras cum pertinenciis prefatus Iohannes abbas et eiusdem loci conuentus . non vi aut metu ducti nec errore lapsi set mera et spontanea voluntate sua interueniente ministerio dicti Iohannis abbatis per fustem et baculum in manus nostras sursum reddiderunt pureque et simpliciter resignarunt . Tenendas et habendas dictas terras et siluas cum pertinenciis deo beatoque Iohanni apostolo et ewangeliste ac abbati et conuentui modernis et eorum successoribus predictis . quas in liberam et integram baroniam incorporamus annectimus . et creamus . que baronia de Cardenai futuris perpetuis temporibus appellabitur et intitulabitur cum omnibus et singulis comoditatibus proficuis

et emolumentis suis quibuscunque in puram et perpetuam elimosinam de nobis et successoribus nostris Regibus Scocie in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas in moris marresiis boscis planis pratis nemoribus pascuis pasturis viis semitis aquis stagnis aucupacionibus venacionibus piscacionibus · ac communi pastura cum petariis turbariis brueriis et genesisis [*sic*] cum curiis et earum exitibus eschaetis et herieldis · bludwitis et merchetis mulierum cum furca et fossa sok et sak thol et theme infangandthefe outfangandthefe · ac cum omnibus aliis et singulis comoditatibus libertatibus et asiamentis ac iustis pertinenciis suis quibuscunque tam nominatis<sup>1</sup> quam nominatis tam sub terra quam supra terram tam procul quam prope ad dictam baroniam de Cardenai cum pertinenciis et omnia supradicta · spectantibus seu quouismodo spectare valentibus in futurum Adeo libere et quiete plenarie integre honorifice bene et in pace sicut dicti abbas et conuentus · seu predecessores eorum dictas terras cum pertinenciis modo in liberam baroniam vnitas atque creatas liberius quiecuis plenarius integrius seu honorificencius · aliquo tempore exacto tenuerunt seu possederunt · Reddendo inde abbas et conuentus · prefati et eorum successores · nobis et successoribus nostris seruicia debita et consueta sicut ceteri similesprelati de Regno nostro faciunt et sicut predecessores sui nobis et antecessoribus nostris facere consueuerunt · Preterea ex plenitudine Regie potestatis statuimus volumus et ordinamus quod abbas et conuentus prefati eorundemque successores et monasterium predictum habeant teneant et possideant predictam baroniam de Cardenai cum pertinenciis in plenaria libertate et Iurisdicione perpetuis temporibus absque medio de nobis et successoribus nostris Regibus scocie · nec in aliam quamquam personam quauis autoritate prefulgeat vel dignitate tituletur Eciam si noster vel successorum nostrorum Regum Scocie primogenitus existat ammodo superioritas vel superius dominium dicti monasterij seu possessionum suarum prefatarum transferri valeat de cetero quacunque occasione vel causa eandem facultatem transferendi penitus a nobis et successoribus nostris

<sup>1</sup> *Sic* ; read *non nominatis*.

abdicantes · quinymmo si scienter vel ignoranter contra presentis priuilegii tenorem quicquam fieri contigerit in futurum vel quicquid secus quam presens carta contineat foret actum exnunc animo deliberato irritum et inane decernimus et omnino viribus vacuumus · Censientes [*sic*] et recognoscentes monasterium predictum abbatemque et conuentum modernos eiusdem et ipsorum successores cum ipsorum terris possessionibus et Iuribus quibuscunque semper et absque medio nobis et successoribus nostris Regibus Scocie duntaxat pertinere in quamcunque personam de eisdem translacione facienda non obstante · Preterea inspeximus quamdam libertatem deo et sancto Iohanni apostolo et ewangeliste de Incheaffrai et canonicis ibidem deo seruientibus et seruituris per quondam gilbertum Comitem de stratherne suo sigillo impendente concessam non rasam non abolitam non cancellatam nec in aliqua sui parte suspectam · set omni prorsus vicio et suspicione carentem tenorem qui sequitur continentem: <sup>1</sup> Gilbertus Comes de Strathern Omnibus hominibus tocius terre sue salutem · Sciant presentes et futuri me dedisse concessisse et hac carta mea confirmasse pro dei amore et pro salute anime mee et vxoris mee et antecessorum et heredum meorum deo et sancto Iohanni apostolo et ewangeliste de Incheaffrai et canonicis ibidem deo et sancto Iohanni seruientibus et seruituris hanc libertatem quod si aliquis hominum suorum de territorio quod ego in liberam elimosinam eis dedi retatus fuerit in curia mea de furto siue de alia aliqua querela que ad curiam meam pertinet et si de illa reta Iudicio dampnatus fuerit solo michi et heredibus meis corpore relicto ad conseruandam iusticiam curie nostre omnia catalla sua remanebunt Sancto Iohanni et canonicis · Et si forte aliquis hominum suorum de aliqua reta per pecuniam mecum et cum heredibus meis finem fecerit omnis illa finalis pecunia predictis canonicis remanebit · hanc quidem libertatem deo et sancto Iohanni et predictis canonicis de me et heredibus meis imperpetuum habendam presenti scripto confirmaui hiis testibus maliseo fratre comitis Matilda Comitissa Ionatha Episcopo Iohanne Archdiacono abraham capellano comitis constantino Iudice guillinamene dapifero

<sup>1</sup> See No. xxv. *supra*.

maliseo filio eius Willelmo forteth Roberto fergus Maliseo gilerist filiis meis et multis aliis Quam libertatem in omnibus suis punctis et articulis forma pariter et effectum approbamus ratificamus et confirmamus . et eandem perpetuis futuris temporibus inuiolabiliter obseruari volumus et mandamus . In quorum omnium et singulorum fidem et testimonium premissorum presenti Carte nostre magnum sigillum nostrum Iussimus appendi . Testibus Reuerendo in cristo patre . Iacobo Episcopo dunkeldensi cancellario nostro . Alexandro de levingstoune de Calentare dauid de murra de Tulibardin Iohanne de Cokburne de dalginche militibus Iacobo de levingstoune capitaneo castri de Striuelin magistris Willelmo Turnbul nostri secreti sigilli custode et Iohanne Railstoune secretario nostro . apud Striuelin vicesimo septimo die mensis Ianuarii Anno domini millesimo quadringentesimo quadragesimo quarto Et Regni nostri Oct[auo].

## CXLVII

Confirmacio regis Jacobi secundi de brewland  
mekwen.<sup>1</sup> 1450.

Jacobus dei gracia Rex Scotorum Omnibus probis hominibus tocuis terre sue clericis et laicis salutem Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse venerabili in cristo patri et Religiosis viris Abbati et conuentui monasterij nostri de Inchaffray omnes et singulas terras de Brewland de mekwen cum pertinenciis iacentes infra vicecomitatum de perth Quequidem terre cum pertinenciis fuerunt Andree Toische hereditarie Et quas idem Andreas non vi aut metu ductus nec errore lapsus set sua mera et spontanea voluntate in manus nostras coram subscriptis testibus apud monasterium vallis virtutis cartusiensis ordinis prope burgum nostrum de perth per fustem et baculum personaliter sursum reddidit pureque simpliciter Resignauit Ac totum jus et clameum que in eisdem terris cum pertinenciis habuit seu habere potuit pro se et

<sup>1</sup> From the original, Dupplin, No. 18 (i). Large fragment of Great Seal, in white wax. See *Reg. Mag. Sig.* vol. ii. No. 382.

heredibus suis omnino quittum clamauit imperpetuum Tenendas et habendas omnes et singulas supradictas terras de Brewland de mekvne cum pertinenciis dictis Abbati et conuentui et eorum Successoribus ad manum mortuam in feodo et hereditate imperpetuum per omnes Rectas metas suas antiquas et diuisas Cum omnibus et singulis libertatibus commoditatibus et Asiammentis ac iustis pertinenciis suis quibuscunque ad dictas terras de brewland de mekven cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum Et adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut dictus Andreas aut sui predecesores prenominate terras cum pertinenciis de nobis aut predecesoribus nostris ante dictam Resignacionem nobis inde factam liberius tenuit seu possedit tenuerunt seu possiderunt Reseruatis nobis et successoribus nostris dictorum Religiosorum virorum orationum suffragiis deuotarum In Cuius Rei testimonium presenti carte nostre magnum Sigillum nostrum apponi precepimus Testibus Reuerendis in cristo patribus Willelmo et Iohanne glasguensis et dunkeldensis ecclesiarum episcopis Willelmo domino Creichtoune nostro cancellario et consanguineo predicto venerabili in cristo patre Andrea abbate de melros nostro confessore et thesaurario dilectis consangúineis nostris patricio domino le grahame patricio domino le glammis magistro hospicii nostri Andrea domino le gray Iacobo domino frendracht georgeo de Creichtoune de Carnis admirallo Regni nostri dauid murray de tulibardin Alexandro Ramsay de dalwolsy Iacobo de edmondstone de eodem Colino cambell et Waltero de ogiluy militibus magistris Iohanne Arous Archidiacono Glasguensi et Georgeo de Schoriswod Rectore de cultre clerico nostro apud p[ert]h Octauo die mensis Augusti Anno domini millesimo quadringentesimo quinquagesimo Et Regni nostri decimoquarto.

## CXLVIII

1454. De licencia piscandi pro anguillis in Polpefery.<sup>1</sup>

Omnibus hanc cartam visuris uel auditoris Robertus mersar de Innerpefery eternam in domino salutem Nouerit vniuersitas

<sup>1</sup> From a facsimile of the original (which is in the Dollerie Charter-chest),

vestra me non vi aut metu ductum nec errore lapsum sed mea mera et spontanea voluntate constitutum cum consensu et assensu Alexandri mersar heredis mei et cum consensu et assensu Andree mersar de inchebreky auunculi mei cui dicte terre de inchebreky sunt inpignorate pro certa summa pecunie dedisse concessisse et hac presenti carta mea confirmasse inperpetuum [*sic*] et puram elimosinam ob honorem dei omnipotentis et gloriose virginis marie ac beati ihoannis euuangeliste pro salute anime mee et animarum Ionete sponse mee alexandri heredis mei supradicti et omnium successorum meorum . Abbati et conuentui insulemissarum et eorum successoribus ibidem deo seruientibus et in futurum seruituris libertatem omnimodam et licenciam perpetuam piscandi per arcas recia aut alia instrumenta quecunque pro anguillis et aliis piscibus capiendis necessaria in loco qui wlgariter dicitur ly polpefery infra dominium meum de dullory ac vnam vel plures arcas recia aut alia instrumenta pro huiusmodi piscibus habendis conuenienciam ponendi situandi locandi super ly polpefery . necnon et strues lignorum congeries lapidum ac muros terrarum faciendi construendi et edificandi terramque fodiendi ac lapides scindendi et optinendi super terras meas predictas de dullory vbicunque dictis abbati et conuentui et eorum ministris melius placuerit in longitudine et latitudine dictarum terrarum prout mete et limites earundem se extendunt pro sustentacione construccionem et reformacionem dicte arce aut dictarum arcarum seu aliorum instrumentorum pro captura predictorum piscium necessariorum tociens quociens dictis abbati et conuentui et [eorum successoribus] videbitur expediri . Omni impedimento et obstaculo ac vniuersis dolo et fraude quouis colore conceptis et ymaginatis per nos supradictos R[obertum alexandrum et] andream ac successores nostros ad impediendum et obstruendum anguillas et alios pisces in dictis arcis retibus seu aliis instrumentis capi [omnino et inperpetuum

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executed for the late Mr. G. R. Mercer of Gorthy, and communicated by Major W. L. Mercer of Huntingtower. The two seals are both entire. Printed in an abridged form in *Lib. Ins. Mis.* App. iv. No. 1. The heading is taken from the transcript which accompanies the facsimile; and the words within brackets, intended to indicate the tenor of parts of the deed which are not now legible, are mainly, but not invariably, adopted from the same source.

remotis.] Tenendam et habendam totam et integram libertatem et licenciam perpetuam piscandi ut premittitur per arcas recia et alia instrumenta in predicto loco de p[olpefery infra dominium meum] de dullory cum omnibus asiamentis et commodis pro dicta piscatura conuenientibus predictis abbati et conuentui et eorundem successoribus a me et heredibus [meis libere quiete plenarie] bene et in pace cum libero introitu et exitu ac singulis commoditatibus et iustis suis pertinenciis quibuscunque sicut aliqua elimosina a quocunque infra regnum [Scocie tenetur seu] possidetur . Et ego vero predictus robertus et heredes mei ac et ego andreas mersar de inchebreky durante mihi inpignoracione supradicta modo et fo[rma predictis facta] dictarum terrarum et heredes mei predictas libertatem et licenciam piscandi per arcas recia et alia instrumenta quecunque in predicto loco de polpefery cum vniuersis et sin[gulis libertatibus] ad ipsam piscaturam spectantibus seu spectare valentibus in futurum predictis abbati et conuentui et suis successoribus qui pro tempore fuerint in omnibus et per omnia [ut predictum est contra] omnes mortales varandisabimus ac quietabimus et in perpetuum defendemus . Insuper si contingat me aut heredes meos seu aliquam personam nomine nostrum [tempore futuro] publice aut occulte donacioni dicte libertatis et licencie piscandi per arcas recia aut alia instrumenta in predicto loco de polpefery ut predictum est propter aliquam causam contraire contradicere seu directe uel indirecte aliquatenus reuocare oblige me heredes meos executores intromissores et assignatos et omnia bona nostra mobilia et immobilia et presertim terras meas redditus et possessiones de Innerpefery et de dullory sub firmiori et stricciori stilo obligacionis quo fieri poterit . In centum libris vsualis monete scocie dictis abbati et conuentui et eorum successoribus sine fraude et dolo quibuscunque fideliter persoluendis ac ipsas terras meas de Innerpefery et de dullory et eciam bona mea quecunque fore namanda et distringenda ad voluntatem dictorum abbatis et conuentus et absque licencia cuiuscunque iudicis temporalis aut spiritualis capienda et abducenda nullo remedio Iuris canonici siue ciuilis in contrarium preualente quousque de dictis centum libris vna cum dampnis expensis et interesse predictis abbati et conuentui et suis successoribus



plenarie fuerit satisfactum et persolutum · Etiam volo et concedo casu quo contingat me et heredes meos uel quoscunque alios nomine nostrum imponere seu locare arcam uel arcas rete aut recia seu alia quecunque instrumenta ad pisces capiendos in predicto loco de polpefery quod pro tunc licitum sit predictis abbati et conuentui et suis successoribus easdem arcas recia seu instrumenta capere occupare disponere et ad proprios vsus appropriare ac a me et heredibus meis alienare sine reclamacione seu repeticione per me uel heredes meos quoscunque tocians quociens in predicto loco hoc fieri contingat In cuius rei testimonium sigillum mei roberti mersar nec non et sigillum Andree mersar auunculi mei presenti carte mee sunt appensa coram hiis testibus · tristramo de gorty Ihoanne quhytson alexandro cardeny wilelmo bonar de kelty Alexandro scharp de strathy et Ihoanne crab scutifero cum multis aliis vicesimo quarto die mensis Iunij Anno domini millesimo quadringentesimo quinquagesimo quarto.

## CXLIX

[Ratificatio carte precedentis.<sup>1</sup>]

1454.

Notarial Instrument, 25 June 1454—‘nobilis vir alexander mersar filius et heres Roberti mersar de Innerpefery’ ratifies ‘illas donaciones libertatis et licencie perpetue piscandi cum arcis retibus etc., in loco qui vulgariter dicitur ly Polpefery.’ Instruments asked by Sir Symon Dun and Sir William de Haddington two canons of [Inchaffray] ‘infra burgum de Perth in hospicio Johannis de Quhytsun burgensis de Perth,’ 2 p.m. William Bonar of Kelty, John Quhytson, Alexander Sharpe of Strathy, Alexander de Cardeny, John Crab, and many others present. Seal of Tristram de Gorty de eodem affixed at the request of the said Alexander.

<sup>1</sup> From a note among the papers of George Smythe, Esq., at Methven Castle, marked ‘Original in the possession of Antony Murray, Esq., of Dollerie.’ The editors have failed to obtain access to the deed itself.

## CL

1461/2. [Decretum Episcopi Dunblanensis de quodam mortuario.<sup>1</sup>]

In dei nomine amen per hoc presens publicum instrumentum cunctis pateat euidenter quod anno dominice incarnationis milesimo quadringentesimo sexagesimo primo die vero mensis Ianuarij vigesimo sexto Indictione vndecima pontificatus Sanctissimi in Christo patris et dominj dominj Pij diuina prouidentia pape secundj anno quarto In mej notarij publici et testium subscriptorum presentia coram reuerendo in Christo patre et domino domino Roberto dei et apostolice sedis gratia episcopo Dunblanensi in causa subscripta pro tribunalj sedente inter ceteros iustitie complementum petentes comparentibus in iudicio discreto viro domino Laurentio fethil capellano procuratore venerabilis in Christo patris et dominj Nicolaj permissione diuina abbatis monasterij insule missarum ad hoc specialiter deputato de cuius potestate et mandato specialj mihi notario publico scribe dicte curie satis constabat ab vna et venerabilj viro magistro Willelmo de fowlis vicario ecclesie parochialis de foulis partibus ab alia causam litigiosam cuiusdam mortuarij videlicet centum solidorum vsualis monete regni Scotie quondam bone et recolende memorie Tristrahamj de gorthy aduersarie partialiter et litigiose mouentibus et proponentibus dictus reuerendus in Christo pater et dominus iudex primo indicta<sup>2</sup> causa partibus predictis instantibus lite contestata de inde terminis a iure requisitis rite et canonice obseruatis successiue in causa procedens habito prius iurisperitorum consilio sententiam diffinitiuam per literas suas patentes papyro scriptas sigillo suo rotundo rubea cera affixa sigillato iudicialiter verumdixit [?] et decreuit quarum quidem literarum tenor de verbo in verbum sequitur et est talis In dei nomine amen Nos Robertus dej et apostolice sedis gratia episcopus Dunblanensis in ecclesia nostra cathedralj Dunblanensi loco consistorialj solito et consueto hora causarum debita pro

<sup>1</sup> Copy written in a hand of the sixteenth century, on the flyleaf of the later Register of Inchaffray.

<sup>2</sup> MS. *in dicta*.

tribunalj sedentes solum deum pre oculis habentes ac cognoscentes in causa litigiosa cuiusdam mortuarij centum solidorum quondam bone et recolende memorie Tristrahamj de gorty coram nobis iudicialiter mota et ventilata inter discretum virum dominum Laurentium fythil capellanum nomine venerabilis in Christo patris et dominj dominj Nicolaj diuina permissione abbatis insule missarum ad hoc specialiter deputatum ab vna de cuius potestate ac mandato specialj per literas suas procuratorias sigillo dictj dominj abbatis sigillatas nobis satis constabat Et venerabilem et discretum virum magistrum willelmum foulis vicarium ecclesie parochialis de foulis partibus ab altera auditis et intellectis prius partium predictarum petitionibus responsionibus allegationibus et protestationibus testibus productis de veritate dicenda iuratis et diligenter examinatis ac eorum depositionibus fideliter in scriptis redactis et in posterum publicatis et fulminatis ceterisque terminis substantialibus a Iure requisitis rite obseruatis citatis vocatis et comparentibus executoribus bonorum et testamenti quondam dicti defuncti ipsiusque cause meritis per nos vndique pensatis et preuisis attento quod mortuaria sana et integra dicte ecclesie de foulis prefato abbati et suis successoribus quj pro tempore fuerint debentur et dicto vicario de foulis mortuaria diuisa et non integra cum oblationibus solitis et consuetis iuxta vicarie sue de foulis antedicte fundamen debentur clare comperimus dictum mortuarium centum solidorum vsualis monete Scotie sepedicto domino abbati aut eius procuratori soluj et deliberari debere Ideoque per hanc nostram sententiam diffinitiuam quam ferimus in his scriptis habito prius assessorum nostrorum et iurisperitorum consilio pronunciamus decernimus et declaramus antedictum mortuarium prefato abbati et suis successoribus quj pro tempore fuerint aut eorum procuratoribus cum effectu deberi ac dictum vicarium in expensis super huiusmodi lite factis condemnatum fore decernimus et condemnamus per presentes quarum tamen expensarum taxationem nobis in posterum reseruamus Lata et lecta fuit hec nostra sententia in ecclesia nostra antedicta die Martis videlicet vigesimo sexto die mensis Ianuarij Anno dominj millesimo quadringentesimo sexagesimo primo In cuius rei testimonium sigillum nostrum rotundum presentibus est affixum Super

quibus omnibus et singulis premissis suprascriptus dominus Laurentius procurator a me notario publico subscripto sibi fieri petijt publicum instrumentum Acta fuerunt hec in ecclesia cathedralj dunblanensi antedicta hora vndecima vel eocirca ante meridiem et sub anno die mense Indictione et pontificatu quibus supra Presentibus Ibidem venerabilibus et discretis viris magistris Malcolmo Iohannis decano Lismorensi Iohanne Cristinj cancellario dunblanensi Malcolmo drumond canonico dunblanensi Dominis Patricio Ogil gilberto hunter capellanis Roberto Aysone et henrico Symonis cum diuersis alijs testibus ad premissa vocatis specialiter et rogatis. Et ego Iohannes Scot presbiter Dunblanensis diocesis publicus auctoritate Imperialj notarius suprascripte cause motionj ventilationj propositionj et sententie diffinitue decreto vnacum prenominatis testibus presens interfuj ac ea omnia et singula premissa sic fierj vidj et audiuj ac in notam sumpsj Ideoque presens publicum instrumentum manu mea propria scriptum inde confeci et in publicam hanc formam redegj Signoque nomine et subscriptione meis solitis et consuetis signauj rogatus et requisitus in fidem et testimonium omnium et singulorum premissorum.

## CLI

1488/9.

Littera pro Abbate et conuentu Insule missarum etc.<sup>1</sup>

Jacobus dei gracia Rex Scotorum Omnibus Probis hominibus suis Ad quos Presentes littere peruenerint Salutem Sciatis quia nos Intelligentes quod propter marrasia et superfluas aquarum Inundaciones In prato nostro ex parte boriali monasterij nostrj Insule missarum existente eidem monasterio nec hominibus nec equis tutus patet accessus Nos Igitur dicti nostrj monasterij vtilitati prouidere vt tenemur cupientes Ac pro cotidianis oracionibus et suffragijs Per venerabilem in cristo patrem et deuotos oratores nostros georgium Abbatem

<sup>1</sup> From the original, Dupplin, No. 152 (i) (= *Reg. Mag. Sig.* vol. ii. No. 1819). The Great Seal is lost; it was appended on a strip of the parchment of the charter.

dicti nostrj monasterij et conuentum eiusdem pro nobis et successoribus nostris factis et fiendis dedimus et concessimus Ac tenore presencium pro nobis et successoribus nostris damus et concedimus prefato georgio Abbati dicti nostrj monasterij et conuentui eiusdem et successoribus suis plenariam licenciam Ad faciendum et effodiendum stagnum seu foueam In dicto nostro prato a parte boriali ad partem australem eiusdem vnde sua victualia focalia aliasque Res suas quascunque eis pro sua sustentacione et dicti nostrj monasterij Reparacione necessarias per nauiculas vel Cimbas seu alias quouismodo dicto nostro monasterio commode semper futuris temporibus importare et adducere possint et valeant Quare vniuersis et singulis quorum Interest vel interesse poterit stricte precipimus et firmiter Inhibemus ne quis dictis Abbati et conuentui aut eorum successoribus in premissis Impedimentum faciat seu obstaculum quodcunque in futurum Sub omni pena que compe-tere poterit in hac parte Datum sub magno Sigillo nostro Apud Edinburghe vicesimosecundo die mensis Ianuarij Anno dominj Millesimo Quadringentesimo Octuagesimo octauo Et Regnj nostrj primo.



## APPENDIX

### I

[Confirmatio pro Malisio filio Comitis Ferteth.<sup>1</sup>]

1172-8.

W. Rex Scottorum · Episcopis · abbatibus · Comitibus · Baronibus · Iusticijs · Vicecomitibus · Ministris · et Omnibus probis hominibus tocius terre sue · Clericis et laicis ⁊ salutem. Sciant presentes et futuri · me concessisse · et hac carta mea confirmasse · Malisio filio ferteth Comitis de Stradhern · Mothel · et Tuliedel · et Oggoueli · et Barderal · et kinkarden · et Ovctermafen · et Rossi · per earundem terrarum rectas diuisas · Tenendum sibi et heredibus suis · de Comite [Gi]leberto fratre suo et heredibus suis in fevdo et hereditate · In boscho et plano · In terris · et aquis · In pratis et pascuis · In molendinis et stagnis · In forestis · et tristrijs · In Moris · et scalingis · et Omnibus alijs iustis pertinencijs suis · Cum sacca · et Socca Cum tol · et tem · et Infangenthef · Cum furca et fossa · ita libere et quiete · plenarie · et honorifice ⁊ [sicut] Carta prefati Comitis Gileberti fratris sui ⁊ testatur et confirmat ⁊ per seruicium unius militis · [Testibus · Matheo] Episcopo de aberdon · W de bidun Cancellario · Comite Dunecano Iusticiario · Comite Malcolmno Etholie · [Comite Gilebri]de de anegus · W de Berkelai Camerario · Hugone Giffard · Roberto de Boseuille · apud pert ·

### II

Carta regis Willelmi super terris de Maddyrnyn.<sup>2</sup>

1185.

Willelmus dei gracia [Rex] Scottorum episcopis Abbatibus comitibus baronibus Iusticiarijs vicecomitibus prepositis ministrisque omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciant presentes et futuri me dedisse concessisse et hac presenti carta mea confirmasse comiti Gilberto de stratheryn Maddyrnin per rectas diuisas suas et cum omnibus iustis pertinencijs in boscho et plano in terris et aquis in pratis et pascuis in moris et marresiis in molendinis et stagnis et omnibus alijs

<sup>1</sup> From the original belonging to the Duke of Montrose ; it is mutilated in places, and the seal (appended probably on a strip of the parchment of the charter) is gone. Some blanks are supplied within brackets on the authority of an old transcript ; see *Historical MSS. Commission Rep.*, vol. ii. App. p. 166.

<sup>2</sup> Reg. (see *Lib. Ins. Mis.* No. 2).

Justis pertinenciis suis cum sacca et socca cum Tholl et theame et infangandthefe Tenendam sibi et heredibus suis de me et heredibus meis in feodo et hereditate libere et quiete plenarie et honorifice per seruicium vnus militis Ita eciam quod nec ipse nec heredes sui aliquo tempore respondeant de terra Gillecolme Marescallo aut heredibus suis aut alicui de parentela sua siquando querelam inde erga eos mouere uoluerint Quoniam predictus Gillecolm pro feloniam quam<sup>1</sup> erga me fecit terra prenominatam amisit sicut ille qui in feloniam reddidit castellum meum de heryn et postea sicut iniquus et proditor Iuit ad inimicos meos mortales et cum eis stetit contra me ad forisfaciendum pro posse suo Testibus comite dauid fratre meo Ricardo de Moruile Constabulario Philippo de valoniis Alano dapifero Waltero olifard Willelmo de lyndesay Waltero Corbet Willelmo Cumyn Rainnolfo de sules<sup>2</sup> swano filio Thore Willelmo filio Thore apud lillidqw.

## III

1251. [Commissio pro preposito et capitulo Sancte Marie Sancti Andree.<sup>3</sup>]

Innocentius episcopus seruus seruorum dei . Dilectis filijs Magistro Abel Capellano nostro sancti Andree . et . . Theuidalie Glasguensis diocesis Archidiaconis ac Johanni de Euerlay Canonico Dunkeldensi . Salutem et apostolicam benedictionem . Ex parte . . Prepositi et Capituli secularis ecclesie sancte Marie in Ciuitate sancti Andree fuit propositum coram nobis . quod cum . . Prior et Conuentus Cathedralis ecclesie sancti Andree ordinis sancti Augustinij asserentes fore ipsis ab apostolica sede concessum ut cedentibus uel decedentibus Canonicis ipsius ecclesie sancte Marie / ijdem Prior et Conuentus prebendas et possessiones eorum possint eorum usibus applicare / super hoc et rebus alijs contra eos ad dilectos filios . . de kitham et . . de sancto Oswaldo Priores Eboracensis diocesis sub certa forma litteras apostolicas impetrassent / ipsi in eos nulla competenti monitione premissa sine causa rationabili excommunicationis sententiam promulgarunt . contra statuta concilij generalis . vnde nos eisdem nostris damus litteris in mandatis / ut si est ita sententiam ipsam infra octo dies post susceptionem litterarum ipsarum sine qualibet diffi-

<sup>1</sup> Reg. *quem*.

<sup>2</sup> Reg. *sales*.

<sup>3</sup> From the original, Dupplin, Bull No. 6. The Bulla is lost, but the holes in the parchment bored for its string remain. On flap. 'G. ar.' Indorsed, 'Perrotus.'



cultate / relaxent. Quocirca discretioni uestre per apostolica scripta mandamus / quatinus si dicti Piores mandatum nostrum infra prescriptum tempus neglexerint adimplere / uos ex tunc sufficienti ab eis super hijs pro quibus excommunicati habentur cautione recepta / iuxta formam ecclesie sententiam relaxetis eandem. et iniuncto eis quod de iure fuerit iniungendum audiatis causam. et eam infra Quatuor menses post receptionem presentium iudicio uel concordia si de partium uoluntate processerit / terminare curetis . Quod si forte hoc fieri non poterit / eam ex tunc instructam uel non instructam remittatis ad apostolice sedis examen . prefigentes partibus terminum peremptorium competentem quo per se uel procuratores idoneos cum omnibus actis / iuribus / rationibus et munimentis earum compareant coram nobis iustam dante domino sententiam recepture. Prouiso ut si pro manifesta offensa dicta sit prolata sententia / nisi prius ab excommunicatis sufficiens pre[ste]tur emenda nullatenus relaxetur . Testes autem qui fuerint nominati si se gratia / odio / uel timore subtraxerint / per censuram ecclesiasticam cessante appellatione cogatis ueritati testimonium perhibere . Quod si non omnes hijs exequendis potueritis interesse / duo uestrum ea nich[il]ominus exequantur . Datum Lugduni vij Idus Aprilis . Pontificatus nostri Anno Octauo .

## IV

Assedacio ecclesie de Gasknes.<sup>1</sup>

1266.

Anno graciae . M.CC-sexagesimo sexto . ad Pentecosten facta est hec conuencio inter . . Magistrum et fratres Hospitalis sanctorum Iacobi et Iohannis de Brackele ex parte vna et venerabilem patrem Robertum dei gracia Episcopum Dunblanensem ex altera . quod dicti . . Magister et fratres concesserunt et tradiderunt ad firmam dicto Episcopo ecclesiam suam de Gasknes cum omnimodis fructibus et prouentibus suis et omnibus iuribus et libertatibus ad ipsam quocunque m[odo] pertinentibus vna cum omnibus terris et possessionibus ad dictos . . Magistrum et fratres quocunque titulo in regno Scocie pertinentibus vsque ad terminum quinque annorum completorum pro viginti quatuor Marcis sterlingorum

<sup>1</sup> From a copy, made about 1350, at Magdalen College, Oxford; marked Brackley D 116. Transcribed by Mrs. New of Oxford. Some parts being injured, the MS. has been carefully examined, and the words or letters which appear to be missing supplied within brackets. A piece of parchment sewed on contains copies in the same handwriting of the two charters here appended.

annuis<sup>1</sup> soluendis predictis . . Magistro et fratribus singulis annis in Monasterio de Oseney in festo sancti Michaelis archangeli uel infra octo dies sequentes termino prime solucionis incipiente in festo sancti Michaelis anno gracie M.CC.sexagesimo septimo. Quid uero pro fructibus anni sexagesimi sexti non fuerat suo tempore satisfactum? satisfiet in fine termini de viginti quatuor marcis pro eisdem. Nec fiet de bonis spectantibus ad testamentum memorati Episcopi aliqua distribucio . si humanitus de eo contingat? nisi prius dictis . . Magistro et fratribus super predicta pecunia plene fuerit satisfactum. Si uero cesserit Episcopatu et de predictis viginti quatuor Marcis satisfacere recusauerit uel neglexerit? penam dupli incurreret predictis f[atribus persolu]endam. Si autem placuerit dicto Episcopo ipsas ecclesiam et terra[s post] ill[ud qui]nq[uen]ni[m] ad firmam tenere? innouabitur conuencio / usque ad aliud quinquennium [Episcopo] predicto et pro firma predicta . Et sic de quinquennio in quinquennium quamdiu placuerit eidem Episcopo ipsas ad firmam tenere. Ita tamen quod p[re]textu presencium<sup>2</sup> nullum ius successoris ipsius Episcopi accrescat in dictis ecclesia et terris . Si infra terminum aliquem dum ipsas tenuerit de ipso humanitus contigerit . sed ad ipsos . . Magistrum et fratres sine omni contradiccione dicto [Episcop]o cedente uel decedente reuertantur . Colminus uero qui est homo ligius dictorum . . Magistri et fratrum a dictis terris non amouebitur dum Episcopus ipsas habuerit ad firmam nec iniuste in aliquo fatigabitur nec ad placita extra dictas terras per ipsum trahetur . sed benigne prout decet tractabitur? Ad hec . si uicaria dicte ecclesie durante firma Episcopi vacauerit? licebit dictis . . Magistro et fratribus presentare ydoneam personam ad eandem quam Episcopus sine difficultate ad ipsam admittet? et in eadem vicarium constituet. Idem uero Episcopus sustentabit domos in fundo ecclesie existentes cum competenter fuerint reparate in statu in quo ipsas receperit nisi uetustate uel tempestate aut aliquo casu inopinato ipsi Episcopo et suis non inputando corruerint. Preterea dictus Episcopus soluet singulis annis Abbati et Conuentui de Insula Missarum viginti solidos . et vicario dicte ecclesie qui pro tempore fuerit duas Marcas preter viginti quatuor Marcas antedictas . Et omnia onera ordinaria subportabit quantum ad dictos . . Magistrum et fratres pertinebit . Extraordinaria uero faciet de firma

<sup>1</sup> MS. *ainuis*; omitting one stroke.

<sup>2</sup> The words here supplied are conjectural. But they give the required sense.

dictorum . . Magistri et fratrum prout iustum fuerit . Si autem contigerit quod absit quod dicti . . Magister et fratres per defectum solucionis predicte firme dictis loco et terminis non facte dampna incurrerint aut expensas fecerint? idem Episcopus tenebitur eisdem ad satisfaccionem super dampnis et expensis vna cum interesse suo super quibus stabitur simplici et fidei assertioni dictorum . . Magistri et fratrum uel vnus eorum capellani habentis potestatem in eorum animas iurandi ad hoc specialiter deputati . Et si idem Episcopus contra solucionem huiusmodi dampnorum uel expensarum reluctauerit? penam quadraginta Marcarum incurrat predictis . . Magistro et fratribus soluendam. Et sciendum est quod cum non placuerit dicto Episcopo firmam vterius tenere? predicta ecclesia cum omnibus fructibus suis ad dictos . . Magistrum et fratres in festo Pentecostes reuertetur . fructus vero et commodum terrarum vsque ad festum sancti Martini proximo sequens in Mense nouembris ad dictum Episcopum pertinebunt . Vtraque vero pars in verbo veritatis et sacerdocij istam conuencionem in omnibus et per omnia fideliter obseruare promisit . Subiecerunt se vero dicte partes iurisdictioni seu cohercioni Lincolniensis Episcopi qui pro tempore fuerit quod possit ad predictorum obseruacionem omnium et singulorum per interdicti et excommunicacionis sentencias partem contra supradicta in aliquo venientem cohercere . Promisit insuper dictus Episcopus quod circa illicite alienata et distracta diligenciam apponet vt restituantur . Et ad maiorem securitatem huius conuencionis parti cirographi penes . . Magistrum et fratres residenti appensum est sigillum Episcopi vna cum sigillo sedis Dunblanensis . Parti vero penes Episcopum residenti appensum est sigillum commune predictorum . . Magistri et fratrum. Hiis testibus . Domino Alano dei gracia Abbate de Insula Missarum . Domino Henrico Decano Dunblanensi . Magistro Ricardo de Striuelyn . Officiali Dunblanensi . Adam . Iohanne . Willelmo de Gasknes . de Abberrothewon et foules ecclesiarum vicariis et Multis aliis.

## IV A.

Carta Seheri de Quency de ecclesia de Gasc.

1210-18.

Vniuersis sancte Matris ecclesie filiis ad quos presens scriptum peruenerit Seherus de Quency Comes Wintonie salutem in domino eternam. Nouerit vniuersitas vestra nos intuitu dei contu[li]sse

et concessisse et hac presenti carta nostra confirmasse deo et sancte Marie et hospitali sancti Iohannis de Brackele et Canonicis et fratribus ibidem deo seruientibus ecclesiam de Gasc cum omnibus pertinentiis suis cuius ius patronatus ad nos spectat / in puram et perpetuam elemosinam pro anima patris nostri bone memorie Roberti de Quency et pro anima Matris nostre Orable / et pro anima Roberti de Quency primogeniti nostri et pro salute anime nostre et Margarete vxoris nostre et omnium antecessorum et successorum nostrorum ad sustentacionem predictorum canonicorum et fratrum ibidem deo seruiencium et infirmis ministrancium / Et vt hec nostra donacio et concessio rata et inconcussa in posterum perseueret / presens scriptum sigilli nostri munimine duximus roborandum · Hiis testibus · domino Petro de Roches Episcopo Wyntoniensi · Domino Willelmo Malueisin Episcopo sancti Andree · Roberto filio Walteri · Willelmo de Albein<sup>1</sup> · Willelmo de Huntingfelde · et aliis.

## IV B.

1215-20. Carta Alexandri Regis Scocie de confirmacione ecclesie de Gasc.

Alexander dei gracia Rex Scotorum omnibus probis hominibus tocius terre sue clericis et laycis salutem · Sciant presentes et futuri me concessisse et hac carta mea confirmasse donacionem ill[am q]uam Seherus de Quency Comes Wyntonie fecit deo et sancte Marie et Hospitali sancti Iohannis de Brackele et Canonicis et fratribus ibidem deo seruientibus d[e] ecclesia] de Gasc cum omnibus iustis pertinentiis suis ad sustentacionem predictorum canonicorum et fratrum ibidem deo seruiencium et infirmis ministrancium Tenendam pre[dictis ca]nonicis et fratribus et infirmis ministrantibus et eorum successoribus in puram et perpetuam elemosinam sicut carta predicti Seheri de Quency Comitis Wyntonie eis inde facta / testatur · Testibus · Willelmo Episcopo sancti Andree · Willelmo de Bosco Cancellario Comite · Malcolmmo de ffife<sup>2</sup> · Willelmo Comin Comite de Buchane · Roberto capellano meo · Euerardo [de] Trumptonne · Alexandro de Setone. apud Striuelyn · xv. die Octobris.

<sup>1</sup> *Sic*, with a mark of contraction. The person meant is probably William de Albenie (Aubigni).

<sup>2</sup> The MS. has *ffeste*.

## V

[Carta M. comitis Marie sorori sue de natiuis.<sup>1</sup>]

1268/9.

Omnibus Has litteras visuris uel auditoris . M . Comes strath-  
ernie Eternam in domino salutem. Nouerit vniuersitas vestra Nos  
de nobis et heredibus nostris dedisse concessisse et hac presenti  
carta nostra confirmasse domine Marie sorori nostre et heredibus  
suis licenciam et potestatem querendi colligendi et habendi .  
omnes natiuos homines iuste pertinentes ad terras de straty et  
de pronny vbicumque fuerint infra terram nostram inuenti . ad  
abitandum in dictis terris de straty et de pronny inperpetuum et  
ad seruiendum ac respondendum eidem domine . M . et heredibus  
suis cum omnibus bonis et catallis suis et cum sequela illorum  
prout ipsa et heredes suy sibi melius viderint expedire . ffirmiter  
Inhibentes sub nostra plenaria forisfactura ne quis ipsam dominam  
. M . aut heredes suos contra hoc / iniuste perturbare presumat.  
In cuius rey testimonium / sigillum nostrum presentibus fecimus  
apponi . Hiis testibus . dominis / M . auunculo nostro . G . fratre  
nostro . Philippo olifart . Militibus . Magistro . B . officiali dun-  
blanensi . Domino . G . persona de komri . M . de glendohtreht .  
et multis aliis . Datum apud foulis . nono kalendas Marcii . Anno  
gracie . M<sup>o</sup> . CC<sup>o</sup> . lx<sup>o</sup> . octauo.

## VI

[Letter of Bailiary in favour of Laurence lord Oliphant.<sup>2</sup>]

1468/9.

Be it kende till all men be thir present lettres ws George be the  
grace of god Abbot of Inchaweray to be bundin and oblist and be  
thir present lettres ande in the faith in our body lely ande treuly  
bindis and oblis ws til ane ryth honorable lorde laurence lord  
oliphant that quhat tym we the saide georg Abbat beis admittit  
be our Juge ordinaire to the spiritualite ande be our souerane lord  
the king to the temporalite of the said Abbisse within tuenti dais  
nixt eftir the said admisione we sal mak the said lord oliphant  
our full bailze of all landis renttis and possessionis pertenant and  
forto pertene to the said Abbay vndyr our commone Sell with all

<sup>1</sup> From the original, Dupplin, No. 105 (ii). Seal in white wax, nearly entire. See facsimile.

<sup>2</sup> *The Oliphants in Scotland*, 1879, p. 13 (with facsimile). Collated with the original in Gask Charter-chest. The abbot's seal remains entire.

power ande fredoime that may pertene till ony bailze of law or custum within the Realme of scotlande the said lord oliphant optenande the consent of my lord boude and of my lord of Arayn his sone we geffand til him ane compitable fee zerly tharfor sic lik as our predecessouris has geffin till othir bailzeis of befor And the said lord oliphant till Jois and bruk the said bailzery for al the dais of his lyff with power and fredoime as is forsaid And we the said georg abbot neuir to resinge the said Abbisse no wirk ony materis pertening til his bailzery or ony othir thingis belangin the consaill of ane temporale man without consent and assent of the said lord oliphant The quhilk condicione and ponctment in maner and forme befor vritin but fraude gill or reuocacion to kep and fulfill we binde and oblis ws as of befor and in defamace of our persone in the stratest forme and stile of obligacione that can be devisit Na remede of law to be proponit in the contrar beande of fors nor effect In vitnes of the quhilk thinge we haue set to our Sell with our subscripcion manuale At Edinburgh the xxv day of Januare the zer of god j<sup>m</sup> iij<sup>c</sup> lxvij zeris.

Georgius abbas Insulemissarum manu propria.

## VII

1265. [Supplicatio Marie Regine ad Papam pro Jacobo Drummond.<sup>1</sup>]

Beatissime pater Pium ac Deo gratum existimamus si viri probi ac litterarum studijs vigilanter incumbentes ad Dignitates ubi Reipublicæ magis prodesse possint, promoueantur. Quod in ecclesia Christi sponsa istis turbulentissimis temporibus misere afflicta vel maxime necessarium videtur. Nobis autem et si stet irrefragabilis sententia fidem catholicam et Religionem a maioribus nostris sancte institutam et obseruiatam sediti[os]orumque hominum malitia in hoc regno etiam armis pene oppressam propagare, et bonorum industria preseruare velle, pauci tamen, nescimus quo malo in medium prodeunt qui veram Doctrinam aperte profiteri et errores ac bella passim hic Dispersa reprimere studeant: Attamen in tam paruo numero qui prudentia et iuditio magis polleat et rebus afflictis succurrere possit, occurrit Nobilis et potens Dominus Daud Dominus Drummond cuius probitas necnon in seditiosos nostros (non sine magna suarum et suorum rerum iactura) potens et constans Defensio nobis pollicetur quod illius opera his bellis

<sup>1</sup> From a copy on paper, Dupplin, No. 58.

tandem finis Dabitur. christianaque nostra fides in hoc Regno pene collapsa restaurabitur et in pristinum statum reducetur. Cum itaque Alexander Archiepiscopus Athanensis Commende monasterij insule missarum ordinis Diui Augustini Dunblanensis et Dunkeldensis Respectiue Diocesum in fauorem Jacobi Drummond filij Dicti Daudis cedere cupiat, A Sanctitate Tua non solum instanter petimus ut istam cessionem admittere ac Diplomata Desuper necessaria concedere verum ut eadem gratis et citra alicuius ob id pecunie numeracionem (iactura graui bonorum genitoris istius cessionarij in religionis nostre catholice et sedis Apostolice obedientie defensione. Ac fructuum Dicti monasterij tenuitate id exigentibus) Dare Dignetur. Ac vna Ducentarum librarum monete nostre Ioanni gordoun et altera pensiones annue centum librarum monete similis laurentio etiam gordoun super Dicti monasterij fructibus assignentur Iuxta seriem mandatorum que Sanctitati Tue offerentur. Sic certe huic sacerdotio Illiu[s]que commodo vt nunc sunt tempora, quam rectissime consuletur. Nobisque Res admodum grata prestabitur. Cetera quæ huc spectant ex Reuerendissimo cardinali e sermoneta rerum nostrarum promotore latius intelliget Sanctitas Tua Quam Diu incolumem ad christiane Religionis simultates componendas inque pristinum statum Restaurandas conseruet Deus Optimus Maximus. Datum . . .

Sanctitatis Tue Deutissima filia

MARIA R.

### VIII

#### Littera Jacobi drummond.<sup>1</sup>

1265.

Marie be the grace of god Quene of Scottis To the lordis of oure sessione and all and sindrie oure liegis quha is addettit or astrictit To mak payment of ony mailles fermes gressumes annuellis teindis teind schaves caynis multuris fischeingis oblationis or vthiris dewiteis quhatsumeuir vsit and wont tobe payit to the abbay vnderwrittin ony maner of way greting Wit ye ws To haue gevin grantit and disponit and be thir oure lettres gevis grantis and disponis To oure louit clerk James drummond of the diocey of dunblane Induring all the dayis of his lyfytyme The abbay and benefice of oure abbaye of incheffray within the diocey foirsaid with the place yairdis kirkis benefices alsweile personagis

<sup>1</sup> From the original, Dupplin, No. 48. A small fragment of the Privy Seal in red wax remains attached, on a strip of the parchment of the deed.

as vicarages thairof landis mylnis mulcturis fischeingis mailles gressumes entresis caynis dewiteis dew fermes fruitis rentis preventis emolimentis teindis teindscheves muris medois mosis pasturis lesures fre Ische and entre annexis connexis fredomes Jurisdictionis aisiamentis casualiteis and all rychtious pertinentis pertenant or that Justlie may pertene thairto ony maner of way With court plaint herezeld bludewitis amerchiamentis vnlawis of courtis with mercheitis aduocatioun and donatioun of benefices quhilkis wer vsit tobe at the abbottis or commendataris gift of oure said abbay withe all vthiris commoditeis fredomes priuilegis proffittis and dewiteis alsweile nocht nemmit as nemmit Quhilkis pertenit of befoir to the abbottis conuentis and commendataris of the foirsaid abbay in ony tymes past Be Ressoun of dimissioun and resignatioun of the said abbay and benefice maid simpliciter in oure handis Be Alexander bischop of galloway commendatar of the said abbay and benefice with all fredomes commoditeis and vthiris foirsaidis be als valiable and of als greit strenth force and effect To the said James Induring his lyfityme as gif he had bene provydit thairto of auld be oure supplicatioune and bullis apostollik past thairuponne Intimet acceptit be ws and dispensit thairanent in all behalfis anentis habite qualificatioun and all vthiris vsit for the tyme With the quhilkis we for ws and oure successouris alsua dispensis be thir oure lettres With power to the said James his factouris and chalmerlanis in his name during his lyfityme To Intromet with the said abbay place yairdis fruitis rentis emolimentis annexis connexis and vthiris abonewrittin And to Jois bruke and vse all priuilegis and fredomes thairof alsfrelie as ony abbottis or conuentis thairof vsit or mycht haue vsit the samyne of befoir Quharfore We charge straitlie and commandis yow all and sindrie oure liegis quha Is addettit or astrictit To mak payment of ony mailles fermes gressumes annuellis teindis teind scheaves caynis mulcturis fischeingis oblatiounis or vthiris dewiteis quhatsumeuir vsit and wount tobe payit to the sade abbay ony maner of way That ye and ilkane of yow ansuer and obey the said James his factouris and chalmerlanis in his name of the samyne during the space foirsaid · Chargeing siclike yow the saidis lordis of oure sessioun That ye gif and grant to the said James his factouris and chalmerlanis in his name oure vthiris lettres in the foure formes for ansuering and obeying of him and thame anent the premisis And alsua chargeing yow all oure liegis That nane of yow mak ony stop latt or Impediment to him his factouris or



chalmerlanis in his name Induring the space abonewrittin towart the premis Provyding all wayis that gif It salhappin the said James to deceis before the said alexander bischop of galloway and commendatare foirsaid That than and in that caice The said commendatare To haue full regres aud ingres In and to the said abbay fruitis and proffittis thair of als frelie in all soirtis Induring his lyfytyme eftir the said James deceis as gif he had nocht dimittit the samyn in oure handis nor the samyn grantit and provydit to the said James as said Is And that thir oure lettres vnder oure priue seile contenand the premis be sufficient lettres of regres to the samyn als valiabill and of als greit strenth force and effect as he had obtenit lettres of the seat of rome of regres thairto as vse wes for the tyme Gevin vnder oure Priue Seile At Edinburghe The Twenty sext day of Julii the yeir of god M v<sup>c</sup> thre scoir fyve yeiris And of oure Regne the Twenty thre yeir.

Per Signaturam Manu Supreme Domine Nostre Regine  
Subscriptam.

## IX

[Institutio Jacobi Drummond in Abbaciam.<sup>1</sup>]

1265.

In Dei Nomine Amen per hoc presens publicum instrumentum Cunctis pateat Euidenter quod anno incarnationis dominice millesimo quingentesimo Sexagesimo quinto mensis vero augusti die secundo Regnique Supreme Domine Nostre Regine anno vigesimo tertio in mei notarij publicj et testium infrascriptorum presentis personaliter constitutus Jacobus drummond clericus dunblanensis diocesis accessit ad monasterium insule missarum vocatum Et ad capitulum monasterij infra Ecclesiam eiusdem situatum Et Ibidem dictus Jacobus quasdam litteras Reginales sue prouisionis ad abbaciam predicti monasterij per serenissimam et illustrissimam principem Scotorum Reginam in forma solita sigillo priuato dicte principis ut moris est pendente sigillatas et Roboratas sibi super dicta abbacia durante vita Eiusdem prout in eisdem de datis apud Edinburgh vigesimo sexto die mensis Julij anno domini millesimo quingentesimo Sexagesimo quinto latius continetur venerabili Et religioso viro domino andree gerdin prefati monasterij superiori in dicto capitulo in presentia reliquorum canonicorum

<sup>1</sup> From the original, Dupplin, No. 151.

Eiusdem capitulariter congregatorum presentavit exhibuit et intimavit Eundem dominum andream Requirendo quatenus sibi ut indubitato abbati sepredicti monasterij institutionem et possessionem eiusdem cum Juribus fructibus Redditibus prouentibus Emoliamentis terris decimis domibus annexis et connexis quibuscunque Secundum tenorem sue prouisionis Ac locum in capitulo et Stallum in choro traderet Et assignaret Et sibi obedientiam ut abbati legitime prouiso prestaret Et per Reliquos Eiusdem loci canonicos Religiosos prestare faceret / Quiquidem dominus andreas tanquam obedientie filius Intelligens dictam Requisitionem fore iustam et Rationi consonam dictas litteras prouisionis dicti Jacobi ad dictum monasterium factas ad manus recepit Et in capitulo prefato perlegi causauit / quibus perlectis Prefatus dominus andreas Prenominatum Jacobum ut abbatem predictum in abbacia Eiusdem per deliberationem bible Et clauium Ecclesie dicti monasterij instituit Et Eundem in possessionem realem Eiusdem induxit Et imposuit Stallumque in choro locumque in capitulo in signum sui realis possessionis eiusdem monasterij proficuorum quorumcunque Eidem spectantium assignauit Ipseque dictus andreas et Reliqui Eiusdem loci cononici capitulariter congregati prefato Jacobo ut indubitato abbati ad Eandem abbaciam legitime prouiso obedientiam prestiterunt Et in futurum prestari promiserunt Et quandam summam pecuniarum per Jacobum drummond in ochtirardour tenentem dicti monasterij persolutam in signum sui realis possessionis eiusdem deliberauit Et Eundem Jacobum in pacifica possessione prefati monasterij Inuestiuit Et in pace dimisit nullo opponente aut contradicente Super Quibus omnibus Et singulis dictus Jacobus abbas antedictus A me notario publico subscripto petiit instrumenta Acta Erant hec infra capitulum Et in Ecclesia dicti monasterij horam circiter decimam ante meridiem Sub anno mense die Et Regno Supreme Domine Nostre Regine quibus supra Presentibus Ibidem uillelmo drummond de balloch Magistro dauide guthre domino Johanne howme Et georgio drummond feodatarario de balloch testibus ad premissa vocatis atque Requisitis.

Et Ego uero andreas drummond clericus dunblanensis diocesis publicus per dominos consilij notarius admissus quia premissis omnibus Et singulis dum sic ut premittitur agerentur dicerentur Et fierent vnacum prenominatis testibus presens personaliter interfui Eaque omnia Et singula sic fieri Et dici sciuui vidi Et audiui Et in notam

cepi de qua presens publicum instrumentum manu mea propria fideliter scriptum Exinde confeci Et in hanc publicam instrumenti formam redegi Signoque nomine cognomine Et Subscriptione meis solitis Et consuetis signavi in omnium et singulorum premissorum veritatis fidem et testimonium Rogatus Et Requisite.

## X

Litera Davidis Domini Drummond<sup>1</sup>

1265/6.

HENRICUS ET MARIA dei gracia Rex et Regina Scotorum OMNIBUS probis hominibus suis ad quos presentes litere peruenerint salutem SCIATIS nos quasdam assedationis et locationis literas factas datas et concessas pro magnis pecunie Summis et aliis rationabilibus causis in illis specificatis per Reuerendum patrem alexandrum episcopum galwidie seu candidecase commendatarium Monasterii nostri seu abbacie insule missarum vulgo inchecheffray nuncupate et conuentum eiusdem capitulariter congregatos dilectis nostris consanguineo et consanguinee dauidi domino drummond et domine lillie ruthuene sue sponse eorum alteri diutius uiuenti suis assignatis et subtenentibus vnum [*sic*] vel pluribus de tota et integra dicta nostra abbacia monasteriali loco et domin[i]o de Inchecheffray cum domibus hortis edificiis pratis lie mossis moris marresiis aquis piscariis parcis pasturis fructibus terris ecclesiis tam de vicariis quam rectoriis firmis feodifirme firmis redditibus prouentibus et patrimonio quocunque in generali Acetiam in speciali huiusmodi spectantibus Acsi eadem particulariter expressa fuissent fuissent [*sic*] Annualibus redditibus firmis pecunie Summis tam non nominatis quam nominatis heredis aut heredum duplicatione non introitibus firmis feodifirme cum occurrerent in eorum introitu cum proprietatibus et superioritatibus patrimonio eiusdem predicto annexis et connexis pertinentibus seu iuste siue rite quouis modo antiquo rentali dicti loci conformiter pertinere valentibus augmentatione feodifirmarum cum ariagio cariagio deuoriis et debito seruicio vsitato et consueto Caponibus aucis pultreis equinis granis stramine seu pabulo glebis cespitibus lie wedderis herezeldis tenen-

<sup>1</sup> From the original, Dupplin No. 134. A large fragment of the Great Seal remains attached, on a strip of the parchment of the deed. The original tack, with the Abbey seal and signatures of the commendator, prior, and ten canons, is also in the Dupplin Charter-chest (No. 47).

cium seruicis simili modo Et adeo libere Acsi ipsi aut eorum predecessores abbates vel commendatarii prefati abbacie vel ipsorum camerarii ac granatarii gauisi possederunt ve[1] perprius vsi sunt pro omnibus diebus et terminis dictorum nostrorum consanguinei et consanguinee vite tempore pro annua solutione certarum firmarum et deuoriarum prelibatis commendatariis et conuentui atque aliorum annuorum et pensionum in dictis locatione et assedatione sub communi sigillo prescripti monasterii subscriptionibusque manualibus commendatarii et conuentus eiusdem antedictorum specificatarum et contentarum

BE IT KEND till all men be thir present lettres ws alexander be the mercy of god archibishop of athenis postulat of galloway commendatar of the abbay of Inchecheffray and conuent thairof cheptourlie gadderit for the valite and proffet of ws our successouris and oure said place of inchecheffray befor sene and considderit and mature deliberatioun had thair vponn for reparatioun and vphalding of the samin and patrimonie thairof for vplifting of the fructis males firmes rentis prouentis and vthairis dewiteis fra oure tennentis and parrochinaris of all and sindrie oure landis and kirkis liand within the schiredome of perth and Stewartrie of stratherne and within the barony of maderdy and lordschip of cardnye respectiue ffra quham in thir rebellious dayis throw laik of iustice and persecutioun of the spiritualitie and spoilzeing of thair landis and fructis the samin culd nocht be obtenit And vnto that tyme that the eternale of his prouidence reduce iustice heirintill and the samin ministrat to his afflictit now arraybit in diuersse partis It is thocht expedient be ws for the caus aboune and vndir specifit oure said place and patrimonie be sett in tak and assedatioun and that for gret Sowmes of money payit and deliuerit to ws at the making of thir presentis in oure necessite be ane nobill and mychtie lord dauid lord drummond and dam lilius ruthuen his spous in numeret money realie and with effect and conuertit be ws and exponit to the creditouris of oure said place in quhais dett we and oure patrimonie wer emergit and involuit and for vthairis causis moving ws And for payment of the zeirliche rent vnderwrittin To haue sett in assedatioun and be thir presentis settis and for the zeirliche rent vndir specifeit in assedatioun lattis to the said nobill and mychtie lord dauid lord drummond and dame lilius ruthuene his spous the langar lewar of thane and thair assignais and subtennentis ane or ma all and hale oure said abbay monasterie place and lordschipe of inchecheffray with housis zardis biggingis medowis mossis

mvr̄is myris watteris fischeingis perkis pasturagis fructis landis kirkis alsweill of vicareageis as parsonages few males fermis rentis prouentis and patrimonie quhatsumeir in generale and in speciale belanging thairto as the samin wer perticularle expressit annualis zeirle males Sowmes of money alsweill vnnemmit as nemmit non enteres of air or airis duplicatioun of few males quhen thai occur in thair entres with propertie and superioriteis of the patrimonie foirsaidis annexis and connexis pertening or that rychteouslie may pertene ony maner of way conforme to the auld rentale of oure place augmentatioun of fewis with areage careage dewiteis and vthair dew fermes vsit and wount Caponis geis pultrie hors corne stray peitis turris wedderis herezeldis seruice of tennent and tennentis siclike and als fre as we or ony vtheris oure predecessouris abbotis or commendataris of the said abbay or ouris or thairis granitaris or chalmirlanis in ouris or thairis Names Josit brukit or intronettit with befor ffor all the dayis space zeiris and termes of the said lord and ladeis lyftimes eftir thair entres thairto Quhilk entres wes and began to oure said place and monasterie of inchechaffray and patrimonie aboun writtin at the last feist and terme of lammes in the zeir of god j<sup>m</sup> v<sup>c</sup>

zeiris and sua furth to indure for all the zeiris and dais of thair lyftimes as said is And with all and sindrie proffettis commoditeis and richtuous pertinentis abounwrittin With power to gar set and affirme courte or courtis for obtempering of the samin bailzeis and vthairis menbris thairof to cheis creat and gar be suorne and vndir thame tobe substitute vnlawis and eschetis of court to intronettit with to thair vtilite and proffet And generalie all and sindry vtheris thingis to do exerce hant and vse concernyng the premissis during the said space foirsaid in Josing of our said place vplifting of the patrimonie pertenyng thairto astrictit dewiteis and dew seruice foirsaidis and conuersioun of the fructis prouentis and emolumentis and richtuous pertinentis to thair peculiar vsis in all behalfis as we mycht haue conuertit vsit or disponit thairuppon afor the making of thir presentis Providing that the specialite heirin expremitt mak nocht dirogatioun to the generalitie nort zit the generalitie to the specialite but that ather of thame supplie vthairis Quhilkis Intronissiou intresis of airis and acquittances of ressait during the zeiris abounwrittin Swa tobe gevin and grantit be the saidis lord and lady the langar levand of thame tua Induryng thair lyftymes WE FOR WS and oure successouris Ratefeis and appreis tobe als sufficient and of als grite force and effect as the

samin wer gevin be ws or thame Than as now and now as than Oblissing ws neur to contravene na point thairof nor to mak Impediment thairintill be ws or oure successouris nor nane vtheris in oure Names to call or persew eftirwart the tennentis or par-rochinaris for the samin during the tyme aboun specifeit and to that effect hes deponit o[u]r bodely athis PAYAND heirfor zeirlie the said dauid lord drummond and dame lilias his spous the langar levand of thame Induring thair lyftimes To ws and oure succes-souris procuratouris or factouris having sufficient power thairto The Sowme of Nyne hundrethe markis vsuall money of scotland at tua vsuale termes in the zeir witsunday and martimes in winter be equale portiones allanerlie As to the conuent of the said abbay and ilkane of thame present thairin The said nobill lord and lady sall nocht be haldin to pay thame thair hail portionis nor na mair nor salbe diuisit be the congregacione conforme to the commoun ordoure of the realme considdering the rentis of the said abbay be the rentis of vtheris abbayis and the said conuentis portionis or zeirlie pensioun tobe modefeit conforme thairto And zeirlie to thir personis vndir writtin the Sowmes of money vnder specifeit and victualis conforme to thair lettres of pensionarie giftis and assignationis maid to thame thairuponn Viz/ to dene patrik murray forty poundis and forty markis To schir Johnne moir the vicarage of monyvard or ellis twenty markis To hary drummond twenty land markis To alexander scot twenty markis and for the wedset land twenty sex pundis threttene schillingis iiii d To william murray thre chalderis wictuale for wedset To the pair tua chalderis meill As at mair lenth is contenit in thair lettres allanerlie AND WE FORSUTH the said commendatar and conuent and oure successouris bindis and oblissis ws be the faith and treuthe in oure bodeis lelelie and treulie to warand acquiet and peciabile defend this oure present tak and assedatioun of the putentis [contentis?] within writtin and outwith To the said nobill lord dauid lord drummond and dame lilias ruthuen his spouse the langar levand of thame Induring all the dais of thair lyftimes but stop pley contradictioun agane calling or Impediment and but fraude or gile nochtwithstanding ony constitutioun or law ciuile or cannoun or municipall that may be allegeit or inferit in the contrar of thir presentis with the quhilkis we dispens And oblissis ws and oure successouris to ratefie and appreve thir presentis as oft as we be requirit and to renew the samin to the effect forsaid gife neid beis And sall nocht consent nor do ony thing eftirwart in preiudice

of this oure assedatioun during the tyme abounwritin and sall warrand the samin of all texationis of king or quene gife ony salbe vpliftit thairof And gyf ony beis vpliftit the samin tobe tane and allowit in the zeirlye rent furthcumand to ws and oure succes-souris IN WITNES heirof to thir oure present lettres of assedatioun Subscriuit with oure handis The commoun seill of the cheptoure of oure said abbay is appendit AT Inchecheffray the Sevint day of Nouember The zeir of god Ane thousand fyve hundreth thre scoir zeiris QUASQUIDEM literas locationem et assedationem in eisdem contentas etc. approbamus Ratificamus ac pro nobis et succes-soribus nostris perpetuo confirmamus INSUPER volumus et concedi-mus ac pro nobis et successoribus nostris decernimus et ordinamus quod hec presens confirmatio ratificatio et approbatio vnacum principali assedatione super qua hee presentes conceduntur Jam sunt et in omnibus affuturis temporibus durante spacio prescripto erunt tam grandis vigoris fortitudinis et effectus prenominatis dauidi domino drummond et liulie ruthuene domine drummond sue sponse eorum diucius viuenti suis assignatis et subtenentibus supradictis Ac si dicta assedatio concessa facta et data fuisset ac confirmatio desuper accessa seu expedita in romana curia per ordinem extunc obseruatum seu alias per nos per nostras leteras sub nostro magno sigillo in maiori largiori forma fuisset ante quecunque acta statuta leges ordinantias aut ordinem quemcunque facta seu factas in contrarium penes que acta statuta ordinantias leges consuetudines et ordinem quemcunque factum seu faciendum in contrarium huiusmodi omnesque penas et defectus in eisdem contentas Nos pro nobis et successoribus nostris pro perpetuo per presentes dispensamus Ad effectum quod prelibati dominus et domina sui assignati et subtenentes prefatis monasterio loco terris omnibusque in predicta assedatione huic conformiter toto spacio in eadem contento durante possedere et gaudere valeant absque reuocatione per nos in contrarium eiusdem facienda quacunque Et casu quo illa reuocatio postea fieri contigerit de ullis feodi-firmis assedationibus aliis ve Juribus terrarum ecclesiasticarum vel beneficiorum verbo regio promittimus per presentes quod hec presens assedatio nec confirmatio desuper secuta sub dicta reuoca-tione nullatenus comprehendatur neque nullum preiudicium nec dirogationem huiusmodi faciet Ad hunc quoque effectum ordinamus et oneramus dominos nostri consilii et sessionis per presentes quatenus literas in quatuor formis Ad causandum Memoratos dominum et dominam eorum assignatos et subtenentes supra-

## 170 CHARTERS OF THE ABBEY OF INCHAFFRAY

scriptos in omnibus in predicta assedatione specificatis spacio durante in eadem contento eedem conformiter atque huic nostri confirmationi desuper concessa in maxima ampliori et acutiori forma responderi concedant et donent IN CUIUS REI testimonium presentibus magnum sigillum nostrum apponi fecimus Apud Edinburghe vicesimo quarto die mensis februarij Anno domini Millesimo quingentesimo Sexagesimo quinto Annis regnorum nostrorum primo et vicesimo quarto.

### XI

c. 1609. [Extract from the King's Signature of the erection of Inchaffray into a temporal Lordship.<sup>1</sup>]

Ordaneis ane chartour to be maid vnder his hienes greatt seill in the maire forme · Gevand grantand and disponeand To the said Johne Drommond (eldest lauchfull sone and apperand air to James now lord of Madertie), and his airis maill quhatsumevir. . . . The landis of Williamestoun and landis thair of callit Sanctanislandis Sanctanis mos alias Abbotis mos, The landis of Soutartoun and Welcroft thair of, The landis of Wester Dubheid Middill Dubheid with the Southsyd, The landis of Over Dubheid and Eistir Dubheid, The landis of Dischakeris Sklaiterland and Cunyngfauld Eisterlie Selleris midow Mitchelcroft and Brumefauld Welcroft thaire Newra Reidfuird Arbaneis and the landis callit the meidow of Arbaneis and croft thair of callit the Abbayis croft and the landis callit the Westhill, The landis of Balmaclone with the mure and Ileark thair of The landis of Ardunie with the Garvockis, the landis of Burnehaid, Breulandis alias Burnefit, the landis of Westir Craig, Eistir Craig and Breulandis thair of, the landis of Wodend, wod and wodland callit Inschiviot, the landis callit the Blair, the landis of Thorniehill alias Wallacecland, Womanhill and Kirkland thair of Tulliechandich with the mos and meidowis thair of The landis of Raith the mylne of Dumfalleis mylnlandis astricteit multures and

<sup>1</sup> From the original, Dupplin, No. 153 (iv). Superscribed by the king, but undated and evidently unexecuted. The list of Inchaffray possessions is probably complete, excepting those in Uist, which perhaps were parted with before the Reformation. See *Origines Parochiales*, vol. ii. p. 374. In this document the place-names are all printed with initial capitals for convenience of reference.



sequellis thairof, with the pertinentis of the same, The landis of  
 Mekven alias Breulandis, the landis of Nathir Cairnie with the  
 mansioun maner place orcheardis yairdis mylne mynlandis mul-  
 tureis fischeingis and pertinentis thairof The landis of Meikle  
 Cairnie the mos and wodland thairof and Chapell of the Mure, the  
 landis of Dalharrochie the landis of Kincedie teindis thairof In-  
 cludit Rahallo Incheneth Calsayend and Wardanes croft Abbotis  
 croftis in Gorthie the landis of Donydowis Muckcroft the landis  
 of Bowtoun in Kilbryd together with the hail yairdis and orchardis  
 of the said abbacie of Incheffray and medowis thairof wiz. Eistir  
 and Westir Cammageis meidoweis the Langmedow the tua Insche-  
 naillis and Pryouris meidow the waird hay grein and mos callit the  
 Westmos with the hail Maynis of the said abbay the Wolcroft  
 Gedstankis, the maltbarne thairof the croft callit the Maltercroft  
 with the mylne and myndam of Incheffray lyand besyd the Maynis  
 and astrictit multuris of the same the kill and hail housis yeardis  
 and grenis lyand besyd the same the landis callit the Threiphill  
 of Auchterardour with the pertinentis, the landis of the paroche  
 kirkis of Tullischatill and Strowand, the landis callit Dewaris landis  
 Ballandewaris the kirkland of the paroche kirk of Monyvaird the  
 yaird in Dumblane pertening to the said abbacie the kirklandis  
 of the kirkis of Madertie Foullis, Kinkell, Auchterardour, Trinitie  
 Gask Abruthvene Donyng, Kilbryd Killen and Straphillen, All  
 lyand within the schirefdome of Perth, the kirklandis of Balfran  
 lyand within the schirefdome of Striuiling All and hail the landis  
 of Auchincloiche in Lorne with the pertinentis the kirklandis of  
 the paroche kirkis of Incheschaw and Kilmorich lyand within the  
 schirefdome of Argyll Exceptand always the mansis and gleibis  
 of the hail foirsaidis kirklandis To the ministeris present and to  
 cum serveing the cuir of the saidis kirkis Conforme to the act of  
 Parliament maid thairanent And siclyk all and sindrie the annuel-  
 rentis vnderwritin, . . . To witt ane annuelrent of ane chalder ait  
 meill furth of the landis and baronie of Machanie, Ane annuelrent  
 of ten merkis money of Scotland furth of the landis of Pitcairnis  
 Ane annuelrent of ten schillingis furth of the landis of Carnebo,  
 Ane annuelrent of four pundis furth of the landis and baronie of  
 Abireairny Ane annuelrent of fourtie schillingis furth of the landis  
 of Keltie ane annuelrent of fourtie schillingis furth of the landis of  
 Ane annuelrent of schillingis furth of the landis of  
 Porterland, Ane annuelrent of ten schillingis furth of the landis of  
 Kinglassieland, ane Annuelrent of threttie schillingis furth of ane

tenement of land lyand within the burgh of Perth in the Hiegait and vpone the north syd thairof sumtyme occupyet be

And ane annuelrent of fyve schillingis furth of ane hous and croft in Auchterardour With all and sindrie annexis . . . quhilkis pertenit of befoir to the said abbacie of Incheffray as ane pairt of the temporalitie patrimonie and propertie thairof And ar now fallin and becum in his maiesties handis and at his hienes gift and dispositioun be resson of the foirsaid act of annexatioun of the haill kirklandis of this realme to the croun, And now ar dissoluit fra the said act of annexatioun be wertew of the said act of dissolutioun maid in his hienes parliament thairanent . . . and siclyke . . . the monasterie and abbay place of Incheffray with the haill housis biggingis yairdis orcheardis dowcattis and wtheris lyand within the precinct of the said abbay and all thair pertinentis with the haill woll lambis and cheis of the wiccarage of the paroche kirk of Strageyth pertening to the said abbacie as ane pairt of the patrimonie thairof Together with the advocatioun donatioun and richt of patronage of the paroche kirkis wnderwrittin personages and wiccaragis theirow of auld vnit and annexit to the said abbacie wiz. The paroche kirkis of Madertie Foullis Kinkell Abruthvene Donyng Auchterardour Trinitiegask Monyvaird Strowan, Tulliechatell Killen Straphillene and Kilbryd lyand within the schirefdome of Perth, Off the kirkis of Incheschall and Kilmorich lyand within the schirefdome of Argyll, And of the kirk of Balfrane lyand within the schirefdome of Striuiling, Quhilkis pertenit of befoir to the said James commendatere of the abbay of Incheffray and convent thairof And wer be thame Resignit in the handis of our said souerane lord . . . . .

[With a clause of Novodamus]

And forder our said souerane lord . . erectis all and sindrie the foirnamit . . In ane haill frie and temporall Lordschip and baronie to be callit now and in all tym cuming the barony and lordschip of Madertie Givand grantand and committand to the said Johne Drommond and his airis maill foirsaidis the tytill honour ordour and estait of ane frie baronie and lord of Parliament within his hienes dominions And that the said lordschip be honorit with lordschip and armes as effeiris . . . . .  
Gevand thairfoir yeirlie the service of ane frie lord and barone In his hienes Parliament Together with the sowme of vsuall money of Scotland yeirlie at the feist of Witsonday in name of blenche ferme allanerlie. Provyding alwayis that thir presentis

sall nawayis be preiudiciall to the said James Lord of Madertie for bruiking of the said benefice of Incheaffray . . . alsweill temporalitie as spiritualitie during all the dayis of his lyfytyme.<sup>1</sup>

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<sup>1</sup> There is a docquet as follows :—This signatour conteyneth a grant maid be your maiestie to Johne Drummound eldest sone and appeirand heire to the lord Madertye of the heretabill erectioun of the Abbacye of Incheaffray Spiritualitye and temporalitie of the said prelacye in ane lordship with plaice and voice in parliament with a reservatioun alwayes to James lord Madertye his father dureing lyife to brwik and possesse the same / The samine signatour conteyning no regalitye bot otherwayes drawin vp in the ordinary and accustomed forme of other erectionis.—ALEXR. HAY.



## ABSTRACTS OF THE FOREGOING CHARTERS, BULLS, ETC.

### I

[Symon, bishop of Dunblane, grants the church of St. John of Inchaffray to Isaac and his successors.<sup>1</sup>]

Symon, bishop of Strathern, makes known to 'all the parsons, priests, clerks and laymen of his bishopric' that he has granted and confirmed 'to this Isaac and all his successors' the church of St. John the Evangelist, of Inchaffray, with all pertinents acquired or to be acquired. He also grants the right of sepulture at Inchaffray to all who desire it, the dues of their own [parish] church having been paid. Any one who after three warnings continues to oppose the purport of this writ shall be subject to excommunication. A blessing is invoked on those who accept it. Witnesses . . . [c. 1190.]

### II

[Earl Gilbert grants to the brethren of Inchaffray a croft of three acres.]

Gilbert, earl of Strathern, makes known that he has given to God, St. John of the Isle of Masses, and the brethren serving God there, three acres of land near the water-trench (*stagnum*) which comes from the said Isle, at Fowlis, free of all secular service. Witnesses . . . [c. 1195.]

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<sup>1</sup> The headings of the charters do not always follow the Latin headings. They are intended to indicate briefly the purport of the several charters, which the rubrics often fail to do.

## III

[Earl Gilbert grants to the brethren of Inchaffray the church of Abruthven.]

Earl Gilbert makes known that he has given to the brethren serving God and St. John at the Isle of Masses in Fowlis, the church of St. Cathan of Abruthven, for the weal of his soul and the souls of his wife and his ancestors, together with all the tithes, oblations, and obventions of all kinds, and with the land which his father, Ferteth, and his mother, Ethen, gave to the said church in dowery, with common pasture and all other easements. To be held in frankalmoign. Witnesses . . . [c. 1198.]

## IV

[Earl Gilbert grants to Inchaffray the church of Madderty.]

Earl Gilbert makes known to all his friends and his men that he has given to God and the church of St. John the Evangelist in Inchaffray, and to those serving and to serve the same church, the church of Madderty with all its just pertinents, for the weal of the souls of himself, his wife, his ancestors, and his children, to be held in pure and perpetual alms. Witnesses . . . [c. 1199.]

## V

[Earl Gilbert grants to Inchaffray a tithe of his cains.]

Earl Gilbert makes known that he has given to God and the church of St. John the Evangelist in Inchaffray and to the 'servitors' of the same church a tithe of his cains in wheat, meal, malt, and cheese, and in other things which pertain to provisions, and a tithe of all the fish brought to his court; for the weal of the soul, etc. Witnesses . . . [c. 1199.]

## VI

[King William's confirmation of the earl's gift of the church of Abruthven.]

W., king of Scots, makes known that he confirms to God and to the church of St. John, Apostle and Evangelist, of Inchaffray in Fowlis, and to the brethren there serving God, the church of

St. Cathan of Abruthven in Strathern, which Earl Gilbert gave to the same place. To be held in frankalmoign with all its liberties and just pertinents. Witnesses . . . At Scone, 5 Sept. [1199 or 1200].

VII

[Grant of the Abthen of Madderty by John, the First, bishop of Dunkeld.]

John, bishop of Dunkeld, makes known that he gives, on the petition of Gilbert, earl of Strathern, and Malise, his brother, to God and the church of St. John of Inchaffray and the brethren there serving and to serve God, his land in Madderty, which land is called Abthen, for the redemption of the souls of himself and his ancestors and of Earl Gilbert and his ancestors. To be held by the brethren and their successors in free and pure alms. *Reddendo* to the bishop and his successors, one mark yearly, half at Whitsunday and half at Martinmas. The land was to be held free of all exaction, custom, and secular service pertaining to the bishop, in wood and plain, meadows and pastures, waters and mills, and all other easements, as freely as any land in his bishopric saving only the aforesaid pension. Witnesses . . . [c. 1199.]

VIII

[Bull of Innocent III. in favour of J. hermit and the brethren of St. John of Strathern.]

Innocent, bishop, servant of the servants of God, in response to the petitions of J. hermit, and the brethren of St. John of Strathern, takes under the protection of St. Peter and himself, their persons and property of all kinds, especially the possessions granted to their house by Gilbert, earl of Strathern, in alms. 'To no man therefore is it lawful to infringe this writ of our protection and confirmation, etc.' 'Given at the Lateran ij. Non. Dec. in the third year of our pontificate' [4 Dec. 1200].

IX

[The Great Charter of Earl Gilbert, founding the monastery of Austin Canons.]

'In the name of our Lord Jesus Christ, who is co-equal and co-eternal with God the Father and the Holy Spirit. I, Gilbert,

son of Ferthead, by the favour of God, earl of Strathern, and I, Matildis, daughter of William of Aubigny, countess, at the inspiration of God, desiring to exalt the church of God in our fee and patrimony, and for the worship of God to plant in the same place nurseries of holy religion,' with the assent of 'our bishops John of Dunkeld, and Jonathan of Dunblane, and the concurrence of our knights and thanes' give, grant and deliver to our Lord Jesus Christ and blessed Mary, his Mother, and to St. John the Apostle, Inchaffray, which in Latin is called 'Insula Missarum,' free and quit of all exaction, service, custom, and secular subjection . . . and it, with all the possessions which the divine bounty has conferred on it or will confer by ourselves or by others of the faithful, 'we commit to the custody and administration of Sir Malise, presbyter and hermit, on whose discretion and piety we entirely rely.' Malise is to have freedom to associate with him whomsoever he wills, and to instruct them, as he thinks fit, in the service of God according to the rule of St. Augustine. After the decease of Malise the head was with the assent of the earl to be chosen only by the concordant election of the brethren; and neither any bishop nor any of the earl's heirs was to presume to intrude any one into the office contrary to the will of the brethren. 'For we hold the place in such affection that we have chosen in it a place of burial for ourselves and our successors, and have already buried there our first-born son. To God, therefore, and St. Mary, ever Virgin, and St. John the Apostle, guardian (*procuratori*) of the same, and to the aforesaid Malise and all serving and to serve God in the aforesaid Isle' the earl grants and confirms by the present writ with the impression of his seal, the churches of St. Cathan of Abruthven, St. Ethernan of Madderty, St. Patrick of Strogeith, St. Makkessog of Auchterarder, and St. Bean of Kinkell. Likewise a tithe of all the earl's cains and rents, in wheat, meal, malt, and cheese, and of all foods which were yearly used in his court, and a tithe of all the fish which was brought to his kitchen; a tithe of all venison, and a tithe of all the profits which came from his courts, and from other obventions of every kind. Also leave to fish wherever they liked in the Pow Water (*Pefferin*); and leave to take from his woods, where it was most convenient to them, timber for the construction of their buildings, for their utensils, and for their fires. Likewise the three acres of land nearest to Inchaffray towards the north, which he gave at the dedication of the chapel thereof. All these things with their



pertinents were to be held by Malise and those serving or to serve God with him, or after him, in the said Isle, of the earl and his heirs in pure and perpetual alms, and in the peace of God, the king, and the earl, for the weal of himself, his children, and all his friends, and for the souls of all his ancestors, 'and especially for the soul of Gillecrisp, our first-born, who rests there.' He strictly prohibits, under threat of his full forfeiture, any of his people causing trouble or injury to that place, or its ministers, or even to those who fled to it for peace. And whoever of our friends and faithful men charitably grants anything of his resources to the same place, may the Lord grant to him good things in the land of the living. This confirmation was made in the year from the Incarnation of our Lord 1200; Indiction 3; in the thirty-fifth year of the reign of King William; in the second year from the decease of our aforementioned son, Gillecrisp.<sup>1</sup> Witnesses . . .

## X

[Jonathan, bishop of Dunblane, confirms all the grants of Earl Gilbert's Great Charter, so far as his diocese is concerned.]

Jonathan, bishop of Dunblane, after expressing his joy at the piety of earl Gilbert and Matildis the countess, as shown in founding the monastery, makes known that he confirms to Inchaffray and its inhabitants, dwelling there in the service of God, all its possessions, immunities, and goods of all kinds, whether in churches, or tithes, or farms, or obventions. He declares that the place called in the Scottish tongue Inchaffray is assigned for ever to the exercise of religion according to the rule of St. Augustine. He then specifies by name the four churches, the tithe of cains and rents, etc., 'as the charter of the earl made thereanent testifies.' He adds the right of sepulture, saving the rights of the parish churches of the persons desiring to be buried at the monastery. He prohibits all interference with the possessions of the monastery, 'saving in all things the canonical dues of us and our successors.' He threatens with excommunication those who at the suggestion of the devil act contrary to the purport of his

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<sup>1</sup> He died on iij Non. [5th] October.

charter; and he invokes a blessing on those who preserve the rights of the place. Witnesses . . . [c. 1200.]

## XI

[Earl Gilbert grants certain lands to Inchaffray and the canons there serving God.]

Earl Gilbert makes known that for the weal of the souls of himself, his wife, the countess Matildis, his father, his mother, and his heirs, he has given to the church of St. John the Evangelist, and the canons there serving and to serve, the whole land of Ardeeweni, the whole land of Achadlongsih, the whole land of Dufinder, and the whole of that land of Madderty, which was of old called the Abbacy, by their right marches, and with all their just pertinents. To be held in free, pure, and perpetual alms, in wood and plain, lands and waters, meadows and pastures, moors and marshes, peat-mosses and fish-pools, stanks and mills, with all other just pertinents and other easements, free of every aid and service, custom and secular exaction, as freely as any alms in the kingdom of Scotland is held of any earl. Witnesses . . . [c. 1200.]

## XII

[Another charter of the same grants with the same witnesses, but with many variants in the spelling of the proper names.]

## XIII

[Earl Gilbert's grant of the church of Abruthven to the canons.]

Earl Gilbert makes known that he has given to God, St. Mary, St. John of Inchaffray, and the canons of the same place, and their successors, for the love of God, and the weal of the souls of himself, his wife, his ancestors and heirs, the church of St. Kathan of Abruthven, with all its just pertinents, in tithes and oblations and obventions of all kinds, with the land, by its right marches, which his father, Ferteth, and his mother, Ethen, gave to the same church in dowery, with common pasture and other easements, to be held of him and his heirs in pure and perpetual

alms, as freely as any church in the whole realm of Scotland.  
Witnesses . . . [c. 1200.]

XIV

[Earl Gilbert's grant to the canons of the church of  
Madderty.]

Earl Gilbert makes known that he has granted to God, St. Mary, St. John the Apostle of Inchaffray, and the canons of the same place, and their successors, for the love of God and the weal [etc., as in last charter] the church of St. Ethernan of Madderty, with all its just pertinents in tithes, oblations, and obventions of all kinds, with the land pertaining to the same church, and with common pasture and other easements, to be held of him and his heirs for ever, as freely as any religious in the whole realm of Scotland hold any church. Witnesses . . . [c. 1200.]

XV

[Earl Gilbert's grant to the canons of the church of Kynkell.]

Earl Gilbert makes known [in the same language as that employed in No. xiv.] that he has granted the church of St. Bean of Kynkell. Witnesses . . . [c. 1200.]

XVI

[Earl Gilbert's grants to the canons of the tithe of his cains, etc., liberty to fish in his waters, and to take timber from his woods.]

Earl Gilbert makes known that he has granted to Inchaffray and the canons, for himself and his heirs, in pure and perpetual alms, a tithe of all his cains, in wheat, meal, malt, cheese, flesh, beasts, and of all his hunting, and of fowl and fish, and all things used as food and drink. 'Also victuals for their servant, whomsoever they shall place in our court for demanding and receiving on their behalf our aforesaid tithes, as fully and honourably as for one of our own servants. Also leave to fish in the Pow Water (*Peferin*) and in our other waters, where and when they wish. Also timber for the building of the construction of their buildings, and pannage and bark, and wood for fuel to be taken in our woods, where it seems to them most convenient, and as much as

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is needful for them.' All the above to be possessed by them as freely as any religious in the whole realm of Scotland hold any alms. 'This gift was made in the year from the Incarnation of our Lord 1200.' Witnesses . . .

### XVII

[Earl Gilbert grants to the canons leave for fishing and fowling. He grants second tithes as recounted in No. xvi. : also the right of cutting timber, and of pannage. He also promises that he and his heirs will not convey any land or let it for rent without securing the rights of Inchaffray.]

Earl Gilbert makes known that he has granted to Inchaffray, in pure and perpetual alms, for himself and his heirs, a tithe of all his rents (*firmarum*) and cains [as in No. xvi.]; and victuals for the canons' servant [as in No. xvi.]; also liberty for fishing and fowling through all his lands, waters, and lakes; also he grants from his woods timber for their buildings and all other uses; and pannage and bark, and fuel. He also grants to the canons that neither he nor his heirs will in future make any grant of land, or let land for rent, without securing to the canons from such lands all the rights which were due to them while such lands were in the immediate possession (*dominio*) of the earl. Wherefore if any one exhibits against them any charter with the purpose of maintaining that the canons ought not to claim or exact their right, the earl testifies that such charter is to be annulled. This grant was made in the year of grace, 1200. Witnesses . . .

### XVIII

[King William confirms the grants of the churches of Madderty, Kinkell, and Auchterarder.]

W., by the grace of God, king of Scots, makes known that he confirms to God and the church of St. John the Evangelist of Inchaffray and the religious there serving and to serve God, the gift which Gilbert, earl of Strathern, made to them of the church of Madderty, the church of St. Bean of Kinkell, and the church of St. Makessoch of Auchterarder, all with their just pertinents. To be held in free, pure, and perpetual alms as the charter of

Earl Gilbert testifies. Witnesses . . . At Stirling, 13th day of August [c. 1201].

XIX

[Earl Gilbert grants a place for a mill on the Pow Water.]

Earl Gilbert makes known that he has given to Inchaffray and the canons, a place for a mill on the Pow Water in the land of Balmakgillon, with toft, stank, and other easements pertaining to the mill, to be held of him and his heirs in pure and perpetual alms, save the suit (*secta*) of his men, who ought to resort to his mills. Witnesses . . . [1201-3.]

XX

[King William's confirmation of the lands granted by Earl Gilbert.]

W., by the grace of God, king of Scots, makes known that he confirms to God, St. John of Inchaffray, and the canons there serving and to serve, that gift which Earl Gilbert of Strathern made of the whole land of Ardehewni . . . Archadlongsih . . . Dufhinder . . . and of that land of Madderty which of old was called Abthen, by their right marches and with all their just pertinents, as freely . . . as the charter of Earl Gilbert justly testifies, 'yet so that the said earl and his heirs will perform the whole service due to me and my heirs from the remainder of Madderty.' Witnesses . . . At Stirling the fifth day of April [1201 or 1202].

XXI

[Bull of Innocent III. taking the monastery of St. John of Inchaffray under his protection, and confirming to it its possessions.]

'Innocent, bishop, servant of the servants of God, to his beloved sons, the Prior and canons of the monastery of St. John, Apostle and Evangelist, of Inchaffray.' He assents to their petitions, and takes the monastery under the protection of St. Peter and himself. Their possessions and goods of all kinds which the monastery at that time justly and canonically possessed or might

afterwards acquire by the grants of bishops, the bounty of kings or princes, or by the offerings of the faithful, or in any other just way, were to remain inviolably theirs. He then particularises: (1) the place in which the monastery was situated; (2) the churches of St. Katan of Abruthven, St. Ethernan of Madderty, St. Patrick of Strugeith, St. Makessoc of Auchterarder, the church of Dunning, the church of St. Bean of Kinkell, with all their pertinents, and as granted by Gilbert, Earl of Strathearn, the right of patronage of the aforesaid churches; (3) the mill on the Pow Water at Ballemacgillon; (4) a tithe of the earl's cains and rents in wheat, etc. [as in the great charter No. ix.]; (5) a tithe of the produce of his hunting, and of all the gains which are known to come from his courts and from other things; (6) leave to fish wherever they will in the Pow Water; (7) of the gift of the same, from his woods, timber, pannage, bark, and fuel; (8) the three acres of land nearest to the isle towards the north, which he granted at the building of the church; (9) the whole land of Ardeugani, the whole land of Achatlongsi, the whole land of Duunder, the whole land of Madderty, which was of old called Abthen, with all their pertinents, in wood and plain, etc., as in his [the earl's] originals (*autenticis*) is more fully contained'; (10) of the gift of the late Orable, mother of Seher de Quincy, eight acres of land in the territory of Gask; (11) the liberties, ancient immunities, and reasonable customs granted to their church, and hitherto observed, the Pope holds as ratified, and sanctions their remaining unimpaired for all time; (12) it is declared lawful for them to receive and retain without contradiction clerks, and laymen who are freemen, when fleeing from the world to join the monastery (*ad conversionem*); (13) he prohibits any brother after having made his profession leaving the place without the leave of the prior, and no one may presume to retain such without the common letters of the monastery; (14) when there is a general interdict of the land it shall be lawful for them to celebrate divine service in a low voice, with closed doors and silent bells, excommunicated persons having been previously excluded; (15) 'Moreover, by the authority of the present writ we prohibit any one promulgating sentence of excommunication or interdict against you or your church without manifest and reasonable cause. In testimony of having obtained this protection from the Apostolic See, ye shall pay one bezant yearly, offered to us and our successors *gratis*.'

[The bull closes with the usual formula, 'We decree therefore,' etc.]

'Given at Ferentino ij. kal. Julii (30 June) in the sixth year of our pontificate (A.D. 1203).'

XXII

[Confirmation by King William of Earl Gilbert's gift of the church of Dunning and of the church of St. Serf of Monivaïrd.]

W., by the grace of God, king of Scots, makes known that he has granted and by this charter confirmed, to the church of St. John of Inchaffray and the canons there serving and to serve, that gift which Earl Gilbert made them of the church of Dunning and the church of St. Serf of Monivaïrd in free, pure and perpetual alms. Witnesses . . . At Haddington, 24 April [1203 or 1204].

XXIII

[Confirmation by Richard I., bishop of Dunkeld, of the Abthen of Madderty.]

Richard, by the grace of God, bishop of Dunkeld, confirms the grant made by his predecessor John (No VII.) Witnesses . . . [1203-10.]

XXIV

[Confirmation by King William of certain lands.]

W., king of Scots, makes known that he has confirmed to the canons of Inchaffray earl Gilbert's gift of Ahchelunche, Ardweni, Duffindir, Ardbanine, and Baleful, in free, pure, and perpetual alms, as the earl's charter testifies. Witness . . . At Stirling, 19 July [1204-6].

XXV

[Earl Gilbert grants the chattels of executed criminals to the monastery.]

Earl Gilbert makes known that he has given, for the love of God, and the weal, etc. to the canons of Inchaffray the following

‘liberty,’ that if any of their men, from the lands which he has given them in pure alms, be indicted in his court for theft, or any other crime which pertains to his court, and if he shall be condemned, his body shall be left to the earl and his heirs, ‘so as to preserve the rights of our court’; but all his chattels shall belong to the canons. The whole of pecuniary fines of his court, inflicted on their men, shall go to the canons. Witnesses . . . [1203-8.]

## XXVI

[Grant of a croft in Edardoennech by Tristram.]

Tristram makes known that he has given to the canons of Inchaffray, for the love of God and the weal of his soul, the croft in his laud of Edardoennech, which is nearest to the stank of the mill of Gortin, by those marches which Malise, the prior, held in his life-time. To be held of Tristram and his heirs in frankalmoign. Witnesses . . . [c. 1208.]

## XXVII

[Confirmation of No. xxvi. by Earl Gilbert.]

Gilbert, earl of Stathern, makes known that he confirms to the canons of Inchaffray the gift of Tristram, to wit, the croft [as in No. xxvi.] Witnesses . . . [c. 1208.]

## XXVIII

[Earl Gilbert grants the church of Fowlis.]

Gilbert, earl of Strathern, makes known to all his friends and his men, clerical and lay, that for the love of God and the weal of the souls of himself, his wife, his ancestors and his heirs, he has given to the canons of Inchaffray the church of St. Bean of Fowlis, with all its pertinents, in tithes, oblations, and obventions, with the dower-land of the church, the common pasture of the parish and other easements pertaining to the church, in pure and perpetual alms. To be held of him and his heirs by the canons *in proprios usus*, as fully and freely as any religious in the whole realm of Scotland hold churches. Witnesses . . . [1210.]



XXIX

[Confirmation by King William of the grant, No. xxviii.]

W., king of Scots, makes known that he has confirmed the gift made by Earl Gilbert of the church of St. Bean of Fowlis, to the canons of Inchaffray, with all the just pertinents of the church, to be held in pure and perpetual alms as freely and fully as the charter of the said earl testifies. Witnesses . . . . At Forgrund, 3 Dec. [1211-4.]

XXX

[Bishop Abraham's grant of the church of Abruthven.]

Abraham, bishop of Dunblane, makes known to all the sons of holy Mother Church that at 'the presentation of G., earl of Strath-carn,' he has given to the canons of Inchaffray the church of St. Cathan of Abruthven in pure and perpetual alms. To be held of the bishop with all its pertinents and obventions of all kinds for their own use (*in proprios usus suos*) as freely and fully as any religious in the whole realm of Scotland hold churches, saving his episcopal dues. Witnesses . . . [c. 1211.]

XXXI

[Bishop Abraham's grant of the church of Auchterarder.]

Abraham, bishop of Dunblane, makes known [the language of No. xxx. is followed save for the name of the church, 'St. Mahessoc of Huchtherardour.'] Witnesses . . . [c. 1211.]

XXXII

[Confirmation by John II., bishop of Dunkeld, of the grant of the church of Madderty.]

John, bishop of Dunkeld, makes known to all the sons of holy Mother Church that in redemption of the souls of himself and his successors he has granted and confirmed to J[ohn] prior, and to all serving and to serve God under monastic rule (*sub religione*) at Inchaffray, the church of Madderty, with all its just pertinents. To be held as fully and freely as any church in his bishopric was held by any religious house, and as the charter of John, his predecessor, testifies, saving episcopal rights. Witnesses . . . [c. 1211.]

## XXXIII

[Grant of Balmakgillon by Earl Gilbert.]

Gilbert, earl of Strathern, makes known that he has given to the canons of Inchaffray, Balmakgillon, by its right marches, and with all its just pertinents. To be held in frankalmoign, in wood and plain, lands and waters, meadows and pastures, moors and marshes, stanks and mills, fish-pools and fisheries, as freely and fully as any alms in the whole realm of Scotland is held of any earl or baron. He and his heirs will perform the forinsec service of the king due from the land. Witnesses . . . [1210-18.]

## XXXIV

[Grant of a site for a mill by Earl Gilbert.]

Gilbert, earl of Strathern, makes known to all his beloved friends that he has given to the canons of Inchaffray a site for a mill on the Earn-water, wherever they may choose on the east of the mill which, at the time this charter was composed, was at Dunfallin, on the condition that their men should assist his men in making a stank or a mill-lade for both the mills, and that they should receive no grain to grind at their mill which came from his own lands, except they had his leave, or the leave of the tenants of his mill. To be held in pure and perpetual alms. Grantor's seal. Witnesses . . . [1210-18.]

## XXXV

[King Alexander II. grants exemption from toll.]

Alexander, king of Scots, makes known that he has granted to the canons of Inchaffray that they should be free, throughout his whole land, of toll and custom on any of the things which they purchase for their own use. He strictly forbids any presuming to demand from them toll or custom. Witnesses . . . At Stirling, 10 March [1215-21].

## XXXVI

[Bishop Hugh's confirmation of the church of Madderty.]

Hugh, bishop of Dunkeld, makes known that he has confirmed to his beloved sons in Christ, the canons of Inchaffray, the church

of Madderty, as fully and freely as the charter of gift granted by his predecessor, John I., testifies, since the church of Madderty is in the gift of the bishops of Dunkeld who are acknowledged to be the true patrons. Although it was at the eleventh hour he was called among the labourers of the vineyard of the Lord of Sabaoth by the chief householder of the Gospel, and although his own observance of religious rule might be imperfect and unreal, yet he was bound to cherish it in others, and to treat religious honourably. In compassion for the poverty of the canons he interprets very liberally and favourably the original gift of bishop John, and the confirmations of bishops Richard II. and John II.; and, with the advice of his clergy, he grants that the canons should convert the whole revenues of the church of Madderty to their own uses. Yet they are to present to him and his successors priests for institution to the church, who should be responsible to the bishop in spirituals and as regards the cure of souls; and, if it was preferred, be answerable in temporals to the canons,—saving in all things the bishop's rights. Seal of the grantor. Witnesses . . . [1215-21.]

XXXVII

[Earl Gilbert's gift of part of the adjacent marsh.]

Gilbert, earl of Strathern, makes known that he has given to the canons of Inchaffray in pure and perpetual alms as much of the marsh adjacent to Inchaffray in the shire of Fowlis as was surrounded by a trench in the year in which this charter was composed, namely, 1218. To be held free of all secular service and exaction. Witnesses . . .

XXXVIII

[Seher de Quincy, earl of Winton, grants ten acres in Gask in exchange.]

Seher de Quincy, earl of Winton, makes known that he has given in pure and perpetual alms to the canons of Inchaffray the ten acres in his lands of Gask which by his command had been perambulated by [persons named]. To be held free of all secular service. He gives also the pasture of ten kine in the common pasture of Gask. Seal of grantor. 'Be it known that I have given the aforesaid in exchange for the seven acres which the said canons claimed from me at law.' Witnesses. [Names of witnesses wanting; the charter being incomplete.] [c. 1218.]

## XXXIX

[Confirmation by Earl Gilbert of his grants in lands and churches.]

To all the sons of holy Mother Church and all the faithful, Gilbert, earl of Strathern, greeting. He makes known that he had founded a house in honour of God, St. Mary, and St. John in his land at Inchaffray, and there had placed canons regular. For the founding of the house and the maintenance of the canons, he had given and by this charter confirmed to the canons Achadlunxech, Ardweni, Ardbani, Dofindre, Balfur, and Balmacgillon, and three acres which are nearest the marsh of Fowlis towards the north; the vill called Ruuehalach, which he had given instead of the tithe of the profits which came from the courts of law in his earldom (profits from all other sources paying their full tithe); and as much of the marsh of Fowlis adjacent to the said Inch as was bounded by a trench in the year 1219: and a mill upon the Earn at Dunfallin, which they constructed near his mill, from the year 1219. All these are to be held by the canons in pure and perpetual alms, in wood and plain, etc., with all their just pertinents, as freely as any alms was held of any earl or baron in the whole realm of Scotland. He and his heirs will perform the whole forinsec service of the king due from these lands. He has also granted to the canons the church of St. Patrick of Strugeith, the church of St. Serf of Dunning, the church of St. Katan of Abruthven, the church of St. Mohessoc of Auchterarder, the church of St. Bean of Kinkell, the church of St. Bean of Fowlis, the church of St. Ithernan of Madderty, the church of St. Serf of Monyvaird, the church of St. Bridget of Kilbride, to be held with their lands and pastures in pure and perpetual alms. Witnesses . . . [1219.]

## XL

[Confirmation by King Alexander II. of Earl Gilbert's grants to Inchaffray.]

Alexander, king of Scots, makes known that he confirms to Inchaffray the gifts which Gilbert, earl of Strathern, the founder of that church, had bestowed. [The lands are then specified as in No. xxxix. The tithe of cains and of victuals (only alluded to

in No. xxxix.) are particularised. The churches follow as in No. xxxix.] Witnesses . . . At Scone, 5 January [c. 1219-20].

XLI

[Confirmation by Robert, son of Earl Gilbert, of lands and churches.]

Robert, son of Gilbert, earl of Strathern, makes known that for the weal of his soul and of the souls of his father, mother, and ancestors he confirms the gifts made by his father to Inchaffray. [These grants of land are then specified as in No. xxxix. Then follow the names of the churches as in No. xxxix. with the addition (as a church granted by his father) of the church of St. Serf of Tulliedene.] To be held as fully and freely as the charter of his father testifies. Grantor's seal. Witnesses . . . [c. 1220.]

XLII

[Roger de Quincy's Confirmation of his father's grant.]

Roger de Quincy makes known that for the weal of his soul and the souls of his ancestors he has confirmed to Inchaffray the ten acres in Gask and the pasture for ten kine [as in No. xxxviii.]. Witnesses . . . [c. 1220.]

XLIII

[Earl Gilbert's grant of leave to the canons to hold courts of their own.]

Gilbert, son of Ferthet, earl of Strathern, makes known that he has granted to the prior and canons of Inchaffray, in pure and perpetual alms, liberty to hold courts of their own for the trial of men living on their lands, in the case of any charge being made of an offence which pertained to the earl's court. Their court might be held where, and by whomsoever they pleased. He beseeches his friends, and commands his bailies, his steward, and his deemster, that when asked by the canons they should without delay go to the prior and canons, and hold the canons' courts, even as they would his own. The prior and canons were to have the forfeitures and all that pertained to the earl's court, save only the bodies of criminals. Further he grants leave to the prior and canons to take poinds from his tenants for the tithe which came

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to the canons from the earl's gift of tithe, in case payment had not been made at the stated terms. He strictly forbids any of his servants doing violence, or causing disturbance, within the lands of the prior and canons, or making from them any demand. Grantor's seal. Witnesses . . . [c. 1220.]

### XLIV

[A duplicate of the preceding.]

### XLV

[Earl Gilbert's grant of the church of Trinity Gask.]

Gilbert, earl of Strathern, makes known to all the sons of holy Mother Church that he has given in pure and perpetual alms to the abbot and canons of Inchaffray the church of Holy Trinity, Gask. To be held of him and his heirs in tithes, oblations, and obventions of all kinds, with the land pertaining to the church, and with the common pasture of the parish, and all other easements pertaining to the church, as freely and fully as any religious in the whole realm of Scotland hold any church. Witnesses . . . [1221-3.]

### XLVI

[Grant of land by Ysenda, countess of Strathern.]

Ysenda, spouse of earl Gilbert of Strathern, makes known to all the sons of holy Mother Church that she has, with the consent of her lord, the earl, given to the abbot and canons of Inchaffray five acres in her vill of Abercairney, which she had perambulated to the abbot and canons, in the presence of Richard, knight, and Geoffrey, of Gask, her brothers, and also of Henry and Tristram, sons of Tristram, William, clerk of the earl, and many others. To be held in perpetual alms, free of all secular service, with common pasture for twelve kine and two horses, and with all other easements pertaining to that land. Inasmuch as at the time when this charter was made she had no seal of her own, she has sealed it with the seal of Abraham, bishop of Dunblane (who was witness of this gift), which seal he lent for the occasion. Witnesses . . . [1221-3.]

XLVII

[Robert, son of Earl Gilbert, pledges his faith never to harass the abbot and convent, but to defend and support them.]

Robert, son of Gilbert, earl of Strathern, makes known to the sons of holy Mother Church that he had pledged his faith within the church of Strogeith, in the hand of Abraham, bishop of Dunblane, before witnesses (named), that he would never in the whole of his life unjustly harass Innocent, abbot of Inchaffray, or the convent, but rather treat them as his most special friends and, saving his own rights and honour, would, as far as he could, increase the house [*i.e.* add to its revenues]. He confirms to them the churches of Gask and Strogeith, and all their churches, lands, possessions, liberties, rights, customs, easements, and tithes, as in the charters of his father and himself was contained. Warrantice. Moreover if they suffer from robbery, theft, or injury, he will, as patron of the house, prosecute their rights as he would his own; he will maintain their cause, compel those who have injured them to make satisfaction, and will make no peace with them without the counsel of the abbot and convent, and after fully securing their rights and their honour. Sealed with the seals of the grantor, Abraham, bishop of Dunblane, Hugh, bishop of Dunkeld, Hugh, abbot of St. Serf (Culross), and Fergus, the earl's brother. [1221-3.]

XLVIII

[A second charter of Hugh, bishop of Dunkeld, confirming the grant of the church of Madderty.]

This charter runs almost word for word with No. xxxvii., which was a grant to 'the canons' while this is to 'the abbot and canons.' The reference at the close of No. xxxvii. to the presbyters instituted to Madderty being answerable to the monastery in temporals is omitted from the present charter. To this charter the seal of the chapter of Dunkeld (in sign of assent) is added to that of the bishop. The witnesses (with one exception) are the same in both charters. [1221-3.]

## XLIX

[Confirmation by Hugh, bishop of Dunkeld, of the Abthen of Madderty.]

This confirmation runs very nearly in language, and precisely, in effect, with the confirmation of Bishop Richard II. (No. xxiii.), and need not be further described. [1221-3.]

## L

[Bishop Hugh's quitclaim of cain and coneveh.]

Hugh, bishop of Dunkeld, makes known that out of love and godly piety he has remitted and quitclaimed for ever to the abbot and canons of Inchaffray the cain and coneveh which the clerks of the church of Dunkeld were wont to receive at Madderty, which, in the Scots tongue, is called Abthen. His seal. Witness the chapter of Dunkeld. [c. 1221.]

## LI

[Earl Robert's confirmation of churches, lands, tithes, and other things.]

Robert, earl of Strathern, makes known that he has for him and his heirs granted and confirmed to the canons of Inchaffray, and their successors, all the churches, lands, possessions, liberties, rights, customs, and easements, tithes of all kinds in his house and in his lands, and all other things which his father, the earl, gave and granted and confirmed by his charters. Moreover, he grants to the canons that neither he nor his heirs would give or grant land to any one without saving the rights pertaining to the canons. Witnesses . . . [1223-4.]

## LII

[Earl Robert's grant of the land called Rath.]

Robert, earl of Strathern, makes known that he has given to the abbot and canons of Inchaffray in pure and perpetual alms the land called Rath, to wit, the fourth part of the whole of Dunphalin, with all its just pertinents in wood and plain, etc. To be held free of all secular service, save only the aid of the king when he



imposes a common aid on the whole realm. The earl will be responsible for the forinsec service of the king due from the land. Witnesses . . . [1223-4.]

LIII

[King Alexander II. takes the abbey under his protection, and grants the right to pursue and capture runaway neyfs.]

Alexander, king of Scots, makes known that he has taken under his peace and protection the house, abbot, and canons of Inchaffray, their men, lands, and all their possessions. No one should presume to injure or molest them under pain of the king's full forfeiture. He grants to the abbots and canons right to possess themselves of their neyfs and fugitive men, wherever they can find them, outside the royal demesne lands, and forbids any from unjustly detaining them under pain of full forfeiture. Witnesses . . . At Stirling, June 8, 1225.

LIV

[King Alexander II. grants and confirms the tithe of his rents in Auchterarder.]

Alexander, king of Scots, makes known that he has given and confirmed to Inchaffray the whole tithe of his rents from Auchterarder. To be held in pure and perpetual alms, and to be received at the hands of his tenants and his bailies of Auchterarder. Witnesses . . . At Clonin, August 13, 1226.

LV

[Earl Robert's confirmation of grants of land.]

Robert, earl of Strathern, makes known that he has confirmed to the abbot and canons of Inchaffray the six acres of land which Nigel de Lutoft gave them in the territory of Dolpatrick, and the toft and three acres of land which Henry, son of Tristram, gave them in his vill of Kyntochir, with common pasture for five kine and one horse, and with all other common easements of the same vill, which things aforesaid the said Nigel and Henry, when making their last testament, bequeathed, for the redemption of their souls, to the abbot and convent in perpetual alms, free of all service. Witnesses . . . [1226-34.]

## LVI

[Grant of land by Theobald, son of William.]

Theobald, son of William, son of Clement, makes known that he has given to the abbot and convent of Inchaffray a toft of six perches square, with two acres of land in his vill of Petlandi, to wit, in the ground which is called Fithleres Flat, and with common pasture for eight kine, sixty sheep, and two horses, and with all other common easements of the said vill. He and his heirs will give warrandice for these alms, and will make them free of all burden and secular service. Grantor's seal and 'the seal of my most serene lord, Robert, earl of Strathern,' in token of his assent. Witnesses . . . [1226-34.]

## LVII

[Grant of lands by Robert of Meggefen.]

Robert of Meggefen makes known that, with the assent of Soliua, his wife, and of their children, he has given to the abbot and convent of Inchaffray in pure and perpetual alms two tofts and four acres of land in the vill of Kenandheni, which by another name is called Dolpatrick, to wit, the toft in which Alan of Kyntocher dwelt when the present charter was given, with the acre which pertained to the same toft at that time, and with the buildings which were then on the toft; and also the toft and land which then lay between the house of Richard and the house of Malonacht; and also the land elsewhere which he had added to make up the four acres; and pasture for twenty kine, sixty sheep, and two horses, with all other common easements of the vill of Dolpatrick. He grants warrandice, and undertakes the forinsec service due from the lands. Witnesses . . . [1226-34.]

## LVIII

[Earl Robert's confirmation of Robert of Meggefen's grants.]

Robert, earl of Strathern, makes known that he confirms the grants of Robert of Maggefen [as in No. LVII.] [1226-34.]

LIX

[Confirmation by Gilbert, bishop of Dunblane, of the church of Madderty, and the Abthen of Madderty, and the quitclaim of cain and conevehth.]

‘G[ilbert], humble minister of the church of Dunblane,’ makes known that he has confirmed to the abbot and convent of Inchaffray the church of Madderty, with all its just pertinents, and the land called the Abthen of Madderty, to be held by them for their own uses, as in the charters of his venerable predecessors, John, Richard, John, and Hugh, is more fully contained. He also ratifies the quitclaim of cain and conevehth made by Bishop Hugh and the chapter of Dunkeld. His seal. Witnesses . . . [1230-36.]

LX

[Agreement between the abbot and convent of Inchaffray, of the one part, and the bishop of Dunblane, of the other part.]

(*Translation*)

To all the sons of holy Mother Church who shall see or hear the present writ, G[ilbert], by the grace of God, bishop of Dunkeld, and J[ohn] and P[hilip], by the same grace, humble abbots of Lindores and Scone, greeting eternal in Christ.

Inasmuch as a contention was raised between a venerable father, Sir Clement bishop of Dunblane, of the one part, and Sir Innocent, abbot, and the convent of Inchaffray, of the other part, concerning the churches of Aberuthven and Thullieden, and concerning the tithes coming from rents and all manner of perquisites of the earl of Strathern, which are called second tithes, all which the said bishop claimed, saying that they pertained to his table by reason of his church, at length, on the advice of good men, the said bishop, for himself and his successors (with the consent and assent of the whole clergy of Dunblane, to whom the election of the bishop pertains, also with the assent of Robert, earl of Strathern, patron of the same see), and the said abbot and convent, for themselves and their successors, agreed to submit to our arbitration on the aforesaid articles, as also on all other churches and possessions at that time granted and conferred on them, with the addition of

the following penalty, namely, that if the same bishop or any of his successors desired to resile from our decision, in the first place, if any advantage should come to his church through our decision, he should restore it to the opposite party, and also pay to the fabric of the bridge of Perth two hundred pounds sterling by way of penalty before entering on litigation. And if the abbot and convent or their successors should wish to resile from our decision, they shall pay to the same bridge, by way of penalty, before entering on litigation three hundred pounds.

The parties, accordingly, having appeared in our presence, and the pleadings of each party having been heard and carefully considered, at length, on the advice of those learned in the law, we made the following ordinance. The said bishop was to abandon the whole action which he was raising, and renounce all right which he sought, or believed that he had, in respect to the matters aforesaid; and the said abbot and convent was to assign to the said bishop and his successors, in the name of the church of Dunblane, an annual payment of sixteen pounds sterling, as estimated by the judgment of good men, and as derivable from certain places.

The parties accepting this our award, to the end that it might obtain the strength of perpetual validity, asked that it might be reduced to writing in the manner of an indenture (*modo cyrographi*), of which one part sealed with our seals, together with the seal of the said bishop, should remain at the aforesaid monastery of Inchaffray; and the other part sealed similarly with our seals and the seal of the chapter of the same monastery, should remain with the said bishop.

Given in the month of August in the year from the Incarnation of the Lord, MCCCXXXIV.

## LXI

[Remission by Clement, bishop of Dunblane, of six pounds.]

Clement, bishop of Dunblane, makes known that inasmuch as the arbiters, Gilbert, bishop of Dunkeld, John, abbot of Lindores, and Philip, abbot of Scone, had given the award, as appears from the indentures [No. LX.] that Innocent, abbot, and the convent of Inchaffray were bound to pay sixteen pounds sterling to Clement and his successors, and the abbot and convent had assigned tithes to the value of ten pounds to be received out of the garbal tithes

of Tulibarden and Kincardin and out of the fifth part of the tithes of Barderel; the six pounds which they had not yet assigned, the bishop out of compassion for the poverty of the house of Inchaffray remits for himself and his successors, until the abbot and convent have been put into full and corporal possession of any one of the following churches, Strugeith, Fowlis, Trinity Gask, Monivaird, and Dunning. Given in August, MCCXXXIV. Witnesses . . .

LXII

[Confirmation by Pope Gregory IX.]

Gregory [IX.] to . . . bishop of Dunblane. In reply to a request of the bishop, the Pope confirms the amicable composition between him and the clerks of Dunblane, of the one part, and the abbot and convent of Inchaffray, of the other part. Viterbo, 30 April, 1237.

LXIII

[Quitclaim and grant by Duncan of Melginch.]

Duncan of Melginch states that having been summoned by the abbot and convent of Inchaffray on the authority of the abbot of Arbroath and the prior of May, judges delegate appointed by the Pope, on the ground that, founding on a charter of Duncan's father, the abbot and convent laid claim to half of the whole land of Drumkroc in the parish of Melginch, so soon as the facts were known to him, having the fear of God before his eyes, and desirous to save the abbot and convent further labour and expense, he spontaneously and fully quitclaimed the said land, and gave in pure and perpetual alms any right he might have in the same land, for the redemption of the souls of himself, his wife, his children, his father and his ancestors. Sealed with his seal, and with the seal of Philip, abbot of Scone. At Scone, Feast of St. Michael [29 Sept.], MCCXXXVII. Witnesses . . .

LXIV

[Agreement between Abbey of Inchaffray and the Hospital of Brackley.]

INDENTURE (*Cyrographum*).

A dispute having arisen between the abbot and convent of Inchaffray, of the one part, and the master and brethren of the

Hospital of SS. James and John of Brackley [in Northamptonshire], of the other part, concerning the tithes and all other things which the abbey claimed from the land called Petneweue as belonging to the church of Trinity Gask (*Gascristi*), and which the hospital possessed in right of their church of Nescgask, it was at length agreed that the abbey should quitclaim to the hospital all rights in everything which the church of Nescgask possessed at the date of the agreement. And the hospital, for the good of peace, bound itself to pay yearly for ever to the abbey, at Nescgask, one mark sterling at Martinmas from the tithes of Petneweue. And that the agreement might be inviolably observed, it was resolved by both parties that if either party attempted to resile from the agreement that party should pay to the opposite party twenty marks sterling as a penalty. And, for greater security, both parties submitted themselves to the jurisdiction of the bishop of Dunblane, who should have full power to compel by ecclesiastical censure the party resiling to pay the said penalty, and also to observe the above agreement. One part of this indenture, sealed with the common seal of the brethren of Brackley, was to be kept at the abbey, and the other part, with the common seal of the abbey, at the hospital. Witnesses . . .  
A.D. MCCXXXVIII.

## LXV

[Geoffrey, bishop of Dunkeld, confirms the grants of his predecessors.]

Geoffrey, bishop of Dunkeld, makes known that he had inspected the gifts, grants, and confirmations made to the monastery of Inchaffray by his predecessors, John I., Richard, John II., Hugh, and Gilbert, as to the church of Madderty with all its pertinents, and as to the land called the Abthen of Madderty, and as to the quitclaim of cain and coneveith, which in olden times the clerks of Dunkeld used to receive from the Abthen. He would not, and could not, of right interfere with grants made to a poor monastery at its foundation, and, with the consent and assent of the chapter of the cathedral of Dunkeld, he ratifies and confirms the above, 'saving to us and our successors only one mark to be paid annually from the Abthen at the two terms, in lieu of every exaction, custom, and secular service pertaining to us,' as he had found in the original charters of his

predecessors. He grants the abbot and canons and their successors the right to convert the temporal goods of the church of Madderty to their own uses, causing the church to be served, if they so desired, by a chaplain, or by a canon of their community. He reserves his episcopal dues from the church. The bishop's seal. Given at Dunkeld, 31 December, in the year MCCXXXVIII. Witnesses . . .

LXVI

[The dean and chapter of Dunkeld quitclaim the cain and conevehth from the Abthen of Madderty.]

Adam de Prebenda, dean, and the chapter of Dunkeld make known that they have inspected the instruments of the bishops of Dunkeld [as in No. LXV.] and of the then bishop, Geoffrey, and recite the terms of No. LXV. 'We also quitclaim and remit for ever to the abbot and convent of the aforesaid monastery [of Inchaffray] the cain and conevehth, which the clerks of Dunkeld were accustomed to receive in the olden time from the aforesaid Abthen, and all right and claim which could pertain from the same to us or our successors, receiving them [the abbot and canons] into perpetual brotherhood and participation in the spiritual benefits of our church:—saving to us and our successors one pound of incense to be paid yearly at Whitsunday, as a free gift in the name of brotherhood.' The common seal of the chapter of the cathedral. 'Witness the chapter.' At Dunkeld, January 2, 1238-9.

LXVII

[Confirmation by the chapter of Dunblane of churches in the diocese belonging to Inchaffray.]

The dean and chapter of the church of Dunblane make known that having inspected the instruments of collation and confirmation by Jonathan and Abraham, formerly bishops of Dunblane, and by Clement, the present bishop, of the churches in the diocese of Dunblane possessed by the monastery of Inchaffray, and formerly granted with consent of the clergy of Dunblane, by which the monastery obtained all the revenues and fruits of the churches of Strugeith, Auchterarder, Kinkell, Abruthven, Dun-

ning, Trinity Gask, Fowlis, Monivaird, Tulieden, and Kilbride, to be converted in perpetuity to the uses of the said monastery, saving the vicars' portions and the estimate of the value of the vicarages to be noted below, and saving the sixteen pounds, granted by the abbot and convent to Bishop Clement and his successors, from the garbal tithes of Tulibardin, Kyncardin, Barderel and Ogeluin (arising out of the dispute between the bishop and the monastery): also saving the garbal tithes of Rossyn and Strathyn, of Strugeth and Arneluoy, of Panan and Ruuehalache, valued at twenty marks by the judgment of good men, assigned to the archdeaconry of Dunblane about to be constructed: saving also the garbal tithes of Auchtermaffiny and of the vill of Fedale pertaining to the church of Auchterarder, which have been assigned by the abbot and convent for the construction of a prebend in the church of Dunblane; they [the dean and chapter of Dunblane] with unanimous and solemn consent confirm the grants and confirmations of the bishops aforesaid. Moreover, they ratify and confirm with unanimous consent the taxation of the vicarages [allowances fixed for the vicars] of the said churches, as settled, with the consent of each party, by the bishops of Glasgow and Dunkeld, as well as by Bishop Clement, as was more fully contained in the original writ of the said taxation. Sealed, with subscription given at Dunblane on the Sunday next before the Purification of the Blessed Virgin [2 Feb.] in the year MCCXXXIX. Subscribed by the dean, the precentor, and the archdeacon.

## LXVIII

[Confirmation by Gilbert de Hay of a grant of four bolls of wheat, and a further grant by him of four other bolls.]

Gilbert de Hay makes known that he grants and confirms the gift made by his father David de Hay of four bolls of wheat to be received yearly by the canons of Inchaffray. Moreover, for the weal of the souls of himself and his ancestors, he gives in addition four other bolls of wheat in his land of Inchmichael to be received yearly; so that the canons shall receive every year for ever a half chalder of wheat in his land of Inchmichael, to wit, four bolls before Christmas Day and four bolls before the Purification of St. Mary (2 Feb.) His seal. Given at Inchaffray on the vigil of the Ascension of the Lord, MCCXL. Witnesses . . .



LXIX

[Grant of land in the town of Perth by Richard of Leicester, a burgess.]

Richard of Leicester, burgess of Perth, for the weal of the souls of himself and his ancestors, gives to Inchaffray, in pure and perpetual alms, certain land in the town of Perth [described], which land William, son of Hawok, held of him and his attorneys, to be held as freely as any burgage in the town of Perth, saving the agreement made by William to pay Richard and his attorneys yearly sixteen shillings, and saving the king's service. The grantor's seal and the common seal of Perth. Witnesses. . . . At Perth, Saturday before the Feast of St. Nicholas [6 Dec.], in the year MCCXL.

LXX

[Quitclaim by William son of Hawok.]

William, son of Hawok of Perth, quitclaims, for himself and his heirs, to the canons of Inchaffray, for a certain sum of money which they gave him beforehand in his great necessity, his whole right in the land which he held for a certain annual rent of Richard of Leicester, formerly burgess of Perth, and afterwards of the canons themselves, situated in North Street, in the town of Perth. To be held free of all burden and claim, save the service due to the king from the said land. He grants warrandice against all. His seal. Witnesses . . . [c. 1245.]

LXXI

[Another charter of William, son of Hawok.]

William, son of Hawok, for a certain sum of money given him by the canons of Inchaffray in his great necessity, grants the whole of the land which he held of the abbot and convent of Scone, situated in North Street in the town of Perth, and all rights which he or his heirs could have in it. To be held by the canons of Inchaffray and their successors on payment to the abbot and convent of Scone of the yearly rent which he had been accustomed to pay, namely, five shillings, half at Whitsunday and half at Martinmas—saving the service of the king. Grantor's seal. Witnesses . . . [c. 1245.]

## LXXII

[Confirmation of William son of Hawok's sale by the convent of Scone.]

Robert, abbot of Scone, and the convent of the same place, by the common consent of their chapter, ratify and confirm the sale made by William, son of Hawok, on the payment by Inchaffray to Scone of five shillings yearly [as in No. LXXI.]:—saving the forinsec service of the king. Warrantice. Common seal of Scone. The chapter being witness. [c. 1245.]

## LXXIII

[Grant of the church of Kilmorich in the diocese of Argyll.]

Gillecris, son of Malcolm Macnaethan, for the weal of the souls of himself, his wife Bethoc, his parents, ancestors, and heirs, gives to Inchaffray, after the death of Maurice, clerk, in pure and perpetual alms the church of St. Mordac, of Kellemurthe [Kilmorich at the head of Loch Fyne], with all its just pertinents, to be held of him and his heirs as freely as any baron of the whole realm of Scotland can give any church. Seal of grantor. Witnesses . . . [c. 1246.]

## LXXIV

[Another charter to the same effect as No. LXXIII.]

Gillecris [as in No. LXXIII., omitting the words, 'after the death of Maurice, clerk.' After mention of the grantor's seal there follows:] 'together with the seal of the venerable father C[lement] by the grace of God bishop of Dunblane, and at the time of this collation having charge of the bishopric of Argyll. Witnesses . . . [c. 1247.]

## LXXV

[Grant by Fergus, son of Earl Gilbert, of a chalder of oatmeal.]

Fergus, son of Gilbert, late earl of Strathern, gives to the abbot and canons of Inchaffray a chalder of oatmeal in the vill of Ouch-tirmakan, to be received yearly by them and their successors at the hands of his tenant (*firmarii*) of the same vill. And, for security of the payment of the said meal at the feast of St. John Baptist

in summer, he obliges himself and his heirs for ever. Seals of grantor, Bishop Clement, and Malise earl of Strathern. Witnesses . . . [c. 1247.]

LXXVI

[Earl Malise commutes second tithes in kind into a payment in money.]

M[alise], earl of Strathern, makes known that he and his heirs were bound by the gift of his grandfather, Gilbert, and the confirmation of his father, Robert, earls of Strathern, to the payment to the canons of Inchaffray of the tithe of all his rents and cains in wheat, meal, malt, grain, cheese, flesh, fish, fowl, venison, and all viands yearly used in his court, as in the charter and the confirmation of the aforesaid earls is more fully contained. And although the canons were for a long period in full and peaceable possession of the aforesaid tithes, yet they have very frequently complained that at times they have not received them in full through the fault of his (the earl's) bailies, wherefore because it is not right in any way to infringe the pious vows of parents, but rather to augment them, being mindful of Him who is the rewarder of all good deeds, he assigns, in place of the tithes which the canons were accustomed to receive in his court yearly before the year of our Lord 1247, twenty-four marks (twenty marks from rents at Dunning, and four marks from Abberufuin) during the life of his mother the countess : which marks, after her decease, he or his heirs would pay in another place, half at Whitsunday and half at Martinmas. All the other provisions of both his grandfather's charters and his father's confirmation were to remain in full force. He desires the canons' portion of tithes should increase as his goods increased. To prevent the canons in future being troubled by defect of payment he submits himself and all his goods to the jurisdiction of the bishop of Dunblane, so that he can compel him and his bailies, by the censure of the Church, to make full payment. His seal and the seal of Clement bishop of Dunblane. Witnesses . . . [1247.]

LXXVII

[Earl Malise enjoins on Brice, thane of Dunin, to pay the twenty marks referred to in No. LXXVI.]

Malise, earl of Strathern, to his beloved and faithful Brice,

thane of Dunning. He makes known that he has assigned to Inchaffray twenty marks out of his rent at Dunning, and commands him to make payment to none of the earl's bailies, or to any other, save the abbot and canons, or their assignees. He adds that if Brice failed in the payment within eight days after each of the two terms, he would incur a penalty of twenty shillings for every week after the eighth day. His seal. [1247.]

## LXXVIII

[Commission of Pope Innocent iv. for recovering the property of the monastery.]

Innocent . . . to his reverend brother . . . bishop of Brechin. He had been petitioned by the abbot and convent of the monastery of Inchaffray to remedy the vast injury done to the monastery from the fact that they and their predecessors had granted, with various formalities, certain possessions to certain clerks and laymen, to some for life, to others in perpetuity, for a yearly payment. He commits to the bishop to recover for the monastery in a lawful manner what had been alienated,—letters of confirmation in the common form from the Apostolic See notwithstanding. Lyons, 11 July 1248.

## LXXIX

[Commission of Pope Innocent iv. to enforce the observance of an agreement between Inchaffray and the bishop of Dunblane.]

Innocent to . . . bishop of Brechin. The abbot and convent of Inchaffray had shown in a petition that matter of question had been raised between them and the bishop of Dunblane concerning Strugeith and certain other churches in the diocese of Dunblane, and that, through the mediation of good men, a friendly agreement had been come to, which agreement the abbot and convent desired to be fortified by apostolic protection. He commands the bishop of Brechin to cause the agreement to be peacefully observed. Lyons, 8 August 1248.

## LXXX

[Pope Innocent iv. confirms an ordinance made by the bishops of Glasgow and Dunkeld.]

Innocent . . . to the abbot and convent of Inchaffray. It had been stated to the Pope on the part of Inchaffray that the bishop of Dunblane obtained that there should be assigned to him a fourth part of the tithes of all the parish churches in the diocese of Dunblane. This had been done by the bishops of Glasgow and Dunkeld, acting under Letters Apostolic. And when the bishop of Dunblane prayed in the presence of the said two bishops that according to the tenor of the apostolic mandate a fourth of these tithes should be assigned to him [in fact], the abbot and convent objected; but at length both parties voluntarily submitted themselves, under oath, to what should be determined by the two bishops, both as to the fourth of the tithes of churches pertaining to the abbey, and also as to the assessment of the vicarages of certain of those churches, and the ordering of certain other churches, too poor [to be deprived of the fourth] and easy to be served [without vicars]. The decision of the bishops of Glasgow and Dunkeld was that Inchaffray should every year pay twenty marks for one dignity and ten marks for one prebend, to be erected anew in the cathedral church of Dunblane; and that in return the abbey should be freed from the payment of the fourth part of the tithes of all its churches. But because by this ordinance the abbey seemed to be overburdened in the payment of such money, the two bishops made a moderate assessment of the vicarages of certain churches, and ordained that certain other churches should be served, not by vicars, but by suitable chaplains, as in their writs on this subject was more fully contained. The Pope confirms by apostolic authority the ordinance of the bishops of Glasgow and Dunkeld. Lyons, 23 April 1250.

## LXXXI

[Concurrent Letter of Innocent iv. to the abbot of Scone and the prior of St. Andrews.]

Innocent . . . to the abbot of Scone and the prior of St. Andrews. [The narrative of No. Lxxx. is recited in full.] Wherefore he commands the abbot of Scone and the prior of St. Andrews that

they should not permit the abbot and convent of Inchaffray to be unduly molested by any, contrary to the tenor of his confirmation [No. LXXX]. Lyons, 23 April 1250.

## LXXXII

[Another commission of Pope Innocent iv. for recovering the property of the monastery.]

Innocent . . . to . . . abbot of Holywood in the diocese of Glasgow, and to . . . sacrist in Glasgow. [This is to the same purport as, but in somewhat stronger terms than, No. LXXVIII.] Perugia, 8 June 1252.

## LXXXIII

[Grant of Lands in the town of Arbroath.]

William, abbot of Arbroath, and the convent of the same place make known that, with the common consent and assent of the whole chapter, they have given to the abbot and convent of Inchaffray all the lands, houses, and possessions, which William, son of Rayngod, held of the monastery of Arbroath in the town of Arbroath, which lands and all rights in them the said William, in the full court of Arbroath, quitclaimed for himself and his heirs. To be held by the abbot and convent of Inchaffray in free burgage, with easements, etc., pertaining to the lands,—save only that the lands should not be sold or alienated to any without the special licence of the monastery of Arbroath. Seals of the abbey and town of Arbroath. Arbroath, 9 November 1252.

## LXXXIV

[Commission of Pope Alexander iv. for recovering the property of the monastery.]

Alexander . . . to . . . abbot and . . . prior of Holywood, of the Premonstratensian order, in the diocese of Glasgow. It had come to his ears that the abbot and convent of Inchaffray and their predecessors had granted tithes, rents, mills, woods, jurisdictions, lands, possessions, and other goods, etc. [as in Nos. LXXVIII. and LXXXII.] Anagni, 29 August 1256.

LXXXV

[Grant of the church of Inishail.]

Ath, son of Malcolm Macnaughtan, makes known that out of charity, with the assent of Sir Gilbert, knight, his brother, and for the weal of their souls and the souls of their ancestors and heirs, he has given to the abbot and canons of Inchaffray the church of S<sup>t</sup> Findoca, of Inchalt [Inishail, Loch Awe], in the diocese of Argyll, with all its just pertinents, with tithes, oblations, common pasture, and other easements pertaining to the church, together with all the rights he has in the same church. To be held in free and perpetual alms, as freely as any church in Scotland is held by the gift of any nobleman. Seals of grantor and his brother G[ilbert]. 29 June 1257.

LXXXVI

[Grant of the advowson of the church of Cortachy.]

Malise, earl of Strathern, makes known that, for the weal of his soul, etc., he has given to the abbot and convent of Inchaffray the advowson of the church of Cortachy in the diocese of Brechin. To be had and possessed in pure and perpetual alms, to wit, whatever a lay person can give and grant, without any diminution or reservation, as freely as any church in the realm of Scotland is held by the gift of an earl or baron. He binds himself and his heirs by his spouse Matilda, daughter of Gilbert, late earl of Caithness and Orkney, that they will ratify and defend the said gift. Grantor's seal. Witnesses . . . At Crieff, 12 December 1257.

LXXXVII

[Grant of a serf with his children.]

Malise, earl of Strathern, makes known that he has given to the canons of Inchaffray in pure and perpetual alms, Gilmory Gilendes, his serf, with all his children (*tota sequela*). Warrantice. Seal of grantor. Witnesses . . . At Kenmore, 25 March 1258.

LXXXVIII

[Grant of another serf with his children.]

Malise, earl of Strathern, makes known that he has given to the abbot and convent of Inchaffray, in pure and perpetual alms,

John called Starnes, son of Thomas, son of Thor, with all his children (*tota sequela*); and granted to Inchaffray all right and claim which he had in the said John or his offspring. He forbids any of his men molesting John or any of his offspring. Seal of grantor. 9 May 1258. Witnesses . . .

## LXXXIX

[Confirmation by Pope Urban iv. of an agreement between Inchaffray and the Hospital at Brackley in Northamptonshire.]

Urban . . . to . . . abbot and the convent of the monastery of Inchaffray. A petition from the abbot and convent contained that formerly a question had arisen between them, of the one part, and the master and brethren of the Hospital of SS. James and John of Brackley, in the diocese of Lincoln, of the other part, as to certain tithes and other matters; and that at length through the intervention of . . . late bishop of Dunblane, in whose diocese the tithes lay, and the bishop of St. Andrews, a friendly agreement between the parties was come to, as is said to be more fully contained in letters thereupon composed, which agreement the abbot and convent petitioned should be fortified by apostolic protection. As the agreement was duly made without pravity, and was accepted by both parties, the Pope confirms it. Viterbo, 12 September 1262.

## XC

[Confirmation of the church and Abthen of Madderty and of the quitclaim of cain and coneveth by Richard, bishop of Dunkeld.]

Richard, bishop of Dunkeld, makes known that he had inspected the grants and confirmations of his predecessors, John i., Richard, John ii., Hugh, Gilbert, and Geoffrey, to the monastery of Inchaffray relating to the church of Madderty and the land of Madderty, called the Abthen, and the quitclaim of cain and coneveth. He confirms the grants and confirmations, saving to him and his successors one mark to be paid yearly from the Abthen, half at Whitsunday and half at Martinmas, as he had found in the original writs of his predecessors. He grants that



the church of Madderty in all its temporal goods might be converted to the use of the abbey by causing the church to be served by a fit chaplain, or, if they preferred it, by one of their own canons. Seal. At Tybermore, 2 August 1263, in the twelfth year of his pontificate. Witnesses. . . .

XCI

[Indenture between the abbey of Inchaffray and Tristram of Gortyn as to certain lands.]

Alan, abbot, and the convent of Inchaffray make known that a dispute had arisen between Tristram of Gortyn, of the one part, and them, of the other part, as to (1) the lands of Cambinche, which was submitted to the arbitration of men skilled in the law, whose award was that these lands lay in common between us; and (2) as to other lands possessed by the abbey and claimed by Tristram and his heirs, more particularly the lands of the infirmary and chapel of the abbey, and the circumjacent land, as it was trenched round about. At length litigation was settled by the following agreement. Tristram quitclaimed any right which he had in the lands—saving the right of the earl of Strathern, and renounced for himself and his heirs seeking opposition in any lay or ecclesiastical court as to the abbey's peaceable possession of the lands in frankalmoign. The convent on its part granted to Tristram, his spouse Christina, and to his heirs (if they sought it) the brotherhood of the monastery in prayers, alms, martyrology, and the other good things generally granted to fellow-brothers (*confratribus*). They further grant to Tristram, so far as lay in their power, to have a chapel (the rights of the mother-church being saved). To the observance of this agreement both parties gave their corporal oath. The part of the indenture to be kept by the abbey had the seal of Tristram and Malise, earl of Strathern: the part to be kept by Tristram and his heirs had the seals of the abbey and Robert, bishop of Dunblane. At Inchaffray, 14 February 1266.

XCII

[Charter on the same subject by Tristram of Gortyn.]

Tristram of Gortyn makes known [after reciting the subject of dispute and the settlement as to Cambinche as in No. xci.] that on

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St. Valentine's day [14 Feb.] 1265 [*sic*] it was agreed at Inchaffray as follows :—Tristram faithfully promised for himself and his heirs that he would hold the abbot and convent indemnified for all forefaults committed or to be committed in the court of the earl of Strathern on occasion of agreements or controversies about the said lands concerning which he had drawn them before a secular tribunal. He quitclaims, etc. [the rest as in No. xci.] His seal and the seal of the earl.

### XCIII

[Confirmation by Pope Clement iv. of the Church of Madderty.]

Clement . . . to the abbot and convent of Inchaffray. A petition from them had been presented, containing that John i., bishop of Dunkeld, granted to the canons of Inchaffray, with the consent of his chapter, the church of Madderty (of which they had the right of patronage) for their own uses; and that bishops Richard, John ii., Hugh, Gilbert, Geoffrey, and the present bishop Richard, had, with the consent of the chapter, granted that the church might be served by one of the canons. He confirms this. Viterbo, 23 May 1266.

### XCIV

[Commission of Pope Clement iv. to the archdeacon of Lothian for the recovery of the property of the abbey.]

Clement . . . to the archdeacon of Lothian [almost word for word as No. LXXXIII. The specified goods of the monastery are 'tithes, lands, vineyards, houses, meadows, woods, mills, pastures, fisheries, rents.'] Viterbo, 1 July 1266.

### XCV

[Earl Malise's grant of leave to take stone from his quarry of Nethergask.]

Malise, earl of Strathern, makes known that he has given leave for ever to the abbot and convent of Inchaffray to dig and cut stones in his quarry and land of Nethergask, for their church and other buildings to be constructed at their pleasure in the monastery. He grants entrance and exit, and free transit through

his whole land of Nethergask for their men, animals, carts, waggons, and gives two acres of land next adjacent to the quarry on the west, where they may collect the stones, and build a house where they can cut them. The rest of the two acres they may dispose of as they will. Seal of grantor. At Crieff, 12 November 1266.

XCVI

[Six marks and four marks charged by Earl Malise on the rent of Abercainey for payment to the abbot and convent of Inchaffray.]

Malise, earl of Strathern, makes known that the abbot and convent of Inchaffray had been entitled to receive six marks sterling, in the name of the earl's second tithes, from the rent of the land of Ballenoleth in the shire of Fowlis, and at his earnest request they had patiently borne with the earl's conferring the land of Ballenoleth on his brother Sir G[ilbert], and so the earl remains bound to them in the said six marks, which for the future the religious shall receive from the rent of Abbircarnych at the hands of whoever held that land of the earl, to be paid half at Whitsunday and half at Martinmas. Moreover, since he was indebted to the said religious (1) in thirty-six pounds sterling, which he took from brother Hugh, then *terrarius* of the monastery, from the money which the late Roger de Colin, clerk, while living, gave to the fabric of the church of the monastery—and also (2) in ten pounds sterling which he received from the religious on loan (for which he had given letters obligatory), and likewise (3) in twenty-four marks sterling, being the sum of four times the six marks from the land of Ballenoleth, which had not been paid for four years, he grants for himself, his heirs and assignees the payment of four marks sterling yearly from the land of Abbircarnych till the whole debt is paid: the first payment to be at Whitsunday, 1218 [?1268]. His seal. At Crieff, St. Ambrose's day [4 April] in the above year. Witnesses . . . Grants warrandice for the six marks.

XCVII

[Endowment of a chaplaincy at Inchaffray by Earl Malise.]

Earl Malise makes known that he has given to God, St. Mary, and a chaplain celebrating divine service in the almshouse of

Inchaffray for the souls of his ancestors and of all the faithful departed, and for the soul of Brice of Ardrossan (for his quitclaim to him and his heirs of the lands of Buthaldy and of Lanyrky, which Brice quitclaimed to the earl and his heirs after Brice's day) four marks from the rent of the land called Mukrand, to be received yearly for ever of him and his heirs at the hand of the tenant of the land, for the support of the said chaplain, whoever he may be. Moreover, he gives for ever to the chaplain, and his successors, for finding a chalice, etc., the portion of land called Tolauch, which the said Brice of Ardrossan held in the town of Dunblane. He also gives power to the abbot of Inchaffray, when any chaplain dies, to appoint at the peril of his soul another fit chaplain, without any opposition of the earl or his heirs. For the fulfilment of the grant he subjects himself and his heirs to the interdict of the bishop of Dunblane, for the time being, renouncing every appeal and remede of law, canon and civil. Grantor's seal. Witnesses . . . [c. 1270.]

## XCVIII

[Grant by Brice of Ardrossan of one mark to the chaplain celebrating in the almshouse.]

Brice of Ardrossan makes known that he holds as firm and stable (so far as pertained to him) the grant by Malise, late earl of Strathern, of four marks to the chaplain [as in No. xcvi.]. And because the said earl had first given, as in his charter, the land of Tulach to the chaplain and his successors for finding a chalice and *ornamenta* for the almshouse, and afterwards having changed his will assigned the land to the church of Dunblane at the disposition of the bishop, he (Brice), unwilling that the divine offices should cease in the almshouse for lack of the said *ornamenta*, of his mere pleasure gives for the weal of the souls of himself, his ancestors, and earl Malise, a mark, half at Whitsunday and half at Martinmas, to the chaplain, to be received yearly, from the land which he holds by charter at fee-farm in the territory of Petlandy, through the abbot and convent of Inchaffray, to whom he assigned the land by charter. Further, if by any chance the abbot and convent should be evicted from the said land, he wills that his heirs or assignees, to whom his lands pass, should from those lands pay the mark, and if necessary should be compelled to this by

ecclesiastical censure. Grantor's seal. Witnesses . . . At Inchaffray, St. Clement's Day [23 Nov.], 1271.

## XCIX

[Grant by Brice of Ardrossan of sixteen acres.]

Brice of Ardrossan makes known that, for the weal of his soul and for the soul of Malise, late earl of Strathern, he has given to the abbot and convent of Inchaffray and their successors the sixteen acres of land situated near the bridge of the abbey on the east in the field (*campo*) called Langflathe, with their pertinents and easements, which sixteen acres his lord Malise aforesaid had given him in exchange for the land of Cullath, which land of Cullath the earl, with Brice's consent, assigned to the church of Dunblane for ever. To be held in pure and perpetual alms, quit of all secular exaction. Brice's seal. Witnesses . . . [1271.]

## C

[Another grant by Brice of Ardrossan.]

Brice of Ardrossan makes known that, for the weal of his soul and of the souls of his ancestors, he has granted and assigned to the abbot and convent of Inchaffray that portion of land in the territory of Petlandy which he holds at fee-farm of Luke, son of Theobald. To be held in pure and perpetual alms as freely as he held it. *Reddendo*, one mark yearly (half at each of the usual terms) to the chaplain celebrating divine service in the almshouse of Inchaffray for procuring or finding a chalice and the *ornamenta* necessary for divine worship. If it should happen by any chance that the abbot and convent be evicted from the land he wills that they should be free from giving the mark, and Brice and his heirs should give the mark to the chaplain, and should be compelled thereto by ecclesiastical censure. To Luke aforesaid and his heirs six pence was to be paid at Whitsunday and six pence at Martinmas; and three pence for the king's aid or hosting, as often as the king demanded a common aid or common hosting from the whole realm. Brice's seal. Witnesses . . . At Inchaffray, 23 November 1271.

## CI

[Letter Testimonial by Brice of Ardrossan that he has given sasine of his land in Petlandy.]

Brice of Ardrossan makes known that he has of his free will delivered to the abbot and convent of Inchaffray full sasine of the whole land which he held at fee-farm in Petlandy, and had sent his servants, Michael and Martin, to put the abbot, or his procurators, into full sasine of the said land; saving to the lord of the feu what in the charter between Brice and him is more fully contained. Brice's seal, and seal of Robert, bishop of Dunblane. At Inchaffray, St. Andrew's day [30 Nov.], 1271.

## CII

[Grant of land by Malise, son of Earl Gilbert.]

Malise, son of the late Earl Gilbert, knight, makes known that out of charity, and for the weal of his soul and the souls of his ancestors, and of his son Malise, and his heirs, he has given to the abbot and convent of Inchaffray in pure and perpetual alms that portion of land in his holding of Rossy, by those marches by which, in the presence of men worthy of credit, he perambulated it. [Here follows a description of the boundaries.] The portion of land contains three acres and more. To be held in pure and perpetual alms, with pasture for twelve kine, twenty sheep, and one horse, together with the easement of taking from the peat-moss every year twenty cart-loads (*karucas*) or, if they prefer it, eighty horse-loads of peats, with all other easements within and without the vill. Warrantice. His seal. Witnesses . . . [c. 1272.]

## CIII

[Grant of land in Pethlandy by Luke, son of Theobald.]

Luke, son of Theobald, son of William, makes known that, out of charity, and for the weal of the souls of himself, his ancestors and successors, he has granted to the abbot and convent of Inchaffray, and to the light of the principal altar of St. Mary in their church, in pure and perpetual alms, that whole portion of land, in his land of Pethlandy, which lies between the land which his father and he gave to the abbey in the land called Fithlerflath

and the high way that goes towards Buchteny. [Here follows a description of the boundaries.] He also grants another portion. The whole grant contained four acres and a little more; he grants also the brewhouse of the whole land of Pethlandy, with common pasture for eight kine and two horses, and all other common easements within and without the vill of Pethlandy, in wood and plain, etc. The lands granted by him and his father, and by Brice of Ardrossan, granted with his (Luke's) consent, from the land of Dunyduf, form a continuous whole, without any reservation. Luke confirms his father's grant of a toft and two acres, together with the land of Dunyduf granted by Brice of Ardrossan. Grantor's seal. Witnesses . . . [c. 1272.]

CIV

[Commission of Pope Gregory x. for recovering the property of the abbey.]

Gregory . . . to the dean of Dunblane. [The bull runs almost word for word with the earlier bulls having the same object.] Lyons, 15 July 1274.

CV

[Grant by Luke, son of Theobald, of a toft and croft in Petlandy.]

Luke, son of Theobald of Petlandy, gives in pure and perpetual alms, for the weal of the souls of himself and his wife, etc., to the abbot and convent, a toft and croft in his holding of Petlandy, situated close before the door of his house. [The boundaries are described, and reference is made to the land of his son-in-law, Martin.] The land granted contained quarter of an acre. He also grants the brew-house of the whole land of Petlandy, with the rights of the brew-house, and all other rights and easements within and without the vill, free of any reservation, in wood and plain, moors and marshes, and the right to take peat and broom. Warrantice. Seal of grantor. Witnesses . . . [c. 1275.]

CVI

[Grant by Luke of the brewhouse of Petlandy.]

Luke, son of Theobald of Petlandy, gives, for the weal of the souls of himself, his wife, etc., to the abbot and convent, in pure

and perpetual alms, the brewhouse of the whole land of Petlandy, with all its liberties, rights, and easements. Warrantice. Seal of grantor. Witnesses . . . [c. 1275.]

## CVII

[Bull of Pope Nicholas III. granting a faculty to use privileges which had been formerly granted by Popes, but which, through negligence, had not been used.]

Nicholas . . . to the abbot and convent of Inchaffray. It had been represented to him that they and their predecessors, through simplicity and ignorance of law, had not in the past made use of certain privileges and indulgences granted to the monastery by his predecessors, bishops of Rome. Moved by their supplications, and desirous to take precautions for the indemnity of the monastery, he grants to them a faculty, notwithstanding such negligence and omission in the past, to use the same privileges and indulgences, so far as the right had not been lawfully restricted by prescription or otherwise. Viterbo, 9 July 1278.

## CVIII

[John Cumyn's grant of right of way by his wood and the bridge of the black ford.]

John Cumyne, son of the late Sir John Cumyne, makes known that, for the weal of the souls of himself, his wife, and his children, and especially of the souls of the said Sir John, his father, and his ancestors, he grants to the abbot and convent of Inchaffray, in pure and perpetual alms, the right of way with their animals, carriages, and other goods by the public road which leads from the monastery through the black ford, called in Scots Athebethy, in his wood of Rosmadyne, as far as the town of Perth, and of constructing there (*ibidem firmandi*) a bridge on his land, and of maintaining it at their expense, and of using it at pleasure, free from any opposition or trouble from him or his heirs. He charges his servants, keepers of his wood, that they should not in any way interfere with the religious or their men when they pass by the bridge, on their business. If any of the animals of the abbot and convent or of their men trespass upon his pasture, the



penalty is to be limited to one penny for each act of trespass, without any greater exaction for his servants, unless the animals shall be found grazing by night or day in his pasture in charge of a shepherd. Warrantice. Seal of grantor. Given at Gasknes, Monday next before the feast of St. Mary Magdalene [22 July], 1278. Witnesses . . .

CIX

[John Cumyn's grant of a serf.]

John Cumyne, son of the late John Cumyne, quitclaims for ever, in pure and perpetual alms, to the abbot and canons of Inchaffray, Gillecrist Rothe, son of Gylleththeny, with his issue, born or to be born, with all right which Cumyn had in him or his issue. Seal of grantor. Given at Gasknes, Monday next before the feast of St. Mary Magdalene [22 July], 1278. Witnesses . . .

CX

[Agreement between the Abbey and Walter, baker, of Perth.]

Walter, baker, of Perth, and his spouse, Hawys, daughter and heiress of the late Nicholas Pape, burgess of Perth, make known that there had been a dispute between them and the abbot and convent of Inchaffray as to a certain land which had belonged to the late Nicholas Pape [site described], in the full court of Perth, in presence of Robert, bishop of Dunblane, Sir William de Moravia, knight, the bailies of Perth, and many others. And in the said court for a long time Walter and Hawys harassed the said religious in respect to the right in the said land, which Walter and Hawys believed they had obtained by letters of the king.

At length a friendly agreement was come to: Walter and Hawys granted to the said religious all right which they had in the said land, in return for a sum of money which the said religious gave them beforehand in their great need, and which they acknowledge to have received in full. They renounce all resort to law, canon or civil, and other means to set aside the above agreement. Seal of William, seal of Hawys, and seals of the bishop of Dunblane, of Christian de Insula, sheriff of Perth, and of John Albot and John of Perth. Witnesses . . . [c. 1279.]

## CXI

[Indentured Agreement between Andrew, abbot of Cupar,  
and Hugh, abbot of Inchaffray.]

A question having arisen between Andrew, abbot of Cupar, and the convent of the same place, of the one part, and Hugh, abbot of Inchaffray, and the convent of the same place, of the other part, as to a yearly payment of twelve pounds of wax, which the abbot of Cupar claimed out of certain houses and lands in the town of Perth, which Master W Dunstane and Michael of Inchaffray held at fee-farm of the monastery of Inchaffray, at length, although the monastery of Inchaffray possessed these houses and lands for thirty-nine years and more, free of any payment of wax, and the right of the abbot and convent of Cupar thereto was not sufficiently apparent, yet, by the intervention of common friends of the parties, a friendly agreement was made as follows :—The monastery of Cupar should not in future make any claim for the wax, and the monastery of Inchaffray, for the good of peace, were to pay yearly to the monastery of Cupar two pounds of cumin and two pounds of pepper within the octave of the Nativity of St. John the Baptist [24 June], at the chapel of the bridge of Perth. If the payment is not duly made, the abbot and convent of Cupar may, with the leave of the king's bailies at Perth, distrain both within and without the houses, and take poulds till the payment is made in full. For the observance of the agreement the two abbots oblige themselves by their corporal oaths, and both parties renounce resorting to law or to royal or apostolic letters, or to any device that would impede the effect of the agreement. The two parts of the indenture were sealed, respectively, with the common seal of Cupar and the common seal of Inchaffray. Given at Perth on the day of the Nativity of St. John the Baptist [24 June] 12[8?]2.

## CXII

[Grant of the advowson of the church of Strowan.]

Malise, son of Malise, late earl of Strathern, makes known that he has given in pure and perpetual alms to the canons of Inchaffray the advowson of the church of Struy [Strowan], with the ground on which the church is founded, and the portion of land with

which the church was dowered by him at its dedication. To be held as freely as the advowson of any church granted by any earl or baron in the realm of Scotland. Warrantice. Seal of grantor. Witnesses . . . [c. 1282-3.]

## CXIII

[Indentured Agreement between Earl Malise and the Monastery, concerning twenty marks from Dunning and Petikarne, instead of the increment of second tithes.]

Inasmuch as the abbot and convent of Inchaffray craved with earnestness to be satisfied in full by Malise, earl of Strathern, out of all increases of his rents and cains, as well in money as in wheat, meal, malt, cheese, flesh, fish, issues of court, and all other goods and obventions, which had accrued or could accrue to the said earl from the year of our Lord 1247, which, under the name of second tithes, the aforesaid religious asserted were due to them by the gift and grant of earls of Strathern his predecessors, the said Earl Malise, after careful deliberation with discreet men, and relying on the counsel of friends, to prevent in future such demands from him and his heirs, gave, on the feast of the Annunciation [25 March] of the year 1283 then beginning, to the abbot and canons in pure and perpetual alms twenty marks of yearly rent from the thanage of Dunning and from Petikarne by the hands of the tenants, at the three yearly terms, namely, at Whitsunday three marks from Dunning and five from Petikarne; at the feast of St. Peter's Chains [1 Aug.] four marks from the thanage of Dunning, which were customarily given to the earl himself *pro fretellis*; and at Martinmas three marks from Dunning and five from Petikarne. To be held by the monastery of the earl and his heirs as freely as any, etc. Warrantice. And he will procure the grant being confirmed by the king's letters patent, and inrolled in the king's chapel.

In return for this grant the abbot and convent with unanimous consent quitclaimed and resigned all right and claim to the augmentations as above. The other articles and grants, all and singular, in the charters of the earl's predecessors, not concerning augmentations, were to remain in force. To the part of the indenture remaining with the earl were attached the common seal of the monastery and the seals of Robert, bishop of Dunblane, and the chapter of Dunblane, of Sir Patrick de Graham and Sir

William de Moravia, knights. To the other part remaining with the monastery the seals of the earl, together with the seals of the bishop, the chapter, and the aforesaid knights. Witnesses . . .

## CXIV

[Charter of Earl Malise III., granting twenty marks yearly for the augmentation of second tithes.]

Malise (III.), earl of Strathern, makes known that for the monastery's resignation and quitclaim of their right to the augmentation of second tithes he has granted twenty marks yearly [as in No. cxiii]. These twenty marks were to be in addition to the twenty marks formerly granted by the earl's father, Malise (II.), from Dunning. [The substance of the concluding part of No. cxiii is then recited—specifying more particularly the other grants made by the earl's great-grandfather, Gilbert, and his father, Malise (II.) as those remaining in full force.] Grantor's seal. Witnesses . . . [1283.]

## CXV

[Earl Malise III. assigns to whom the ten marks from Petkarne were to be paid.]

Malise (III.), earl of Strathern, assigns the abbot and convent as the persons to receive ten marks yearly from his holding of Petkarne, half at Whitsunday and half at Martinmas; and commands Macbeth, son of Ferchware, the tenant of the said holding, and his heirs or assignees, that they should pay the ten marks to none of his (the earl's), bailies nor to any other than the abbot and canons or their assignees, and that, faithfully, in full, and without delays. Seal of grantor. At Innyrpefyr, on the morrow of the Annunciation [25 March], 1283.

## CXVI

[Ratification by Sir John of Johnstone, knight, of a grant made by his wife.]

John of Johnstone, knight, ratifies the gift and grant which Mary, his wife, had made, with his assent, to the monastery and canons of a certain portion of a yearly pension of a hundred

shillings, to be received during her life by the said canons, at the two terms of the year, from her holding of Strathy, as is more fully contained in the charter dealing with that matter, and lest the grant might be impeached because Mary was at the time when it was made subject to her husband in law of matrimony, he declares by these presents his express consent. Seal of grantor. At Strathy, the vigil of the Holy Trinity, 1284.

CXVII

[Earl Malise III. declares that no prejudice to the immunities of the monastery should be created by a special act of favour.]

Malise (III.), earl of Strathern, makes known that, although 'the religious of our monastery of Inchaffray' rendered succour to him with their men for maintaining the peace and tranquillity of the kingdom after the death of Alexander (III.) king of Scots, he desires that, because of this act of courtesy, done as a special favour, no prejudice should be created as regards the obligations of the religious, nor their act be drawn into custom, inasmuch as by the infeffment granted by his ancestors, earls of Strathern, the religious were wholly free from exactions of this kind. Seal of grantor. At Inchaffray, the morrow of Whitsunday, 1287.

CXVIII

[Settlement of a dispute as to the patronage of the vicarage of Strugeith.]

Malise (III.), earl of Strathern, makes known that when the vicarage of Strugeith had become void through the death of Master Richard of Stirling, late vicar of the place *de jure et de facto*, W[illiam], bishop of Dunblane, believing that it belonged to him of right to confer the vicarage, had, at the request of the earl, conferred it *de facto* on John of Legirdwode, the earl's chaplain. Thereupon the religious of Inchaffray immediately raised the objection that by the bounty of former earls of Strathern, the grants of bishops of Dunblane, and the special confirmation of the chapter of Dunblane, they were the true patrons, and that the right of presenting to the vicarage belonged to them; and this they clearly showed in the presence of the bishop of Dunblane, the abbot of Cambuskenneth, the archdeacon of Dunblane, and

others [named] by exhibiting the public instruments, sealed, of the earls, the bishops, the chapter, confirmations from the Apostolic See, and also by the evidence of very many persons worthy of credit. The bishop of Dunblane, after conference with the earl and the clergy of the cathedral, decreed and publicly pronounced in favour of the claim of the monastery. And on the presentation of John of Legirdwode by the monastery, he admitted him to the said vicarage and caused him to be put in corporal possession of the same. [The bishop's letter to this effect, dated Arbroath, Sunday, the feast of St. Matthew (21 Sept.) 1287, is recorded in full.] And that all the above, as to the right of the said religious with respect to the vicarage, may be held in memory for ever, the seal of the earl and the seals of the above witnesses are appended. 'Given at Kenmor, Sunday [28 Sept.] next before the feast of St. Michael the Archangel [29 Sept.] A.D. 1287.'

## CXIX

[Confirmation by the bishop of Glasgow of the grant of the church of Buthbren.]

Robert, 'humble minister of the church of Glasgow,' makes known that in compassion for the plunderings, burnings, and innumerable afflictions which the abbot and convent of Inchaffray had suffered through war, and desirous of relieving, so far as he could, their poverty and low estate, grants to them power to convert to their use, on the resignation or death of the rector, the church of Buthbren (Balfron) in his diocese, the patronage of which church Sir Thomas of Cromennane, knight, had charitably granted them. Every defect, if there were any, in Sir Thomas's grant he supplies out of the plenitude of his ordinary power. Episcopal and archidiaconal rights are reserved. The monastery need not appoint a vicar, but may cause the church to be served by a simple secular chaplain, or by one of their own canons. Seal of grantor. Given at Balindarge in Angus, 3 October 1303.

## CXX

[Commission of Pope Clement v. for recovering the property of the monastery.]

Clement . . . to the abbot of the monastery of Culross. [This bull runs in like form with that of No. LXXVIII.] Given at Poitiers, 17 November 1307.

CXXI

[Grant by King Robert I. of the lands of Cardny and Dolcorachy.]

Robert, king of Scots, makes known that for the weal of the souls of himself, his ancestors and successors, kings of Scotland, he has given to the canons of Inchaffray his whole land of Cardny and of Dolcorachy, in the thanage of Fortevyot, to be held by the same in frankalmoign, without any reservation, and with all its liberties and easements, in wood and plain . . . multures and mills, hawking, hunting, woods, and fisheries, as free from all secular service as any land given in alms by kings of Scotland is held in the whole realm. Grantor's seal. Witnesses . . . At Scotlandwell, 16 February 1313-4.

CXXII

[Commission of Pope John XXII. for recovering property of the monastery.]

John . . . to Duncan, precentor of the church of Dunkeld. [This bull runs in like form with that of No. cxx.] Given at Avignon, 16 January 1316-7.

CXXIII

[Grant by King Robert I. of the patronage of the church of Kyllyn, under the Privy Seal.]

Robert, king of Scots, makes known that he has given to the abbot and convent of Inchaffray, in pure and perpetual alms, the right of patronage of the church of Kyllyn, in Glendochyrthe, with all liberties, fruits, and pertinents of all kinds pertaining to the said church, on condition that the abbot and convent should find a canon to celebrate divine service in the church of Strathfulane. The king's Privy Seal. At Clackmannane, 26 February 1317-8.

CXXIV

[Grant of the same under the Great Seal.]

Robert, king of Scots, makes known that for the weal of his soul and of the souls of his ancestors and successors, kings of

Scotland, he has granted and by this charter confirmed to the abbot and convent of Inchaffray the right of patronage of the church of Kyllyn, in Glendorithe, with all its liberties, etc., in pure and perpetual alms, as freely, etc. Seal. Witnesses . . . At Berwick-on-Tweed, 12 April 1318.

## CXXV

[Mandate of King Robert 1. for the observance of No. cxxi.]

Robert, king of Scots, to his chamberlain of Scotland, or whoever holds his place, and to the sheriff of Perth and his officers for the time being. They are commanded to give effect to the grant [No. cxxi.] of the lands of Cardny and Dolchorachy, in which the abbot and convent were infeffed by him, as in the king's charter was contained, saving only that the abbot and convent should answer to him and his heirs out of the said lands, as the other religious of his kingdom infeffed in lands granted in alms. Given at Litwy, 27 July 1318.

## CXXVI

[Confirmation by William, bishop of Dunkeld, of the grant of the church of Kyllyn.]

William, 'humble minister of the church of Dunkeld,' makes known that, with the unanimous consent and assent of his chapter, after full discussion, he has granted to the abbot of Inchaffray, and to the canons of the same who should serve at the direction of the abbot in the chapel of St. Filan in Glendochart, in the diocese of Dunkeld, and should be sent there and removed by the abbot (provided that, according to the capabilities of the place, a sufficient number of canons should be settled there), the church of Kyllyn, with all its lands, rights, and obventions for their own use (the patronage of the church having first been given them by King Robert the true patron), saving the dues of the bishop and arch-deacon of Dunkeld. So that all the fruits and revenues of the said church should be converted by the ordinance of the abbot to the use of the prior and canons living at the said chapel for the worship of God; and the prior to be presented to the priory of the said chapel, when it was vacant, should be presented by the abbot and convent to the bishop of Dunkeld and his successors, and by



the bishop be instituted, and receive his cure. And the abbot and convent shall present to the bishop a canon or (if they prefer it) a secular chaplain for the vicarage of the church of Kyllyn, whose portion, for his own maintenance and the payment of the dues of the bishop and archdeacon, the bishop assesses at ten pounds. Seal of the bishop. Given at Dunkeld in our chapter, on Thursday next before the feast of the Apostles Symon and Jude [28 Oct.], 1318.

CXXVII

[Confirmation of cxxvi. by the chapter of Dunkeld.]

The dean and chapter of Dunkeld make known that they have seen and inspected the charter of the grant made by the bishop as follows [No. cxxvi.], which grant they ratify and confirm. And if by carelessness or ignorance anything was omitted in the said charter, they supply it by these presents. Common seal of the chapter. 'Given in our chapter, on Thursday next before the feast of the Apostles Symon and Jude [28 Oct.], 1318.'

CXXVIII

[Settlement of a dispute between Andrew de Moravia and the abbey.]

Andrew de Moravia, of Tulibardine, makes known that there had been a dispute for three years and more between him and the abbot and convent of Inchaffray, in reference to one mark of a yearly payment detained by him for the said time, which mark the religious asserted that they received at the two terms of Whitsunday and Martinmas, from the holding of Tulibardine, as tithe. At length at the order of Maurice, bishop of Dunblane, the truth of the matter was made evident, namely, that the said religious and their monastery were in peaceable possession beyond the memory of man of the reception of that mark, in accordance with charters of gift made by the ancestors of Andrew. Having the fear of God before his eyes, and unwilling to infringe the pious desires of his parents, he, of his own accord, resigns, for himself and his heirs, his whole claim to the said mark, and irrevocably confirms the grant. And if anything was lacking in the grants of his predecessors he does not refuse to supply it. And that his confirmation might have force, he subjects himself and

his heirs and all their possessions to the coercion and jurisdiction of the bishops and ordinaries of Dunblane, under penalty of one hundred shillings to be paid to the fabric of the church of Dunblane, if he fails in whole or in part in fulfilling his promise, or in any way opposes this confirmation. Warrantice. Grantor's seal, and the seals of Maurice, bishop of Dunblane, and Duncan, dean of Dunblane. Given, the feast of St. Bean [26 Oct.], 1329.

## CXXIX

[Acknowledgment by Maurice de Moravia.]

Maurice de Moravia, lord of Drumsergarthe, makes known that the abbot and convent have freely assigned to him during his life their land of Balmacgillon, together with six marks a year out of the land of Abercarny, as a yearly pension, in return for counsel, labour, and aid rendered and to be rendered to them by him, as in their writ on the subject is contained. He therefore grants by these presents for himself, his heirs, or assignees, that out of this grant of the religious no prejudice should be created to their rights after his decease, but that the said land of Balmacgillon, with the six marks, should freely revert to the said religious, without any disturbance caused by his heirs or assignees. Grantor's seal; and seal of Maurice, bishop of Dunblane. Given at Inchaffray, Thursday, the feast of the Apostles Simon and Jude [28 Oct.], 1339.

## CXXX

[Indenture between the abbey and Sir Maurice de Moravia.]

It is declared that the abbot and convent of Inchaffray were entitled, of long custom and peaceable possession, to the yearly payment of forty-two marks sterling, granted in pure and perpetual alms from the lands of Dunin by the earls of Strathern, of which sum at the present time they received but little, by reason of the misfortunes of war and the fewness of the inhabitants. In hope of greater gain in the future, the said religious granted to the noble man Sir Maurice of Moravia, lord of Drumsergarthe, the special friend of the monastery, for a term of ten years from Whitsunday, 1344, under the name of pension, the said forty-two marks, with the exception of a yearly payment of ten marks from the land of Pethkarn. As a 'recognition' the *reddendo* was to be

for the first five years one stone of wax paid to the religious every year at the feast of the Purification [2 Feb.], and for the other five years two stones of wax yearly at the same date; Maurice pledging himself to render to the religious in their affairs his counsel and aid, and to defend, protect, and maintain, to his utmost ability, the possessions, rights, and liberties of the monastery, as if they were his own. He was also to give the assistance of his bailies in compelling payment of the rents of the monastery. At the end of the ten years, and at the death of Maurice, should it happen before the end of the ten years, the said annual payment was to revert absolutely to the monastery, without any claim or opposition on the part of Maurice's heirs, executors, or assignees. To the observance of the premises both parties pledged themselves in good faith and pure conscience. To the part of the indenture remaining with Sir Maurice the common seal of the monastery was attached: to the other part the seal of Sir Maurice: and for greater evidence, to each part the seal of Maurice, bishop of Dunblane. Given at the feast of Matthias the Apostle [25 Feb.], 1343-4.

CXXXI

[Confirmation by Pope Clement VI. of King Robert's grant of the church of Kyllyn.]

Clement . . . to the abbot and convent of the monastery of Inchaffray. Their petition contained that Robert, king of Scotland, of illustrious memory, thinking of his own salvation, and desirous to exchange in wholesome commerce earthly things for heavenly, and things transitory for things eternal, gave to them and their monastery the right of patronage of the church of Kyllyn, in the diocese of Dunkeld, for the relief of himself and of the souls of his parents, as in the letters patent fortified by the seal of the same king is said to be contained. Clement confirms the king's act. Given at Avignon, 13 November 1348.

CXXXII

[Testification by the archdeacon of Dunblane as to the right of the abbey to twenty shillings yearly from the land of Pettynefive.]

Nicholas of Kynbuk, archdeacon of Dunblane, declares that it is certain, by authentic instruments, fortified by the seals of

bishops of St. Andrews, Dunblane, and Roger de Quincy, earl of Winton, constable of Scotland, not cancelled, nor in any part vitiated, and well and duly indentured, that he (Nicholas) and his successors, archdeacons of Dunblane, are under obligation to pay yearly at Martinmas, at Nesgask, to the abbot and convent of Inchaffray or their assignee twenty shillings sterling for tithes and all other things which the said abbot and convent were accustomed to receive from the land called Pettynefive [see No. LXIV.] by reason of their church of Gask Christi (Trinity Gask), and which the archdeacon possessed by reason of his church of Nesgask, by reason of an agreement between the predecessors of both parties, as in the indenture made on the subject is more fully contained. All who have an interest in the matter are hereby informed. Seal of Nicholas, and, for clearer testimony, the seals of William, bishop of Dunblane, and Laurence, prior of Abernethy. At Dunblane, Wednesday, 11 April 1358.

## CXXXIII

[Robert, earl of Strathern, grants forty-two marks from the thanage of Duning, as of old.]

Robert, Steward of Scotland, earl of Strathern, to all his mairs of Duning. In his court, held at Crieff, 8 May 1358, the charters and muniments of the abbot and convent of Inchaffray, as to a yearly payment of forty-two marks from the thanage of Duning, were inspected. After careful deliberation he has given state and possession of the said annual payment to the religious aforesaid, as of old. And he commands all and each of his mairs to cause the payment to be made at the usual terms according to ancient custom, and to compel the tenants of the thanage to pay the proportion due from them. He will punish deficiency of their duty on the part of the mairs. Seal of the earl. At Methfen, 13 May 1358.

## CXXXIV

[Confirmation of charters by Robert, earl of Strathern.]

Robert, Steward of Scotland, earl of Strathern, makes known that in his court held at Crieff, 8 May 1358, he had inspected the charters of the abbey relating to the annual revenue of forty-two

marks from the thanage of Duning given to the abbey by Malise the first (Malise II.) and Malise the second (Malise III.), earls of Strathern, which charters he ratifies in all particulars. Seal of the grantor. At Perth, St. John Baptist's day [24 June], 1358. Witnesses . . .

CXXXV

[Surrender of deeds by Nevin MacEwyn and Marion,  
his wife.]

Nevin MacEwyn and Marion his wife, daughter, and one of the heirs of Malmoran of Glencharny, makes known that after solemn conference with kindred and the counsel of friends, they have for their advantage, and especially for the weal of the souls of the late Malmoran and Cicilia his wife, and of their predecessors and successors, granted, given, and sold for forty marks sterling to John, abbot of Inchaffray, and the convent of the same (which forty marks were paid in money by the said abbot), the letters, writs, instruments and muniments, all and singular, and all right and claim to succession 'by us, our heirs, and successors,' which letters, writs, etc., the late Malmoran, our predecessor had relating to the lands of Achelonsyche (which is called the Crage), Ardeweny, and Ardbany within the shire of Madderty. These lands had been pledged to Malmoran by Symon of Scone, abbot of Inchaffray, for the sum of forty pounds sterling by well-authenticated instruments. Nevin and Marion acknowledge the payment of the forty marks in full, and declare themselves well-content and satisfied. To the security of this grant and sale they swear on the Gospels in the chapel of St. Mary at Innerpefry, before Walter, bishop of Dunblane, Adam and Andrew, dean and archdeacon of Dunblane, and others [named].

Nevin and Marion further oblige themselves, their heirs, and successors, under a penalty of two hundred marks sterling to be applied to the fabric of the cathedral church of Dunblane and the monastery, and also under penalty of the greater excommunication, to be fulminated *ipso facto*, that they will not by word or deed attempt to set aside the above agreement on any plea in law. If any letters obligatory, instruments, or writs, touching the pledging of the said lands should be found in the future, they are to have no force; and yet at the expense of Nevin and Marion they are to be annulled, and delivered to the abbot and convent. They

subject themselves, their heirs and successors, under the penalties aforesaid, to the jurisdiction, coercion, and judgment of the bishop, dean, archdeacon, their officials for the time being, who can compel observance of the above, all privileges, indulgences, and exceptions notwithstanding, more particularly the benefit of the Velleian law. In the event of any attempt at reclaiming, the penalty of two hundred marks is to be levied and paid in full, the present agreement nevertheless remaining irrevocably in full force. Their seals; and for greater security the seals of Robert, Steward of Scotland, earl of Strathern; Walter, bishop of Dunblane, and others [named]. Given in the parish church of Perth, on Friday next before the feast of St. Andrew [30 November], 1365. Witnesses . . .

## CXXXVI

[Grant of Carnibo by Roger of Mekfen.]

Roger of Mekfen, lord of the same, makes known that in the spirit of devotion, for the weal of his soul, he has given and confirmed to the abbot and convent of Inchaffray, in pure and perpetual alms his whole land of Carnibo by its right meiths and marches, with all its liberties and easements, etc. To be held for ever by the said religious and their successors, of him and his heirs and successors, as free from secular exaction as any land can be granted by a baron or knight, saving the forinsec service of the king, and by performing for him and his heirs the forinsec service due to the earl of Strathern. Seal of grantor. Witnesses . . . [c. 1370.]

## CXXXVII

[Grant of land for a light in the church.]

William, son of Malise, makes known that of his own accord, for the weal of his soul, he has given and confirmed to the canons of Inchaffray in pure and perpetual alms, the portions of land, all and singular, belonging to him within and without the town of Auchterarder, by their meiths and marches, with all their pertinents, for finding a light before the image of St. Mary in the choir of the church of Inchaffray, which lands he had bought from John, son of Baldin. To be held, as aforesaid, with all their rights, liberties, and easements—save only the king's service.

Seal of grantor, and for greater security the common seal of the burgh of Auchterarder. Witnesses . . . [c. 1370.]

CXXXVIII

[Declaration by David, earl of Strathern, that a grant of subsidy by the abbey must not be drawn into a precedent.]

David, earl palatine of Strathern . . . 'Inasmuch as our beloved chaplains, the abbot and convent of our abbey of Inchaffray, have granted certain subsidies for the construction of bridges and the causeway lying on the west of the said abbey through the marsh towards our demesne lands of Fowlis,' he does not wish that any prejudice to the liberties of the abbey should be created by this grant of subsidies. To these letters patent his seal is placed. At Fowlis, 8 April 1375.

CXXXIX

[Petition to Pope Clement VII. to confirm the election of William of Culross as abbot.]

The prior and canons of Inchaffray, shortly after the decease of John de Kelly, last abbot of the monastery, who died forth of the Roman Court, unanimously elected as abbot William of Culross, canon of the monastery and vicar of Dunyne, a provident and discreet man, commended for his knowledge of letters and his life and morals, which election Andrew, of good memory, then bishop of Dunblane confirmed by his ordinary authority, and gave benediction to the elect. Wherefore the prior and canons petition his Holiness to confirm the election, the bishop's confirmation, and benediction, and all subsequent acts, apostolic reservations notwithstanding.

The Pope commits to the bishop of Glasgow to confirm the election, if it be canonical, or, if otherwise, to make fresh provision of the elect, if he be fit. [At Avignon, 2 December 1381.]

CXL

[Petition to the same for confirmation of the church of Strugeith.]

The parish church of Strugeith, in the diocese of Dunblane, being vacant by the decease of the last rector, who died forth of

the Roman Court, the collation to which church belonged of full right to the bishop of Dunblane, Walter, of good memory, who then presided over the church of Dunblane, conferred the said parish church on the abbot and convent of Inchaffray by his ordinary authority, and united it for ever to the monastery, the possession of which church the monastery has peaceably and quietly possessed. But, because the abbot and convent have doubts as to their being in future troubled about this collation and union, because of their lacking confirmation from the Apostolic See, they humbly supplicate his Holiness to confirm the collation, union, and subsequent acts, and, if it shall be necessary, to confer the church anew on the monastery, and unite it anew, supplying defects, if any there were: apostolic statutes, ordinances and constitutions to the contrary notwithstanding.

The bishop of Glasgow is to inform himself, and, so far as was just, to confirm the collation and union. Avignon, 2 December 1381.

## CXLI

[Papal Commission to the Bishop of Dunkeld to provide to the abbey, 19 July 1387.]

[Clement VII.] to the bishop of Dunkeld [John de Peebles].

During the lifetime of the late John, abbot of the monastery of Inchaffray, of the order of St. Austin, in the diocese of Dunblane, the Pope had resolved to reserve to himself the provision to the abbacy on its becoming void, decreeing any act to the contrary, whether wittingly or unwittingly attempted, to be null and void. Afterwards, on the death of the aforesaid John, who died forth of the Court of Rome, the prior and convent of the said monastery, in ignorance, perhaps, of the aforesaid reservation and decree, after due summons of all who were concerned, and the appointment of a day for the election, as the custom is, convened, and unanimously elected (although it was only *de facto*) 'our beloved son William of Culros,' canon of the said monastery, in priest's orders, to be their abbot; and the said William, in like manner ignorant of the said reservation and decree, consented to the *de facto* election within the canonical time. Afterwards, when the said reservation and decree was brought to his knowledge, the



said William caused the whole of the facts above stated to be laid before the Pope. The Pope thereupon declares the election and subsequent acts to be null and void, as being contrary to the reservation and decree aforesaid; he desires to provide with all speed for the good estate of the monastery, none other being able on this occasion to intermeddle with the matter; but having no certain knowledge of the merits, sufficiency, and fitness of the said William he, by this letter, commits to the bishop of Dunkeld, in whom he has full confidence in this and other matters, to inform himself very carefully as to the merits, fitness, and sufficiency of the said William, and if he is satisfied, to provide him, or, if not, some other person of the same or another monastery of that order [Canons Regular of St. Augustine], and appoint him abbot by committing to him the full care and administration of the said monastery both in spirituals and temporals, and causing due obedience and reverence to be rendered to him by those subject to him. Opponents are to be brought to submission by the censures of the Church, any appeal being deferred.

Moreover the bishop of Dunkeld was to cause the said William, or the other person [in the event of William being judged not qualified], to receive benediction from any bishop in communion with the Apostolic See, or the bishop of Dunkeld was himself to give benediction.

The bishop of Dunkeld, or the other bishop, was, after the benediction, to receive, in the name of the Pope and of the Church of Rome, the customary oath of fealty, in the form under the papal seal (*bullæ*), which was enclosed. Further, the said William, or the other person, was to cause the form of the oath which he took to be transcribed, word for word, in letters patent, sealed with the seal of the bishop of Dunkeld, and to despatch these letters as speedily as possible, by his own messenger, to the Pope.

The Pope declares that he does not by these commands desire to create any prejudice in future to the rights of the bishop of Dunblane to whom the monastery is recognised as subject.

Given at Avignon, 14 Kal. August: Ninth year [19 July 1387].<sup>1</sup>

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<sup>1</sup> This commission was originally addressed, 'To our beloved son Walter, cardinal priest of the holy Roman Church, sometime bishop of Glasgow, legate of the Apostolic See.' See what is said on William de Culros in the Appendix on the Priors and Abbots of Inchaffray, p. 253, and the Notes on No. CXXI.

## CXLII

[Confirmation, by Godfrey of Ile, of the chapel of the Holy Trinity in (North) Uist and of certain lands.]

Godfrey of the Isles, lord of Uist, makes known that he has given, granted, and confirmed for the weal of his soul, etc., and in honour of the Holy Trinity and St. Mary glorious Virgin, to Inchaffray, in pure and perpetual alms, the chapel of the Holy Trinity in Uist, and the whole land of Karynche, and four pennylands in Ylara between Hussaboste and Kanusorarrath, as freely as Christina, daughter of Alan, of good memory, true heiress, and Reginald, called M'Rodry, true lord and patron, conferred the said chapel with the lands aforesaid on the monastery and convent. He ratifies and confirms the above, with the addition, that his beloved Thomas, canon of Inchaffray, should fully and peaceably possess the chapels and lands. His seal, at his castle of Elane Tyrym, 7 July 1389.

## CXLIII

[Confirmation by Donald, Lord of the Isles.]

Donald of Yle, lord of the Isles, makes known that he ratifies and confirms the gift of Christina, daughter of Alan, heiress and lady of Uist, namely the chapel of the Holy Trinity in Uist, with lands and pertinents, made to Inchaffray in pure alms as the grant was made by the said lady and her successors, Reginald, son of Roderick, formerly lord of Uist, and 'Godfrey of Yle, our brother, hereditary lord of the same lands, as in their letters and charters appears; yet so that the abbot and convent of Inchaffray shall do and observe, in things spiritual and temporal, for us and our heirs, what they were bound to do and observe by the donors as in the original letters on the subject is more fully contained.' Seal of grantor. 'At our castle of Dun Aros in Mull, 6 December A.D. 1410.'

## CXLIV

[Obligation by Paton Young to warrant the abbot and convent against claims by Meg Makky upon a rood of land in Perth, 22 July 1439. In Scots.]

## CXLV

## [Grant of Land at Mekven.]

Robert of Mekven, lord of that ilk, makes known that he has given to Inchaffray, in pure and perpetual alms, his brewland of the vill of Mekven, with the tofts of the same, and eight acres of land circumjacent, in the lordship of Mekven, within the county of Perth. To be held, with their pertinents, by the abbot and convent, from him and his heirs, of the lord of Methven in fee and heritage, together with pasture for twenty kine, sixty sheep, and two horses, and with all the liberties and easements which do, or could in the future, pertain to the said brewland, tofts, and eight acres, as freely as he or his predecessors held them. *Reddendo* to the lord of Methven a silver penny yearly, if asked. Warrantice. Seal of grantor: and for greater evidence the seals of David Flemyng and John of Haddington, burgesses of Perth. At Perth, 9 March 1443-4.

## CXLVI

## [Creation, by King James II., of the barony of Cardenay out of the lands of the monastery.]

James, by the grace of God, king of Scots, makes known that among the cares and anxieties which beset him, he especially sought that the churches of his realm, erected to the praise, worship, and honour of our Lord Jesus Christ, should be wisely ruled, that what in them was out of order (*deformia*) should be reformed, and that in his time their revenues might be increased. He had learned how his ancestors, kings of Scotland, the earls of Strathern, and others of the nobles and of the faithful had dowered the monastery of Inchaffray with divers possessions, and fortified it with many privileges. Wherefore, after being ripely advised by his council, he gave, granted, and confirmed to John, abbot of Inchaffray and the convent, and their successors, all the lands of the lordship of Cardenay and Dalhorochquhi, and the wood of Cardenay with its pertinents, the lands of Madderty with its wood, namely, Williamstown (also called Balfour), Soutartown, Dubottis, Ardbany, 'the bordland of the monastery,' the land of Crag with its pertinents, Balmacgillon, Rath, the mill of Dunfally on the river Ern, with four acres annexed, and pasture of eight

‘soums’ [see Notes] in Dunfally, Mukrath, Rahalath, Kincladi, Inchenath, with five acres adjacent in Abircarny, Hangandside, Dunnedufe, with the brewland of Petlandi, and certain adjacent acres, the land called Brewland on the north of the monastery, the land which Tristram of Gorty formerly gave to the monastery which lies between Gorty and the mill of Miltown, the land of the monastery which lies in the lordship of Cluchybeg, the church-land of Gask Crist (Trinity Gask), the church-land of Kilbride, the church-land of Madderty, and the church-land of Kinkel, with their pertinents,—all which lands John the abbot, in the name of the convent, freely and simply resigned by staff and baton, into the king’s hands. To be held by the abbot and convent that now is, and their successors, ‘which lands we incorporate, annex, and create into a free and perfect barony, which barony shall be called in all time future the barony of Cardenay,’ of the king and his successors, in pure and perpetual alms, in fee and heritage for ever, with all profits and easements, by its right and ancient meiths and marches, in moors, woods, etc., with courts and their issues, escheats and heriots, bludwites, and marriage-tax (*merchetis mulierum*), with gallows and pit, sok and sak, thol and theme, infangandthefe, outfandgandthefe, and all other liberties, easements, etc., as well unnamed as named, as well under as above the land, etc., as freely as the abbot and convent held them in the past. *Reddendo*, service of the king used and wont, such as other prelates render the king, and as they themselves rendered in times past. The abbot and convent were to hold direct of the king, and under no possibility were they to hold of any other. The king had inspected a charter of Gilbert, earl of Strathern [No. xxv. is then transcribed], and he confirms it in all points. Great Seal. Witnesses . . . At Stirling, 27 January 1444-5.

## CXLVII

[Confirmation by King James II. of the brewland of Mekven.]

James, king of Scots, makes known that he has given to the abbot and convent of Inchaffray the lands of Brewland of Mekven, in the county of Perth, which lands belonged by inheritance to Andrew Toische, and were by him resigned into the king’s hands, by staff and baton, at the monastery of ‘Vallis Virtutis,’ of the Carthusian order, near the burgh of Perth. To be held, with their pertinents, by the abbot and convent and their successors, in

mortmain, in fee and heritage, by their right, meiths, and marches; as freely as the said Andrew or his predecessors had held them before the resignation, 'reserving to us and our successors the suffrages of the devout prayers of the religious.' Great Seal. Witnesses, William, bishop of Glasgow, John, bishop of Dunkeld, the chancellor Creichton, Andrew, abbot of Melrose, 'our confessor and treasurer,' and others [named]. At Perth, 8 August 1450.

CXLVIII

[Leave to fish for eels in Polpefery.]

Robert Mersar of Innerpefery, with the consent of his heir, Alexander Mersar, and of his uncle, Andrew Mersar of Inchebreky, to whom the lands of Inchebreky are pledged, for the weal of his soul and of the souls of Janet his spouse, and Alexander his heir, and of all his successors, gives to the abbot and convent leave, for ever, to fish with 'arcae,' nets, and other instruments necessary for taking eels and other fish, in the place commonly called Polpefery in his demesne of Dullory, and of placing upon Polpefery one or more of these instruments, and of making piles of stones and timber and mounds of earth, and of getting these materials from his lands of Dullory, and of maintaining them, for the purpose of catching the fish. If he or his heirs ever revoke the above leave, he or they shall be obliged to pay one hundred pounds of the usual money of Scotland. If he or his heirs place any of these fishing instruments in Polpefery the abbot and convent may take and appropriate them, without any right on the part of him or his heirs to seek restitution. His seal, and the seal of his uncle, Andrew Mersar. Witnesses . . . 24 June 1454.

CXLIX

[Alexander Mersar, son and heir of Robert Mersar of Innerpefery, ratifies the grant of his father (No. CXLVIII.) on the following day, 25 June 1454.]

CL

[Sentence of Robert, bishop of Dunblane, as to a certain mortuary.]

Public Instrument by John Scot, presbyter of the diocese of Dunblane, notary public, 26 January 1461-62. In the consistorial

court of Dunblane, in litigation as to the mortuary of one hundred shillings (usual money of Scotland) of the late Tristram of Gorthy, between Nicholas, abbot of Inchaffray (represented by Laurence Fethill, chaplain, the abbot's proctor) and William of Fowlis, vicar of the parish church of Fowlis. After the parties had been heard and witnesses sworn and examined, and the executors of the deceased having been cited and appearing, the bishop (Robert) of Dunblane, after having taken counsel with his assessors and those learned in the law, pronounced definitive sentence, namely, that, according to the foundation of the vicarage, mortuaries, 'whole and entire,' of the parish church of Fowlis were due to the abbot, and mortuaries divided and not whole, were with the accustomed offerings, to go to the vicar of Fowlis. The one hundred shillings were therefore to be paid to the abbot or his proctor, and the expenses of the suit were to be paid by the vicar. The taxing of the expenses was reserved. The bishop's round seal affixed. These things were done in the cathedral church of Dunblane, at eleven o'clock, or thereabout, before noon, day and year as above. The notary signs with his usual sign and subscription.

## CLI

[Grant by King James iv. of leave to dig a stank.]

James, king of Scots, makes known that he has learned that because of the marshes and the excessive inundations in his meadow-land on the north of the monastery of Inchaffray there was safe access to the monastery for neither men nor horses. Desiring to serve the monastery, and in recognition of the daily prayers of the religious on behalf of him and his successors, he grants to George, the abbot, and his successors full leave for making and digging a stank or canal (*foveam*) in the meadow-land from north to south, by which victuals, fuel, and other things can be conveniently brought to the monastery by little ships or boats. He forbids any one offering impediment to the abbot in this matter, under threat of fitting punishment. Great Seal. At Edinburgh, 22 January 1488-9, in the first year of his reign.

## ABSTRACTS OF CHARTERS, ETC., IN THE APPENDIX

### I

[Charter of King William confirming certain lands to  
Malise, son of Ferteth, earl of Strathearn.]

William, King of Scots, makes known that he has granted, and by this his charter confirmed, to Malise, son of Ferteth, earl of Strathern, Mothel and Tuliedel and Oggoueli and Barderal and Kinkarden and Ouctermafen and Rossi by the right marches of the same lands. To be held by him and his heirs, of Earl Gilbert, his brother, and his heirs in fee and heritage: in wood and plain, in lands and waters, in meadows and pastures, in mills and stanks, in forests and hunting-services (*tristriis*) [of vassals], in moors and sheilings, and all other just pertinents: with sac and soc, with tol and tem, and infangenthef, with gallows and pit, as freely, quietly, fully, and honourably as the charter of the aforesaid Earl Gilbert testifies and confirms, by the service of one knight. Witnesses . . . at Perth. [1172-8.]

### II

[Grant of the lands of Madderty by King William to  
Earl Gilbert.]

William, king of Scots, makes known that he has given and confirmed to Earl Gilbert of Strathern, Madderty, by its right marches, and with all its just pertinents, in wood and plain, lands and waters, meadows and pastures, moors and marshes, mills and stanks, and all other just pertinents, with sac and soc, tol and theame and infanganthefe, to be held by him and his heirs, of the king and his heirs, in fee and heritage, freely and fully, by the service of one knight, even so that neither the earl nor his heirs should at any time make recognition for the land to Gillecolm

Marescal, nor his heirs, nor any of his family should they desire to raise an action in respect thereto against the earl or his heirs, inasmuch as the aforesaid Gillecolm lost the aforesaid land for his felony towards the king, he having surrendered the king's castle of Heryn, and afterwards as a traitor gone over to his mortal enemies, and stood with them in doing all in his power for the injury of the king. Witnesses . . . At Linlithgow. [1185.]

## III

[Commission of Innocent iv. to investigate a dispute between the provost and chapter of St. Mary's and the prior and convent of the cathedral at St. Andrews.]

Innocent [iv.] 'to Master Abel, our chaplain, archdeacon of St. Andrews and . . . archdeacon of Teviotdale, in the diocese of Glasgow, and John of Everlay, canon of Dunkeld.' On the part of . . . provost and the chapter of the secular church of St. Mary, in the city of St. Andrews, it was submitted to us that the prior and convent of the cathedral church of St. Andrews, of the order of St. Austin, had asserted that it had been granted to them by the Apostolic See that on the resignation or death of canons of the said church of St. Mary they (the canons of the cathedral) might apply their prebends and possessions to their own (the cathedral canons') uses. On this and other matters they had obtained in opposition to them (the provost and chapter of St. Mary's) letters apostolic addressed to the priors of Kitham (Kirkham) and St. Oswald's, of the diocese of York. These two priors, without giving any competent monition, and without reasonable cause, had thereupon promulgated sentence of excommunication against them (the provost and chapter of St. Mary's) contrary to the statutes of the General Council. The Pope commands them (the priors of Kirkham and St. Oswald's) by his letters, if the facts were as described, to relax the sentence without demur within eight days after the receipt of his letters.

Further, the Pope now commands the two archdeacons and John of Everlay that, if the two priors neglect to fulfil his mandate within the prescribed time, they themselves should relax the sentence of excommunication according to the forms of the Church, having taken sufficient caution for the alleged offences for which the canons of St. Mary's had been excommunicated, and should themselves hear the cause (after having enjoined on them



what ought to be enjoined) and terminate it, within four months from the date of the reception of these present letters, either by judicial sentence, or by an agreement between the parties. But if they were unable to bring the cause to a conclusion, they were to remit it, 'either instructed or not instructed' for examination by the Apostolic See,—appointing to the parties a peremptory limit of time by which they were to compare before the Pope, either by themselves or by their proctors, with all their muniments, arguments, etc., to receive just sentence with the help of the Lord. Provided that if the said sentence of excommunication had been pronounced for manifest offences, the sentence should not be relaxed until sufficient satisfaction had been offered. [Followed by the usual formula as to witnesses, and as to two of the commissioners acting if all three could not.] 'Given at Lyons, vij Id. April, in the eighth year of our pontificate' [7 April, A.D. 1251].

## IV

[Agreement between the Master and brethren of the Hospital of SS. James and John, of Brackley, of the one part, and Robert, bishop of Dunblane, of the other part, as to the church of Gasknes.]

This agreement was made at Whitsunday 1266 between the master and brethren of the Hospital of SS. James and John, of Brackley, of the one part, and Robert, bishop of Dunblane, of the other part. The master and brethren grant their church of Gasknes and all its fruits and lands to the bishop *ad firmam* for a period of five years in return for twenty-four marks, to be paid annually to the master and brethren at the monastery of Oseney on the feast of St. Michael, or within eight days following; the first payment to be made at Michaelmas, 1267. Whatever sum was not paid for the year 1266 should be paid at the term (Michaelmas, 1267). If the bishop happens to die there shall be no distribution of the goods pertaining to him, as settled in his last testament, till the master and brethren have been paid. If the bishop resigns his bishopric, and neglects or refuses to pay the twenty-four marks, he will incur the penalty of double to be paid to the brethren. After the five years, if the bishop desires to keep the church and lands *ad firmam*, the agreement will be renewed for another five years at the same rent; and so on, from

five years to five years. Yet no right shall accrue to the bishop's successor in the church and land, on the ground of this present agreement. On the death or resignation of the bishop the church and land shall immediately revert to the master and brethren.

Colmin, the liege-man of the master and brethren, shall not be removed from the lands, while the bishop has them *ad firman*, nor may he be unjustly burdened or required by the bishop to attend courts of law outside the said lands, but shall be treated kindly, as behoves

Moreover, if the vicarage of the church becomes void while the bishop has the church, it will be permissible for the master and brethren to present to the bishop a fit person, whom the bishop shall admit without difficulty and constitute vicar.

The bishop shall maintain the houses on the glebe land, when they shall have been properly repaired, in the same state in which he receives them; unless through age, or storm, or some unforeseen accident for which the bishop is not responsible, they shall fall into decay.

Moreover, the bishop shall pay every year to the abbot and convent of Inchaffray twenty shillings, and to the vicar for the time being two marks, over and above the twenty marks aforesaid, and shall bear all ordinary burdens, so far as they pertain to the master and brethren. But extraordinary burdens he shall pay out of the rent to be paid to the master and brethren, as is just.

In the event of the master and brethren incurring damage or expenses through deficiency in the payment of the said rent at the times and place aforesaid, the bishop shall be bound to satisfy for the damage and expenses together with interest, on which matters the simple assertion of the master and brethren, or of a chaplain of theirs specially deputed for the purpose and given authority to swear on their souls, shall suffice. And if the said bishop should make opposition to the payment of damages and expenses, he was to incur a penalty of forty marks to be paid to the master and brethren.

In the event of the bishop not wishing to hold the farm (*i.e.* lease) of the church for a longer period, the church and all its fruits were to revert to the master and brethren at Whitsunday, but the land and its fruits were to continue to pertain to the bishop up to the Martinmas following.

Each party promised on the word of their truth and priesthood faithfully to observe this agreement in every particular. And the

parties subject themselves to the jurisdiction and coercion of the bishop of Lincoln for the time being, so that he may compel by sentences of interdict and excommunication the party contravening the agreement. Moreover the said bishop [of Dunblane] promised that he would give diligence that things illegally alienated should be restored.

For greater security to the part of this indenture (*cirographi*) which was to be deposited with the master and brethren the seal of the bishop of Dunblane was attached, together with the seal of the see of Dunblane; and to the part to be kept by the bishop the common seal of the master and brethren. Witnesses . . .

IV A

[Gift of the church of Gask to the Hospital of Brackley.]

Seher de Quincy, earl of Winton, makes known that he conferred and confirmed to God, St. Mary, and the Hospital of St. John of Brackley, and the canons and brethren there serving God, the church of Gask with all its pertinents, the right of the patronage of which belonged to him, in pure and perpetual alms, for the soul of his late father Robert de Quincy, and of his mother Orable, and of his eldest son Robert, and for the weal of his own soul and of the soul of his wife Margaret, etc., for the maintenance of the said canons and brethren there serving God and ministering to the sick. His seal. Witnesses . . . [1210-18].

IV B

[Confirmation of the above by King Alexander II.]

Alexander [II.], king of Scots, makes known that he has confirmed the gift of the church of Gask made by Seher de Quincy to the Hospital of St. John of Brackley, to be held in pure alms, as the charter of the aforesaid Seher testifies. Witnesses . . . At Stirling, 15 October. [c. 1215-20.]

V

[Grant by Earl Malise to his sister Mary of leave to search for and possess certain neyfs.]

Malise, earl of Strathern, makes known that he has granted and confirmed to his sister, the lady Mary, leave and power to search for and possess all the neyfs justly pertaining to the lands

of Straty and Pronny, wherever they were found in his lands, to place them in the said lands of Straty and Pronny to serve the said lady and her heirs, with all their goods, chattels, and offspring. He strictly prohibits any from troubling the said lady and her heirs on this matter. Seal of the earl. Witnesses . . . Given at Fowlis, 21 February 1268-9.

## VI

[Obligation by George, abbot of Inchaffray, that within twenty days after his admission to the abbacy he will appoint Laurence, Lord Oliphant, to be bailie thereof, 25 January 1468-9.]

## VII

[Petition of Mary, Queen of Scots, to the Pope, that the *commendam* of Inchaffray should be granted to James Drummond.<sup>1</sup>]

The queen urges the importance of good men, devoted to learning, being appointed to ecclesiastical dignities where they could be of more service to the state, which is especially true at a time when the Church was so grievously afflicted. She declares her desire and resolve to preserve and advance the Catholic faith and the religion of her ancestors, now almost overwhelmed in her kingdom by the malice of seditious men and by force of arms. There were few who openly professed the true doctrine and sought to repress the errors and turbulence which everywhere prevailed. Among these was one specially characterised by prudence and judgment, who had the power to give help in these troublous times, David, Lord Drummond, her powerful defender, even at great loss to the property of himself and his family. And since Alexander, archbishop of Athens, desired to resign the *commendam* of the monastery of Inchaffray, in the dioceses of Dunblane and Dunkeld, in favour of James Drummond, son of the said David, she urgently begs his Holiness to admit the proposed resignation, and to grant the necessary writs, and to do this free of charge and without any payment of money, inasmuch as the poverty of the monastery, and the heavy losses of the father of Alexander Gordon, who was resigning, incurred in the defence of

<sup>1</sup> This is an uncorrected rough draft, but the general sense is sufficiently plain.

the Catholic religion and the Apostolic See, demanded this favour. The queen begs that a pension of two hundred pounds Scots might be assigned to John Gordon, and another pension of one hundred pounds Scots to Laurence Gordon, out of the fruits of the monastery, as set forth in the forms of mandates offered to his Holiness. In this way, as the times were, the best would be done for that prelacy (*sacerdotio*) and the advantage of Alexander Gordon. His Holiness could learn more fully from Cardinal Sermoneta, 'promotor' of the queen's affairs. [1565.]

VIII

[Gift of the abbacy by Queen Mary to James Drummond for his lifetime, 26 July 1565.]

IX

[Institution of James Drummond to the abbacy of Inchaffray.]

On 2 August 1565, in the twenty-third year of Queen Mary, in the presence of Andrew Drummond, clerk of the diocese of Dunblane, notary public, and of the witnesses underwritten, James Drummond, clerk of the diocese of Dunblane, came to the chapter of the monastery of Inchaffray, and there presented to Sir Andrew Gerdin, superior of the said monastery, in the presence of the other canons gathered in chapter, the queen's letters of his provision to the abbacy for life, sealed in the accustomed form with the sovereign's privy seal, as in the same bearing date Edinburgh, 26 July 1565, is more fully contained; requiring Sir Andrew to give him, as undoubted abbot, institution, and possession of the monastery, with its rights, fruits, tithes, lands, etc., according to the tenor of his provision; to assign to him a stall in choir and place in chapter, to render him obedience as abbot lawfully provided, and to cause the other canons to render like obedience. The said Sir Andrew, as an obedient son, understanding the said request to be just, received into his hands the letters of provision, and caused them to be read in the chapter. This done, the said Sir Andrew instituted the said James as abbot by the delivery of a Bible and the keys of the monastery, and inducted him into real possession, and assigned him a stall in choir and place in chapter as tokens of real possession of the monastery and its emoluments. And Andrew and the rest of the canons rendered the said James obedience as undoubted abbot, and

promised to render the same in future, and delivered to him in token of real possession a certain sum of money paid by James Drummond, tenant of the monastery in Auchterarder, and dismissed him in peace, without opposition of any. Upon which, all and singular, the said James, abbot, asked instruments of the notary. Done within the chapter and in the church of the monastery, about ten o'clock before noon on the day, in the month and year, etc., as above. Witnesses . . .

Testification by Andrew Drummond, clerk of the diocese of Dunblane, admitted notary public by the Lords of Council.

## X

[Confirmation under the Great Seal of a Tack by the Commendator and convent of Inchaffray to David, lord Drummond, or Dame Lilius Ruthven, his spouse, of the Abbey and whole benefice thereof for their lives for yearly payment of 900 marks, Scots. The Tack is dated 7 November 1560, the Confirmation 24 February 1565-6.]

Henry and Mary, by the grace of God king and queen of Scots, make known that they ratify and confirm the tack and assedation made by Alexander, bishop of Galloway, or Candida Casa, commendator of Inchaffray and the convent of the same, to their beloved cousins, David, Lord Drummond, and the Lady Lilius Ruthven, his spouse, of the lands, churches, rents, etc. [detailed fully in the charter of the commendator and convent written in Scots and transcribed in this royal confirmation]. The tack and assedation is to have the same force as if it had been confirmed at the court of Rome, and is to have effect during the whole period specified in the commendator's charter. In the event of a future revocation of any church lands, the king and queen promise, on their royal word, that the revocation shall not include the present grant. To this end they ordain that the Lords of Council and Session should give to the above-written lord and lady, their assignees and sub-tenants, letters, conform to the royal confirmation, '*in quatuor formis.*' Great Seal, Edinburgh, 24 Feb. 1565-6, 'of our reigns first and twenty-fourth.'

## XI

[Draft of Royal Signature erecting the Abbacy into a temporal lordship, c. 1609; inserted as giving the best available list of the abbey possessions at the dissolution.]

## HEADS (PRIORS AND ABBOTS) OF THE CONVENT OF AUSTIN CANONS AT INCHAFFRAY

MALISE is described in the Foundation Charter as 'presbyter and hermit.' To him Earl Gilbert intrusted the selection of the first members of the community. To him, too, was intrusted the duty of instructing the religious in the service of God according to the rule of St. Augustine (A.D. 1200). Abbot Bower (*Scoti-chronicon*, viii. 73) relates that the members of the new community were drawn from the house of Canons Regular at Scone. A charter of Jonathan, bishop of Dunblane, granting to the abbey of Cambuskenneth the churches of Tulibody and Tillicultrie, is witnessed by 'priore Maliis de insula Effren' (*Regist. de Cambuskenneth*, p. 313). Malise was dead before 1210. (See Nos. xxvi., xxvii.)

Between Malise and Innocent, who became prior in 1220, there were at least two priors, by name John and Elphin (or Elpin); but in what order they succeeded is a question which it is not easy to answer.

JOHN was Prior in the time of Abraham, bishop of Dunblane (1210-c. 1224). See *Chartulary of Lindores*, Nos. xxx., xxxi., and *Regist. Vet. de Aberbrothoc*, Nos. 213, 214, 215. Assuming that 'J' of No. xxxii. is this John, we find him in the time of John II., bishop of Dunkeld, who was elected 24 July 1211, and died 7 October 1214. The names of two canons of Inchaffray, Henry and Durand, in Prior John's time are mentioned in the Arbroath charter referred to above.

ELPHIN, who does not appear in the present volume, granted a charter to the abbey of Lindores in the time of Bishop Abraham (*Chartulary of Lindores*, No. XLIX.; see also Nos. XLII. and XLV.). The most important clue as to date is that Guido, abbot of Lindores,

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is still alive (No. XLII.). Guido died 17 June 1219. Robert is now *heir* of Earl Gilbert.<sup>1</sup>

In 1220, according to the chronicler (*Scotichr.*, ix. 37), the prior of Inchaffray, a Scot by race, was removed from office *propter insufficientiam*, and one of the Canons of Scone,

INNOCENT by name, was placed in his stead as prior.<sup>2</sup>

Innocent was not many months prior before he was raised to the dignity of abbot. This important event in the history of Inchaffray took place in 1220 or perhaps 1221 (see *Scotichr.* ix. 36, 37). This was effected by the favour of Master James, canon of St. Victor at Paris, chaplain and penitentiary of Pope Honorius III., Legate of the Apostolic See to Scotland, Ireland, and the Isles. Innocent received benediction at the hands of the bishop of Dunblane. Innocent was abbot in the time of Robert, earl of Strathern, as well as for a year or two before the death of Earl Gilbert. But the material at present available does not allow us to say exactly how long he ruled. He is abbot in August 1234 (Nos. LX., LXI.). He died or resigned before 1239. See next entry.

N[ICHOLAS?], abbot of Inchaffray, appears as a witness in a charter dated 7 April 1239. See *Chartulary of the Abbey of Lindores*, No. LIV., where in the printed text we find 'H.' not 'N.' But there being reason to suppose that the 'H.' was an error, a tracing of the letter in the original manuscript (kindly supplied by Colonel Cuninghame of Caprington) was submitted to a distinguished expert, who pronounced that the letter was most

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<sup>1</sup> I desire to take this opportunity of correcting, by supplement, an inference suggested in a note to the *Chartulary of Lindores*, p. 249, where it is too hastily assumed that John, prior of May, is the earlier of the two Johns who occupied that office in the early part of the thirteenth century. We find the second John in 1215, and I think that it is the second John who appears with Elphin in No. XLII. of the Lindores Chartulary. On the whole, I am disposed to place John before Elphin. Where the evidence is not conclusive it is permissible to point out that it was a 'Scot' who was deprived of the office of prior in 1220. Of course John may have been a Scot; Elphin (the name is a form of Alpin) almost certainly was a Scot.

<sup>2</sup> We find an Innocent, one of the canons of Inchaffray, in the time of Bishop Abraham and before the death of Guido, abbot of Lindores (17 June 1219) in *Regist. Vet. de Aberbrothoc* (No. 215), but *Scotichronicon* is precise in saying that Innocent, afterwards prior and abbot of Inchaffray, was a canon of Scone. As a canon of Scone his name does not appear in the Scone Chartulary.



probably 'N.' There is no doubt that N. was abbot of Inchaffray (*Chartulary of Lindores*, No. xxviii.) about the date of the charter indicated. Both charters are in the time of Bishop Clement and of Earl Malise II. (the *first* Malise of our charters). N. must have died or resigned before the death of Bishop Clement; see next entry. For the conjecture that he is to be identified with Nicholas, precentor of Dunblane in January 1240, see Introduction, p. xx.

ALAN succeeded as abbot before the death of Bishop Clement (1258, *Cron. de Mailros*; or 1256, *Scotichron.*, x. 11), with whom 'A.' appears as a witness (*Lib. Ins. Miss.*, Appendix to Preface, p. xxxiii). He is abbot at Whitsunday 1266 (No. iv. of the Appendix to the Charters, p. 157), and on 14 February 1265-6 (No. xci.), and on St. Clement's Day (23 Nov.), 1271 (No. xcvi.).

HUGH, abbot of Inchaffray (who perhaps is to be identified with Frater Hugh, brother of Earl Malise, No. lxxxvi.; and Frater Hugh, formerly *terrarius* of the monastery, No. xcvi.; and with Hugh, prior of Inchaffray, in an undated charter of Earl Malise, *Lib. Ins. Miss.*, p. xxxviii), appears on 25 and 31 October 1284 (see Nos. 16 and 17 in Appendix to the Preface of *Lib. Ins. Miss.*). He was engaged in a controversy with Andrew, abbot of Cupar, as appears from a charter, unfortunately misdated 24 June 1202 (No. cxl.). Mr. Cosmo Innes, with hesitancy, suggests 1282 as a correction.<sup>1</sup>

The abbot of Inchaffray (unnamed) was present at the Parliament at Brigham, 17 March 1289-90 (*Acta Parl.*, i. 85, 86). Perhaps this abbot was Hugh.

THOMAS was abbot in or before 1296, and took part, apparently in that year, as a canon (precentor) of Dunblane, in the election of the bishop (Alpin). (*Theiner*, No. ccclv.; and Stevenson's *Documents Illustrative of the History of Scotland*, ii. 115.)

<sup>1</sup> *Liber Insule Missarum*, p. xvii, note x. Even 1272 seems possible, as Andrew [Buchane], abbot of Cupar, who appears, is said to have succeeded in that year (*Scotichron.*, x. 30; *Extracta e Variis Cronicis.*). Dr. C. Rogers (*Rental Book of the Cistercian Abbey of Cupar-Angus*, vol. i. p. 24) notices the error of the misdated charter referred to above, but falls into an error of his own when he says, 'Hugh was abbot of Inchaffray from 1271 till early in the following century.'

MAURICE succeeded in or before 1307, as he is stated to have taken part in the election of Nicholas (II. of Balmyle), bishop of Dunblane, in a letter of Pope Clement v. dated 11 December 1307 (*Theiner*, No. cccclxxxvi.). The part Maurice played before the battle of Bannockburn in encouraging the troops, etc., is well known (see *Scotichr.*, xii. 21). On the death of Nicholas of Balmyle, bishop of Dunblane, Maurice was one of two for whom votes were given in a disputed election by the chapter. After prolonged litigation at the Apostolic See, both parties resigned all claims into the hands of the Pope (John xxii.), who thereupon provided Maurice to the see of Dunblane, 5 March 1322 (*Theiner*, No. ccccxi.). Before three weeks had elapsed he was consecrated, at Avignon, by Berengarius, Cardinal-Bishop of Porto, and he was commanded, in the usual form, to betake himself to his diocese, 23 March 1322 (*Ibid.*, No. ccccxliv.).

Though Maurice's consecration was not till March 1322, there is reason to believe that the death of Nicholas of Balmyle, bishop of Dunblane, and the consequent election, took place in the autumn or early winter of 1318; and that Maurice was styled 'bishop of Dunblane' by Robert I. without waiting for the Pope's confirmation. In a charter of Robert I., 4 December 1318 (Tuesday next after the feast of St. Andrew, in the thirteenth year of the reign), at Scone, one of the witnesses is Maurice, bishop of Dunblane (*Regist. Ep. Aberdon.*, i. 45).

CRISTIN seems to have succeeded on the elevation of Maurice to the bishopric of Dunblane. In a dispute as to the tithes of certain lands between Maurice, bishop of Dunblane, and Robert, abbot of Dunfermline, 'Cristinus abbas de Insula Missarum Dunblanensis ecclesie precentor,' is one of the arbiters appointed to decide the question. This appears to have been early in Maurice's episcopate (*Reg. de Dunfermelyn*, p. 242). He appears again in an undated charter of the time of Maurice, bishop of Dunblane (*Lib. Ins. Miss.*, Appendix to Preface, p. xliii).

SYMON of Scone (No. cxxxv.) appears before John. See next entry.

JOHN is found 1365 (No cxxxv.).

WILLIAM. An abbot of this name attaches his seal to an indenture on 17 July 1370 (Preface to *Lib. Ins. Miss.*, p. xlvii). Mr.

Cosmo Innes (*ibid.*, p. xv) observes, 'He must have held the abbey for a long period or had a successor of the same Christian name.' The volume of *Petitions* in the *Calendar of Papal Registers* (i. 565) shows that the latter alternative is the truth, and that the second William did not immediately succeed the first, but that certainly at least one abbot and possibly two abbots intervened between the above William and the William who appears in 1398. William must have died or resigned at latest by 1373. See next entry.

JOHN DE KELLY was abbot of Inchaffray in 1373, 3 April (*Acts of the Parliaments of Scotland*, i. 197). He died before Andrew, bishop of Dunblane, whose decease was probably early in 1380. See next entry.

WILLIAM DE CULROS, canon of Inchaffray and vicar of Dunyn. The petition to the Pope (No. cxxxix.) shows that he was elected unanimously by the prior and canons, and received confirmation and benediction from Andrew, bishop of Dunblane. In reply to the petition Clement VII. (Avignon, 2 December 1381) directed that a commission should issue to the bishop of Glasgow to conform the election, if it were canonical, or else to provide him if he were fit (*Cal. Pap. Reg. Petit.*, i. 565). Dr. Maitland Thomson has discovered in the Vatican Archives that nearly six years later (19 July 1387) a commission (No. cxli.) was issued to the bishop of Dunkeld (the name of Cardinal Walter, sometime bishop of Glasgow, being deleted) stating that William, canon of the abbey, had been elected by the convent after the death of abbot John, in whose lifetime the appointment had been reserved by the Pope, and commissioning the bishop of Dunkeld to provide to the abbey either William, or some other canon of Inchaffray, or of some other abbey of Austin Canons, and to cause him to be blessed by any Catholic bishop, without prejudice to the right of the bishop of Dunblane (*Reg. Avinion.*, 251, 22). Cardinal Walter, bishop of Glasgow, died apparently in the spring of 1387. The researches of Dr. Maitland Thomson at the Vatican enables us to record that a canon of Inchaffray, David Bell, was provided abbot of Holyrood 13 June 1379 (*Reg. Avin.*, 219, 454). Bell resigned Holyrood in 1386, and was provided in the following year to the Priory of Portmohok (*i.e.* Lochleven) and made a Papal chaplain. Later on he resigned the Priory, and in 1395 was a simple canon of Holyrood.

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How long William de Culros was abbot of Inchaffray we cannot say with our present information.

WILLIAM FRANKLYN. The date of his appointment is not yet known to us. It will probably be found in the Avignon registers when they come to be examined. He appears on the feast of St. Mathias (24 February), 1398, witnessing with the prior and the whole convent. See *Lib. Ins. Miss.*, p. xv.

This William is perhaps the William mentioned in the provision of John Lange (see below).

DONALD (of Dunfermline?). On 4 November 1422 Martin v. wrote to the bishop of St. Andrews to investigate and report upon a charge made by the canons of Inchaffray that Donald, abbot of Inchaffray, publicly kept a certain woman as his concubine, and was dilapidating the goods of the monastery (*Cal. Papal Regist.*, vii. 292). Before 25 August 1429 (see next entry) he seems to have resigned. The language of the provision of John Lange suggests that there may have been doubts raised as to the regularity of Donald's appointment.

JOHN LANGE, prior of Inchaffray, provided 26 August 1429 to the abbey, 'void by the simple resignation into the hands of the Pope, or his commissary, on the part of Donald of Dunfermline, or by the death of the late William, formerly possessor of the monastery (Brady, *Episcopal Succession*, i. 184). John seems to have died soon after. After which ROBERT BETON seems to have succeeded and died, for 31 July 1430 WILLIAM DE CARMIELE, religious of Scone, is provided to the abbey void by the death of Robert Beton (Brady). I suspect neither of these provisions had effect, for

JOHN TRELOCH is provided 27 January 1430 [? 1430-31] to Inchaffray void by the death of *John*. We find John [? John Treloch] in 1439 (No. CXLIV.) and in January 1444-5 (No. CXLVI.), when the lands of the monastery were erected into the barony of Cardenai.

NICHOLAS FECHIL, abbot elect of Inchaffray, offers by the hands of Richard Wily, vicar of Dundee, in the diocese of Brechin, one hundred gold florins and five *minuta servitia*, on 10 June 1458 (Brady). We find Nicholas, abbot, 26 January 1461-2 (No. CL.). Note that his proctor's name is Laurence Fethil.

GEORGE MURRAY [MUREFF (*sic*) Brady] provided 18 March 1467 by Paul II. On 15 April 1467 he offers one hundred gold florins (Brady). On 14 October 1467 the abbot of Inchaffray is present in Parliament (*Acta Parl.*, ii. 87), and again 12 January 1467-8 (*ibid.*, 89). In 1474 George brought an action against certain persons for destroying and downcasting the mill-lade and mill-dam of Dunfally, and won his case (*Acta Audit.*, p. 33). His Letter of Bailiary in favour of Laurence Oliphant, 25 January 1468-9, is printed in this volume (Appendix to Charters, No. vi.).

On 14 October 1484 George appears by his proctor before the Lords Auditors (*Acta Audit.*, 1466-94, p. 146). For January 1488-9, see No. CLI.

LAURENCE OLIPHANT, clerk of Dunblane, provided 16 November 1495. He 'offers' one hundred gold florins in December 1495, *ratione commende* (Brady).

Dr. Maitland Thomson has supplied the writer with the information that this Laurence Oliphant was son of the first Lord Oliphant (not of the second lord, as the 'Peerages' say). He fell at the battle of Flodden, 9 September 1513.

ALEXANDER STEWART de Pitcarne, son of Alexander, duke of Albany, by Catherine Sinclair (see *Reg. Mag. Sig.*, iii. Nos. 1230, 111.). On 5 August 1514 a letter was addressed to Leo x. in the name of James v., requesting that Alexander Stewart might have Inchaffray (*Epist. Reg. Scot.*, i. 199). He was granted the *commendam* by Leo x., 13 November 1514, the abbey being void by the death of Laurence, Peter, presbyter cardinal, of the title of St. Eusebius, resigning his right. Alexander Stewart is described in the provision as 'clerk of the diocese of St. Andrews.' He was absolved *ad cautelam*. See Hergenrother, *Regesta Leonis x.* The cardinal who had been previously granted the abbey was Peter Accolti. On 22 December 1514 Stewart 'offered' for Inchaffray one hundred florins of gold. He held the abbey *in commendam*, and retained it (paying a tax of one hundred florins) when promoted to the see of Moray, 13 September 1529. He also retained the deanery of Brechin and the *commendam* of Scone (Brady). He died 21 December 1537 (*Black Book of Taymouth*, 121). A tack granted (24 April 1536) by him as commendator of Inchaffray, signed by him and twelve canons, is among the *Laing Charters* (No. 407).

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GAVIN DUNBAR, archbishop of Glasgow, was given the *commendam*, at the request of the king, 29 July 1538; tax, one hundred florins (Brady). Dunbar died 30 April 1547 (*Acta Dom. Concil.*, xxvi, 120).

JOHN HAMILTON, aged twelve or thereby, receives a dispensation, and is granted the abbey, 28 November 1547 (Brady). He resigned in 1551. That the provision was effective is proved from the record of an action by John, commendator of Inchaffray and the convent thereof against Oliver Sinclair and Henry Drummond successively lairds of Petcarnis, for an annual rent of ten marks resting owing for the years 1537 to 1543 inclusive. Mentioned 24 January 1550-51, 2 May and 3 June 1551 (*Acts and Decrees*, iv, 294; v, 17, 73). This note was furnished to the editor by Dr. Maitland Thomson. Who was this John Hamilton?

ALEXANDER GORDON, late archbishop of Glasgow, elect of Athens. On 4 September 1551 he receives the *commendam* of Inchaffray, to be held for life, with the church of Athens. He held the *commendam* till 1564 (Brady); but see below. He is spoken of as elect of Galloway as early as 4 November 1560 (*Reg. of Deeds*, iii, 432).

Alexander Gordon was a son of John, Master of Huntly, by Jane (? Margaret), a natural daughter of James iv.; he was brother of George, fourth earl of Huntly.

He resigned in favour of James Drummond (see next entry), reserving the right of regress to the *commendam* in the event of the death of Drummond.

JAMES DRUMMOND, son of David, Lord Drummond. The draft of Queen Mary's petition on his behalf to Pope Pius iv. is now printed for the first time (p. 160). It is undated. Her appointment of James Drummond under the Privy Seal is dated Edinburgh, 26 July 1565 (p. 161). And his reception and institution at the abbey took place 2 August of the same year (see p. 163). Yet 'Alexander, bishop of Galloway, and commendator of the monasteries of Inchaffray and Tongland,' granted a charter on 20 May 1566 (see *Laing Charters*, No. 805).

The age of James Drummond is referred to as that of 'a young child' when, in December 1567, Alexander, called bishop of Galloway, was summoned before the General Assembly, and was accused, *inter alia*, 'that he had resigned Inchaffray in favour of a

young child, and set divers lands in feu, in prejudice of the kirk.' The bishop of Galloway 'granted that he had offended in all that was laid to his charge' (*Booke of the Universal Kirk of Scotland*, pp. 112, 114; see also Calderwood's *History of the Kirk of Scotland*, ii. 393).

There is no evidence that James Drummond's appointment was sanctioned by the Pope, and everything points to such sanction being lacking. 'The abbey of Inchaffray, according to Cosmo Innes, was erected into a temporal lordship in his favour, and he was created Lord Maddertie [31 Jan.] 1609.'<sup>1</sup> But see what is said by Dr. Maitland Thomson on this subject, in his Appendix on the Abbey Lands, and his note at p. 308. D.

## ADDENDUM

When too late for insertion in its proper place, the following important note, furnished by Dr. Maitland Thomson from the Vatican Registers, came to hand:—

CARDINAL PETER [ACCOLTI] was made commendator of Inchaffray, 3 October 1513; but, *litteris apostolicis desuper non confectis*, the cardinal resigned on 13 November 1514, on which day Alexander was granted the *commendam*.

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<sup>1</sup> Preface to *Liber Insule Missarum*, p. xvi.

NOTES, CHIEFLY ON PERSONS AND PLACES  
NAMED IN THE CHARTERS, BULLS, ETC., PRE-  
CEDED BY LISTS OF THE BISHOPS OF DUNBLANE  
AND DUNKELD.<sup>1</sup>

A LIST OF THE BISHOPS OF DUNBLANE FROM 1150 TO 1466.

NOTE.—Bishops whose names occur in the Charters, etc., printed in this volume, or who are otherwise referred to, are marked by an asterisk.

LAURENCE, c. 1150. He appears in record for the first time in a bull of Adrian IV., dated 27 February 1155.

\*SYMON or SYMEON appears first in record with Hugh, bishop of St. Andrews (who was consecrated in 1178), *Regist. Priorat. S. Andree*, 147. Other evidence shows that Gams cannot be far wrong when he places the accession of his successor as c. 1197.<sup>2</sup>

\*JONATHAN, c. 1197. He died in 1210, and was buried at Inchaffray (*Scotichr.*, viii. 73). He may have been the same person as Jonathan, archdeacon of Dunblane in Symon's time (Northberwic, 7).

\*ABRAHAM succeeded, presumably, immediately after the death of Jonathan, 1210. He was the son of a priest (Theiner, *Monumenta*, No. 6), and was consecrated by William Malvoisine, bishop of St. Andrews (*Ibid.*). He was bishop 7 February 1220 (Dunfermelyn, 66, 68). He was alive after the death of Earl Gilbert (No. LII.). If he is to be identified with Abraham, the earl's chaplain, he had a son named Arthur (No. xxvi.). The year of his death does not appear in the *Chronicles*. It cannot have been much later than 1223.

RALPH (Radulfus) elect (Arbroath, i. 59). He resigned while elect (see Eubel, *Hierarchia*, i. 238), certainly before 1226, and probably earlier.

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<sup>1</sup> Dr. Dowden's contributions are marked D. Dr. Maitland Thomson's are marked M. T.

<sup>2</sup> I have little doubt that 'W,' bishop of Dunblane, who appears (so far as I know) only in the *Chartulary of Cambuskenneth*, p. 160, is an error for 'S.'



OSBERT. See Cambuskenneth, No. 126. The date of his succession is doubtful. He died being professed a canon of Holyrood in 1231 (*Scotichr.*, ix. 48).

\*CLEMENT, a Dominican friar, chosen apparently by the bishops of St. Andrews, Brechin, and Dunkeld, on the mandate of Gregory ix. : consecrated by William, bishop of St. Andrews, at Wedale, 4 September 1233 (*Chron. de Mailros*). We find him bishop in the present volume (Nos. LX., LXI.), in August 1234. He died, according to *Scotichronicon* (x. 11), in 1256: according to the *Chronicle of Melrose*, in 1258. I am not aware of any evidence to show which of these dates is more likely to be correct.

\*ROBERT [de Prebenda] Dean of Dunblane. The earliest notice I have found in connection with the bishopric is in the *Register of Glasgow* (i. 166), where he appears as 'R. by divine permission elect of the church of Dunblane and canon of Glasgow,' 2 January 1258-59. He is still elect 22 August 1259 (*Cal. Pap. Reg.*, i. 367). A story of his intrigues with a view of being advanced to the see of Glasgow before he was consecrated for Dunblane is told in the *Chronicles of Melrose* (s.a. 1259). In the present volume we have what is the latest appearance (so far as I know) of Robert in Scottish record, 25 March 1283 (No. cxiii.).

He appears to have been an Englishman, and to have had property in the county of Nottingham. He was favoured by Henry III. at the request of his daughter, Margaret, Queen of Scotland (Bain's *Calendar*, i. 2395, 2440, 2443, 2657).

He died probably early in 1284.

\*WILLIAM, abbot of Arbroath, elected *concorditer* by the chapter on the death of Robert. Objections to the regularity of the election seem to have been made, for William resigned into the hands of the Pope all rights derived from the election. The Pope thereupon provided him to the see. He was consecrated a few days before 18 December 1284 by Ordonius, cardinal-bishop of Tusculum. Letters announcing his appointment were sent to Malise, earl of Strathern, 'patron of the church of Dunblane' (Theiner, *Monumenta*, No. 284). In the present volume he appears in 1287 (No. cxviii.). He took the oath of fealty to Edward I., 12 July 1291 (*Ragman Rolls*, 14).

He died probably early in 1296.

\*ALPIN, canon of Dunblane. (He is probably the 'Alpinus,' canon of Dunblane, of No. cxviii.) Elected *concorditer* on the death of William. The election confirmed by the Pope, who caused him to be consecrated by Matthew, cardinal-bishop of Porto. See letter dated 16 October 1296 (Theiner, No. 355). His rule was short. See next entry.

NICHOLAS, abbot of Arbroath, elected on the death of Alpin: resigned his rights to the Pope, who appointed him by the plenitude of apostolic

power : consecrated probably a few days before 13 November 1301 at the order of the Pope by Theodoric, bishop of Palestrina (Theiner, No. 369). He ruled for about six years.

NICHOLAS (de Balmyle), canon of Dunblane ; elected *concorditer* on the death of Nicholas : election confirmed by the Pope : consecrated probably a few days before 11 December 1307 by Nicholas, bishop of Ostia (Theiner, No. 386). He had been chancellor of Scotland. We find him bishop 24 July 1317 (Melrose, 384). He must have died soon after, for we find Maurice, though in reality only 'elect,' appearing as bishop of Dunblane in King Robert's Parliament at Scone, 5 December 1318 (*Acts of Parliament*, i. 118).

\*MAURICE, precentor of Dunblane and abbot of Inchaffray. On the death of Nicholas there was a disputed election and a long litigation at the Apostolic See (then at Avignon). Eventually Maurice and his rival resigned their rights into the hands of the Pope. In Scotland Maurice was spoken of as bishop of Dunblane in 1318 ; but at the Apostolic See the bishopric was considered void. In 1320 Edward II. of England petitioned the Pope to appoint Richard de Pontefract to Dunblane. It was not till 5 March 1322 that Maurice was provided by the Pope to the see. He was consecrated a few days later by Berengarius, bishop of Porto (Theiner, No. 443). Maurice died *c.* 1347.

\*WILLIAM, canon of Dunblane, elected *concorditer* on the death of Maurice ; but the Pope claimed that he had reserved the see to his own provision, yet, taking the wishes of the chapter into account, he provided William to the see (25 October 1347), and caused him to be consecrated by John, cardinal-bishop of Porto (Theiner, No. 576). He must have died at latest early in 1361. We find him in this volume, 11 April 1358 (No. cxxxii.).

\*WALTER [de Coventre], Dean of Aberdeen, elected *concorditer* on the death of William. The Pope, having reserved the see, pronounced the election null, but himself provides Walter to the see, 18 June 1361 (Theiner, No. 644). He takes the oath of fealty to the new king, Robert II., 27 March 1371 (*Act. Parl.*, i. 181), and must have died soon after.

\*ANDREW, archdeacon of Dunblane, elect, provided 27 April 1372 (Eubel, *Hierarchia*). He is referred to in No. cxxxix.

DUGAL, canon of Dunblane, elect, provided by Clement VII. on the death of Walter, 20 September 1380 (Eubel, *ibid.*). FINLAY, archdeacon of Dunblane, appointed 10 September 1403 by Benedict XIII. (Eubel, *ibid.*). WILLIAM (Stephens or Stephenson), bishop of Orkney, translated, on death of Finlay, by Martin V., 30 October 1419 (Eubel, *ibid.*, and *Cal. Pap. Reg.*, vii. 133). He is otherwise unknown as bishop of Orkney, and was probably a papal, as distinguished from an anti-papal, bishop of

that see. MICHAEL (Ochiltree), dean of Dunblane, son of a priest and an unmarried woman, provided 22 June 1429 to the see of Dunblane void by the death of G[ullielmus]. He had been chief almoner of James I. (Eubel, *ibid.* and *Cal. Pap. Reg.*, vii. 546). He crowned James II., 25 March 1437.

\*ROBERT (Lawder), on the death of Michael, provided 27 October 1447 (Eubel, *Hierarchia*, ii. 163).<sup>1</sup> He appears in No. cxlix in the year 1461. D.

#### A LIST OF THE BISHOPS OF DUNKELD FROM 1178 TO 1452.<sup>2</sup>

NOTE.—Bishops whose names appear in charters, etc., contained in the present volume are marked with an asterisk.

\*WALTER DE BIDUN, chancellor of the king of Scotland (see Appendix, No. 1) was elected to Dunkeld in 1178. He seems to have died, perhaps in the same year, unconsecrated (*Chron. de Mailros*).

\*JOHN I., 'the Scot,' was elected to St. Andrews in 1178; but failed to obtain possession of the see through the hostility of King William. Subsequently (the year is uncertain) he was elected *concorditer* to Dunkeld and confirmed by the Pope. He died in 1203, having on his deathbed taken the habit at Newbottle, where he was buried.

\*RICHARD, 'clericus et cognatus regis [Willelmi],' succeeded in 1203. He died 'about Easter,' 1210.

\*JOHN II. (de Leicester), archdeacon of Lothian. Elected 22 July 1211, and was consecrated before June 1212 (see Letters of Innocent III. (Baluze, ii. 648)). He died 7 October 1214, and was buried at Inchcolm.

\*HUGH (de Sigillo), clerk to the king. He succeeded apparently in 1214. He died in 1223. He is perhaps Hugh who witnesses No. xxii.

MATTHEW, chancellor of Alexander II.; died before consecration in 1229.

\*GILBERT, chaplain to Bishop Hugh; appointed in 1229 (?); died 1238 (April 6), and was buried at Inchcolm.

\*GEOFFREY (de Liberatione), canon of Dunkeld, postulated (as not born in wedlock) before 6 September 1236, and consecrated soon after. He died 22 November 1249, and was buried at Dunkeld.

<sup>1</sup> Thomas, bishop of Dunblane, 23 July 1459, in the *Great Seal Register*, book vii., No. 146, would seem to be an error.

<sup>2</sup> The authorities for the statements in this list will be found in a series of papers on the Bishops of Dunkeld in the *Scottish Historical Review*, January, April, July, October, 1904.

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\***RICHARD** (de Inverkeithing), chamberlain of the king, elected in 1250; consecrated after 2 August 1251; died 16 April 1272.

\***ROBERT** (de Stuteville), 1274-83 (see notes on No. xc.). **HUGH** (de Strivelin) elected on the death of Robert; died at the papal court while prosecuting the business of his election. **WILLIAM**, dean of Dunkeld, elected by chapter; confirmed by the Pope and consecrated, by his orders, before 13 December 1283. **MATTHEW** (de Crambeth), dean of Aberdeen, elected by chapter; confirmed and consecrated by Nicholas IV. 13 April 1288. He died shortly before 23 August 1309.

\***WILLIAM** (Sinclair), elected soon after the death of Matthew; but a long litigation ensued at the Apostolic See, and his confirmation and consecration were not till about 8 May 1312. In Scotland he had in temporal matters acted as bishop as early as 24 February 1309-10. Died 27 June 1337. He appears in this volume (A.D. 1318) in Nos. CXXVI., CXXVII.

**RICHARD** (de Pilmor), elected shortly after the death of William. After long litigation at the Apostolic See, provided by the Pope 5 July 1344. Died, apparently, in 1347. **DUNCAN** (de Strathern), appointed by papal provision 15 October 1347. Died in 1354 or early in 1355. **JOHN**, provided 18 May 1355. Died, apparently, in 1369. **JOHN** (de Carrick), elect of Dunkeld in 1370, but apparently failed to obtain confirmation. **MICHAEL** (de Monymusk), provided about July 1372; died 1st March 1376.

\***JOHN** (de Peebles), chancellor of Scotland, appointed in 1377 or early in 1378. He is referred to in No. cxli. Died probably in 1390. **ROBERT** (de Sancto Claro), translated from Orkney to Dunkeld 1 February 1391; died apparently in 1398. **ROBERT** (de Cardeny), provided 24 November 1398; died 17 January 1436-37. **DONALD** (Macnachtane), elected 1437, died while on his journey for confirmation. **JAMES** (Kennedy), provided 1 July 1437; translated to St. Andrews 28 May 1440. **ALEXANDER** (de Laweder) provided 6 June 1440; but died unconsecrated 11 October 1440.

\***JAMES** (Bruce), provided 6 February 1441; died in 1447, after his translation to Glasgow early in that year.

**WILLIAM** (Turnbull), provided 10 February 1447; translated to Glasgow before the close of the year (27 October 1447).

\***JOHN** (Raulston), secretary to the king, dean of Dunkeld, provided 27 October 1447. He appears (in No. cxlvi.) in the year 1450. He died in 1451 or early in 1452. D.

## NOTES ON THE CHARTERS, ETC.

## I

There is no good ground for doubting that this is an honest, though bungled, transcript of a genuine charter of Bishop Symon (see List of the Bishops of Dunblane, p. 253). There could be no object, so far as we can see, in the forging of this document; and, setting on one side some corruptions of the text, the style, more particularly that of the threatenings and blessing at the close, is quite in keeping with the time. The witnesses also tend to confirm the genuineness of the charter. See below.

*Personis sacerdotibus.* It is not easy to offer any reasonable conjecture for the emendation of the text here.

*Huic Isaac.* It is of interest to observe that the first bull of Innocent III. (No. VIII) is addressed to 'J. heremite et fratribus.' Perhaps 'J' is to be identified with Isaac. The expression 'huic Isaac' is of a kind that is not unfamiliar to charter scholars. Thus, in a charter of Robert, bishop of St. Andrews (c. 1144), the bishop makes known that he has made 'hunc Mainardum Flandrensem' head of the burgh (*Acts of the Parliaments of Scotland*, i. 75). Again, the Swinton charters of King David I. are granted respectively to 'huic meo militi Hernulfo' and 'Arnulfo isti meo militi.' The originals are in the treasury at Durham; and the charters will be found printed in Sir A. C. Lawrie's *Early Scottish Charters* (pp. 79, 80). The demonstratives have, in the opinion of Dr. J. Maitland Thomson, the same force as the 'lator presentium' of later record. Mr. H. J. Ellis, of the MS. Department of the British Museum, speaks of this use of *hic* and *iste* as 'a common formula' in early charters; and considers that thereby was indicated that the grantee was present in the court of the grantor. See the discussion in the *Athenæum* (3 February 1906).

*Dato jure propriae ecclesiae.* This refers to the general rule that when bodies were interred in other places than in the church or churchyard of the parish the mortuary dues should nevertheless be paid to the parish. The sense is illustrated by the bull of Celestine III. to Lindores, where we read that there should be freedom of burial in the abbey 'salva tamen justicia illarum ecclesiarum a quibus mortuorum corpora assumuntur' (*Chartulary of Lindores Abbey*, p. 105). The same language will be found in the bull of Innocent IV. to the Priory of St. Andrews (*Regist. Priorat. S. Andree*, p. 105), and in other similar papal letters. See also No. X.: 'Salva rectitudine ecclesiarum de quibus corpora mortuorum assumuntur.'

*Malgirhe canonico.* Attention may be called to Malgirke of Mothel witnessing the early charter of Earl Gilbert, No. III., and also No. XII. See the note on No. III. Perhaps he was a canon of Dunblane.

*Sythakh kelede.* In a charter of Bishop Symon of Dunblane to the nuns of North Berwick among the witnesses are 'Sithach et Malcolm Kaledis de Mothel' (*Carte Monial. de Northberwic*, 7).

*Ricardo capellano Comitum.* Compare the witnesses of No. II., which is also in the time of Bishop Symon. D.

## II

*Gillenenam.* His name is variously spelt; *Gilleneffe* of No. XIX. perhaps best represents the pronunciation. He occurs down to c. 1210 (No. XXVIII.). Like the Stewards of Scotland, he is usually styled *dapifer* at first, *senescallus* later. His son, colleague (apparently) and successor Malise is once (No. V.) styled *dapifer*, elsewhere *senescallus* always.

[M. T.]

## III

*Jonatha episcopo.* See List of the Bishops of Dunblane, p. 258.

*Johanne Archidiacono de Strathern.* See Nos. VI., IX., X., and *Chartulary of Lindores*, p. 165. He seems to have been succeeded in the archdeaconry by Gilbert whom we find in the time of Bishop Abraham.

*Malgirk de Mothel.* See No. XIII. Perhaps the same person as 'Malgirhe canonicus' of No. I. In Bishop Abraham's time there is one Malkirk, prior of the Keledei of Muthill (*Northberwic*, 12).

*Thoma decano.* Dean of Dunblane, or, perhaps, a dean of Christianity. 'Thomas dean' witnesses a charter of Bishop Symeon to the nuns of Northberwick (*Northberwic*, 7). See also No. XIII.

*Abraham Capellano Comitum.* A frequent witness of the early charters of Earl Gilbert. He was perhaps Abraham, bishop of Dunblane at a later date. See List of the Bishops of Dunblane, p. 258. D.

## IV

*Briccio persona de cref.* Brice, parson of Crieff, is a frequent witness both in the present volume and in the *Chartulary of Lindores*. His son, Malise, appears in Nos. XXXV., XLVII., and in *Chartulary of Lindores* (Nos. XLIII., XLV., XLIX.). A parson (or rector) was not necessarily in holy orders; but even if Brice were in holy orders there would be no scruple at the appearance of his son in a record like the present. D.

## V

*Dispensario.* A functionary who appears only here and in No. XXXIX., in each case along with the *Rennarius* (see Introduction), to whom he was perhaps subordinate. [M. T.]

## VI

*Ricardo (Ricardo) de prebenda clerico meo.* He was 'clericus et cognatus domini regis,' and succeeded to the see of Dunkeld after the death of John in 1203 (*Chron. de Mailros*). D.

*Comite Duncano justiciario.* He appears to have been the first justiciar of Scotland proper (as distinguished from Lothian), though not so styled except in two charters which exist only in untrustworthy copies. Perhaps he obtained the office in exchange for that of *Magnus Judex in Scotia* (*Reg. Prioratus S. Andree*, 117), which phrase Skene, however, regards as merely a translation of Maormor (*Celtic Scotland*, iii. 62). At all events, he was justiciar from about 1173 to near the end of his life, except for a short time, perhaps c. 1195, when Roland of Galloway is styled *justiciarius* twice, and Earl G. (probably Gilbert of Strathearn) once.

*Henrico comite Atholie.* Third earl of Atholl; succeeded before 1198, died before 1211.

*Roberto de Londoniis.* No doubt King William's natural son, who witnesses royal charters from 1195 or earlier, and was a benefactor of the Abbeys of Dunfermline and Dryburgh. Sometimes there is a difficulty in distinguishing him from a slightly earlier namesake and perhaps relative, lord of Lessudden, and a benefactor of Melrose and Dryburgh Abbeys. 'Robert le Bastard' also had property in Lessudden, and his grant therefrom to Dryburgh was confirmed by Robert de Roxburgh, his nephew, indicating that he died without issue.

*Malcolmo filio comitis Dunecani.* A witness also to No. xviii., and (after his succession to the earldom in 1204) to Nos. xxiv., xxv., and Appendix No. iv. b. He founded Culross Abbey, and died 1228.

*Johanne de Hastinge.* Lord of Dun in Forfarshire; sheriff and forester of the Mearns, c. 1178; alive 1210. His son David became earl of Atholl in 1242.

*Adam de Syreis.* Perhaps of the family of the earls of Fife (*Scots Peerage*, iv. 5); he took his surname from the lands of Ceres in Fife, and is a witness to many royal and other charters, of which the present is perhaps the latest in date. His son and successor Duncan (see note to No. XLVII.) left daughters only, one of whom, Margaret, married Michael Scot, ancestor of the Balwearie family; his descendants owned a third of Ceres till the beginning of the seventeenth century.

*Henrico de Graham.* Second of the Grahams of Dalkeith, a witness to several royal charters towards the end of the twelfth century; in one of which the king styles him *vicecomes meus*, apparently of Edinburgh.

*Henrico Revel.* A witness to several royal charters a little before and a little after 1200. Married a daughter of Orm son of Hugh, first lay lord of Abernethy, with whom he got the lands of Cultrach, including apparently the site where Balmerino Abbey afterwards stood. He was succeeded by his nephew, Richard. [M. T.]

## VII

*Johannes . . . Episcopus Dunkeldensis.* This is John, 'cognomine Scotus.' See List, p. 261. D.

See what is said in the Appendix on the Abbey Lands, as to the Abthane of Madderty; which suggests a doubt whether this grant may

not be posterior to that by Earl Gilbert and its confirmation by the king (Nos. xi. and xx.). It cannot in any case be later than 1203, when the grantor died. The confirmations by succeeding bishops down to Bishop Hugh are likewise in favour of the 'brethren' not styled canons.

*W. de Lockestre* perhaps derived his surname from Loygiastre in Perthshire (Bain's *Calendar*, ii. No. 1108), which I cannot identify.

[M. T.]

### VIII

This particularly interesting bull makes plain that the head and brethren of the house of St. John of Strathern had besought the Pope's protection. The probability seems to be that the foundation of the house of Austin Canons had not yet reached Rome. See Introduction (p. xxvii).

Innocent was elected on the 8 or 9 of January 1198, and enthroned on 22 February following. The date accordingly is 4 December 1200.

*J. heremite*. Possibly the letter 'J' is the first letter of 'Isaac' (No. 1.).

*Straden*. This word, for 'Stradern,' is only one out of hundreds of errors in the forms of Scottish place-names to be found in bulls and other writs emanating from the Roman scribes. See the paper on the subject in the *Proceedings of the Society of Scottish Antiquaries* (1904-5), pp. 379-87.

On the use of the red and yellow silk for the attachment of the *bullæ*, see note on No. cvii.

D.

### IX

This great charter was granted between (probably) the 25 March and the 8 December A.D. 1200, when the thirty-fifth year of King William's reign closed.

The solemn invocation with which the charter opens has parallels in the King Alexander's Foundation Charter of Scone, King David's Foundation Charter of Holyrood, etc. On the prefixing of the sign of the cross, and generally on the employment of initial invocations, see Giry, *Manuel de Diplomatique*, 531-33.

For the saints, all of the ancient Celtic Church, to whom the four parish churches were dedicated, see Bishop Forbes's *Kalendars of Scottish Saints*, or Smith and Wace's *Dictionary of Christian Biography*.

*Rogerus episcopus sancti andree*. Roger de Beaumont, son of Robert, earl of Leicester, and therefore first cousin of King William. He was elected at Perth, 13 April 1189, but not consecrated till 15 February 1193. Roger died 7 July 1202 at Cambuskenneth.

*Henricus abbas de Aberbrothok*. We find Henry, abbot of Arbroath, before the death of Erchenbald, abbot of Dunfermline (1198): *Reg. Priorat. S. Andree*, 152, 230: and as witnessing a charter of Duncan,



earl of Fife, with William, bishop of Glasgow (24 September 1200—20 September 1202: *Northberwic*, 7).

*Reimbaldus abbas de Scon.* Rainbald, cellarer of Holyrood, succeeded (through court influence) in 1198 to Robert who resigned (*Scotichr.*, viii. 59). He witnesses Nos. xvi., xvii.

*Robertus abbas de Dunfermlin.* This is Robert of Berwick, who succeeded in 1198 on the death of Erchinbald (*Chron. de Mailros*, s.a.).

D.

There is nothing to show whether this was granted before or after 5 October 1200, and therefore we have no means of determining whether Gilchrist died in 1198 or 1199. [M. T.]

### X

This charter obviously comes soon after the foundation charter. The rule of St. Austin is expressly mentioned; and the confirmation is of grants expressed by earl Gilbert in the foundation charter. There is only one point that seems to deserve special notice. The somewhat indefinite language of the earl's charter (No. ix.) as to his assent being necessary in electing a head of the house is interpreted to mean that the head should be elected by the common consent of the brethren 'et per assensum comitis et heredum suorum.'

*Johannem archidiaconum nostrum.* He succeeded Gilbert in the office of archdeacon. We find him again in Nos. xi., xxv.; and he was succeeded by another Gilbert.

*Martinum personam de Muithauard.* This place is Moydeuard of No. xxxix. now Monivaird.

*Malisium personam de Struwin.* Strowan adjoins Monivaird. D.

This closely resembles No. ix. in appearance; see the facsimiles.

[M. T.]

### XI

The date cannot be later than 1200; see note on No. xvi. [M. T.]

### XII

This differs from No. xi. in spelling only; but in handwriting the two are very unlike. Mr. H. J. Ellis, of the British Museum, is disposed to think that in such cases the second charter is to be regarded as a later reissue of the first. [M. T.]

### XIII

*Malgirk de Mothel.* See note on *Malgirhe canonico* (No. i.).

*Thoma decano.* See note on No. iii.

D.

This is the first charter to which Earl Gilbert's second seal is appended. It is to be noted that the nine witnesses were all witnesses also to the previous grant of the same church to the hermits; of the four who attest No. III. and not No. XIII., one (Gilchrist, the earl's son) had died in the interval; two others (Gillenenam and Duncan son of Malise) were alive, but presumably not present when No. XIII. was granted; of the fourth (Malmure, the bishop's chaplain) we know nothing. Compare Nos. XIV. and XLVIII. and notes. [M. T.]

## XIV

This is a repetition of No. IV., as XIII. of No. III.; the witnesses in this case being identical with those of the earlier charter. [M. T.]

## XVI

This and No. IX. being both dated 1200, the one bearing the first and the other the second seal of Earl Gilbert, it is evident that the change of seals took place in that year. [M. T.]

## XVIII

*Ricardo de prebenda.* He, who appears here as one of the *clerici regis*, is probably the same as the Richard *de prebenda* 'clericus et cognatus domini regis (Willelmi)' who succeeded to the see of Dunkeld in 1203 (*Chron. de Mailros*). See p. 261. D.

This being granted not to the canons but *viris religiosis*, and being a confirmation of three of the five churches named in No. IX., might have been supposed prior to the latter. But Alan son of Roland witnesses this as constable, which he could not have done before Roland's death on 19 December 1200.

*Willelmo Giffard.* Second of the Giffards of Yester; witness to numerous royal charters from before 1195 to after 1204 (including Nos. XX. and XXIV. below); envoy to England 1200; alive 1244.

*Roberto Croche.* Oftener spelt Croc: he usually occurs along with the Steward, of whom he held lands afterwards called Crookston, and others in Renfrewshire and Ayrshire. In one of the Melrose charters he is styled *niles domini regis*, but this appears to be the only extant royal charter witnessed by him.

*Alexandro vicecomite de Strivelin.* Witnesses also Nos. XX., XXIV., and XXIX. Lord of Cadder in Lanarkshire, a frequent witness to charters of William the Lion and his successor, from 1195 or earlier down to 1223. In an undated Newbattle writ he is styled justiciar of Lothian. Riddell identifies him with Alexander son of William son of Thorald, lord of Ochiltree in West Lothian; William son of Thorald having been sheriff of Stirling in the previous generation.

*Radulfo de Camera.* Both he and Herbertus de Camera, alongside of whom he attests No. xx., are occasional witnesses to charters of William the Lion during the greater part of his reign; but nothing is known of their family or local connections, except that a son of Radulf had an interest in the churches of Campsie and Altermony in the Lennox. The surname de Camera (Chalmer or Chalmers) has always been an honourable one in Scotland.

*Hervico de Kinros.* Attests two other charters of William the Lion towards the end of his reign; *Henricus* de Kinross, who may be the same person (see variant in footnote) attests three others of the same period. An earlier bearer of the surname, Gillebert de Kiuros, attests a St. Andrews charter before 1170.

*Ricardo filio Hugonis.* A frequent witness to royal charters during the last twenty years of William's reign. One contemporary of the name owed two half knights' service to the castle ward of Dover; another held the lands of Wester Duddingston, which he resigned to the monks of Kelso; the latter was probably son of Hugh de Villa Dodini who is a witness to a Holyrood charter. The present Richard cannot with certainty be identified with either.

*Philippo marescallio.* Ancestor of the Keiths, earls Marischal; he married the heiress of Keith-Humbie.

*Willemo de Moravia.* Witness to a royal charter to Holyrood in 1203; lord of Petty. A little earlier he appears as William son of William son of Freskin.

*Alexandro filio Thore.* A witness to several royal charters for a short time before 1200. Nothing more seems to be known of him. [M. T.]

## XIX

Date: before the Bull of 1203, in which it is confirmed. [M. T.]

## XX

*Willelmo Episcopo Glasguensi Cancellario meo.* William Malvoisine who had been a 'clericus regis.' He had been archdeacon of St. Andrews, and was made Chancellor 8 September 1199 (*Chron. de Mailros*). He was elected to Glasgow in October 1199 (Hoveden, iv. 97); and was consecrated at Lyons by the archbishop of Lyons (Reginald de Forez) by command of Innocent III. on 24 September 1200 (Hoveden, iv. 139). He was translated to St. Andrews 20 September 1202. The date of the charter is thus approximately fixed. It is 5 April in 1201 or 1202.

D.

*Philippo de Valoniis.* Lord of Panmure; chamberlain from 1195 or earlier to his death in 1215. Witnesses also No. xxiv. and (not as chamberlain) Appendix No. II.

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*Willelmo Cumin.* Became Earl of Buchan, after 1211 and before 1214, in right of his second wife. Founder of the Abbey of Deer. Died 1233. A witness to a very large number of royal charters from 1185 or earlier to his death; including Nos. xxii. and xxiv. and Appendix No. ii. Justiciar of Scotland from before 1207 up to his death or nearly so.

*Thoma de Colville.* Lord of Oxnam and Ochiltree; a benefactor to Melrose Abbey. A witness to royal charters from before 1193. Died 1219.

*David de Haia.* Second lord of Errol; a benefactor of Coupar Abbey, and also of Inchaffray, as appears from No. lxxviii. Sheriff of Forfar before 1214. Died between 1237 and 1240.

*Philippo de Lundin.* Witness also to No. xxiv. and to many other royal charters from before 1195 to after 1204. Presumed to have been son of Walter son of Philip the chamberlain, who had a charter of Lundin in Fife from William the Lion early in his reign, and took his surname from the lands. The Lundin family ended in an heiress in the seventeenth century; she married a Maitland, and the heiress of the Maitlands of Lundin carried the estate to her husband, John Drummond, created Earl of Melfort.

*Thoma hostiario.* Also styled *de Lundin* in some charters. He was son of Walter de Lundin, and therefore probably brother of the preceding witness. He held lands in Mar, and was a benefactor of Arbroath Abbey; he is also said to have possessed Lundie in Forfarshire. He was father of the celebrated Alan Durward. [M. T.]

### XXI

It is plain that in the petition from the monastery, which had its answer in the present Bull, the substance of Earl Gilbert's Great Charter had been exhibited; but there are additions. The church of Dunning had been granted by the earl in the interval. It may be noted as of interest that the dedication of this church is not mentioned. Afterwards it appears as the church of St. Serf. The gift of eight acres of land at Gask made by Orable, mother of Saher de Quincy, is mentioned for the first time. The original charters of this gift and also that of the earl's gift of Dunning are apparently lost. Orable was also a benefactress of the Priory of St. Andrews. For more about her, see Introduction (pp. lxxxvi-lxxxix) and the note by Mr. A. Gibb in the *Chartulary of the Abbey of Lindores*, p. 232. Saher de Quincy was not made earl of Winchester till 1207.

*Efferdardewar.* Without a knowledge of the facts of the case it would have been impossible to identify this very curious form with Auchterarder.

The pronouncements as to the liberty of receiving and retaining clerks and free laymen, and what follows are commonplaces of similar papal letters.

On the payment of a bezant, see *Chartulary of Lindores*, p. 265.

Innocent III. was at Ferentino from 14 May to 15 September in the year 1203 (*Mas Latrie, Trésor de Chronologie*, col. 1114). D.

## XXII

*Willelmo de Boscho.* Presumably he who was made Chancellor of the King 28 June 1210 (*Chron. de Mailros*). As Chancellor of King William he is a witness of No. xxx.; and as Chancellor under Alexander II. he is a witness of Nos. xxxvi. and xli. He resigned the chancellorship in 1226, and died in 1231. D.

Of the two churches here confirmed to the canons, Dunning was granted to them in time to be included in the Papal confirmation of 1203; Monzievaird does not appear there. The probable date of this charter therefore is 1203 or 1204; with which the witnesses agree.

*Waltero capellano.* Witnesses royal charters from before 1194. Consecrated bishop of Glasgow 1208.

*Hugone clerico.* Sometimes styled *de Sigillo*. A frequent witness to King William's charters throughout his reign; but probably there were two or more of the same name, whom it is now impossible to distinguish.

*Adam Hastenge.* Had from King William a gift of the lands of Kingledoors in Tweeddale, which he afterwards gave to Arbroath Abbey. [M. T.]

## XXIII

*Ricardus.* See List of the Bishops of Dunkeld, p. 261.

*Henrico Archidiacono nostro.* He served also under Bishop Hugh (Nos. xxxvi., xlviii., xlix.); but under Bishop Geoffrey we have William de Edenham as archdeacon (No. lxv.).

*Gilberto filio Archidiaconi de Stratheryn.* Another son of an ecclesiastic who appears in this volume is Arthur, son of Abraham, chaplain of Earl Gilbert, and probably afterwards bishop of Dunblane (No. xxvi.).

D.

## XXIV

*Willelmo Episcopo sancti Andree.* William de Malvoisine. See note on No. xx.

*Hugone de Mortemer Priore de May.* Hugh de Mortemer was prior of May before the death of Richard, bishop of St. Andrews, who died in 1178 (*Lib. de Scon*, 30). His appearance here suggests a readjustment of the dates in Dr. John Stuart's list of the Priors (*Records of the Priory of the Isle of May*, pp. lx, lxi). Our charter is certainly before the appearance of John, prior of May, who was present at a synod in Perth in 1206 (*Miscellany of the Spalding Club*, vol. v. p. 209). And we have to fit in Prior Ivo between Hugh and John. The presence here of Malcolm,

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earl of Fife, shows that the charter must be dated after the death of Earl Duncan, who died in 1204 (*Chron. de Mailros*). Thus the possible limits of the charter are not very wide. D.

*Waltero Olifarde.* Also witness to Appendix No. II. The second of the Scottish Olifards. Appears first c. 1170; a hostage for William the Lion, 1174; Justiciar (presumably of Lothian), c. 1180; alive 1223, but rarely appears in record in his later years.

*Willelmo de Valoniis.* Witness also to No. XXIX. Son of Philip de Valoniis (No. XX. note), whom he succeeded as chamberlain. Died 1219. He was probably the same William who married Loretta daughter of Saher earl of Winchester. [M. T.]

### XXV

To the rights conveyed in this charter, Earl Gilbert at a later period added that his bailies, seneschal, and deemster should hold the courts for the prior and canons, reserving as before *justicia corporum* to himself and his heirs (Nos. XLIII., XLIV.). Dr. Maitland Thomson has pointed out that the 'Sair Law,' used by the earls of Strathern for executions, lies on the slope to the north of the abbey, and is clearly visible therefrom.

A charter (A. D. 1266) of Alexander, son of Walter, Steward of Scotland, grants like privileges to the monastery of Melrose in his lands in Kyle. The body of a criminal condemned in the court of the monastery was to be delivered to his bailies, but the chattels of the condemned were to go to the monks (*Lib. S. Marie de Melros*, i. pp. 286, 287).

*Gillechrist.* Though this name appears among the sons of the earl in the original charter, one ventures with some confidence to say that it is an error for Gilbert. Gillechrist, the earl's eldest son, had died some two years before the foundation of Austin Canons. The eldest son would not be named last. But it is possible that at this date there was another son of the earl, and that this son was called 'Gillechrist.' D.

Date: after 1203 apparently, but John is still archdeacon, and Constantine the deemster appears here for the last time. [M. T.]

### XXVI

*Malisius prior.* See List of the Heads of the Austin Canons of Inchaffray, p. 249. He was dead at the date of this charter, that is before 1210.

*foglais.* The Register reads *ffoulis*, the parish of Fowlis Wester, near the Abbey. D.

It is to be noted that Tristram's daughter, Aviz, bore the name of her father's mother. See the description of his seal in Appendix I.

[M. T.]

## XXVII

*G. archidiaconus.* Gilbert, see No. xxxi.

D.

The date is later than xxv., G[ilbert] having now succeeded John as archdeacon; but before 1210, Abraham being still the earl's chaplain.

*Philippo de Melkinh.*—The church of Melginch (St. Martin's) was granted to Holyrood Abbey by David Huviet, Alexander and Philip his sons being witnesses. The latter may be the Philip of the present charter, and the same with Philip Uvieth, who witnesses a grant by Swan son of Thor to Scone Abbey. The surname was borne later by Duncan de Melginch (No. lxxiii. below), and by Stephen de Melginch (*Liber de Scon*, No. 116). If *Balursin* of the last-quoted charter is Balhousie (in 1422 *Balulsi*), we may infer that the family later on dropped their local surname, and, resuming their original patronymic, became the Eviots of Balhousie, who subsisted down to the close of the sixteenth century.

*Ricardo milite de Kenbuc.* Kinbuck is a few miles north of Dunblane. This Richard appears as *Ricardus miles* in Nos. xxx., xxxi., lv., and lvi., and in No. lviii. the earl styles him 'dominus R. filius Lugan miles meus.' He was brother of the Countess Ysenda, Earl Gilbert's second wife (No. xlvi.). Joachim de Kenbuc is a witness to Nos. lxxiii., lxxvi., lxxxvii., and xcv. *infra*, and to *Lib. Ins. Mis.*, Appendix No. 12 (where his name is printed Knibet, but in the original charter it is Kinbuc); and Alan de Kynbuk witnesses No. cxviii. below. The proof of the identity of 'Ricardus de Kenbuc' with 'R. filius Lugan' is found in a charter granted to the Abbey of Cambuskenneth by Malcolm de Dromond, Lord of Mar, in 1395, ratifying gifts of parts of the lands of Cambushinnie made to that Abbey by his predecessors, 'Richard son of Luguen' and 'Joachim de Kynbute.'

*Ricardo Uvieth.* Witness to a charter to the Abbey of Scone a little later than the present, and to a royal charter granted at Scone in 1233.

*Galfrido de Guisk.* Brother of Sir Richard and of the Countess Ysenda (see above). It is said that by marriage with his heiress the Murrays of Tullibardine obtained the lands of Trinity Gask, which they held for several centuries. [M. T.]

## XXVIII

*A. Dunblanensi electo.* This charter is soon after the death of Bishop Jonathan in 1210. See p. 258. D.

## XXIX

Date: between June 1211, when William de Bosco became chancellor, and December 1214, when William the Lion died.

*Olivero capellano.* He appears only during the last years of King William; perhaps not before 1207. [M. T.]

## XXX, XXXI

These two charters were obviously granted at the same time.

*In proprios usus suos.* The fullest grant of a parish church which could be given. The whole revenues of the parishes were appropriated to the monastery (which was to provide for the duties of the parishes), always saving the bishop's procurations and synodals—*salvis episcopalibus nostris*—an expression which in No. xxxii. has its equivalent in *salvo jure episcopali*.  
D.

## XXXII

Johannes . . . Dunkeldensis Episcopus. See p. 261. He was John ii. *J. priori*. See p. 249.

*Duncanò decano Atholìe.* Presumably dean of Dunkeld. We have no certain appearance in this diocese of 'deans of Christianity' at this period. But see Notes on No. lxx.  
D.

## XXXIII

*Willelmo, Abbate de Scona.* William seems to have succeeded Reinbald. We find 'W.', perhaps the same, abbot of Scone as late as 1225 (*Lib. de Scon*, No. 83).  
D.

This and xxxiv. are both of Bishop Abraham's time, and therefore after 1210, but before 1219, when they are both confirmed (No. xxxix.)  
[M. T.]

## XXXV

Date: probably early in Alexander ii.'s reign, certainly before 1222, as appears from the omission of the regnal year and the use of the first person singular.  
[M. T.]

## XXXVI

*H. . . Dunkeldensis episcopus.* Hugh succeeded to the bishopric in 1214 (*Chron. de Mailros*), between 7 October, when his predecessor John died, and 4 December, when King William died, for King William confirmed a charter of Hugh (*Chartulary of Cambuskenneth*, Nos. 15, 16). He had been clerk of the king (*Clericus de sigillo*). He refers in this charter to his long occupation in secular pursuits, and alludes to the parable of the labourers in the vineyard (St. Matt. xx. 1-16).

The bishop not only confirms the grants of Madderty by his predecessors, but he, interpreting the grants *latius et benignius*, grants all the revenues of the church of Madderty to the canons of Inchaffray *in proprios usus*, requiring them to present to him priests for institution to the church from time to time for the spiritual care of the parishioners.



*Magistro Roberto de Raperes laue, Magistro Johanne de hetone.* These two appear to be the same as 'Magistro Roberto de Rapellis' and 'Johanne de hetun' in charters of the chapter of Dunkeld and of Bishop Hugh in the *Chartulary of Lindores* (Nos. xxxiii. and xxxiv.). They appear again in the present volume in No. XLVIII. Master Robert Raperlu appears in *Lib. de Scon.* (No. 83).

*Matheo decano.* See No. XLVIII., and the two charters in the *Chartulary of Lindores*, cited above. D.

## XXXVII

The land reclaimed by the canons before 1218, and here granted to them in property, may plausibly be identified with the Abbey close of later times, and that with the land round Inchaffray still owned by Lord Kinnoull as heir of the Lord of Erektion. It is between five and six acres in extent. [M. T.]

## XXXVIII

See notes on XLII.

[M. T.]

## XL

*Waltero filio Alani.* Third High Steward of Scotland; succeeded his father 1204; Justiciar of Scotland from 1232-3 till his death in 1241.

*Henrico de Baileyhef.* Chamberlain of Scotland from 1223 or earlier (with a break of some years) to his death at 'St. James' in Spain in 1246. A large landowner both in England and Scotland, his wife Lora having been one of the heirs of the De Valoniis family. Of his parentage different accounts are given; Bain's *Calendar of Documents*, i. No. 632, suggests that he was a son of another Henry, who appears in *Fwdera* in 1199 as a follower of the Count of Flanders.

*Waltero de Fontibus.* Witness to a charter by John de Normanville of part of Maxtone, Roxburghshire, to Melrose Abbey. A 'Carta Walteri de Fontibus' was in the Scottish Treasury in 1282. He, or a contemporary and namesake, was Lord of Rolesham (Rousham), co. Oxford, and was alive 1234.

*Henrico de Strevyllyn.* So called to distinguish him from another natural son of Earl David, Henry de Brechin. The former Henry appears to have left no succession (see Fraser's *Stirlings of Keir*).

*Johanne de Haya.* Probably son of William de Haya, first of Erroll; witness to many charters of Alexander II.; sheriff of Perth 1226 and later. He was first of the Hays of Naughton in Fife.

*Waltero Cumin.* Second son of William Cumin earl of Buchan. Became earl of Menteith in right of his wife in 1233 or 1234. Died 1258.

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*Alexandro de Setona.* Witnesses also Appendix No. iv.B. Lord of Seton; son and heir of Philip de Seton; frequently occurs in record throughout the reign of Alexander II.

*Willelmo de Lyndesay.* Lord of Lamberton; sheriff of Berwick; justiciary of Lothian; succeeded his father, Walter, 1221. Died c. 1247. [M. T.]

### XLII

Date: after No. xxxviii., which it confirms, but before the erection of the priory into an abbacy; probably after Earl Saher's departure for the Holy Land, but before the news of his death had arrived. The occurrence both here and in No. xxxviii. of William de Selford (who was the steward of the De Quincy estates in Scotland, as appears from the *Dunfermline Register* and the Brackley Charters at Magdalen College, Oxford), and William de Fore indicates that the two charters are not far apart in date. Morinus de Kyndelouth is probably the same as Morinus le Marr of No. xxxviii.; he appears later (No. lxiv.) as Earl Roger's steward. Whether he can be regarded as connected with the Kinloch family seems doubtful; see *Scottish Historical Review* for January 1905.

*Ecerardo de Trumpetone.* See note on Appendix No. iv.B.

[M. T.]

### XLIII, XLIV

See No. xxv.

*Roberto priore eiusdem Locī (sc. Scone).* The name of this prior of Scone does not appear in *Liber de Scon.* But see *Regist. Priorat. S. Andree*, p. 393. D.

### XLIII and XLIV

Date: apparently later than No. xxxix., but before the erection of the Abbacy. The two charters, practically duplicates, are in a similar but not identical handwriting. [M. T.]

### XLV

The *abbot* of Inchaffray appears for the first time. See p. 250.

D.

### XLV, XLVI, and XLVII

All these fall between the erection of the Abbacy and Earl Gilbert's death. [M. T.]

### XLVI

*Macbet iudex.* Also occurs in Nos. xlvi. and li.

[M. T.]

## XLVII

Though the rubric of the Register runs, 'Confirmatio comitis Roberti,' the grantor of the charter styles himself simply 'Robert, son of Earl Gilbert of Strathern.' Robert claims to be 'patronus domus.'

*Hugonis Abbatis de sancto seruano.* That is, abbot of Culross. Hugh, who had been prior of Kinlos, was the first abbot of Culross, to which place a colony of monks came from Kinlos, when founded by Malcolm, earl of Fife, in 1217 (*Chron. de Mailros*). In 1218 Hugh, with the abbots of Melrose, Neubotle, Cupar, and Kinlos, visited the papal legate at York (*Ibid.*).  
D.

*Duncanano filio Ade milite de Fiff.* Either Duncan de Syreis (whose father, Adam (No. vi., above), is sometimes styled *miles de Syreis*), or perhaps a son of Adam, brother of Earl Duncan (*Scots Peerage*, iv. 6).

[M. T.]

## XLVIII

This charter is a repetition of No. xxxvi., save that while No. xxxvi. is granted to the canons, this is granted to the abbot and canons. Both charters are originals in the collection of the Earl of Kinnoull. The witnesses are mainly the same.  
D.

As to repetition of a grant at a later date with the former witnesses, see note to No. xiii. If, as is likely, Adam parson of Forgrund and Abraham the clerk, of No. xxxvi., are to be identified with Adam de Prebenda and Abraham the chaplain, of this charter, then the two testing clauses differ only in the omission of Uviet parson of Aberdalgin in the later writ.  
[M. T.]

## XLIX

*Gilleberto capellano de Aberlauedy.* Aberlady, on the coast of Haddingtonshire, was, like Abercorn, Cramond, Preston, and Bonkil, one of the parishes south of the Forth belonging to Dunkeld. In another charter of Bishop Hugh of Dunkeld we find 'J. vicario de Aberleuedi' among the witnesses (*Regist. Priorat. S. Andree*, p. 297). The parish is the 'Aberlefdi' of Boiamund's account, A.D. 1275, 1276 (*Theiner's Monumenta*, pp. 112, 116), where the vicarage was rated at twenty marks. It would seem that it was served by a chaplain before the appointment of a perpetual vicar.  
D.

This being a renewal of No. vii. is granted to the 'brethren,' and there is nothing to show whether it is prior or posterior to the erection of the Abbacy. But it is placed here on account of its resemblance in the testing clause to No. xlvi., specially in the points in which the latter differs from No. xxxvi. The inclusion of Bernard chaplain of

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Kergill among the witnesses may have been due to his having been the only one of the witnesses to No. vii. who was still available.

[M. T.]

### L

*Canum et conretum.* These words are associated together in the *Chartulary of Lindores*, where (see pp. 250, 251) some attempt is made to explain the terms. 'Cane' is used frequently for an allowance in kind; and 'coneveth' was probably some allowance in food. D.

This has no witnesses. But it is natural to suppose that both it and No. XLVIII. were granted not long after the erection of the Abbacy.

[M. T.]

### LI and LII

Both of these fall between Earl Robert's accession and Bishop Abraham's death; an interval which cannot have been very long if the statement in Pope Gregory ix.'s Bull, that the see of Dunblane had been vacant for ten years before Bishop Clement's consecration in 1233, is to be taken as approximately correct. [M. T.]

### LIII

*Natiuos.* On neyfs, see *Chartulary of Lindores*, p. lvii.

*Thoma de Striuelin, Archidiacono Glasguensi.* Thomas Stirling succeeded Thomas, parson of Lillisclive, as archdeacon of Glasgow in 1222 (*Chron. de Mailros*, 140). He appears as chancellor of the king in No. LIV. (13 August 1226) and on 6 October 1226 (*Regist. de Dunfermelyn*, No. 218). He died in 1227 (*Chron. de Mailros*, 141). His appointment as chancellor, on the resignation of William de Bosco on account of infirmity, is assigned to the year 1226 (*Scotichr.*, ix. 46). He had been clerk to his predecessor (*Ibid.*). D.

The sealing of this writ on a strip of the parchment of the writ itself, and not on the double tag usual at the period, is an anticipation of the later Scottish practice whereby charters proper were sealed in the latter, but letters patent in the former manner. But it does not appear that there was any uniform method of sealing letters patent either in England or Scotland in the thirteenth century.

William de Bosco appears last as Chancellor on 5 July 1224 (*Regist. Morav.*, p. 19). Thomas de Striuelin, who evidently acted as his substitute throughout 1225, is first styled Chancellor 20 January 1225/6 (*Family of Innes*, p. 52); he still held the office 26 February 1226/7 (*Reg. Mag. Sig.*, ii. No. 2337), but was succeeded by Matthew before 5 June 1227 (*North Durham Appendix* No. lxxvi.). [M. T.]

## LIV

*Thoma de Striuclin, Cancellario.* See Notes on No. LIII. D.

*Willelmo de Muntfichete.* William the Lion granted Cargill in Perthshire to Richard de Muntfichet. This William was presumably Richard's successor. The lands passed with an heiress in the fourteenth century to the Drummonds, and to the heir of line of that family they still belong.

*Willelmo de Bruse.* Son of William B. third lord of Annandale, and younger brother of the Robert who married the co-heir of Earl David.

*Waltero Bysete.* Lord of Aboyne and of Stratherrick. Died in Arran 1251.

*Clonin.* Clunie in Stormont, a favourite hunting-resort of the kings of Scotland down to the sixteenth century. [M. T.] ✓

## LV

*Ricardo Milite meo.* See No. LVIII., where we find 'R. filio lugan Milite meo.' On the expression *miles meus*, see *Chartulary of Lindores*, p. lxxv. He is perhaps the same who appears in No. LVI.

*R. decimario.* A tithe-collector; possibly the officer of the abbey of Inchaffray, who was given a place in the household of the earls of Strathern. See No. xvi., and Introduction, p. xxix. D.

This charter and the three which follow are evidently later than Nos. LI. and LII. None of them can be dated within narrower limits than those indicated on the margin; but I have made a mistake in placing LV. first of the series: Henry son of Tristram, who is a witness to Nos. LVI., LVII., and LVIII., was dead before LV. was granted, and it should have been placed last, not first, of the four.

*G de Moravia.* Also a witness to LVIII.; and he may be the *Gilbertus de Moravia* of LXXXVIII. He is not to be found in the pedigree of that illustrious family, but he is the first of the surname to appear in Strathearn. Can he have been father of Malcolm de Moravia, who was the earliest undoubted ancestor of the Tullibardine family?

*W. Clemente.* Brother of Theobald son of William son of Clement (No. LVI). [M. T.]

## LVIII

*R. filio Lugan.* See note to No. xxvii. [M. T.]

## LIX

*G. miseracione diuina ecclesie Dunkeldensis minister humilis.* This is apparently Bishop Gilbert; and Bishop Geoffrey (Galfridus) refers to

this confirmation of Gilbert's in No. LXV. For Bishop Gilbert, see p. 261. After the sheet containing the English abstract of this charter (p. 197) had been printed off, it was discovered that both in the title and text the word 'Dunblane' had been incorrectly given for 'Dunkeld.' The reader is requested to make the correction.

*M. decano.* Compare *Matheo decano* in Bishop Hugh's time (No. XLVIII.), and in *Chartulary of Lindores*, Nos. XXXIII., XXXIV. Was M. dean of the cathedral of Dunkeld? In *Lib. de Scon* (No. 83) we find in the year 1225 a document witnessed *inter alios* by H., bishop of Dunkeld and 'M. decano de Retref' (Ratray). D.

## LX

*G. dei gratia Dunkeldensis Episcopus.* Bishop Gilbert, see List, p. 261.

*I. et Ph.* John, the second abbot of Lindores (*Chartulary of Lindores*, p. 303), and Philip, abbot of Scone, who is found in record in 1231, and on to 1241 (see *Lib. de Scon*, p. x).

*Ejusdem sedis Patroni.* The earls of Strathern are frequently referred to as 'Patrons' of the bishopric of Dunblane. In Theiner's *Monumenta* (Nos. 284, 355, 386, 576), we find papal letters addressed to the earls as 'Patrons' of the see. This was probably due to the large share which was taken by Earl Gilbert in endowing the see. But Mr. Lindsay (Introduction, p. xxxviii) considers that Earl Ferteth had a principal share in the creation of the diocese. D.

## LXI

*Domino S. . . episcopo sodorensi.* Simon, of Argyll (Erchadiensis). The *Annals of Iceland* relate that Simon was consecrated in 1226. But the *Chronicle of Man*, when referring his death to 28 February 1247, says it was in the eighteenth year of his episcopate, which would make his consecration in 1229 or 1230. He was consecrated, probably at Bergen, by Peter, archbishop of Trondjem (see Munch's Notes to the *Chronicle of Man*, 243). For a time he had charge of the diocese of Lismore (see Theiner, *Monumenta*, No. 84).

*G. archidiacono Dunblanensi.* Gilbert, see Introduction, p. xxxiii.

*Magistro p. de Castro terri.* One cannot but suspect that this person is the same who appears in No. LXV. as 'Magistro Petro de Castro Theodorico,' who was precentor of Dunkeld at the close of 1238. See the Note on No. LXV., which will explain the form *terri* (= Thierry). D.

*P. de Castro terri.* A canon of Dunkeld in Bishop Gilbert's time (*Dunfermline*, No. 132). [M. T.]

## LXII

*Gregorius.* Gregory IX., who was at Viterbo from 21 March to 6 October 1237 (see Mas Latrie). D.

## LXIII

*Abbatis de Aberbrothok et de Maii prioris.* The abbot of Arbroath in 1237 was Ralph de Lambley, who became bishop of Aberdeen in 1239. The prior of May was perhaps Ralph, or possibly John, see Dr. Stewart's Preface (p. lxii) to *Records of the Priory of the Isle of May*.

*h. priore de scona.* We find H., prior of Scone, a papal judge delegate in June 1230 (*Regist. de Dunfermelyn*, No. 223). D.

*Duncan de Melginch.* See Note on No. xxvii.

*Drumcrok.* I have failed to trace a Drumcrok in the parish of Melginch. There is a Drumchork in Upper Strathearn, near Comrie.

*Patricio filio Willelmi vicecomite de Perth.* No doubt the same who (not as sheriff) witnesses a royal charter in 1241 (*Lib. de Scon*), and occurs in the *Cambuskenneth Reg.* in January 1244-5. [M. T.]

## LXIV

See Introduction, p. xlviii.

*Magistro David de Bernam.* Afterwards the well-known bishop of St. Andrews. David was 'Camerarius' 4 February 1235 (*Lib. de Scon*, 47), and 8 October in the same year (*Neubottle*, 17), and was 'Camerarius Regis' at the time of his election to St. Andrews (Theiner, No. 100).

*Magistro Hugone persona de lochres.* At Leuchars, in Fife, was a residence of the De Quincys.

*Simone de Noyse persona de Ormistun.* Ormiston in Haddingtonshire. D.

*Thoma de Alneto.* He had from Alexander II. a gift of lands near Dumfries, which he in 1237 gave to Melrose Abbey. Probably the same with Thomas de Aunou, who appears in the Cumberland Pipe Roll of 1230-31, and of whose lands in Lincolnshire and Yorkshire an extent was taken in 1246.

*Saero de Sancto Andrea.* He and his brother, Roger, were nephews of Earl Saher. This Saher held lands in several English counties, and part of Collessie in Fife out of which he made gifts to Lindores Abbey and also to Brackley hospital. He seems to have died before 1256; his wife, Matilda, daughter and co-heir of Henry de Dyve, survived him till 1273.

*Willelmo de Haya.* Also witness to No. LXVIII. Second son of David de Haya second lord of Erroll; ancestor of the Hays of Leys, and of the earls of Kinnoull.

*Henrico Biset.* A witness also to charters by Earl Roger and by Roger and Saher de Sancto Andrea to Brackley hospital. A different person, of course, from the Henry Biset who died in the reign of King John.

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*Duncan Sibaud.* Also a witness to charters by Earl Roger to Saher de Seton, by the same earl and by William Malerb to John de Kinloch, and by Walter son of Sybald to Coupar Abbey. He may conceivably be the same who in 1286 granted to the same abbey an annual rent out of lands, apparently in Angus, which it would be rash to try to identify from the corrupt forms in which their names are preserved in the Register. [M. T.]

## LXV

*Galfridus.* See List, p. 261. Geoffrey.

In addition to the confirmation of charters of his predecessors, Bishop Geoffrey grants that the church of Madderty may be served by a chaplain, or by one of the canons of the abbey. The witnesses supply us with the names of several of the chief members of the cathedral chapter of Dunkeld at the close of 1238—a valuable contribution to the *fasti* of the cathedral. The staff included a sub-dean and a succentor.

*Domino Adam de Prebenda Decano ecclesie Dunkeldensis.* Adam de Prebenda is still dean in 1245 (*Regist. Priorat. S. Andree*, p. 308).

*Petro de Castro Theodorico precentore.* Compare No. LXI. One would have expected *Castro Theodorici*. *Castrum Theodorici* is the Latin name of Château Thierry on the Marne, not far from Meaux. See Note on No. LXI.

*Magistro Willelmo de Edenhame.* He is still archdeacon in 1245 (*Regist. Priorat. S. Andree*, p. 308); and was archdeacon as early as 1225 (*Lib. de Scon*, No. 83).

*Roberto Thesaurario.* He is still treasurer in 1245 (*Regist. Priorat. S. Andree*, p. 308).

*Magistro Roberto de Laycestria.* He is styled by the bishop 'noster con-canonikus,' which suggests that, as at Aberdeen, Moray, Ross, and Brechin, the bishop held a canonry in the cathedral of Dunkeld. D.

*Roberto de Laycestria.* As canon of Dunkeld he witnesses a charter of Bishop Gilbert, Galfrid's predecessor (*Dunfermlne*, No. 132). In a charter to Scone abbey Richard de Laycestria terms this Robert his *consanguineus*. [M. T.]

## LXVII

The date is Sunday, 29 January 1239-40.

*W. Decanus.* He appears as dean in April 1239 (*Chartulary of Lindores*, No. 54).

*Nicholaus precentor.* For the conjecture that this Nicholas was the abbot of Inchaffray, see Introduction, p. xxxviii.

*Lucas Archidiaconus.* He appears as archdeacon in April 1239 (*Chartulary of Lindores*, No. 54). D.



Most of the lands herein mentioned lie in the parish of Blackford (the ancient Strageath). Rossin is in Dunning parish, Strathyn in the old parish of Aberuthven; Arneluoy I cannot identify. Fedale in later times belonged to Muthill parish; with this mention of it as pertaining to Auchterarder, compare the statement in one Lindores charter that the place lay in the thanage of Auchterarder, while another places it in 'Katermothel.' [M. T.]

## LXVIII

For Gilbert de Haya and his relatives here named, see *Scots Peerage*, iii. 556-7.

*Johanne de Fentone*. In later times part of Strathy (Appendix III.) was called Strathy-Fenton. [M. T.]

## LXIX

Date, Saturday, 8 December 1240.

*Magistro Roberto de Laycestria*. See notes on No. LXV.

D.

Ricardus de Laycestria is also the grantor of two charters of subjects in Perth to the abbey of Scone, and one to that of Lindores; and a witness to a grant by Earl Roger de Quincy to Scone.

*David filio Galfridi*. Son of Galfrid son of Martin, and witness (along with his father and Henry his brother) to a grant by Swan son of Thor to Scone Abbey before 1199. John son of David was his son, for he styles Henry son of Galfrid his uncle (*Scone* No. 90).

*Henrico filio Galfridi*. See previous note. He witnesses a grant by Abraham bishop of Dunblane to Arbroath abbey, two Lindores charters, and several Scone charters, in one of which he is styled *prepositus* and in another *aldermannus* of Perth.

*Johanne de Batalia*. In spite of the prefix *dominus* (perhaps only honorary), he is probably to be identified with John de Labatil of No. LXX. and of *Scone* No. 169, John de la Batayle of *Lindores* No. LXVII., and John de Bello of *Scone* Nos. 89 and 95.

*Johanne Sokyn*. Perhaps a mistake for Kokyn (No. LXX.). John Cokyn witnessed Richard de Laycestria's two charters to Scone, and another charter to that abbey shows that in 1245 he was a *prepositus* of Perth.

*David Yep*. Witnesses three Scone charters, one of them dated 1219.

*Galfrido de Len*. William de Lene was a benefactor of Scone; Martin de Lene witnesses No. LXXI.; Simon de Lenna, Cecilia his wife, and John his son and heir, occur in Drummond Castle charters (as do some other burgesses of Perth named in the Inchaffray writs); and John de Lenna did homage in 1291.

*Henrico de Bedford*. Witness to the two charters following, and to a Scone charter of 1245. [M. T.]

## LXX

*Johanne Albot.* Also a witness to No. cx. ; in both places the former edition has *Abbot*. *Albot* is conceivably a mistake for *Albo* ; ‘*Johannes Albus*’ witnesses Nos. LXXIII. and LXXIV. in company with the grantor of the present charter. Or he may have been one of the Perth family of Ailbot, as to whom see No. cxx. footnote, *Fœdera*, i. 773, and *Exchequer Rolls*, vol. i.

*Nicholao de Scardbrow.* Also a witness to No. LXXI., and to *Scone* No. 95. He, Mr. Roger de Scardtheburg of No. CIII., and Robert de Scardeburg who did homage in 1291, evidently took their surname from Scarborough in Yorkshire.

*Willelmo de Dunde.* Also witnesses No. LXXI., and *Scone*, Nos. 86, 88, 89.

*Andrea Teket.* Also witnesses No. LXXI. *Philip Taket* did homage in 1291 and 1296. [M. T.]

## LXXI

*Henrico Tenteman.* *Rauf* Tendeman or Tundeman did homage 1291 and 1296.

*Malisio Treisdeneris.* *Michael* Treisdeneris did homage 1291.

[M. T.]

## LXXIII

On this grant, see Introduction, p. xli.

D.

This and LXXIV., though they cannot be of the same date (the holder of the benefice having been alive at the date of the former and dead at that of the latter), yet have the same witnesses. See notes to Nos. XIII. and XLVIII.

*Ioachim milite de Kenbuc.* See note to No. xxvii.

[M. T.]

## LXXIV

*Tempore huius collacionis curam episcopatus argadie optinentis.* So far as I know this is the only notice of Clement, bishop of Dunblane, having had charge of the bishopric of Argyll. The probable date is discussed in the Introduction, p. xlii. Another element to be considered as to the date is that it was after Malise II. (the first of those mentioned in our charters) had succeeded to the earldom of Strathern (No. LXXIII.).

D.

## LXXV

*Magistro l decano Dunblanensi.* Probably Luke: see *Chartulary of Lindores*, No. xxviii.

D.

*Malisio nepoti meo.* Presumably Malise, son of Malise the grantor's brother (No. cii.). [M. T.]

## LXXVI

This has been assigned to 1247 as mentioning that date. But it may belong to a slightly later time: not in any case after 1258, when Bishop Clement died. The same remark applies to No. LXXVII., which follows on No. LXXVI.

*Gilberto de Rothwin.* Witnesses also Nos. LXXXVI., xc., and xcviil. His father Walter was the first of the surname; his mother Cecilia was Earl Gilbert's daughter. [M. T.]

## LXXIX

Date: Lyons, 8 August 1248. The bishop of Brechin at this date was Albin; the bishop of Dunblane was Clement; and the abbot of Inchaffray was probably Nicholas. D.

## LXXX, LXXXI

Date of No. LXXX: Lyons, 23 April 1250, which is also the date of the following papal letter (No. LXXXI.). The ordinances of the bishops of Glasgow and Dunkeld here confirmed were made some ten years before the date of these letters. D.

## LXXXII

Date: Perugia, 8 June 1252: addressed to the abbot of Holywood (or Dercongall) in Nithsdale, and the sacrist of Glasgow. Holywood was a house of Premonstratensians. The name of the abbot at the above date is not known. The sacrist of Glasgow was a canon who assisted the Treasurer in the custody of the relics, *ornamenta*, etc. Some six years later than this letter the sacrist of Glasgow was 'J' (*Regist. Glasguen.*, No. 208). D.

## LXXXIII

*Willelmus . . . Abbas de Arbrothok.* This abbot does not (so far as I know) occur elsewhere. It is assumed in the Preface to *Regist. Vet. de Aberbrothoc* that the word here is an error for Walterus; and this may be so. But between the last notice of Abbot Adam in 1245 and the first notice of Abbot Walter in April 1256 there is space for an Abbot William at the date of this charter, 9 November 1252. D.

There is no notice elsewhere of Inchaffray possessions in Arbroath. Perhaps they were held in wadset only. [M. T.]

## LXXXIV

*Abbati et . . . Priori de Sacro nemore.* Holywood, which does not frequently occur in Scottish record, and which appears in No. LXXXII., again appears in this letter of Pope Alexander IV.

On the use of the hemp string for the attachment of the *bullæ*, see the Notes on No. CVII. D.

## LXXXV

See Introduction, p. xlii.

*Ecclesiam sancte findoce de Inchealt.* For the history of the parish of Inishail the reader is referred to *Origines Parochiales* (vol. II. part i. p. 129); and for St. Fyndocha or Findoča (said by some to be one of the nine daughters of Donald of Glen Ogilvie), see Dr. Gammack's article in Smith and Wace, *Dictionary of Christian Biography*. It seems to be an error, as stated by Dr. Gammack, that Echt in Aberdeenshire had St. Fyndocha as patron. The Aberdeen Breviary (Prop. SS. pars. estiv. fol. 126, *verso*), to which reference is made, says that St. Fyncana was venerated at Echt, and St. Fyndoca 'at the archdeaconry of the diocese of Dunblane'—an expression which doubtless means the prebendal church of the archdeacon. This was Findogask; and the form of the name Findogask points to the connection of the cultus of the saint with the parish. The feast of SS. Fyncana and Fyndoca was 13 October. D.

## LXXXVI

See Introduction, pp. xliii, lxiii, lxiv.

*Fratre hugone.* This brother of Earl Malise is perhaps the same as the frater Hugo the *terrarius* (No. xcvi.).

*N. Camerario nostro persona de Creff.* Nicholas: see No. LXXXVII. D.

The church of Cortachy does not appear among the later possessions of the abbey. Probably it was exchanged for something else.

*Willelmo de Breghyn.* Second lord of Brechin; succeeded his father (Henry, natural son of Earl David) about 1245, died before 1292.

*Johanne de Dundemor.* Lord of Dundemor in Fife (afterwards Dundure, now Ayton). See notices of him and others of his name in *Chartulary of Lindores*. The family seems to have ended in an heir-female in the time of David II. [M. T.]

## LXXXVII

*Cum tota sequela sua.* On the application of the word *sequela* to the children of serfs, see *Chartulary of Lindores Abbey*, p. lvii. See also No. LXXXVIII. D.

## LXXXIX

See Introduction, p. xlix.

D.

## XC

*Ricardus . . . Dunkeldensis episcopus.* See List, p. 262.

*Magistro Roberto de Streuillyn Decano Dunkeldensis ecclesie.* There is reason to believe that *streuillyn* is here an error for *stuteville*. Robert de Stuteville was dean of Dunkeld in 1253, when he was elected bishop of St. Andrews; but the election was quashed (Theiner, No. 162). And he was dean when he was elected to the see of Dunkeld, perhaps about 1272. See List, p. 262.

*Ecclesie de Mukyrtsy.* This parish was afterwards annexed to Forteviot.

D.

## XCI

*Martilogio*, which also occurs in No. xcii. *Martilogium* (for *Martyrologium*) is often used in the sense of an Obit-book or Necrology, in which the names of benefactors and 'confratres' were inscribed, so that they might be duly remembered in the prayers of the monastery. The form of the word, *Martilogium*, with its variants, *Martalogium*, *Martilegium*, is common in ecclesiastical records of England, Scotland, and Ireland; but it seems to be little known on the Continent. The *Martilogium* was commonly read aloud in the chapter-house after Prime. Rules for inscribing obits, and reading the *Martilogium*, will be found in the *Customary of the Benedictine Monasteries of St. Augustine, Canterbury, and St. Peter, Westminster*, vol. i. pp. 223, 352, 364; vol. ii. p. 132 (Henry Bradshaw Society).

*Capellam suam.* The proposed chapel of Tristram was obviously to be in one of the parishes of the appropriate churches of the abbey. The saving clause as to the mother church not suffering loss is common in such cases. See Introduction to the *Chartulary of Lindores*, pp. lxxviii-lxxiii.

*Roberti . . . Dunblanensis episcopi*, see List, p. 259.

D.

Mr. R. S. Fittis (*Sketches of the Olden Times in Perthshire*, p. 408) states that on 31 May 1454 Tristram de Gorthy 'founded the Chapel of Gorthy, a new erection reared on the old site after the original edifice had become ruinous. The Deed of Foundation (he adds) exists, and has the seal entire.' The editors would gladly have printed the charter referred to as an illustrative document, but have been unable to discover its whereabouts. It might have shown, *inter alia*, whether the Cambinch of Nos. xc. and xcii. is the Chapel Isle described by Fittis. [M. T.]

## XCIII

The date (23 May 1266) of the bull, of which this is a copy, is determined by the place from which it issued. Clement iv. was the only

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Pope Clement who was at Viterbo in the second year of his pontificate (see Mas Latrie). We apply the same method of identification in the case of No. xciv., from which the *bullæ* has disappeared. D.

### XCIV

See Note on No. xciii.

I have not ascertained the name of the archdeacon of Lothian at this date (1 June 1266). D.

### XCV

*Jacobo persona de buffudire.* Balquhiddier in the diocese of Dunblane. Other variants are Butfuder, Buffydir, Buffider, Buchfydir, Buthfoder, Buthfuder. The church was valued for Boiamund's taxation (A.D. 1275) at 160 shillings (*Theiner*, p. 111). D.

It is locally believed (so Mr. Chalmers, factor on Gask estate, informs me), that the quarry used for the building of Inchaffray is a large and ancient one, still to be seen, a short distance south-east of the old church of Findogask. This tradition would be entitled to the greatest respect if it could be traced back beyond the publication of *Lib. Ins. Mis.* But it is *à priori* not likely that the quarry of this charter lay within Findogask, which, though probably a part of the ancient earldom of Strathearn, was not held by the earl but by powerful vassals, the De Quinceys, and after them by the Comyns. And Nether Gask was the old name of Trinity-Gask, so called, perhaps, on account of the low-lying situation of its ancient manor-house, now known as Gascon Hall (it was the property of the Murrays of Tullibardine, see *Reg. Mag. Sig.*, 1306-1424, p. 25; and they were undoubtedly the ancient proprietors of Trinity-Gask), so that we should rather expect to find this quarry within that parish. There are several freestone quarries (most of them disused) in the locality; but comparison of stones from them with the remains of the buildings of Inchaffray has yielded no convincing results. [M. T.]

### XCVI

*Fratre hugone tunc temporis terrario.* See No. LXXXVI., and p. 251.

The *terrarius* was a monastic officer who was charged with the supervision of the lands of the house, and the collecting of rents.

*Monyhge.* Probably Monzie in Strathern. D.

*Ballenolleth* (Belnollo) was in later times the property of the Duries of that ilk in Fife, probably descended from the G[ilbert] to whom this charter tells us that these lands were granted. See Introduction.

*Eugenio de Argadia.* Lord of Lorne, ancestor of the MacDougalls. His presence in this charter is explained in the Introduction. [M. T.]

## XCVII

This charter exhibits to us a chapel served by a chaplain in the almshouse of the monastery, with a chalice and other *ornamenta* provided. See the next charter. D.

Comparison with No. xcvi. suggests that the present grant was made not long before Earl Mailse's death.

*Gilberto de Ruthfen.* See note to No. lxxvi.

*Willelmo de Rothfen.* Probably Sir Gilbert's brother, who not long afterwards succeeded him, and was ancestor of the earls of Gowrie and their cadets. [M. T.]

## XCVIII

*J. decano.* John, dean of Strathern, see Nos. xcix., c. D.

## XCIX

*Magistro Johanne de loggy.* This person, who appears here as a canon of Dunblane, occurs five years later in Boiamund's account of the Holy Land tax. There we read, 'Prebenda Magistri I. de Loggy, 14 sol. 10 den. ob,' which gives the value of his prebend as 7 lb. 8 sol. 9 den. (Theiner, *Monumenta*, p. 116). The source of this prebend is not stated. He is a witness of Nos. xcvi. and c. D.

*Ach et Monach filiis Alpini.* Both these are witnesses to No. c.; Monach also to No. cxvii., and to one Montrose and four Atholl charters of the same epoch. [M. T.]

## C

*Rectore ecclesie de Glendofona.* Glendevon, a few miles east of Dunblane. Four years later than this charter in Boiamund's taxation this parish was rated at 7 lb. 5s. 5d., and in the following year at 8 lb. 2s. 6d. The names in Theiner are Glendelan (p. 112), and (still more strange) Glendon (p. 115), but I think there can be little or no doubt that Glendevon is the church intended. The dean of Strathern is represented as rector. The dean, John, soon gave place to Thomas. See No. cii.

*Cumry.* From Boiamund's account (in Theiner) this church was valued at 240 sol. D.

## CII

*N. rectore ecclesie de Creffe filio meo.* The relationship of Nicholas, rector of Crieff (a frequent witness) to the grantor, is worthy of notice.

*Thoma decano Dunblanensis ecclesie.* This is a contribution to the *fasti*

of the cathedral. Unfortunately we can give only an approximate date to the charter. He appears again in No. ciii., cv., cvl., cxii., cxiii.

*Domino Donaldo decano de Methel.* The place is probably Muthill, and Donald was presumably a 'dean of Christianity' or rural dean. Compare Martin 'decanus de Menethet' (Menteith) in 1235 (*Chartulary of Lindores*, p. 55). In the *Chartulary of Lindores* (p. 252) I considered Methel as meaning Methkil, but perhaps it means Muthill. D.

Date: after 1271, John the dean having now been succeeded by Thomas. But the grantor of the charter, having been a witness to No. xxv., must have been an old man by 1272.

*Patricio de Gramm.* Also witness to No. cxviii. Lord of Kincardine. Succeeded his father, Sir David, c. 1270; fell at the battle of Dunbar 1296. His mother was a daughter of Earl Robert, and therefore he was grandnephew of the grantor of this charter. [M. T.]

## CIII

This appears to be a little earlier than Nos. cv. and cvl., in which the grantor has assumed the surname 'de Petlandy.' [M. T.]

## CIV

The bulla being lost, we identify the Gregory by the help of the Itinerary of the Popes, as in the case of No. xciii. and No. xciv. (See Mas Latrie.) D.

## CV

*Rogero dicto de Dunfallyn.* For Dunfallyn, see No. xxxiv. [M. T.]

## CVII

The use of silk for attaching the bulla was commonly regarded as belonging to bulls of favour, hemp being used in other cases. Occasionally one finds the rubric to bulls in chartularies containing such an expression as 'cum serico.' Perhaps it refers to the use of a silk attachment of the bulla. See *Regist. de Dunfermelyn*, No. 295. A bull of exactly a like purport to that before us will be found in *Liber de Calchou*, No. 464.

On the use of hemp and of silk threads, red and yellow, the following from Girý's *Manuel de Diplomatie* (p. 689) may be cited:—'Les *tituli* (a name given to bulls of favour conveying privileges, etc.) étaient bullés sur lacs de soie rouge et jaune, tandis que les *mandamenta* (a name given to bulls conveying commands or commissions) étaient sur cordelettes de chanvre. Ces différences dans la manière de sceller paraissent avoir eu surtout une signification relative à la durée de la valeur des lettres; la soie était l'indice des lettres dont l'effet devait être perpétuel, le chanvre de celles dont la valeur était temporaire.'



Of the original bulls in this collection to which the *bullæ* are still attached Nos. VIII., XXI., LXII., LXXXIX., CVII., and CXXXI. have silk, while LXXXIV. and CXX. have hemp. D.

## CVIII

The 'black ford' of this charter must have been over the then marshy valley which bounds Madderty on the south-east, probably at the narrowest point of that valley, and therefore at or near the bridge by which the present road from Madderty to Perth crosses the Cowgask Burn. The 'wood of Rosmadirdyn' on the further side of the ford is now represented by the Ross Farm, then as now part of the lands of Gasknes (Findogask). Mr. M'Lagan Wedderburn has pointed out to me the correspondence between this 'black ford' by which the canons passed eastwards, and the 'red ford,' still commemorated by the farm of that name, by which their road southward passed (perhaps also the road westward to the ford of Dollerie; see *Acts of Parl. of Scotland*, v. 552).

*Willelmo et Alexandro fratribus nostris.* See the Peerages, which state that William was elder brother of the grantor of this charter. In the new *Scots Peerage* Alexander is overlooked.

*Nicholao de Vepunt.* Of Tynedale, son of Robert de Vepunt; he had a charter of the manor of Alston in Cumberland from Edward I. in 1276.

*Philippo Holifarde.* A witness also to Appendix No. v. ; and, along with his brother Sir William, to two grants by Sir Gilbert de Ruthven to Walter Edgar, in the Dupplin charter chest. Another charter, preserved at Drummond Castle, styles him bailie of Perth. He and his brother were perhaps sons of that William Olifard who witnesses several charters of Alexander II. between 1245 and 1249; and presumably fathers of the two Sir William Olifards, cousins, who immortalised themselves by the defence of Stirling Castle in 1304.

*Fergus Mac kenedi.* Also witness to a charter by Sir Alexander de Dunhon to Sir Patrick de Graham, c. 1285 (*Montrose charters*).

[M. T.]

## CX

Date: Cristinus de Insula was sheriff in or before 1279 (see below); several names being common to this charter and 'Ragman Roll,' I hesitate to assign an earlier date.

*Duncanì dicti de Cellare.* He did homage in 1291 (as bailie), and in 1296.

*Willelmo de Moravia.* Also witness to Nos. cxii. and cxiii. The first Murray of Tullibardine. See *Scots Peerage*, art. 'Atholl.'

*Cristini de Insula.* He witnesses three other known charters as sheriff of Perth, none of them dated, but one of them confirmed by Alexander III. in 1279. In one of them he is styled also burges. Thomas de Insula, witness here, was presumably of the same family; as also Robert and Patrick de Insula, witnesses to *Lindores*, No. lxvi. At Drummond

Castle there are five charters, all of lands in or near Perth, granted to Cristinus de Insula. One of these is granted by Robert son of Robert de Insula, and witnessed by Hugh de Insula. This Robert styles Walter de Perth his brother. Mr. Lindsay, to whom I owe this information, considers that the family took their name from the *Inch* of Perth.

*Johanne de Perth.* Did homage in 1291 and in 1296 as *aldermannus*.

*Willelmo filio Wymark.* Cp. *Scone*, No. 97. *Petrus filius de Wynemark* does homage in 1291; and Peter Wymark and Robert de Scardeburgh (see No. LXIX., note) are styled *nuper firmarii burgi de Perth*, 1291/2.

*Johanne filio Ricardi.* Did homage 1291 and 1298. [M. T.]

## CXI

*Andream . . . Abbatem de cupro.* Andrew of Buchan was in 1272 advanced to the office of abbot of the Cistercian Abbey of Cupar in Angus in place of Abbot William deposed (*Scotichr.*, x. 30). After some twenty-five years he was provided to the bishopric of Caithness by Boniface VIII., 17 December 1296 (Theiner's *Monumenta*, No. 359), and a mandate by the same Pope for his consecration was issued to the bishops of Aberdeen, Glasgow, and Ross, 1 August 1297 (*Ibid.*, No. 360). A fuller account of Andrew will be found in the 'Historical Notices of the Abbots of Cupar,' by Major-General A. Stewart Allan, prefixed to Dr. Roger's edition of the *Rental Book of Cupar* (vol. i. pp. 15-29).

*In capella pontis de perth.* This was, it may be presumed, the Chapel of Our Lady, on the town side of the bridge at the foot of the High Street. An earlier chapel had, together with the bridge itself, been swept away by the great flood about Michaelmas, in the year 1210 (*Scotichron.*, viii. 72). For notices of the later chapel of St. Mary at the bridge see Fittis's *Ecclesiastical Annals of Perth*, pp. 270, 271. Chapels built upon bridges or on the river banks close by were not uncommon. The chapel on London Bridge appears in the English chroniclers (see Matthew Paris, s.a. 1212). A beautiful chapel still remains on the bridge at Wakefield. On 19 December 1497 King James IV. was at Perth, and in the *Lord High Treasurer's Accounts* (i. 372) we read 'to the preist of the brig end of Sanct Johnstoune, to say ane trentale off messis for the king, be the king's avne command xx. s.' On 6 February 1497-8 the king's offering 'at the brig end of Sanct Johnstoune' was xx. s. (*Ibid.* 376). D.

## CXII

*Advocationem ecclesie de struy.* The church of which the advowson was granted to the abbey by Earl Malise III. (the second Malise of our charters) is apparently Strowan, since united with Monyvaird.

*Mothyethe.* Beda, who is here rector, appears as rector of Muyhe in No. cxiv. Dr. Maitland Thomson identifies this place with Monzie.

D.

Malise is not here styled earl, though in 1281 he is so termed in record (see Introduction). Yet the identity of the list of witnesses with that of No. cxiii. must indicate a date little, if at all, anterior to Lady Day 1283. It is possible that the omission here is a clerical error. But it should be remarked that both Nos. cxii. and cxiii. have seals from which the obverse is split off. Can this be by design, the new earl not having yet procured an equestrian seal? Each charter has a *secretum* bearing the title *comes*.

*Johanne de Strivelyne.* Lord of Kerse and Alva, sheriff and forester of Clackmannan. His lands and offices passed with his heir-female to the Menteiths of Kerse. [M. T.]

## CXIII

*Anno gracie Millesimo ducentesimo octogesimo tercio intrante.* The word *intrante* is added because the day of the agreement was the feast of the Annunciation (25 March), when the year began.

*Pro fretellis.* See Introduction, p. lii.

*In capella sua inrotulari.* After the manner of the kings of England and France, the Scottish kings styled his chancellor his *capella*. The article *Capella Regia* in Spelman's *Glossarium Archæologicum* is worth consulting. In Balfour's *Practicks* (edit. 1574, p. 644) will be found an account of 'the king's chapel or chancellarie' in Scotland. D.

## CXIV

*Pro frecellis.* See Introduction, pp. lii, liii.

D.

Date: the same as No. cxiii., or very nearly so. The two relate to the same matter, and have the same witnesses. [M. T.]

## CXV

*Innyrpefyr.* That is, Innerpeffray, at the mouth of the stream which flows by the abbey; see No. cxxxv. [M. T.]

## CXVI

Comparison with Appendix No. v. shows that the wife of Sir John de Johnstone here mentioned was sister of Earl Malise II., and therefore aunt of Earl Malise III. [M. T.]

## CXVII

This charter is interesting as showing the jealous maintenance by the abbey of its rights of exemption from feudal service. It is evident that the abbey had supplied Earl Malise with some armed force drawn from the tenants of the abbey lands. The occasion was exceptional. Alexander II. was killed by a fall from his horse on 19 March 1285-6;

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and on Whitsun Monday (26 May) 1287 the convent had obtained from the earl this acknowledgment that the act of the convent was *ex speciali gracia*, and should form no precedent. D.

### CXVIII

*W . . . episcopus Dunblanensis.* See List, p. 259.

*Nostrī contemplacione*, 'out of regard for us.' *Contemplacio*, in this sense, is of rare occurrence; but some examples will be found in Ducange.

*J. tunc abbate de Kambuskynethe.* This was abbot John, who appears from 1285 to 1296.

*Alpinio.* This is probably the same as Alpinus, canon of Dunblane, who was elected to the bishopric after the death of Bishop William. See List, p. 259, and the Letter of Boniface VIII., 16 October 1296 (Theiner, No. 355). D.

*Alano de Kynbuk.* See No. xxvii., note. He witnesses also a charter by Thomas de Monimuske, c. 1285 (Montrose charters).

*Colino filio Gilleglas.* Witnesses three Atholl charters of the same epoch, being styled in two of them as above, in the third Colin Gilglas.

*Malcolmo de Kinros.* Witnesses also *Lib. Ins. Mis.*, Appendix, No. 18. [M. T.]

### CXIX

*Robertus.* This was Robert Wischard, who was elected to Glasgow, apparently in 1271; but not consecrated till January 29, 1273-4. He died 26 November 1316.

*Bathbrene.* See Introduction, p. xliii. D.

*Thomas de Cromennane.* He has been mistaken for a Drummond by the Peerage writers; his surname is evidently taken from Craminnan in Stirlingshire. He occurs in several of the Lennox charters; he died before 1320, and his lands were divided among heirs-female. [M. T.]

### CXX

*Abbati Monasterii de Culross.* I have not discovered the name of this abbot.

*Vineus.* See Introduction, p. xxxi.

The sense of the words which appear in the indorsement is not very obvious owing to the doubtfulness of the meaning in this place of the rather rare word *attaminata*. The drift of the words is perhaps that the bull was procured by Adam of Arbroath, and was used (in legal proceedings), first in the case of John Ailebot, son of John Ailebot, and in the case of John, brother of Haldane, the proctor (of the convent) at the time being Robert Gray. Ducange gives *usurpore* as one of the senses

of *attaminare*. Dr. Maitland Thomson has pointed out to me that the word 'attame' is used by Chaucer in the sense 'to begin.' See Murray's *English Dictionary*, and for the old French 'atamer,' see Godefroy *s.v.*

D.

### CXXI

Date: Scotland Well, 16 February 1313-4.

*Bernardo Abbate de Aberbrothok cancellario nostro.* Bernard de Linton wrote the Latin poem on the battle of Baunockburn (*Scotichr.*, xii. 21; see also other verses of his, xiii. 5). He was made chancellor by Robert I. in 1307. He appears as 'elect of Sodor' in 1327 (*Exchequer Rolls*, i. 59). His death is usually assigned to 1333; but he must have died at latest in May 1331 (see the appointment of his successor, Thomas, canon of Dunkeld, dated 10 June 1331, *Calendar of Papal Registers*, ii. 341).

*Roberto Abbate de Dunfermlyn.* Probably Robert de Crail, who was certainly abbot in January 1316-7 (*Regist. de Dunfermelyn*, No. 349).

D.

*Malcolmo comite de Levynax.* The fifth earl, a steady supporter of the national cause. Slain at Halidon Hill, 1333.

*Johanne de Meneteth.* The 'betrayed of Wallace.' He adhered to Bruce, however, from 1309 onwards. See notice of him in *Red Book of Menteith*.

*Gilberto de Haya.* Of Erroll. An early and consistent follower of Bruce, who gave him the hereditary Constablership of Scotland, which is still held by his lineal representative.

*Hugone de Ertht.* Best known as a follower of Wallace; he disappears from record about this time. His family took their surname from Erth (Airth) in Stirlingshire, and also held Wauchton in East Lothian.

*Roberto de Keith.* Also witness to cxxiv. One of the most famous of the Scottish captains; see the Peerages. Slain at Dupplin, 1332.

[M. T.]

### CXXIII, CXXIV

See Introduction, p. xlv.

D.

### CXXIV

*Willelmo de Lyndesay.* Parson of Air; chamberlain 1316 to 1318. Supposed to have been son of Sir Alexander Lindsay of Crawford (*Scots Peerage*, iii. 10).

*Waltero senescallo Scocie.* Son-in-law of King Robert, and father of Robert II. Died 9 April 1327 (not 1326 as usually stated).

*Jacobo domino de Dowglas.* 'The good Sir James' whose exploits are in all the histories. Fell in battle in Spain in 1330.

*Johanne Wissard.* Of Carse in Stirlingshire. He joined the national cause after Bannockburn, thereby forfeiting the manor of Monilawes in Northumberland (Bain's *Calendar*, iii. No. 517). His wife was heiress of Prenderleith in Roxburghshire. The lords Abernethy of Saltoun, who in later times possessed that estate and quartered the arms of Wishart, are supposed to have been his descendants through an heir-female.

*Alexandro de Setone.* Sister's son of King Robert, and prominent in the public affairs of the time. The later Setons are said to have been descended from his daughter. [M. T.]

## CXXV

*Apud litwy.* It is uncertain what place is meant by 'litwy.' 'Lithcu' (Lilithgow) has been suggested; but Dr. Maitland Thomson does not think that Lithcu could assume the form Litwy. Other conjectures have been offered, but none of them carry conviction. It has been thought best to leave the word in the English abstract in its original form. D.

## CXXVI

*Wilhelmus . . . ecclesie Dunkeldensis minister humilis.* See List, p. 262. D.

## CXXVIII

*In festo beati Beani.* October 26.  
In the English abstract (p. 228) correct 'Duncan' into 'Donald.' D.

*Andreas de Moravia de Tulibardyn.* Second of Tulibardine, son of Sir William (No. cx. above). Executed by the national party, 1332, for assisting Edward Balliol to win the battle of Dupplin. [M. T.]

## CXXIX

*Mauricii . . . Episcopi Dunblanensis.* See List, p. 260. D.

## CXXX

*In festo beati Mathie.* In common years the feast of St. Mathias was February 24; in leap years February 25. The year 1343-4 was a leap year. D.

On the subject of this agreement, see Appendix on the Abbey Lands. [M. T.]

## CXXXI

The Pope is Clement vi.; and the date is 13 November 1348. D.

## CXXXII

*Willelmi.* See List, p. 260.

*Laurentii Prioris de Abernethi.* According to *Scotichronicon* (x. 33) the old foundation of Keledei was converted in a priory of Canons Regular in the year 1273. A prior of Abernethy (unnamed) was appointed by Clement VI. in December 1345 (together with the abbots of Arbroath and Lindores) to make provision to the archdeaconry of Dunblane of Walter de Coventry (*Cal. Papal Registers*, iii. 198) afterwards appointed bishop of Dunblane. The notices of this house and its officers are very meagre. D.

## CXXXIV

*Malisium primum et Malisium secundum.* No note is taken of Earl Malise the grandfather of Earl Gilbert. D.

*Johanne Senescalli fratre nostro.* Sir John Stewart of Rayliston, half brother of the Steward; also witness to Nos. cxxxv. and cxxxvi.

*Hugone de Eglyntona.* A celebrated name in the annals of Scots poetry. Ancestor, through his daughter and heir, of the Montgomeries, earls of Eglinton. His second wife was the Steward's half sister. Died 1377.

*Thoma de Fawsyd.* Witness also to the three following charters, and to other charters of the Steward before his accession to the crown—not apparently to any of his charters as king, so that it is possible that too late a date has been assigned to Nos. cxxxvi. and cxxxvii. He was employed in the negotiations for David II.'s liberation in 1357; and in 1362 he appears in the *Exchequer Rolls* as having lent money to both the king and the queen.

*Willelmo Sympil.* Of Eliotstoun, the first of his family to be so styled. He appears to have died without issue before 1367.

*Willelmo de Meldrum.* Lord of that ilk; he had a royal charter of the family estates in 1353. [M. T.]

## CXXXV

*Waltero . . . episcopo Dunblanensi.* See List, p. 260.

*Adam et Andrea Decano et Archidiacono.* A valuable contribution to the *fasti* of Dunblane in 1365.

*Beneficio legis ipsius valliani.* Dr. J. Maitland Thomson has supplied the following note:—

'The *Senatusconsultum Velleianum*, named after Velleus Tutor, Consul when it was enacted (A.D. 46), nullified all cautionary obligations undertaken by women (*Dig. lib. 16, tit. 1*). In the middle ages a woman who became party to a deed usually renounced the benefit of this law; and such renunciation was inserted as an ordinary clause of style,

perhaps not always intelligible to the writer of the Deed. For other instances of *Velleianum* used absolutely, the noun being understood, see *Ducange, s.v.*'

*Willelmi . . . Abbatis de Scona.* The author of the Preface to *Liber de Scon* (p. xii) says 'William, abbot of Scone, occurs from 10 February 1353 to 1371.' William is found witnessing a charter on 1 March 1369-70 (*Blackfriars of Perth*, p. 29).

*Adam de Breichyne Priore fratrum predicatorum de Perth.* The foundation of the House of Perth by Alexander II. is commonly assigned to 1231; but I am not aware that there is any better authority for this exact date than the general statement in *Scotichronicon* (ix. 47), that in the year 1230 the Jacobin friars first entered Scotland, drawn by the wishes of Alexander II., and the similar entry (from which, no doubt, Bower borrowed) in the *Chronicle of Melrose*. The church of the Preaching Friars at Perth was consecrated by David de Bernham, bishop of St. Andrews, 13 May 1240 (*The Pontifical Offices used by David de Bernham*, p. x). The earliest charter of Alexander II. preserved in the Chartulary is dated 31 October 1241, and refers to the church having been consecrated (*Chartulary of the Black Friars of Perth*, edited by Dr. Milne, p. 1). From 1450 downwards a considerable list of the priors has been constructed by Dr. Milne from the papers printed in his volume. But the notices of the earlier priors are very scanty.

*Thoma de Inchyrethe Priore fratrum Carmelitarum de Tullylum.* Tullilum, at a short distance from Perth. Richard (of Inverkeithing), bishop of Dunkeld, is said to have built for the Carmelites a handsome chapel at Tullilum. The introduction of the Carmelites into Scotland is assigned by *Scotichronicon* (x. 14) to the year 1261. D.

*Mauricio de Dromyd.* Ancestor of the Drummonds of Concraig, stewards of Strathearn.

*Waltero de Moravia domino de Tulybardyn.* Also witness to No. cxxxvii. Third in succession from Andrew of No. cxxviii. Said to have died in 1390.

*Aythe filii Thome.* He had a charter, c. 1360, from Robert the Steward, of the lands of Fornochtis in Strathearn, to which John abbot of Inchaffray is a witness (copy in Dupplin charter chest). His descendants took their surname from him; Robert *Hayeth* of Fornocht appears in 1445/6 (charter at Drummond Castle), and the *Aysons* of Fornocht appear in record down to 1504, in which year the estate was sold to Lord Drummond.

Of the group of burgesses of Perth with which the charter ends, John de Petscoty was probably ancestor or near relative of the Pitscotties of Luncarty; Malcolm Barbere, of the Barbours who held the lands of Culmalundie in the parish of Tibbermore (which lands afterwards came to the Bruces by marriage); John Mercere is well-known in the public life of the period, and was ancestor of the Mercers of Aldie (whose heir of line is the Marquis of Lansdowne); John Gylle had a charter of lands



near Perth from Donald, Earl of Lennox, which was confirmed by David II. in 1358 (Gray Charters), and in the *Register of the Great Seal* he is styled of Torsopy; and the Spenses of Perth were an important family, more than one of whom acquired landed estate in that age and later. [M. T.]

## CXXXVI

*Ache filio Elpine.* Not to be confounded with his namesake of a century earlier (No. c.).

*Willelmo filio.* Something is omitted by the copyist, perhaps *Malisii*; see the next charter. [M. T.]

## CXXXVII

*David de Graham.* Of Dundaff and Old Montrose; fl. 1346 to 1373.

Note that of the five persons here named as burgesses or inhabitants of Auchterarder, four bear patronymics, and the fifth a Gaelic personal epithet; none of them had a surname in the modern sense. [M. T.]

## CXXXVIII

The causeway of this writ can still be traced by a broad line of scattered stones, dislodged and spread by the plough; the ground on either side being stoneless. At its north end stood in the sixteenth century the farm of Calsayend, and the site is still locally known as 'the end of the causeway.' [M. T.]

## CXXXIX

*Iohannis de Kelly.* See p. 233.

*Episcopo Glasguensi.* Walter Wardlaw, afterwards created a cardinal (December 23, 1383) by Clement VII. (*Regist. Avignon*, cited in Eubel's *Hierarchia Medii Ævi*). D.

## CXL

*Waltherus.* See List, p. 260. D.

## CXLI

*Episcopo Dunkeldensi.* John de Peebles, see List, p. 262. D.

## CXLII

See Introduction, p. xlvi. D.

For full details as to the persons mentioned in this and the following charter, see Gregory's *History of the Highlands*, and the more recent *History of the Clan Donald*. Cristina daughter of Alan, heiress of the

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MacRuaries of Garmoran and the North Isles, and fourth in descent from Somerled of Argyll, lived in the time of King Robert Bruce. She leaving no succession, her lands went to the son of Ruari her natural brother, the Reginald M'Rodry of this charter. He was slain in 1346; his sister and heiress was the first wife of John, first Lord of the Isles (fifth in descent from Somerled). Her lands were inherited by the eldest surviving son of this marriage, the Gothfridus de Insulis who grants this charter.

*Elane tyrym.* An island in Loch Moydart, with a castle said to have been built by the mother of Gothfridus. [M. T.]

### CXLIII

*Donaldus de Yle dominus Insularum.* Son of the first Lord of the Isles by his second wife, a daughter of Robert II. Having been preferred to his elder half-brothers in the succession, he grants this charter of confirmation as feudal superior.

*Dun Aros.* Usually in record Aros. Fordun (i. 43) calls it Doun-arwyse. [M. T.]

### CXLIV

*A venerabili faddir in crist Iohanne.* John Treloch, see List, p. 254. D.

*Johne Foulare.* He and Marion his wife are commemorated by an inscription on a pillar in the old church of Perth (*Ecclesiastical Architecture of Scotland*, iii. 111). [M. T.]

### CXLV

*David Flemyng.* He mortified an annual rent to St. Michael's altar in the church of Perth in 1445. [M. T.]

### CXLVI

*Iohanni abbati monasterii Insule missarum.* John Treloch, see List, p. 254.

*Octo Summarum.* The word 'summa' probably corresponds to the old Scottish word 'soum,' 'sowme,' which Jamieson (*Scottish Dictionary*) explains as 'the relative proportion of cattle or sheep to pasture or vice versâ.' Mr. Cosmo Innes explains 'souw' as 'a cow's grass or equivalent' (*Scotch Legal Antiquities*, 268).

*Iacobo Episcopo dunkeldensi cancellario nostro.* James Bruce. See List, p. 262.

*Willelmo Turnbull nostri secreti sigilli custode.* He was 'elect' of Dunkeld 27 March 1447, and was translated to Glasgow before the close of the year. See List, p. 262.

*Iohanne Railstoune secretario nostro.* When Turnbull was translated

to Glasgow he was advanced to Dunkeld—provided 27 October 1447 (Eubel, ii. 163). Keith (*Scottish Bishop*) sketches his earlier preferments.  
D.

See Appendix, the Abbey Lands. Here it need only be said that the lands of Arduenie, which appear in later charters as in the barony of Cardny, are here omitted either by accident or as temporarily absorbed into one of the neighbouring 'vills'; and that the lands of Hangandside occur here only and cannot be identified, but they are named among places in Fowlis.

*Alexandro de Levingstoune.* One of the two greatest men in Scotland during the minority of James II., the other being the chancellor, Crichton (No. cxlvii.).

*David de Murra.* See *Scots Peerage*, art. 'Atholl.'

*Jahanne de Cokburne.* A frequent witness to royal charters during the period of the Livingstone supremacy. Sheriff of Kinross 1450, constable of Edinburgh Castle 1460. His estates passed to the Wardlaws of Torry.

*Jacobo de Levingstoune.* Eldest son of Sir Alexander above named; afterwards created Lord Livingstone. [M. T.]

#### CXLVII

*Monasterium vallis virtutis.* The charterhouse at Perth (*prope burgum nostrum de perth*) was so designated. Such fanciful names appear elsewhere. Another Carthusian house, that of Ingleby in Yorkshire, was known as the 'Mount of Grace.' The Carthusian house at Sheve was called 'Bethlehem.' The monastery was founded by King James in 1429 (*Scotichr.*, xvi. 18); and in this house the body of the murdered king was interred, 22 February 1436-7.

*Willelmo et Johanne Glasguensis et Dunkeldensis ecclesiarum episcopis.* William Turnbull was bishop of Glasgow, and John Railstone was bishop of Dunkeld. See List, p. 262.

*Andrea abbate de melros nostro confessore et thesaurario.* This was Andrew Hunter. He appears as our confessor and treasurer in various writs of King James II. His arms, three hunting horns, together with crossed croziers and the initials, A. H., appear more than once on shields among the stone carvings of Melrose Abbey.

*Johanne Arous Archidiacono Glasguensi.* He is a frequent witness of royal writs towards the close of the reign of James II.

*Georgio de Schoriswod Rectore de Cultre.* He here appears as clerk of the king. He is often a witness to the king's writs. He was chancellor of Dunkeld, and was appointed bishop of Brechin, 8 March 1454 (Eubel, ii. 123). George, bishop of Brechin, witnesses at Edinburgh 28 July 1454 (*Regist. Aberdon.*, i. 261). He seems to have died between Martinmas 1462 and Whitsunday 1463 (*Exchequer Rolls*, vii. 223-4).

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He was Chancellor of Scotland for a short period (1458-60).

Cultre is Culter in the diocese of Glasgow. For other evidence that Shoriswood was rector of this parish, see *Regist. Glasguen.*, pp. 375, 377, 388. D.

*Willelmo domino Creichtoune.* See *Scots Peerage*, s.v.

*Patricio domino le Grahame.* See *Peerages*, art. 'Montrose.'

*Patricio domino le Glammis.* See *Peerages*, art. 'Strathmore.'

*Andrea domino le Gray.* See *Scots Peerage*, s.v.

*Jacobo domino Frendracht.* Eldest son of Chancellor Crichton above; lord of Frendraught in right of his wife. His style in this charter is one among many proofs that the distinction between 'lords of parliament' and lesser barons, introduced by James I. from England, was not yet clearly understood in Scotland.

*Georgeo de Creichtoune de Carnis.* See *Scots Peerage*, art. 'Caithness.'

*Alexandro Ramsay.* See *Scots Peerage*, art. 'Dalhousie.'

*Jacobo de Edmondstoune.* Son and heir of David Edmonstone of Ednam. His son succeeded to Edmonstone and Ednam, but his two daughters, wives of Blackadder of Tullialan and of Ogilvy of Boyne, inherited a large part of his estates.

*Colino Cambell.* Of Glenurchy, ancestor of the Breadalbane family.

*Waltero de Ogilvy.* Of Deskfurd, ancestor of the Earls of Findlater.

[M. T.]

### CXLVIII

The Mercers of Innerpeffray disappear from record a few years after the date of this charter. The last Mercer of Inchbraikie, Peter, sold that estate to Lord Graham in 1501.

*Wilelmo Bonar de Kelty.* Founder of a family which subsisted till late in the seventeenth century. [M. T.]

### CL

See Introduction, p. li.

*Roberto . . . episcopo Dunblanensj.* Robert Lauder, see List, p. 261.

*Nicholaj . . . abbatis monasterij insule missarum.* Nicholas Fechil or Fethil, see p. 254.

*Malcolmo Iohannis decano Lismorensi.* Malcolm Johnson (or MacEan?) makes an addition to the deans of Lismore named in *Origines Parochiales* (II. i. 161). D.

### CLI

This charter gives the reader such information as to the condition of the country in the neighbourhood of the abbey as will readily explain how the word *insula* became part of its name.

*Georgium Abbatem.* George, called, in the papal records, Muref (? Murray). See List, p. 255. D.

## NOTES ON CHARTERS, ETC., IN APPENDIX

## I

This charter is believed to be the earliest extant writ relating to Strathern. Matthew, bishop of Aberdeen, one of the witnesses, was consecrated in 1172, and Walter de Bidun, another witness, who here appears as chancellor, was elected to the bishopric of Dunkeld in 1178. The date of the charter must fall between these limits.

*Tristrijs.* Hunting-services: the word refers to services due by vassals to their lord by attending his hunting, their duty being to station themselves so as to hem in the quarry. The word *trista* or *tristra* (see Ducange, *s.v.*) *trustra* (see Spelman's *Glossarium*) is found in the English chronicles and in English charters in this sense. The present charter adds a further variant *tristria*. I cannot remember having met the word in Scottish record except in the present case. Jamieson (*Etymological Dictionary, s.v.*) gives the vernacular *tristres* as meaning 'the stations allotted to different persons in hunting.'

*Scalingis.* 'Scalinga' is found in several Scottish charters in the sense, apparently, of a shelter for sheep, or a hut for shepherds, the Scottish 'shieling.' Thus William of Vipont in the time of William the Lyon grants to Kelso 'quasdam scalingas in Lambremore' (*Liber de Calchou*, No. 321). See also King David's grants to the monks of Urquhart of 'Scalingas de Fathenechten' (*Regist. de Dunfermelyn*, No. 33).

*Sacca et socca, cum tol et tem et Infangenthef.* All these are words of frequent occurrence in charters Scottish and English. Brief explanations by a competent authority will be found in the Glossary appended to Bishop Stubbs's *Select Charters*.

*Matheo Episcopo de aberdon.* Matthew, archdeacon of St. Andrews, was elected to the bishopric of Aberdeen, and consecrated 2 April 1172. He died 20 August 1199 (*Chron. de Mailros*). D.

The lands granted by this charter all returned to the earldom in the next generation, the grantee having seemingly left no issue. Oggoueli (Ogilvy) was granted by Earl Malise iv. to Sir John Moray of Drumsargard, his son-in-law, early in the fourteenth century, and still remains with the Morays of Abercairney, Sir John's descendants. Barderal and Kinkarden passed at an earlier period to the Grahames with a daughter of Earl Robert. Ouctermafen (Auchtermachany) appears, *c.* 1247, in the hands of Fergus, son of Earl Gilbert (above No. LXXV.); and Rossie, *c.* 1272, in the hands of Malise, also son of Earl Gilbert (above No. CII.). The two last named belonged in later times to the Cuninghames of Glen-garnock and the Lords Sempill respectively.

*W. rex Scottorum.* In royal charters of the later years of David I., and in those of Malcolm iv., and the earlier years of King William, *Dei gratia*

is usually omitted. The absence of the words here affords a presumption that this charter is not later than 1173. See M. Leopold Delisle's paper on the chronology of the charters of Henry II., *Bibliothèque de l'École des Chartes*, lxxvii. 361 ff.; which, though interesting and suggestive, is not, I am informed, the last word of charter scholarship on this subject.

*Tristriis.* Mr. F. J. Amours has favoured me with a very full list of the occurrences of this rare word in French, English, and Latin, from which it is clear that the *trist* is primarily the hunting station, and secondarily the duty of the vassal in connection therewith. In the present instance the two meanings coincide, the first being expressed and the second implied.

*Comite Malcolm Etholie.* Second earl. Succeeded c. 1152. Died before 1198.

*Comite Gilebride de Anegus.* The first recorded earl, fl. 1150 to 1187.

*W. de Berkelai.* Chamberlain of Scotland from about the date of this charter to near the end of the twelfth century. His daughter and heir is said to have married Ingelram de Baliol, who possessed his lands of Inverkeilour in the next generation.

*Hugone Giffard.* First Lord of Yester. A hostage for King William, 1174. He witnesses royal charters from before 1170 to after 1189.

*Roberto de Boseuille.* The first of his name in Scotland. Witnesses several royal charters from this date to past 1178. He is said to have held lands in Berwickshire. He, or a namesake and contemporary, held lands in Kent and Suffolk. [M. T.]

## II

This interesting charter, known to us only through the Register of Inchaffray, is discussed by Mr. Cosmo Innes in the Preface to *Liber Insule Missarum* (pp. vi, vii). 'Earl David, my brother,' being among the witnesses, the charter must be dated after April 1185, when, most probably, the earldom of Huntingdon was conveyed to David (see *Chartulary of the Abbey of Lindores*, p. xxviii). But again, Richard de Morville, another witness, died in 1189, apparently towards the close of the year. There are the two tolerably certain *termini*. But if we may venture to identify Gillecolm Marescall of this charter with the Gillecolm 'archityraunus et latronum princeps' of Fordun (*Scotichr.*, viii. 39), who was slain 30 September 1185, our charter must have been granted between this date and the preceding April.

*Respondeant de terra.* The sense seems to be that Earl Gilbert and his heirs were to make no recognition (by service, payment, or otherwise) of any ownership in the land on the part of Gillecolm or his heirs or family. Mr. Cosmo Innes (through a misreading of the text) thought the words mean that none of the land 'should ever be sold' to Gillecolm. The whole point is that the land had been wholly forfeited to the Crown by the treason of Gillecolm. D.

*Castellum meum de heryn.* The site of the castle here referred to is unknown. D.

*Alano dapifero.* Second *dapifer* or steward of Scotland; succeeded his father 1177, died 1204.

*Willelmo de Lyndesay.* Lord of Lufness and owner of Crawford. A hostage for King William in 1174; justiciar c. 1195; died c. 1200.

*Waltero Corbet.* Lord of Makerston, Roxburghshire, and of Glendale, co. Northumberland; a hostage for King William in 1174; a benefactor of Kelso Abbey. Witnesses charters of Malcolm iv. and of William till 1191 or later; alive after 1200.

*Rainnolfo de Sules.* Son of William de Sules and nephew of another Ranulf, *pincerna* to King William. Lord of Liddesdale. Witnesses royal charters from c. 1180 to after 1200. Murdered by his servants in 1207.

*Swano filio Thore.* Ancestor of the Ruthven family; see *Scots Peerage*, art. 'Gowrie.'

*Willelmo filio Thore.* Witnesses also one of the Errol charters a few years later; otherwise unknown, unless he be the same as William son of Thorald. See note to No. xviii.

*Heryn.* Possibly *Eren* (Auldearn) may be meant, at which place King William granted at least one charter. But there seems to be no record of a castle there. [M. T.]

### III

This bull from the Dupplin collection is of such interest and importance that, although it has no connection with Inchaffray, the editors have had no hesitation in placing it at the service of students of the ecclesiastical history of St. Andrews. The sequel to this bull, helping to illustrate it, will be found in Theiner, No. cxlv.

*Innocens.* The *bull* is missing, but the place of issue (Lyons) together with the year of the pontificate determine the Pope to be Innocent iv. The date is 7 April 1251.

*Magistro Abel.* Abel appears here as papal chaplain and archdeacon of St. Andrews. In 1248 Abel, then a 'clericus regis,' was granted at the request of King Alexander II. a papal dispensation for holding a plurality of benefices (Theiner, No. cxxxiv.). He was appointed by the Pope to the bishopric of St. Andrews, 20 February 1254 (Theiner, No. 164). He died 1 December 1254 (*Scotichr.*, iv. 43). For further particulars, see *Journal of Theological Studies* (July, 1903), p. 605.

*Theudalie.* The archdeacon of Teviotdale, here unnamed, was Nicholas de Muffet. He was appointed archdeacon in 1245 (*Lanercost*, 53). He was elected to the see of Glasgow in 1258, but returned from Rome in 1259 unconsecrated, partly because he was unwilling to pay the sum of money demanded by the Pope and cardinals (*Chron de Mailros*, 184).

He was elected for the second time in 1268; but seems to have died (1270) unconsecrated (*Scotichr.*, x. 25, 27).

*Johanni de Everlay Canonico Dunkeldensi.* John de Everley, canon of Dunkeld, was a papal commissioner in 1248 (*Regist. Aberdon.*, i. 20-21); and in 1250 (*Chartulary of Lindores*, pp. 124, 126), he witnesses a charter of Bishop Geoffrey of Dunkeld (*Reg. Priorat. S. Andree*, 308).

*Ecclesie sancte Marie.* This, styled here a secular church, was the little church of St Mary of the Rock on the hill which overhangs the harbour of St. Andrews, eastward of the cathedral. It was the church of the community of Keledei. Some of the ruins still remain. It was lost sight of till 1860 when the foundations were discovered. See MacGibbon and Ross, *Ecclesiastical Architecture of Scotland*, vol. ii. pp. 29, 30.

*Cedentibus uel decedentibus Canonicis.* This allegation was undoubtedly correct. A series of bulls, from Eugenius III. onwards, declared that on the death of any of the Keledei canons regulars should be put in their places. See *Reg. Priorat. S. Andree*, more particularly the bulls of Lucius III. (p. 60), Gregory VIII. (p. 65), and Honorius III. (p. 79).

*Kitham.* This must be an attempt to represent Kirkham in the East Riding of York, near Malton, where there was an Austin Priory. Some of the ruins are still to be seen. Other perversions of the form of the name in papal writs are Kyrham, and still more strange Lirneham (*Cal. Papal Registers*, i. 29, 211).

*De sancto Oswaldo.* The priory of St. Oswald at Nostle (now Nostell), four miles south-east of Wakefield. It was from this house the Austin Canons were brought to Scone, according to Fordun (*l. v. c. xxviii.*).

*Contra statuta concilij generalis.* As early as Gregory I. it was laid down that two or three monitions should precede a sentence of excommunication (*Decretum*, II., *causa xxiv.*, *quat. 3.*). The reference in the text is probably to the sixth canon of the Third Lateran Council (A.D. 1179), which forbade the sentence of excommunication being pronounced 'nisi admonitione premissa.'

*Instructam uel non instructam.* The word 'instructus' in the sense of 'duly prepared,' furnished with all the necessary documents,' etc., was used both in Civil and Canon Law. 'Instructed' still lingers on in the legal language of Scotland in much the same sense. D.

## IV

See Introduction, pp. xlviii-l.

*In Monasterio de Oseney.* The Austin Priory in the island meadows west of the city of Oxford.

*Lincolniensis Episcopi.* Brackley was in the diocese of Lincoln, and the brethren had a claim on his intervention. D.

*Colminus.* Among the Brackley charters is a three years' lease (illegible in places) by the master of the hospital to Colminus de Nesgask, of



## NOTES ON CHARTERS, ETC., IN APPENDIX 307

certain lands in Scotland and of the parsonage of Nescask, dated 31 May 1263, and witnessed, like the present lease, by Sir Adam, vicar of Gask. [M. T.]

### IV A

*Canonicis et fratribus.* Compare No. iv B. In these two charters only do we find (in the present collection) the word 'canons' applied to members of the Hospital at Brackley.

*Petro de Roches Episcopo Wyntoniensi.* He was bishop of Winchester from 25 September 1205 to 9 June 1238 (*Stubbs's Registrum Sacrum Anglicanum*, second edition, p. 54).

*Willelmo Malveisin Episcopo Sancti Andree.* He was bishop of St. Andrews from 20 September 1202 to 9 July 1238. Saher de Quincy was created earl in 1207, and died in 1219. D.

Bishop William Malvoisin was present at the Lateran Council in November 1215, and did not return home till January 1217/8. Consequently neither this charter nor the following can lie between these dates: iv B., is dated 15 October, and the bishop could not possibly have been at Stirling on that day and in Rome by the beginning of November in 1215. It follows that iv B., and also iv A., in all likelihood, belong to 1218 at earliest. Probably either both belong to that year, or the first to the beginning of 1219 on the eve of Earl Saher's departure for the Crusade, and the other to the autumn of 1219.

The three lay witnesses to the present charter were all well-known English barons and (like Earl Saher himself) prominent supporters of the dauphin in the civil war of 1216; the Bishop of Winchester having been a leader on the other side. [M. T.]

### IV B

*Everardo de Trumpton* took his surname from 'Trompyngtoun nat fer fro Cantebrygge,' where he held a knight's fee. The Brackley charters show that he was a retainer of Earl Saher and of his son Roger; and his presence in the Scottish Court must have been either as messenger or as representative of one of them. [M. T.]

### V

*M[alcolmo] de Glendohtrht.* He is witness to Strathearn charters between 1260 and 1284 (*Hist. MSS. Com. Report*, ii. 166; *Lib. Ins. Mis.*, Appendix Nos. 16, 17, 19). [M. T.]

### VI

*We George.* This is George, called in the papal records Mureff. See p. 255. D.

## 308 CHARTERS OF THE ABBEY OF INCHAFFRAY

It is a perplexing circumstance that his seal bears not Murray but Mercer arms. [M. T.]

### VII

We do not know whether this was ever sent, and, if sent, whether the Pope replied.

The Queen's letters (No. viii.) imply that no 'bullis apostollic' in favour of James Drummond had reached her.

The John and Laurence Gordon for whom pensions were sought were perhaps sons of the archbishop of Athens. In 1567 he proposed to resign the see of Galloway in favour of his son John (afterwards dean of Salisbury). After his decease his son George obtained the bishopric.

D.

### IX

*Per deliberationem biblie.* This smacks of Reformation influence.

D.

### XI

This erection of Inchaffray into a temporal lordship took no effect, as the narrative in the Introduction proves. But the Abbey and its possessions were at last so erected in favour of Lieutenant-General William Drummond, afterwards first Viscount Strathallan, by charter under the Great Seal dated 15 February 1669. The list of lands, etc., in that charter is practically identical with this. For notes on the lands enumerated, see Appendix on the Abbey Lands. The names which appear here and not in the earlier charters are no doubt mostly newly named subdivisions of the old possessions; many are small plots in the vicinity of the Abbey; Sanctanilandis and Sanctanismos, mentioned in connection with Williamston, took their names from St. Ann's Chapel (see *Reg. Mag. Sig.*, viii. No. 1342), the site of which (see Map) is identified by a spring now locally known as *Queen Anne's well*; Bowtoun in Kilbryd is part of the kirklands of that parish; Dewarislandis and Ballandewaris probably parts of the kirklands of Tullikettle or of Strowan. The annual rent out of Keltie perhaps came in place of the lands in Rossie (adjoining Keltie) granted by Malise son of Earl Gilbert (No. cii.). The name left blank, p. 171, line 3 from foot, is *Lawreit in Perth*, in the charter of 1669. *Porterland* and *Kinglassieland* are probably also to be looked for in Perth. [M. T.]

## APPENDIX I

## INCHAFFRAY SEALS

By W. RAE MACDONALD, F.S.A. Scot, Carrick Pursuivant.

NOTE.—A few Seals attached to Deeds not in this volume, nor in the Dupplin charter chest, are included for the sake of illustration. These are described in smaller type.

B.M. = Birch's *Catalogue of Seals in the British Museum*, 1895. S.A.S. = *Scottish Armorial Seals*, by W. R. Macdonald, 1904. B.M. includes most of the seals described by Laing in *Ancient Scottish Seals*, 1850 and 1866; and S.A.S. gives all the Scottish armorial seals described by Laing and Birch. It has been thought sufficient here to refer to the latest work in which each seal is described; references to the earlier descriptions will be found there.

## I.—ECCLESIASTICAL SEALS

Inchaffray Abbey, A.D. 1238.

1. *Obverse. Common seal.* An eagle regardant. Inscription on inner band round margin, **IN . PRINCIPIO . VERBUM .** *Legend, SIGILL : COMVNE : MONASTERII : INSVLE : MISSARVM.* *Pointed oval,  $2\frac{1}{8} \times 2$  inches.*

2. *Reverse. Abbot's seal.*—In profile to dexter, bareheaded; standing on a crescent inverted, holding in right hand a crozier, in left a book. *Legend, SIGILL . ABBIS . DE . INSVLA . MISSARV.* *Pointed oval,  $2 \times 1\frac{3}{8}$  inches.*

No. LXIV. Facsimile No. 16.

Inchaffray Abbey. Common seal used in 16th century.

3. *Obverse.*—The side of a church with central and side towers, in the former a high arched doorway, within which is represented a full-length figure of St. John with nimbus, a palm branch or a large quill pen in his right hand, and a book in his left. The whole enclosed round the foot with a low masoned wall of three sides. *Legend, †S' COMVNE : ECCE . SCI . IOH'IS : EWANGELISTE . DE . INSVLA . MISSARVM.* *Diam.  $2\frac{1}{8}$  inches.*

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4. *Reverse*.—Within a carved panel of eight cusps an eagle contourné regardant, wings expanded and inverted, with nimbus, holding with its claws an escroll inscribed, **I . PRĪCĪPIO . E/RAT . VERBV**. Eleven flowers and leaves on background. *Legend*, **†S' COMVNE : ECCE : SCI . IOH'IS : EWANGELISTE . DE . INSVLA . MISSARVM**. *Diam.*  $\frac{1\frac{1}{2}}{16}$  inches.

Facsimile No. 31; from Gift of the Vicarage of Monzievauid to Sir Hew Gray, 8 May 1522 (Dupplin charter No. 24; not printed). Described B.M. 15325, and engraved in Laing, i. pl. xxvii. figs. 1 and 2, and as frontispiece to *Liber Insule Missarum*, from a brass matrix which is said to be in the Library of Innerpeffry, and of which there is an electrotype in possession of the Society of Antiquaries of Scotland.

Abbot of Inchaffray, 14th century.

5. In a canopied niche two figures, the dexter a monk with palm branch in right hand, the sinister a bishop with crozier held obliquely in front of him. Overhead in a niche in the canopy the Virgin seated holding the Child on her left arm. In base in a niche the abbot kneeling to sinister, holding his crozier in front of him with both hands. *Legend*, **S ABBATIS DE I/NSVLA MISSARV̄**. *Pointed oval*,  $1\frac{1}{4} \times 1\frac{1}{16}$  inches.

B.M. 15327.

Alan, Canon of Inchaffray (13th century).

6. An eagle displayed. *Legend*, **S'ALANI CANONICI DE INCHAF .** *Pointed oval*,  $1\frac{5}{16} \times \frac{1}{16}$  inches.

B.M. 15329.

Abraham, Bishop of Dunblane, A.D. 1210 to 1224.

7. In profile to sinister, mitre with infulæ at back, right hand raised in benediction and left holding crozier with sudarium attached, standing on [a curved line]. *Legend*, **†SIGILLVM ABRAHE [DVNBLA]NENSIS EPISCOPI**.

*Pointed oval*,  $2\frac{9}{16} \times 1\frac{1}{16}$  inches.

Nos. XXX. and XXXI. Facsimile No. 9. B.M. 15026.

Clement, Bishop of Dunblane, A.D. 1233 to 1258.

8. In profile to sinister, mitre with long infulæ at back, right hand raised in benediction, left holding crozier with sudarium attached, standing on an inverted crescent. On the dexter a crescent, on the sinister an estoile.

*Legend*, **[SIGILLVM] CLEMENTIS DEI GRACIA DVN-  
BLENIENSIS . EPI**.

*Pointed oval*  $2\frac{1}{16} \times 1\frac{1}{16}$  inches.

Detached seal, probably belonging to No. LXI. B.M. 17258.

James Chisholm, Bishop of Dunblane. A.D. 1487 to 1527.

9. In a canopied niche with tabernacle work at sides the figure of a bishop with mitre, right hand raised in benediction, left holding crozier obliquely in front of him, background diapered with a lozenge pattern, each space enclosing a rose. Beneath, a shield, ensigned with a mitre, bearing arms: a boar head coupé. *Legend*, S . rotudu . iacobi . /epi . dublanesis. *Diameter*  $1\frac{1}{8}$  inches.

Appended to the bishop's ratification (dated 24 July 1523) of the Gift to Sir Hew Gray above cited. S.A.S. 423.

Hugh, bishop of Dunkeld, A.D. 1214 to 1229.

10. In profile to sinister, mitre with long infulæ at back, right hand raised in benediction, left holding crozier with sudarium, standing on a plinth. On dexter a crescent enclosing a cross pattée fitchée, on sinister a bird perched on a tree. *Legend*, [SIG]ILL' HVGONIS . DEI . GRA DVNKELDENSIS . E[PI].

*Pointed oval*  $2\frac{1}{8} \times 1\frac{1}{8}$  inches.

No. XXXVI. Facsimile No. 10.

Galfrid, bishop of Dunkeld, A.D. 1236 to 1249.

11. In profile to sinister, mitre with long infulæ at back, right hand raised in benediction, left holding crozier with sudarium. On dexter a crescent, on sinister a star. *Legend*, †GALFRID . DEI GRACIA/DVNKEL'ENSIS EPISCOP. Beaded borders. *Pointed oval*  $2\frac{1}{8} \times 1\frac{9}{16}$  inches.

Detached seal, evidently belonging to No. LXV., to which it has now been reattached.

Robert Wishart, bishop of Glasgow, A.D. 1272 to 1316.

12. *Obverse*.—Front face with mitre, right hand raised in benediction, left holding a crozier, standing on a corbel, beneath which is the head of a small animal. On dexter a wavy branch of trefoiled foliage with a bird perched thereon, on sinister a ringed salmon hauriant. *Legend*, S' . ROBERTI . WYSCHARD . DEI . GRA : EPISCOPI : GLASGVENSIS. *Pointed oval*,  $2\frac{1}{8} \times 1\frac{1}{8}$  inches.

13. *Reverse*.—An antique gem—a nude figure resting his left hand on a pillar, his right hand holding the heel of his upraised left foot. *Legend* [not decipherable]. *Oval*,  $\frac{9}{16} \times \frac{8}{16}$  inches.

No. CXIX. B.M. 15116 to 15118. Other seals and counter-seals are figured in *Reg. Episcopatus Glasguensis*.

Chapter of Dunkeld, A.D. 1238/9.

14. Under a rounded arch supported on pillars a reliquary, behind which rises the head of a crozier. *Legend*, **SIGILL' . CAPITVLI . . . DVNKELDENSIS . . .** *Diameter*  $2\frac{2}{16}$  inches.  
No. LXVI.

John . . . of the Friars Preachers of . . . A.D. 1365.

15. Within a canopied niche two figures, each with nimbus, the dexter having above his head an escroll inscribed . . . **PIO . CD** . . . Oblique crossing lines on background. *Legend*, **S. . FRIS . IOHIS . . / . . . PDI CRM. . . .** *Pointed oval*, about  $1\frac{4}{16} \times 1\frac{5}{16}$  inches.

No. CXXXV. Facsimile No. 27.

## II.—LAY SEALS

### 1. KINGS OF SCOTLAND

William the Lion, A.D. 1165 to 1214.

16. *Great Seal. Obverse.*—On horseback to sinister, in hauberk, conical helmet with nasal, lance in right hand sloping forward, the flag with three streamers, shield suspended from neck, and sword on left side. The horse has bridle, pectoral ornamented with small studs, and saddle. *Legend*, **WILLELMVS DEO/ RECTORE REX/SCOTTORVM.** *Diameter*  $3\frac{2}{16}$  inches.

17. *Reverse.*—Seated on a bench with projecting ends, sides sloping inwards towards the top, and projecting footboard. Is tall and thin, wears a cap-shaped crown, and tunic extending almost to the ankles with sleeves reaching below the elbow. Over this he wears a long mantle fastened close at the neck passing over the shoulders. The arms are extended, in his right hand he holds a sword, and in his left an orb ensigned with a cross. *Legend*, **WILLELMVS DEO RECTORE REX SCOTTORVM.** *Diameter*  $3\frac{2}{16}$  inches.

Nos. XVIII., XX., XXIX. Facsimile No. 7 (reverse only).  
B.M. 14773 to 14776.

Robert I., A.D. 1306 to 1329.

18. *Privy Seal.*—A lion rampant within a royal tressure. *Legend*, **[SECRETVM] REGIS ROBER[TI].** Beaded border. *Diameter* about  $1\frac{2}{16}$  inches.

No. CXXV. Facsimile No. 25.

*Note.*—The Great Seal of Alexander II., of which fragments remain appended to Nos. LIII. and LIV., is described from more perfect examples in B.M. 14777 to 14786.

## 2. EARLS OF STRATHERN

Gilbert, third earl, A.D. 1171 to 1223.

19. *First Seal. Obverse only.*—On horseback to sinister, in chain armour, with round-topped helmet, grooved sword in right hand slanting upward behind head, shield on which is a cross voided with boss in centre suspended from neck. Horse with saddle-cloth ornamented at foot with eight small points, bridle distinct. *Legend*, †**SIGILL' GILLEB/ERTI COMITIS D/E STRATHERN.** *Diameter*  $2\frac{6}{16}$  inches.

Nos. III., IV., V., IX., XI. Facsimiles Nos. 1, 4, and 30.

20. *Second Seal. Obverse.*—Similar to the first seal, but horse and rider slightly smaller, the sword more erect, the shield quite plain, the saddle-cloth with eight larger points, reins indistinct, the legs of the horse not so much expanded, and the tail more drooping. *Legend*, †**SIGILL' GILLEB/ERTI COMITIS D/E STRATHERNIE.** *Diameter*  $2\frac{6}{16}$  inches.

21. *Reverse.*—A kite-shaped shield bearing arms:—Nine billets, 5, 3, and 1. *Legend*, †**SECTV . G. COMIS . DE . ST'DERNE.** *Diameter*  $\frac{1\frac{5}{16}}$  inches.

Nos. XII., XV., XVI., XXXIX., XLV. Facsimiles Nos. 11 (obverse only), 30. S.A.S. 2732. Reverse engraved *Libs. Ins. Mis.*, p. xx.

No. IX. which has the first seal, and No. XVI. which has the second seal, are both dated A.D. 1200. The change of seal must therefore have been made in that year.

Robert, fourth earl, A.D. 1223 to 1234, or later.

22. *Obverse.*—On horseback to sinister, in armour with surcoat, flat-topped helmet, sword in right hand slanting upward behind head. Shield on breast bearing arms:—A lion rampant. The horse covered with long caparisons, on which the arms also appear. *Legend*, †**SIGILL' ROBE/RTI . COMIT[IS] . D/E . STRA-TJHERAN.** *Diameter*  $2\frac{6}{16}$  inches.

No. LI. (obverse only). Facsimile No. 13.

23. A detached seal in the Register House, which has the same *obverse*, has on *reverse* a shield bearing arms:—A lion rampant. *Legend*, **SIGILL R COMITIS DE STRATH.** *Diameter*  $1\frac{4}{16}$  inches.

Malise, fifth earl, A.D. 1244, or earlier to 1271.

24. *First Secretum* (A.D. 1258). Two chevronells. Nothing at sides of shield. *Legend*, †**SECRET MALISII COMIT DE STRATH.** Diameter  $1\frac{6}{10}$  inches.

No. LXXXVII. S.A.S. 2733.

25. *Second Secretum* (A.D. 1268/9). Same as preceding, but with addition of star on dexter and crescent on sinister side of shield.

Appendix No. V. Facsimile No. 29. S.A.S. 2734.

26. *Equestrian seal*.—On horseback to sinister, in armour, with surcoat, helmet, sword in right hand slanting upward behind head, and shield on breast bearing arms:—Two chevronells. Horse covered with long caparisons, on which and on the surcoat the same arms appear. Below the horse is a wyvern. Background replenished with small estoiles. *Legend* [SIGILL' MA]LISII COMITIS . DE / STRATHE . . . Beaded borders. Diameter  $2\frac{6}{16}$  inches.

S.A.S. 2735 (there and elsewhere wrongly ascribed to the sixth earl). Slains charter to Gilbert de Haya (fragment only). Does not occur in combination with *Secretum* in any known example.

Malise, sixth earl, A.D. 1271 to 1312/3.

*Large Seal*. *Obverse* split off in both the known examples.

27. *Reverse*.—On horseback to sinister, in armour, with surcoat, roundtopped helmet, a sword in right hand, and shield on breast bearing arms:—Two chevronells. Horse in long caparisons, on which the arms are repeated. *Legend* †**S' MALISII/COMITIS DE-STRATERN.** Diameter  $1\frac{2}{16}$  inches.

No. CXIII. Detached seal now reattached to No. CXII. Facsimile No. 23. S.A.S. 2736.

28. *Small Seal*.—Two chevronells. Shield within a rounded and pointed trefoil panel. *Legend*, **S' MAILIS : COM . DE : STRTHERI.** Beaded borders. Diameter  $1\frac{5}{16}$  inches.

No. CXVIII. S.A.S. 2738 (imperfectly described S.A.S. 2737).

Malise, seventh earl, A.D. 1312/3 to 1325, or later.

29. On horseback to sinister, in hauberk and plumed helmet, with sword, and shield bearing arms:—Two chevronells. Horse plumed and armorially caparisoned. *Legend*, **S' MALISII COMIT' DE . . .** Diameter 1 inch.

Appended to Barons' letter to the Pope, A.D. 1320. S.A.S. 2741. Figured in *Acts of Parliament of Scotland*, i. 474.

30. *Note*.—The seal of Robert Stewart, Earl of Stratherne, afterwards King Robert II., bears no Stratherne arms. Of the time of his son David, earl of Stratherne, there is a Coket seal, which bears a fess chequy between two chevronells, all within a royal tressure. *Legend*, [S̄ r̄]galitatis de fstrathergu. Diameter  $1\frac{1}{8}$  inches. B.M. 17315.

Other seals relating to Stratherne will be found in Laing, B.M. and S.A.S.



## 3. OTHER SEALS

'Black' John Comyn, A.D. c. 1273 to c. 1303.

31. Three garbs; a star of six points in chief. *Legend*, †**SIGILLVM : IOHANNIS : CVMIN.** Beaded borders. *Diameter*  $1\frac{1}{8}$  inches.

Nos. CVIII. and CIX. Facsimile No. 21. S.A.S. 580.

Mariota, daughter and coheir of Malmoran de Glencharny, wife of Nevin MacEwyn, A.D. 1365.

32. A shield bearing impaled arms. *Dexter*, Three birds in pale. *Sinister*, A chevron. Palm branches at top and sides of shield. *Legend*, †**S' MARIOTE DE GLENCHARNIE.** Beaded borders. *Diameter*  $1\frac{1}{8}$  inches.

No. CXXXV. Facsimile No. 27. S.A.S. 1061.

Tristram, early 13th century; ancestor of the De Gorthy family.

33. A Quatrefoil, seeded—not on a shield. *Legend*, **SIGILL' TRISTRAM FILII AVICIE.** Beaded borders. *Oval*  $1\frac{1}{8} \times 1\frac{5}{8}$  inches.

No. XXVI. Facsimile No. 8.

For later Gorthy seals, see S.A.S., and plate in Fittis' *Sketches of the Olden Times in Perthshire*, 1878.

Gilbert de Haya, third Lord of Erroll, A.D. c. 1240 to c. 1264.

34. Three escutcheons. *Legend*, †**SIGILL' GILEBERTI DE LA. HAYE.** Beaded borders. *Diameter*  $1\frac{9}{16}$  inches.

No. LXVIII. S.A.S. 1266.

This is the earliest known seal of the Scottish Hays.

Donald de Yle, Lord of the Isles, A.D. 1388 to 1420.

35. Couché. A lymphad surmounted of an eagle, all within a bordure flory for a royal tressure. *Crest*, on a helmet with coronet, an eagle head between two wings. *Supporters*, two lions rampant crowned. Ornament of foliage at sides. *Legend*, **Sigillum donaldi . de yle/domini in[sularum].** Carved borders. *Diameter*  $1\frac{11}{16}$  inches.

No. CXLIII. S.A.S. 1794.

Gilchrist, son of Malcolm Macnaughtan, A.D. c. 1247.

36. A bend, surmounted in chief of a label of five points. *Legend*, †**S' GILECRIST MACNACHTEN.** Beaded borders. *Diameter*  $1\frac{3}{8}$  inches.

No. LXXIV. Facsimile No. 18. S.A.S. 1843.

## 316 CHARTERS OF THE ABBEY OF INCHAFFRAY

Ath, son of Malcolm Macnaughtan, A.D. 1257.

**37.** A wyvern contourné—not on a shield. *Legend*, on a raised band, **S' AVTH . MACCNAVTHAN.** *Diameter*  $1\frac{1}{8}$  inches.  
No. LXXXV. S.A.S. 1844.

Robert de Meggefen, c. A.D. 1230.

**38.** On a dexter canton a lion passant. *Legend*, . . **ERTI DE ME . .** *Diameter*  $1\frac{5}{8}$  inches.  
No. LVII. S.B.S. 1926.

Robert de Mekven, lord of that ilk, A.D. 1443/4.

**39.** A bend sinister between three crosses pattée in dexter chief and a saltire coupé in sinister base. *Legend*, **S. robrttí. de mckfen.** *Diameter*  $1\frac{5}{8}$  inches.  
No. CXLV. Facsimile No. 28. S.A.S. 1927.

Thebald, son of William son of Clement, c. A.D. 1230. [His son Lucas styles himself 'filius Thebaldi de Petlandy,' Nos. CV. and CVI.].

**40.** A fleur de lis—not on a shield. *Legend*, **†SIGILL' TERALDI.** *Diameter*  $1\frac{1}{8}$  inches.  
No. LVI. Facsimile No. 15.

Paton Young, burgess of Perth, A.D. 1439.

**41.** Two hoes in saltire between three crescents, two in flanks and one in base. *Legend*, **S. patríci . yhung.** *Diameter*  $1\frac{5}{8}$  inches.  
No. CXLIV.

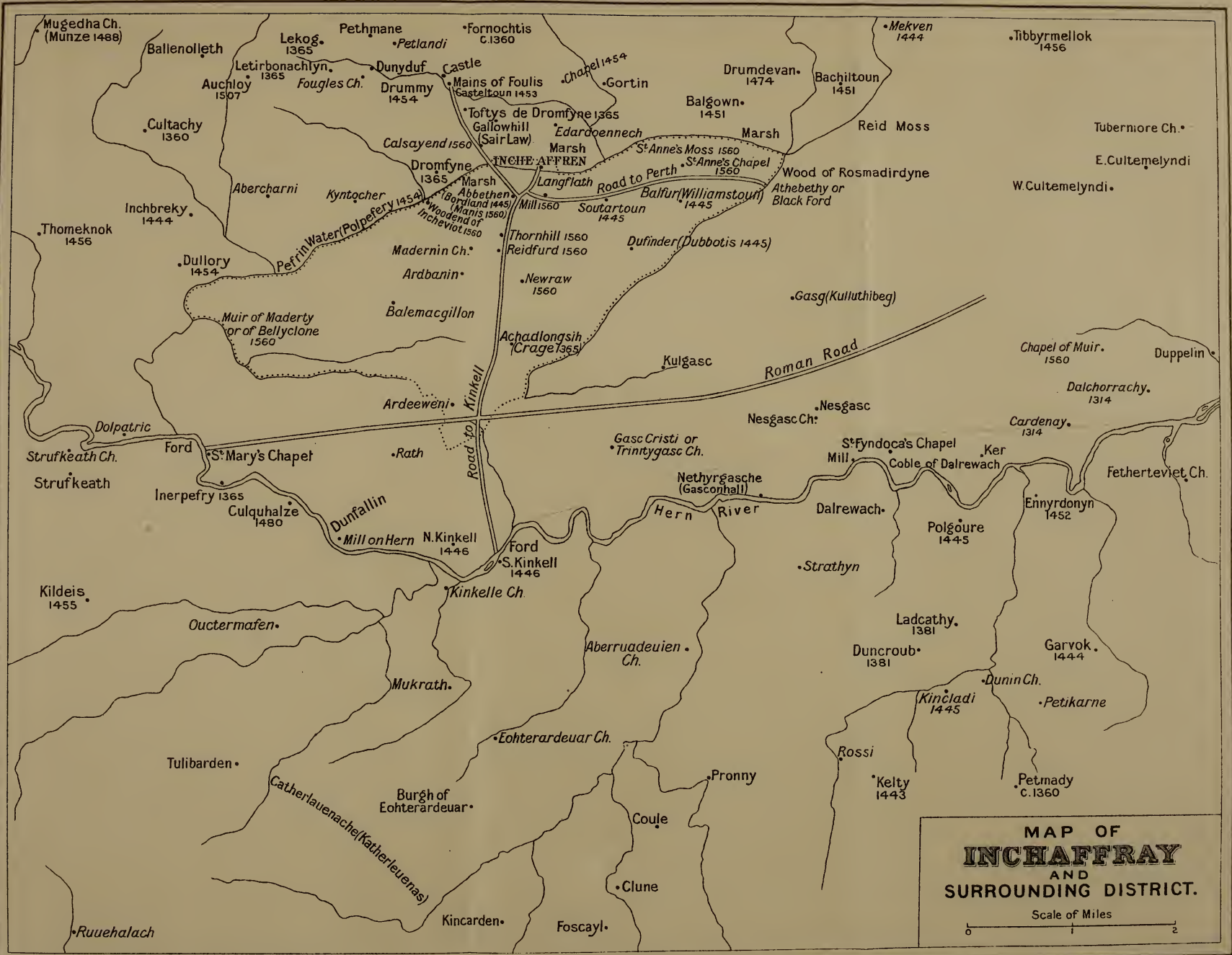
## APPENDIX II

### THE ABBEY LANDS

By J. MAITLAND THOMSON

The accompanying map is intended to represent the district as it was during the existence of the Abbey. The place-names which are undated occur before 1300; to those which occur first between 1300 and 1500 the date, exact or approximate, of the earliest occurrence is added; the date 1560 appended to others indicates that they appear for the first time in documents of the age of the Reformation.

The following remarks are confined to the temporal possessions



Places belonging wholly or in part to the Abbey in Italics, thus *Mukrath*.

Bartholomew Edin'



of Inchaffray : as to the churches, nothing needs to be added to the Introduction.

The flat, alluvial plain, gradually narrowing towards its lower end, which is now traversed by the railway from Perth to Crieff, was in the middle ages a swamp,<sup>1</sup> through which wound a slow running stream then known as the Peferin.<sup>2</sup> A few patches of land rising a little above the general level formed islands. Such presumably were Inchiviot, the wood of which is still commemorated in the modern name Woodend ; and Inchneath, lower down the valley, of which all memory seems to have perished. Such at any rate was the spot, about halfway down the valley and close to its southern edge, which, as its name shows, was set apart for Christian worship from before the dawn of record. Being reckoned part of the 'shire' of Fowlis,<sup>3</sup> it was subject ecclesiastically to the Bishop of Dunblane, politically to the Earl of Strathearn. In the times of pure Celticism the religious community had, so far as appears, no territorial possessions outside their 'island' ; but on occasion of the dedication of their chapel<sup>4</sup> they received from the earl three acres of land in Fowlis, on the north edge of the marsh, to which, the hermits had access by a channel cut for the passage of small boats.<sup>5</sup> This croft, extended no doubt by gradual clearing of wood and reclaiming of waste, grew into the Brewland of 1445,<sup>6</sup> and the Calsayend<sup>7</sup> of the sixteenth century. Even in 1490<sup>8</sup> it could not conveniently be reached from the abbey except by boat. This was the only land given to the community by the earl in Fowlis,<sup>9</sup> though they received several detached possessions there from his vassals as will appear further on. When the time came for the erection of Inchaffray into a House of Canons Regular, the extensive estates

<sup>1</sup> The railway is the first highway which ever traversed the valley. The macadamised roads have always kept to the higher ground on the north or south.

<sup>2</sup> The name is preserved in *Innerpeffray* at its mouth.

<sup>3</sup> Nos. III. and XXXVII.

<sup>4</sup> No. IX. Cp. the gift of the land to the church of Aberuthven *in dotem*, mentioned in No. III.

<sup>5</sup> *Juxta stagnum quod venit de predicta insula*, No. II.

<sup>6</sup> No. CXLVI.

<sup>7</sup> Appendix, No. XI. For the origin of this name, see No. CXXXVIII., note.

<sup>8</sup> No. CLI.

<sup>9</sup> Except the gift to the canons of the portion of the marsh which they had themselves reclaimed (No. XXXVII.).

indispensable to such an institution were more conveniently provided out of the lands of Maderty, which had come to the earl in 1185 by royal grant following on the forfeiture of the former proprietor.<sup>1</sup> Surrounded by the lands of the earldom on all sides except where at the north-east across the marsh it met with the boundary of the parish and lordship of Methven, Maderty seems to have been originally independent of the earl; and it was divided from the Isle of Masses only by a channel narrow enough to be spanned as early as 1271 by an 'Abbey Bridge.'<sup>2</sup>

The first part of Maderty to be gifted to the religious became theirs (if the interpretation put upon No. vii and the date consequently assigned to it in the text be right) was the 'Abthane,' evidently an ancient possession of the Church, the right to which at that epoch was in the Bishop of Dunkeld, and which was held of him by Earl Gilbert and his brother Malise by feudal tenure or something analogous thereto. The name Abthane disappeared early; but we may reasonably infer it to have lain not far from the parish church, and to have corresponded more or less closely with the Bordland of 1445<sup>3</sup> and with the Abbey Mains of later times.<sup>4</sup> Besides the bishop's charter, the Canons had a title to the Abthane by its inclusion in the earl's first gift of land to his newly founded priory.<sup>5</sup> The other lands thereby granted, Ardeeweni, Achadlongsih (afterwards Craig) and Dufinder (afterwards Dubbotis or Dubheads), comprise apparently all the 'vills' then existing between the Abthane and the southern boundary of Maderty. The next gift was a site for a mill on the Peffery lower down than the monastery, in the territory of Balmakgillone (Bellyclone):<sup>6</sup> the terms of Pope Innocent's Bull<sup>7</sup> would imply that a mill had actually been erected. If so it must have been abandoned as unsuitable, probably for want of a sufficient flow of water.<sup>8</sup> After the date of the Papal Confirmation of 1203, the earl added to his first gift the lands of Ardbanine and Baleful or Balfur (now Williamston), lying the one immediately to the west of the Abthane, the

<sup>1</sup> Appendix No. II.

<sup>2</sup> No. XCIX.

<sup>3</sup> No. CXLVI.

<sup>4</sup> Appendix No. XI.

<sup>5</sup> No. XI. The earl's gift is confirmed by the king (No. XX.), and by the Pope (No. XXI.); but the Abthane is omitted in the later confirmations by earl and king, while Bishop John's grant is confirmed by seven of his successors.

<sup>6</sup> No. XIX.

<sup>7</sup> No. XXI.

<sup>8</sup> The mill on the Peffery is not mentioned in the great confirming charter of 1219 (No. XXXIX.), nor in any subsequent deed.

other to the east of it: this grant is not extant, but it was confirmed by King William between 1204 and 1206.<sup>1</sup> The lands of Balmakgillon to the west of Ardbanine were added after 1210.<sup>2</sup> These seven vills, each the centre of a piece of cultivated land which was being gradually enlarged out of the surrounding waste,<sup>3</sup> comprehended the whole of Maderty;<sup>4</sup> and if we add the gift of a mill on the Earn to take the place of the disused mill of Balmakgillon,<sup>5</sup> and the vill of Ruuehalach at the further extremity of the parish of Strageath (the latter given in exchange for the Canons' right to the teind of the profits of the earl's courts),<sup>6</sup> we have a complete list of the lands granted by the founder.

The lands gifted by others than Earl Gilbert in the lifetime of the latter consisted of eight acres in Gask, the gift of 'Orable mother of Seer de Quincy' before 1203;<sup>7</sup> ten acres there given in supplement or in exchange by Orable's son at the close of his career<sup>8</sup> (these appear in 1445 as 'terra monasterii que jacet in dominio de Cluchybeg,' and still bear the name of Clathybeg); and a croft in Edardoennech given by Tristam of Gorthy,<sup>9</sup> represented in later record by the Abbot's croft in Gorthy. We must add the five acres of Abercairny (in Fowlis) gifted by the earl's second wife,<sup>10</sup> which in 1445 still appear under the same name, but later were perhaps reckoned part of Inchneath.

Earl Robert, Gilbert's successor, extended the Abbey lands to the south by the gift of the lands of Rath;<sup>11</sup> his other charters

<sup>1</sup> No. XXIV.

<sup>2</sup> No. XXXIII.

<sup>3</sup> The gifts to the Abbey of serfs in 1258 and 1278 (Nos. LXXXVII., LXXXVIII., CIX.) were presumably intended to facilitate this agricultural development.

<sup>4</sup> In 1445 we find another holding, formed no doubt in the interval, Soutartoun (Arduie was omitted in the charter of 1445, perhaps by accident); at the Reformation there was, in addition, Newraw, and a number of small holdings had been formed near the Abbey; and several of the ancient holdings were subdivided (see Appendix No. XI.). The whole western part of Maderty parish was still in the sixteenth century an open moor, called indifferently the Moor of Maderty or of Bellyclone. Yet the population at that time appears to have been considerable, even allowing for some exaggeration in the statement, made in a law pleading of 1559, that Andrew Drummond of Bellyclone 'pat furth ane great pairt of the native tennentis and pure lauboraris of the saidis toun and landis to the noumer of iij<sup>o</sup> personis or thairby men wiffis barnis and servandis quhilkis wer put be him to uter heirschip and beggerte and ar thigand thair meit in the cuntre.'—MS. Acts and Decrees, xix. 372.

<sup>5</sup> No. XXXIV.

<sup>6</sup> No. XXXIX.

<sup>7</sup> No. XXI.

<sup>8</sup> No. XXXVIII.; confirmed by Earl Sahe's son Roger, No. XLII.

<sup>9</sup> No. XXVI.

<sup>10</sup> No. XLVI.

<sup>11</sup> No. LII.

are only confirmations of benefactions of his father and his vassals.

From King Alexander II. the canons received in this earl's time the tenth of the king's ferme of the ancient burgh of Auchterarder.<sup>1</sup>

From Earl Robert's vassals they obtained (1) parts of the lands of Dalpatrick (of old called Kenandheni) from Robert de Meggefen and from Nigel de Lutoft;<sup>2</sup> (2) two acres in Pitlandy 'in agro qui dicitur Fitheleres flat' (the Teutonic name at this early period is significant) from Theobald son of William son of Clement—a gift afterwards confirmed and amplified by Theobald's son Luke<sup>3</sup> who took the surname de Petlandy;<sup>4</sup> (3) three acres in Kintoche from Henry son of Tristram.<sup>5</sup> All these were accompanied by rights of common which enhanced their value. The first of these places, which lies on the Earn a little above Innerpeffray, does not again appear in connection with Inchaffray: it was perhaps lost or exchanged for something else. The gifts of Theobald and his son lie near the village of Fowlis; they correspond to 'Dunnedufe cum Breuland de Petlandi et certis acris sibi adjacentibus' of 1445, and to Donydowis of later record. The canons' part of Kintoche (in Fowlis) may perhaps be the Inchenath of 1445 and later.

So far all the lands acquired lie within the area covered by the map. But late in the time of Earl Robert, or early in that of his successor Malise,<sup>6</sup> we have a group of gifts by burgesses of Perth of lands within that burgh;<sup>7</sup> also a charter<sup>8</sup> by Duncan de Melginch relating to lands within the parish of Melginch (St. Martin's, near Scone), which the canons claimed as granted to them by his father; and another<sup>9</sup> by Gilbert de Haya confirming and augmenting a previous grant by his father out of lands in the Carse of Gowrie.

From Earl Malise II. the Abbey obtained an annual rent out of Dunning and other lands in that neighbourhood,<sup>10</sup> and another out of the lands of Abercairney already mentioned,<sup>11</sup>—both in

<sup>1</sup> No. LIV.

<sup>2</sup> Nos. LV., LVII.

<sup>3</sup> No. CIII.

<sup>4</sup> Nos. CV., CVI.

<sup>5</sup> No. LV.

<sup>6</sup> The last certain references to Earl Robert are in 1234, and the first to Earl Malise is in 1247. There are mentions of the Earl of Strathearn between those dates, but without Christian name.

<sup>7</sup> Nos. LXIX. to LXXII.

<sup>8</sup> No. LXIII.

<sup>9</sup> No. LXVIII.

<sup>10</sup> No. LXXVI.

<sup>11</sup> No. XCVI.



fulfilment of parts of the obligations to the canons laid by Earl Gilbert on himself and his successors. This earl also gave the canons a quarry of building stone in his lands of Nether Gask;<sup>1</sup> and founded a chaplainry in their eleemosinary out of the lands of Mukrath or Mukrand (now Monkcroft)<sup>2</sup> in the old parish of Kinkell. To his time belong a grant by his uncle Fergus to the canons of a chalder of meal out of Auchtermachany (Strathallan);<sup>3</sup> a charter by the abbot and convent of Arbroath entering the canons in subjects in the burgh of Arbroath, wadset apparently to them by a burgess;<sup>4</sup> and the agreement with their neighbour Tristram de Gorthy as to debateable lands.<sup>5</sup>

To the minority of Earl Malise III. belong the transference by Bricius de Ardrossan of his rights in Mukrath and Pitlandy;<sup>6</sup> his grant of sixteen acres in the 'Langflath' east from the Abbey bridge;<sup>7</sup> the grants of parts of Pitlandy by Luke son of Theobald already referred to; and two agreements relating to the canons' possessions in Perth.<sup>8</sup> To which should be added the topographically interesting gift by John Comyn with regard to the road from Inchaffray to Perth.<sup>9</sup>

The earl himself repeated and increased his father's grant of an annual rent out of Dunning and others;<sup>10</sup> and his aunt the Lady Mary, wife of Sir John Johnston, gave, for her life only, an annual rent out of her lands of Strathy, near Aberuthven.<sup>11</sup>

From Robert I. the canons received the most important addition to their temporalities since the time of Earl Gilbert: viz. the lands of Cairnie and Dalchorrachie<sup>12</sup> (the latter apparently now represented by the farm of Bankhead), consisting of that portion of

<sup>1</sup> No. XCV. ; see note there.

<sup>2</sup> No. XCVII.

<sup>3</sup> No. LXXV.

<sup>4</sup> No. LXXXIII. These do not appear again in Inchaffray record.

<sup>5</sup> Nos. XCI. and XCII.

<sup>6</sup> Nos. XCVIII., C., CI.

<sup>7</sup> No. XCIX. These must, from the conformation of the ground, have lain on the Maderty side of the Peffray; but the fact that Brice held them, and held them by grant of Earl Malise, seems to show that they were reckoned part not of Maderty but of Fowlis.

<sup>8</sup> Nos. CX. and CXI.

<sup>9</sup> No. CVIII.

<sup>10</sup> Nos. CXIII. to CXV. This annual rent was confirmed to the canons by Robert the Stewart as Earl of Strathearn in 1358 (Nos. CXXXIII., CXXXIV.). Part of it had been granted to Sir Maurice Moray for ten years from 1344 (No. CXXX.); and it is remarkable that the only remains of the annual rent which appear in the list of the Abbey possessions at the dissolution are the ten merks out of Pitcairn which were excepted from the grant last mentioned.

<sup>11</sup> As appears by her husband's ratification of her gift, No. CXVI.

<sup>12</sup> Nos. CXXI. and CXXV.

the 'thane' and parish of Forteviot which lies north of the Earn. Here in later times there was a chapel called the Chapel of the Muir,<sup>1</sup> of which the site is marked by the 'chapel wood' near the west lodge of Dupplin.

About 1370, or perhaps rather earlier, Roger de Mekfen of that ilk gave the lands of Carnbo on the other side of the Ochils;<sup>2</sup> and William, son of Malise, mortified some lands in and about Auchterarder for a light to be kept burning before an image of the Virgin.<sup>3</sup>

In 1389 and 1410 we have confirmations to the canons of a grant made by Cristina daughter of Alan (a contemporary of King Robert Bruce), of the Chapel of the Holy Trinity in Uist, with the lands of Karynche and others there.<sup>4</sup> These seem to have been detached from Inchaffray before the Reformation.

Of the 'roum of land called Achnacloich,' in Muckairn, Argyllshire, 'with the adjacent small isle Elinanabb,' to which the abbot is said to have withdrawn in time of public calamities,<sup>5</sup> we have mention in the signature of 1609, but no information as to the time or mode in which it was acquired.

In 1439 the canons purchased another rood of land in Perth.<sup>6</sup>

In 1444 they received from Robert de Mekven of that ilk, the last of a family whose connection with Inchaffray dated back to the time of Earl Robert the founder's son, the Brewland of Mekven,<sup>7</sup> a mile west of the village of Methven. In 1445 James II. erected the greater part of their temporal possessions into a barony.<sup>8</sup> In 1454 Robert Mercer of Innerpeffray gave them an eel fishing in 'Polpefery' within his lordship of Dollerie,<sup>9</sup> just beyond the western boundary of Maderty. In 1489 James IV. authorised them to dig a stank (such as had existed for the

<sup>1</sup> Appendix No. XI.

<sup>2</sup> No. CXXXVI. At the Reformation the Abbey had not these lands but an annual rent of ten shillings out of them.

<sup>3</sup> No. CXXXVII. This gift is perhaps represented by the 'Threiphill of Auchterardour' of Appendix No. XI.

<sup>4</sup> Nos. CXLII. and CXLIII.

<sup>5</sup> *New Statistical Accounts*, 'Muckairn Parish.'

<sup>6</sup> No. CXLIV.

<sup>7</sup> No. CXLV. King James II.'s grant of the same lands in 1450 (No. CXLVII.), proceeds on the resignation, not of Robert de Mekven, but of Andrew Toische. See Introduction.

<sup>8</sup> No. CXLVI.

<sup>9</sup> No. CXLVIII. Notice the combination of the old name Peferin with the name Pol (Pow) which has superseded the other in later times. The full modern name is 'Pow of Inchaffray,' in some maps shortened to 'Powaffray.'

convenience of the hermits of the Isle before the foundation of the Abbey) to facilitate their communications towards the north, in which direction the writ says, 'nec hominibus nec equis tutus patet accessus.'<sup>1</sup> With this 'object lesson' of the impracticability under mediæval conditions of any land improvement requiring co-operation between neighbouring proprietors, the charters of Inchaffray conclude.<sup>2</sup>

It remains only to express my gratitude, and to bespeak that of the Scottish History Society, for my old friend, the Rev. L. C. M'Lagan Wedderburn, who has procured for me, on the spot, very valuable topographical particulars, and assisted me in many ways; also to the Rev. John Ferguson of Aberdalgie; to Messrs. Condie and Mackenzie, W.S., agents for the Earl of Kinnoull, who have afforded abundant facilities and answered multifarious questions ungrudgingly; and to Messrs. Dundas and Wilson, C.S., and Messrs. J. and J. Miller, Perth, who have kindly given or obtained for me information on several points.

### APPENDIX III

#### NOTES ON THE PLACE-NAMES IN THE INCHAFFRAY CHARTERS<sup>3</sup>

By DONALD MACKINNON, M.A., Professor of Celtic Language and Literature in the University of Edinburgh.<sup>4</sup>

##### PARISH NAMES

*Aberuthven*.—This is the well-known *aber* (od + ber), 'outflow,' the Pictish equivalent of the Gaelic *inver*, (in + ber) 'inflow,'

<sup>1</sup> No. CLI.

<sup>2</sup> The first recorded project for draining the valley is embodied in a contract of 1641 (*Acts of the Parliaments of Scotland*, v. 552). Several documents printed in *The Oliphants in Scotland* (ed. by Dr. Joseph Anderson, 1879), illustrate the progress of the undertaking, and the practical difficulties which impeded it. An Act of Parliament of 1696 (*Acts*, x. 67) produced better results, but the *New Statistical Account* witnesses to their inadequacy. The present better state of affairs is due to operations carried out by Commissioners acting under the Pow Drainage Act of 1846.

<sup>3</sup> The names are here given in their modern spellings. The forms in which they occur in the charters will be found collected in the Index.

<sup>4</sup> The writer desires to associate with himself in contributing these Notes Mr. W. J. Watson, M.A., Rector of Inverness Academy.

+ruthven=*ruadh*, 'russet,' 'red,' +*an*= 'water'; the name thus meaning 'Red-stream junction.'

*Strageath*.—The oldest form *Struf* suggests *struth*, 'stream,' 'current,' rather than *strath*, 'strath.' The second element may be Welsh *gwydd*, 'wood,' as in Keith, Dalkeith, etc., or Gaelic *gaoth*, 'wind.' The windy or woody strath, or stream.

*Auchterarder*.—*Auchter* is the Pictish equivalent of the Gaelic *uachdar*, 'upper.' *arder* appears in *Aberarder*, and must thus be a river or stream, analysed into *ard*, 'high'+*dobhur*, 'water,'— 'upper stream,' or rather the upper part of 'high stream.'

*Kinkell*.—*Kin*, locative of *ceann*, 'head,' 'end'+*coill*, 'wood'; 'woodend.'

*Dunning*.—The old form, *Dunin*, evidently connects with *dùn*, 'fort,' although the mode of development is not free from difficulty. On Gaelic ground *dùnan*, diminutive of *dùn*, is common in the topography. But the *u* is invariably long, while here it is half-long at best. Besides, an *n* frequently appears in Pictland, and is puzzling. The sound has not hitherto been satisfactorily explained.

*Monzievaird*.—*Monzie* in the name must be the same as *Monzie* (pronounced *Mon-i*) below. The *-vaird* being stressed would remove the stress, and shorten the vowel, of *Mon-ì*. The oldest form of *Monzie* is *Mugedha*. This suggests that *mag(h)*, 'plain'+*edha* genitive of *edh*, *iodh*, 'corn,' is the origin of this obscure name. *Mag* was neuter in old Gaelic and that would account for the nasal (*n*). The latter part of the name *-vaird* is very probably the Anglo-Saxon '*ward*,' in topography used to signify 'enclosed or fenced places.' In Gaelic Pictland the word is pretty common as *bard*, aspirated genitive *bh(v)aird*, 'meadow.' It is somewhat puzzling to find an Anglo-Saxon term domesticated so early. But *Monzievaird* is pretty far south.

*Madderty*.—It has been suggested that the oldest form might connect with *Ethernan* (the patron saint). *Mo* 'the endearing prefix'+*Ethernan* would unquestionably become *Mathèrnan*. We sound a *th* now as simply a strong *h*, but of old the sound might be caught up so as to justify a *d* in writing, especially if the scribe were a Saxon; and the *d* once in would remain. But apart from the phonetic difficulties, rarely, if ever, does one find the patron saint's name in the topography without the prefix

Kil- or *tobar-*, 'well,' or such. The form *Madernin* would suggest *Mad-* (cf. W. *madog*, 'fox,' Gaelic *madadh*, 'dog,' 'hound') + *-ernach*, a common suffix meaning 'place of,' 'abounding in.'

*Fowlis*.—The old form *Fougles* makes the origin of the name pretty clear: *fo* + *glais* = 'sub-stream.' *Glas* with meaning of 'stream,' 'river' is common in old Gaelic and is met with in *Douglas* = *dubh*, 'black,' 'dark' + *glas*, 'river,' 'stream.'

*Kilbride*.—This is *Bridget's cill* or *kill*, and presents no difficulty.

*Tulliekettle*.—The first part is clearly the Gaelic *tulach*, 'knoll.' The second element is obscure, though not uncommon. Cf. *Tillychetly* in Aberdeen, *Balquhadly* in Forfar, and *Kettle* in Fife. The *-ettle* being here equated with an older form *-eden* complicates matters.

*Gask*.—The word is used in Gaelic to mean 'tail.' In topography it is applied a 'nook' or 'hollow.' A long slope tapering to a point could fittingly be a *Gask*.

*Strowan*.—Pronounced long in Gaelic: *strùan*. *Struy*, in Ross-shire *Struie*, is probably an extension of *sruth*, 'stream,' 'current,' the *t* being always found in the north and east. The modern form and sound would suggest the *-an* as the Gaelic diminutive, but it will be observed that the old forms also contain the terminal *n*. *Vide Dunning supra*.

*Aberdalgie*.—*Aber* + *delgie*, which is doubtless Gaelic *de(a)lg*, 'thorn,' 'pin' + *ie*, common terminal in Pictland for stream, also for a diminutive.

*Crieff*.—In Gaelic *Craoibh*, the locative case of *craobh*, 'branch,' later 'tree.'

*Forgendenny*.—The first syllable is very likely the Pictish *foter*, *fother*, *for*, which has been analysed into the comparative of *fo*, the preposition 'under.' In the old form—*For-grond*, *grond* might connect with a very old and still common Gaelic adjective *grànn(d)*(a), *grànn(a)*, 'ugly,' 'nasty,' from a noun *grain*, 'abhorrence,' 'disgust.' The suppression of the *r* in *grond* would become easier when *ethne* (a female proper name) was appended and stressed, not to speak of the fact that an *r* is also in the first syllable. There is also *gromna*, *gronna*, 'a marshy place.' Cf. *Groam* in Kirkhill.

*Muthill*.—The old form suggests *mac'h*, now *maoth*, 'soft,' 'spongy.' The suffix *-il* may compare with *-ialos*, common in Gaulish names,

and Welsh *ial*, 'open space,' 'region.' Cf. also *Leochel* in Aberdeen, and *Innis-loicheil* in Ross-shire.

*Monzie*.—*v.* Monzievaird.

*Comrie*.—The locative of Comrach. The name connects with Aber and Inver, *Comber*, coming from *con*, 'together,' 'with' + *ber*, 'carry.' Probably, 'The place of the confluence.'

*Balquhidder*.—The Gaelic sound is Bo-chuidir, in the Dean of Lismore Both-fuidir. The first part is *Both*, 'hut,' 'booth,' also 'a collection of such,' hence the modern equivalent *Bal*=Scots 'toon' in its various shades of meaning. The second part seems to be *fuidir*, an old word used with some elasticity but generally 'stranger,' 'tenant from outside the tribe.' Cf. Achadlongsìh, *infra*.

*Cargill*.—*Car* is the root from which *carraig*, *creag*, 'rock,' derives; the general idea is 'rough,' 'craggy.' The second syllable is evidently the Gaelic *geal*, 'white.'

*Killin*.—Probably the locative of *ceall fhiom*, 'white chapel.' If there was a St. Finn, Find, or Fionn, the form would be the same, and the meaning 'Finn's church.'

*Tibbermore*.—This must be 'great well' or 'great spring.'

*Cortachy*.—The most probable root is *cart*, 'scour,' 'cleanse,' the meaning might be a place of brawling streams, if such a description suits the locality.

*Balfron*.—For *Bal*- replacing *Both*- *Buth*-, *v.* Balquhidder. The *fron*=*bren* might represent *bran*, 'raven,' *braon*, 'drop,' 'dew,' possibly *bre(n)n*, 'putrid.' Here probably *-fron*=*braon*, 'drop,' 'wet,' 'a wet place.' Cf. Brìn in Strathnairn (Gaelic *Braon*), Birnie and Cul-birnie.

*Kilmorich*.—The old form shows the name to be the *Kil*— of Muireach or Muirchadh, two old personal names that got mixed up.

*Imishail*.—*Inis* is 'island' clearly; but the *hail*, in view of the old form, is not clear. A parasitic *t* or *d* follows *l* easily in Gaelic. Sometimes *ld* becomes on the other hand *ll*. *All*, 'a cliff,' now *allt*, 'a small stream,' is common; so is *all*, 'a joint'; but one would hesitate to join this name with either.

## OTHER NAMES.

*Strathy*.—A development of the Gaelic *srath* on Pictish ground. *Strath* has been borrowed to English.

*Arneluoy*.—*Arn-* is a frequent initial syllable in Pictland and must be significant. The Gaelic *airne*, 'sloe,' shows in a few names. So does *fearn*, 'alder,' especially as a second element, and with *f* aspirated. But neither of these fit here. Welsh gives *arn-*, 'upon,' in composition only. In Arnespick, *arn* is probably *earann*, 'share,' the 'bishop's portion.'

*Panholes*.—Old form Pannan. There is a Pannanich in Aberdeen, and there are Panbride and Panmure. The *a* is persistent in all of them. This seems to exclude the well-known Pen-, the Welsh-Pictish equivalent of Gaelic *ceann*, Ken- Kin-, 'head,' 'end.' The suggestion has been made that *pan* may mean a 'well,' a 'mineral well,' and the modern Panholes would thus be a doublet. *Pan* in mod. Welsh means a 'bowl,' 'a cup.' *Panaca*, 'a drinking cup,' is quoted by Holder from Martial as a Celtic word.

*Machany*.—*Achter* of the old form is as in *Achterarder* above. The *maf-*, modern *mach-*, may derive from *magh*, 'a plain,' in which case one might suggest *Magh-an-aigh*, the locative of *Maghanach*.

*Feddal*.—The Gaelic *feadan* (diminutive) enters largely into place-names in its two meanings of 'rill,' and 'ravine,' 'cleft' through which the wind whistles. There is a Welsh *fedol* = 'front,' 'breast.' It is doubtful whether either word explains this name.

*Pairney*.—Neither the old nor the modern form is Gaelic. There is a *Proncy* on the east of Sutherland, equally obscure.

*Rosmardyn*.—*v. Madderty supra*.

*Pitcairns*.—*Pit* + the English plural of *carn*, 'cairn.'

*Cairnie*.—The old form suggests the -cardine of Kincardine, which derives from Welsh *carddin*, 'wood,' 'brake,' rather than *G. carn*, 'cairn.'

*Dalquharrochie*.—Gaelic *dail*, 'dale' (possibly Pictish *dol*, 'plateau') + *corrachy*, an extension of *corrach*, 'steep,' or *carrach*, 'stony,' 'rough,' 'scabbed.' The phonetics might yield *corr*, in one of its various meanings 'even,' 'odd,' 'crane' + *achadh*, 'field.'

*Clathybeg*.—The old form is evidently *clacha*, ‘stones’ + *beg*, ‘little,’ ‘small.’

*Kinceddie*.—*Kin-* is clear,—‘head,’ ‘end.’ *-cladi* suggests the locative of the Gaelic word *cladach*, ‘shore’ of sea or lake. Welsh gives *cladd*, ‘trench,’ ‘pit’; *cledd*, ‘left,’ ‘north.’ The appearance of the place might suggest the explanation.

*Monkscroft*.—The old form *Mukrath* makes the meaning clear: ‘place of pigs,’ ‘piggery’; a common name on Gaelic ground.

*Dollevie*.—The first syllable is no doubt the *Dol* of Dollar, Dol-men, etc. etc., in origin akin to Dale, but in meaning rather ‘a plateau.’ The final syllables are suffixes of extension, ‘abounding in,’ ‘places of.’

*Earn*.—The oblique case of *eire* as in Srath-eire ‘Strathyre’; and the same word with *Eire* older *Eriu*, ‘Ireland,’ which has been variously explained.

*Pow (Peferin)*.—Peffer appears in Strathpeffer and elsewhere, associated with rivers. The epithet is evidently the Welsh adjective *pefr*, ‘fair,’ ‘bright,’ ‘smart.’

*Tullichandie*.—The first part is clearly *tulach*, the *-andie* or *-chandich* is not clear. In the district the *ch* of *Tulach* frequently disappears, so that when, as here, the *ch* appears one is not certain whether the sound belongs to the first or the second part of the name. The latter part may represent a personal name.

*Achadlongsih*.—The persistence of *s* in *longsih* makes the name to be *achadh*, ‘field,’ + *loingsech*, ‘exile,’ ‘outlander.’

*Arduvie*.—The interchange of *n* and *g* in the old forms suggests that the name means the *Ard*, *Aird*, ‘height,’ of Eogan, ‘Ewen.’ The final *i* is puzzling, but may represent a diminutive.

*Dubhcads*.—The name represents Dubbotis; but except in the case of the first syllable Dubbotis does not develop from Dufinder. In the combination *ind* the usual rule is that *n* assimilates *d*, but in old Gaelic on the other hand *n* was expelled before *t*.

*Abthayn*.—The Latin Abthania, in modern Gaelic *Apuinn*, ‘Appin.’

*Bellyclone*.—The form Macgillon suggests Mac-gill-coin, ‘son of the servant of John,’ the form in which the Macleans have been in the habit of writing their surname in Gaelic. The tradi-



tion of the clan is that their ancestor went from near Scone to Argyll. One might interpret the name as 'Maclean town.'

*Ardbennic*.—The modern form would suggest *ard* + *beinne* = Gen. of Gaelic *beinn*, 'mountain.' The old form is against this, but it probably connects with the cognate Welsh *ban*, 'a prominence,' 'a peak.'

*Balfour*.—Notwithstanding the form *Baleful*, which is probably a slip, the name is *Bal-fóur*, the place of pasture (Welsh *pwyr*, 'pasture'; *p* aspirated to *f* after *Bal*-). Cf. *Pit-four*, *Doch-four*, etc.

*Athebethy*.—The latter part is the genitive of *beitheach*, 'birch-wood.' Possibly called 'Birch-ford' from birch trees being used to make a crossing. The note makes the *Athe* = Gaelic *àth*, 'ford,' clear.

*Gorthy (Gortin)*.—The name of the place where Columba was born. The *Goirteans* on Gaelic ground are many. A dimin. of *gort*, *gart*, of old an enclosed field. The *t* aspirates in Pictish but not in Gaelic.

*Edardoennech*.—*Eadar-da-aonach*, 'between two moors': *aonach* of old meant 'fair,' 'games'; now in Sc. Gaelic 'a solitary place, a moor.'

*Abercairney*.—*v.* above *aber* + *cairnie*.

*Pitlandy*.—Notwithstanding the *a*, the name is evidently *Pit + lunnaidh*, a common word in topography and always associated with marshy, wet places. It has been suggested that *London* is a variant of the same word.

*Kintocher*.—*Kin*, 'end,' + *tochar*, 'causeway.' The last element is common in the topography of Ireland and we have several *Kintochers* in Scotland.

*Buchanty*.—*Buchany* and *Buchany Hill* are in the district, while *Buchan* is in *Aberdeen*. *Holder* gives *Buconis*, now *Bouconne*, in *France*. The name may be based on Welsh *bwch* (Gaelic *boc*) 'a buck.'

*Pitmane*.—The modern form suggests *Pit + monie*, 'of the peat' or 'of the moor,' according as the *o* is long or short. The old form is, however, confusing, unless *a* is a mistake for *o*.

*Dunyduf*.—This must be 'Black castle'; *duf* rarely becomes *dov*, and the *-is* looks like the Scottish-English plural.

*Inchenath*.—In point of form the name can easily translate into 'the haugh of the ford.' But one does not know the place of the stress.

*Dunfallin*.—There is a Dunphail on the Highland Railway. *Fal, fail*, is ‘turf,’ which with *Dun*, ‘fort,’ ‘fence,’ would give the meaning of ‘stockade.’

*Rath* is clear,—a ‘fort,’ of a definite character in Ireland according to O’Curry.

*Rochallow* from the old form looks like *ruighe*, ‘shieling,’ + *salach*, ‘dirty,’ possibly *seileach*, ‘willow.’

*Meckphen*.—There is a river Meig in Ross-shire, which may be compared with Miglo of Strathmiglo, Meigle, etc. The Welsh *migen*, ‘bog,’ is also compared. If this name connects it might mean ‘bog-end,’ although the mode of composition *mig*+*pen*, ‘head,’ ‘end,’ is unusual.

*Dalpatrick*.—The dale or dol of Patrick. The stress is on Patrick and *o* might be written easily for *a* in the first syllable.

*Kenandheni*.—If the name were in pure Gaelic territory one might suggest that the form is a rather helpless attempt to write *ceann-an-ao-naich*, ‘end of the moor’: *v.* Edardoennech, *supra*.

*Tullibardine*.—*Tulach*, ‘knoll’ + *bàrduin*, *v.* Monzievauid. Here *bard*, ‘park,’ may not be improbable.

*Kincardine*.—Here undoubtedly *Kin-*, *Ken-*, ‘head,’ ‘end,’ + *carddin*, ‘wood,’ ‘wood-end.’

*Bardrill*.—If the Bard here is *bard*, ‘meadow,’ which is probable, the old form *erel* may be the modern Welsh *erwyll*, ‘gloomy,’ ‘dusky.’

*Petnenene*.—If one could read *n* instead of *u* in this name, there would be no difficulty in interpreting it as the *pit* or ‘place’ of the *neimhidh* or ‘church-land,’—*neimhidh* representing the old Gaelic *nemed*, ‘chapel,’ Gaulish *nemeton*, ‘a shrine in a grove.’ Cf. Navaty, near Cromarty; Navaty (Fife); Dalnavie (Rosskeen); Roseneath (Dumbarton).

*Ogilvie*.—*Ogil* may connect with Ochil (Welsh *uchel*, ‘high,’ Gaul. *uxellos*) in Ochil Hills, and Ogle of Glenogle. The *-vie* may represent the Pictish form of the locative of the Gaelic *magh* with *m* aspirated. In this case *Ogilvie* would mean ‘high plain.’

*Rossie*.—A development of *ros* in one of its meanings in topography—‘wood,’ ‘promontory,’ ‘moor.’

## APPENDIX IV

## SOURCES OF THE TEXT

By J. MAITLAND THOMSON

The present volume, text and appendix, consists of one hundred and sixty-four deeds, of which ninety-five are printed from originals, eighteen from copies of various ages and various degrees of trustworthiness, and the remaining fifty-one from Registers. The great majority are derived from the charter chest of the Earl of Kinnoull, viz., eighty-seven originals, two copies, forty-seven Deeds preserved only in the ancient Register which was printed for the Bannatyne Club in 1847, and one from a later (sixteenth century) Register. The ancient Register contains also copies of thirty Deeds here printed from originals at Dupplin, and of seven Deeds of which the originals are preserved elsewhere.

Of the remaining twenty-seven the sources are as follows. The Atholl charter chest supplies two; the Montrose charter chest one; the Gask charter chest (now in possession of Captain P. Blair Oliphant at Ardblair) two; the Abercairney charter chest one; the Dollerie charter chest three; the Vatican Registers three; the General Register House, Edinburgh, one; the library of Magdalen College, Oxford, four; that of Edinburgh University one; and that of the Scottish Society of Antiquaries nine. The footnotes will show sufficiently the source of each particular Deed. It remains to give an account of the manuscripts themselves, and first of those preserved elsewhere than at Dupplin.

One original<sup>1</sup> and three fourteenth century copies<sup>2</sup> are at Magdalen College, Oxford. They are among the titles of Brackley Hospital, in Northamptonshire, annexed to the college in 1485. That hospital having been endowed by its patrons, the De Quinceys, with the church (and also for a time with the manor) of Gasknes or Findogask, thus became a neighbour of Inchaffray. Its Scottish possessions were at length handed over to the Bishop of Dunblane.<sup>3</sup> For the charter preserved at Abercairney<sup>4</sup> it has been necessary to reproduce the previous edition without collation, access to the original being at present impos-

<sup>1</sup> No. LXIV.<sup>2</sup> Appendix No. IV. See note there.<sup>3</sup> Appendix, Nos. IV., IV. A., IV. B.<sup>4</sup> No. XLVI.

sible. For the three originals at Dollerie, to which access has been refused, No. LII. has been reprinted from the Bannatyne Club text, No. CXLVIII. from a facsimile; for No. CXLIX. only a brief abstract has been obtainable.

Of the Deeds<sup>1</sup> taken from the Atholl, Montrose, and Gask charter chests, the Register House, and Edinburgh University, enough is said in the relative footnotes.

Nine Deeds are taken from copies contained in a manuscript in the Library of the Scottish Society of Antiquaries, titled *Cartae Variæ*, and in this volume cited as the Antiquaries' MS. It is a nineteenth century copy of the transcripts made by the Hon. Harry Maule of Kelly between 1700 and 1730, and preserved at Panmure. A selection from these was printed in the *Spalding Club Miscellany*, vol. v., but many are still unprinted. The nine Inchaffray Deeds, with four others, are stated to have been in possession of Hugh Fleming, W.S.,<sup>2</sup> and to have been found among the papers of Mr. George Halyburton, late Bishop of Aberdeen.<sup>3</sup> Their separation from the series at Dupplin is probably accidental. Of three<sup>4</sup> of them there are copies in the Register; the other six<sup>5</sup> are now first printed. A copy of *Liber Insule Missarum*, which belonged to Dr. John Stuart,<sup>6</sup> has collations in his handwriting of the three charters which are common to the Antiquaries' MS. and the Register. The variants, though their correspondence with the readings of the manuscript is unmistakable, are clearly not taken from that source, but from the originals. Where Dr. Stuart saw these does not appear: Lord Dalhousie at Mr. Lindsay's request kindly caused search to be made for them at Panmure, but in vain. It is probable that all nine originals are extant. For the present, the text of the three registered charters had to be taken from the Register as corrected by Dr. Stuart; for the other six the Antiquaries' MS. is the sole authority.

Of the three documents printed from the Vatican Registers, two<sup>7</sup> are from the Register of Petitions to the Pope, of which a Calendar down to 1419 has been published in the Rolls Series.

<sup>1</sup> Nos. XXVIII. and XLV.; Appendix I.; XLIII. and Appendix VI.; CIII.; XXXIV.      <sup>2</sup> Died 1737.      <sup>3</sup> Died 1715.

<sup>4</sup> Nos. VII., XXIII., I.

<sup>5</sup> Nos. LX., LXXX., LXXXI., XCIII., CXXII., CXXVII.

<sup>6</sup> Secretary of the Society of Antiquaries of Scotland, author and editor of many learned works. Died 1877.

<sup>7</sup> Nos. CXXXIX., CXL.

The third<sup>1</sup> is from the Avignon Regesta, which the Public Record Office authorities have passed over in their series of Calendars, only temporarily it is to be hoped. Having been, by the good offices of Mr. W. H. Bliss and the courtesy of the Vatican authorities, allowed to make a prolonged study of this Record, I can testify not only to its unique value to the Scottish student for the period of the Schism, but also to the considerable amount of English and Irish matter still to be disinterred from the Avignon Regesta of the Pontiffs who reigned at Avignon before 1378.

The remainder of the volume is derived entirely from the Dupplin charter chest. It consists, as already stated, of eighty-seven originals, two copies, and forty-eight Deeds from two registers. These must now be described in more detail.

(1) The originals here printed are seventy-three charters and fourteen Papal Bulls. The condition of these, on the whole, bears witness to the care with which they have been preserved.<sup>2</sup> A few are slightly frayed away in places; none have suffered appreciably from damp or vermin; many retain their seals in good condition (see the description in Appendix I.). They have been put up by Mr. Chapman (see Preface) in small canvas bags, some containing one document, some two or more; numbered consecutively, but without systematic arrangement. The series comes down to the end of the seventeenth century, and includes not only Inchaffray Deeds but many others; every Deed relating to estates not now in Lord Kinnoull's possession being classed among the Inchaffray muniments. Only those which can be considered as title-deeds of the abbey are given in the text of the present volume; a few of later date, selected I fear rather at haphazard, will be found in the Appendix, and Mr. Lindsay has added his notes of a few others at the end of the Introduction: these will serve as a supplement to the matter of the same kind contained in the later section of the Bannatyne Club volume. The collection contains extensive materials for the Reformation and post-Reformation history of the abbey lands and churches, which is outwith the scope of the present publication. I need only add that forty-three charters, and all the Bulls, are now first printed; the thirty already printed from the Register are now given from the originals, the Register readings being given in footnotes when they seemed worth recording.

<sup>1</sup> No. CXXI.

<sup>2</sup> See the facsimiles at the end of the volume.

Of the two documents given from copies at Dupplin,<sup>1</sup> it need only be said that both copies are on paper, and of the sixteenth century.

The older Register, that printed for the Bannatyne Club,<sup>2</sup> is a parchment book, in small quarto, in a modern half-binding. The leaves measure  $7\frac{7}{8}$  by  $5\frac{5}{8}$  inches; the number of lines to a page varies from twenty-one to twenty-nine. The writing is of the fifteenth century; the latest charter inserted is No. CXLII. of the present volume, dated 1389. There are fifty-one leaves, numbered in a handwriting of about 1700; Sir James Balfour<sup>3</sup> refers to the first leaf as fol. 2, and quotes a memorandum from fol. 53; which suggests that a leaf at the beginning and another at the end have disappeared, perhaps removed by the modern binder. The Register ends on fol. 51, *recto*, in the middle of a document. The first three pages and the last have suffered by the application of gall. The fifty-one leaves are in nine gatherings of six leaves, the last three leaves of the last gathering having been cut away. Each charter is preceded by a title, opposite to which in the margin are usually set the letters *Rca*, occasionally at full length, *Rubrica*. The titles, and the large capitals with which each document begins, are, like the rest of the writing, in black (not red) ink. These initials are now and then left blank throughout the volume, and never filled in after fol. 43 *recto*. The first fifty charters are numbered consecutively in Roman numerals; No. LI. is unnumbered; the next six are numbered LI. to LVI., the last ending imperfectly at the bottom of a page; then follow seventeen more charters numbered I. to XVII.,<sup>4</sup> with a heading at the beginning of the first, 'Hic incipiunt carte et confirmaciones omnium ecclesiarum monasterio Insule missarum pertinencium.' The gatherings are linked together by a peculiar system, not employed in any other manuscript known to me or to any correspondent.<sup>5</sup> A proper name is written, half at the top of the last

<sup>1</sup> No. I.; Appendix No. VII.

<sup>2</sup> The Bannatyne Club edition has a few errors of transcription; one of which (in No. 78 of *Lib. Ins. Mis.* = LIX. of new edition) shows that the editor had not the use of the Register for correcting the proofs. See also *Lib. Ins. Mis.*, 69 (= XIV. of new edition). But on the whole it faithfully reproduces the text. The punctuation and capitals are editorial.

<sup>3</sup> Advocates' Library MS., 33.2.38.

<sup>4</sup> In the footnotes the numeration of *Lib. Ins. Mis.* is that referred to.

<sup>5</sup> The first five names, which form a hexameter line, are scribbled on the fly-leaf of a Register of Bury St. Edmunds in the British Museum (Royal MS. 8 E x,

page of each gathering, the other half at the top of the first page of the next gathering. The names thus employed form, so far as they go, an alphabet; they are as follows:—

On fols. 6 <i>verso</i> and 7 <i>recto</i> A—dam.			
„	12	„	13 „ Ber—nardus.
„	18	„	19 „ Cle—mens
„	24	„	25 „ Dio—nisius.
„	30	„	31 „ En—nok.
„	36	„	37 „ Fer—gusius.
„	42	„	43 „ Ge—hannes.

There is no catchword between fols. 48 and 49.

Now fol. 42 ends in the middle of a charter (No. lvi. in the Register, 57 of *Lib. Ins. Mis.*, xxxviii. of the present volume); and fol. 43 begins with a new heading and fresh numeration as above described. This led the editor of *Lib. Ins. Mis.* to suspect a lacuna at this point; and the above list of catchwords enables us to calculate the extent of the gap. The end of the name which begins Ge— (perhaps —orgius) is gone; so is the beginning of the name (presumably Jo—) which ends —hannes; and between them must have come a name beginning with *H*. It follows that two gatherings (twelve leaves) are wanting. The facsimile given in *Lib. Ins. Mis.* is of fol. 2 *verso*, the first line of fol. 3 being added to make up a complete charter. That given in this volume represents a double page,<sup>1</sup> and illustrates the system of catchwords just described.

The later Register is a quarto volume, parchment, in vellum wrapper. The pages measure  $10\frac{3}{8}$  by  $8\frac{7}{8}$  inches. The portion used consists of one leaf of index and forty-six of text, beginning with a preface in rather turgid Latin, running in the name of Alexander Gordon the Commendator. There are twenty-eight feu charters engrossed, of the years 1554, 1555, and 1557; after which follow memoranda of later date, the last being dated

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pointed out by Mr. Gilson of the MSS. Department). Canon Christopher Wordsworth has unearthed for me the following lines which occur in a manuscript at Clare College, Cambridge (see Dr. James's *Catalogue of Western MSS. in the Library of Clare College, Cambridge*, 1905, p. 28):

Adam Bernardus Clemens Dionisius Ennok  
 Felix Galfridus Henricus Job Katerina  
 Lucas Matheus Nicholaus Odo Philippus.

<sup>1</sup> Fols. 24 *verso* and 25 *recto*. As these are outside pages of gatherings, they are more worn than an average page of the Register.

20 May 1692. At the beginning and end there are several blank leaves, on the first of which is written in a sixteenth century hand the document No. CL. of the present volume.

I must not conclude without acknowledging the valuable help given me by Miss E. M. Thompson in obtaining for me in London material for this Appendix and for my contributions to the notes.

## APPENDIX V

### ADDITIONAL PARTICULARS WITH RESPECT TO CERTAIN OF THE ABBOTS OF INCHAFFRAY

The following Notes from the Vatican Registers have been furnished by Dr. Maitland Thomson. They did not arrive in time to be incorporated in the section of this volume dealing with the Abbots.

(1) There is mention of John de Moravia, abbot of Inchaffray, in 1435. The abbot named John, who appears in Nos. CXLIV., CXLVI., may have been John of Moravia.

(2) Nicholas Fechil and George Murray. On 4 (*pridie nonas*) February 1463-4, at St. Peter's, Rome, Pius II. issued a commission to Antonio de Grassis, papal chaplain and auditor of causes of the *Camera Apostolica*, to hear and dispose of the case raised on petition of George Murray, abbot of Inchaffray. The petition states that on the death of Abbot John (*extra curiam*) the superior and convent elected the said George *concorditer*; he having been a monk (*sic*) of the abbey, professed of the Order, a priest, bachelor in theology, and of noble race on both sides. He accepted, received benediction from the Ordinary, and obtained possession of the benefice and papal confirmation. Yet Nicolaus Fechel, alleged to be a monk of the Order, by laic power despoiled George of the benefice, and, by the inordinate favour of certain magnates of Scotland, so terrified him that he dared not in the lifetime of Nicolaus assert his right. After the death of Nicolaus, William de Hadington, a monk of the abbey, though he had taken part in the election of George, by laic power and by armed force took possession, and by threats induced some of the convent to elect him abbot. George had appealed, but William held the benefice *pendente lite*, and dilapidated it with a certain public concubine of his, by whom he had had several children walking the earth, and



had contemptuously remained for a year and more under the greater excommunication (*Reg. Vat.* 495, fol. 219).

(3) On 24 (9 Kal. Jun.) May 1468, Paul II., at St. Peter's, Rome, issued a commission to Berard [Eruli], cardinal of S. Sabina, on petition of George Murref (*sic*), abbot of Inchaffray. The petition stated that the Pope's predecessor (Pius II.) had in the lifetime of Nicolaus reserved the abbey, and after the death of Nicolaus had duly provided William de Hadington, canon of the abbey, to the abbacy; that there had been a contest between him and George, and that the decision of the Commissioner, above mentioned, had been in favour of George, and that George had accordingly received papal provision. But as William and his complices still held the abbey, George petitioned. The Commissioner is authorised to put George in possession.

(4) The volume which contained the provision to Laurence Oliphant is amissing; but it appears that he was made commendator for six months, and thereafter abbot.

To the above there remain to be added the following particulars, furnished subsequently by Dr. Maitland Thomson, which should be used to supplement and correct the statements made in pp. 254-256.

(5) The provision of John de Moravia (who had been elected by the canons of the monastery) by Eugenius IV., bearing date 6 April 1435, states that the abbacy was void by the death (*extra Romanam curiam*) of William Carnoch (*Obbligazioni*, vol. 65, fol. 23 verso). This William is, doubtless, the person who in the record followed by Brady (relying on late copies) is called William de Carmiele (see p. 254).

(6) Again, the Bull of provision of the Abbey to John Hamilton (see p. 256) styles him the son of the Regent Arran, which fact answers the query put in the earlier part of this volume. He was, presumably, the same person who was afterwards commendator of Arbroath, and ancestor of the Dukes of Hamilton. He was for a long time known commonly as John, Lord Hamilton, and was created Marquess of Hamilton by James VI. See the *Scots Peerage*, iv. 370.

(7) William Franklyn (see p. 254). Benedict XIII. issued a commission to the Bishop of St. Andrews, dated 1 October 1414 (twentieth year of his pontificate) on the information of Moriella, wife of the Regent Albany, to deprive William Francland (*sic*), 'qui

se gerit pro abbate monasterii de Insafrā Dunblanensis diocesis,' for dilapidating the possessions of the abbey (*Regest. Avinion.* 344, fol. 801 *verso*).

(8) Nicholas Fechil and George Murray (see pp. 254, 255, 336). On 27 September 1458 an 'oblation' is made for George de Muray, abbot of Insula Missarum, of 100 florins of gold and 5 'minuta servitia'; and the next day there is an undertaking that when George shall obtain peaceable possession he will be responsible for restoring (*reficiendo*) all that has been paid by Nicholas Feyhill, his adversary (*Obbligazioni*, vol. 76, fol. 158 *verso*).

(9) William de Hadington (see above, p. 337). On 14 April 1463 William, abbot of Insula Missarum, made his oblation of 52 florins of gold 'de camera' and 25 *solidi* in full payment of his 'communia et minuta servitia' (*Obbligazioni*, vol. 79, fol. 49 *verso*).

(10) Pius II. (14 Kal. Feb. anno pontificatus 6), 19 January 1463-64, confirms two pensions granted by William, Abbot of Inchaffray, out of his abbacy to James Inglis, perpetual vicar of Lerarewade (? Lasswade), in the diocese of St. Andrews, of 10lb. and 5 marks Scots, respectively. James Inglis declares that the two pensions together do not exceed the value of 4½lbs. sterling (*Regest. Vatic.*, vol. 511, fol. 304).

The lady 'Moriella,' mentioned in the commission of Benedict XIII. was the second wife of Albany: 'Muriella, eldest daughter of William de Keith, Great Marischal of Scotland' (see Sir J. Balfour Paul's *Scots Peerage*, i. 148).  
D.

#### ADDENDUM

By the courtesy of the Marquis of Lansdowne I have lately been allowed to see a charter by Maurice de Dromod to John Mercer of the barony of Mikil Ewre, dated Wednesday after St. Mathias's day, 1362 (*i.e.* 1 March 1362-63). One of the witnesses is 'Johannes Dei gracia abbas de Insula Missarum.'

[M. T.]

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Uniuersis fr̄s q̄ats' ecclie filijs. clial 7 laical. Gillebr̄us Coas de Strathern. Sate. Sciam q̄d scilicet 7 futu me dedisse. 7 cessisse. 7  
hac mea carta confirmasse. Deo 7 ecclie Sci Iohis apli 7 euangliste de insula gyllaru in bougles. 7 fr̄atibz ibidem deo 7 sed Iohi  
seruentibz 7 seruitis. eccliam Sci Iathani de Abriuadeneu diuine pietatis inuirtu p salute aie mee. 7 uxorū mee. 7 amice  
lorū meoz. cū omnibz decimis. 7 oblationibz. 7 omimodis obuentioibz. cū tua precat' diuisal lual qm pat' me ferchet. 7 water  
mea lchen. dedunt eide ecclie in dotem. 7 cū omibz ad eam iuste p̄ueniētibz. cū comuni pastura. 7 omibz alijs r̄shantibz. in libam  
7 p̄uat. 7 p̄petua elemosina. Quare uolo ut p̄dicta ecclia Sci Iohis 7 fr̄atū eodem loci eandē eccliam de Abriuadeneu cū  
omibz iustis p̄ueniētibz suis ita libe. 7 q̄ere. plenarie. 7 honorifice. Ab omni seclari seruitio 7 seruiti actione. impetu ueneant  
7 possideant. sic aliq̄ ecclia liberi. 7 q̄ere. plenari. 7 honorificenti. in regno scocie teneat 7 possideat. Testibz hūis. Iohān̄s ep̄o de Dūberu  
Iohē archid de Strathern. Malgirk de mothel. Iohna decano. Malis fr̄e Coas. Gillest illi Coas. Gillemanem dapifō Com. Lon  
stantino Iudice. Gillest Gal. Duncē filio Malisū. Wardo. Comissa de Strathern. Abrahā Capello Coas. Malmure Capello ep̄i





W. di gra Rex Scote. Omib' ybis hoib' coi tre sue etias z laias sate. Saant  
p'sentes z fut' me p'cessisse z hac carta mea p'firmasse do z ecclie sa Jobis  
apti z ewangliste de Ipcho affrenne in forles. z fr'ib' ibide do seruentib' eccliam  
sa Cathary de Aberroobeven in Scardbergh. qm Comes Gilebe' eide loco sedet.  
Tenend' in libam purā z p'petuā elemosinā. cū omib' libatib' ad eandē eccliam  
iuste p'uenitib'. adeo libe z g'ere. plenarie z honorifice sicut carta p'dicti Com  
Gilebe' testat'. Test'. Ricardo de p'benda dno mō. Com Dunecas Just. Huz  
Com Ashot. Robto de Loudon. Malisio fito Fercher. Malcolm fito com Dunca  
Iohē de Haslag. Adam de Syrus. Huz d'graha. Huz sevel. ap' zanc. v. de





ps seruu seruu de. Silcus filius. J. hermito & fratrib; eq; Johis de oca  
dery salt & aplicam ben. Cum a nob; peccatur qd; iustum & honestum tam uigor equi  
tatis quam ordo erigit rationis ut id per sollicitudine officii ad debitum perducant effec  
tum. Et propt; dilecti in dno filii uris uis h; p;ced; inuicem personas uias auctoritatis  
bonis tam ecclesiasticis quam mundanis que in presentiaru; rationabiliter possidentis uis in  
curum uis h; modis p;stante dno potentis adipisci sub beati petri & iura protectione  
suscipim; Specialiter aut; possessiones quas G. comes de Strada coram uis in belandunam a  
signauit sicut eis uis h; & pacifice possident auctoritate uob; apud confirmam; & p;sentia  
scripti; patrociniu; comunis. Nulli ergo omnino hominum liceat hac paginam nre prote  
ctionis & confirmatiois infringere uel ei ausu temerario contraire. Si quis aut; hoc attemptare pre  
sumserit indignatione omnipotentis de; & beatoru; petri & pauli ap;torum eius se noverit incu  
surum. Dat; Lateran; 11 Non; Decemb; pontificat; Anno Tertio







In nomine domini nri ihu xpi qui coequalis et coeternus deo patri et spiritui sancto. Ego Gilbertus filius sancti ad  
 indulgentia comes de Straderin et ego Matildis filia Willi de dubegni comitissa inspirante gratia diuina volentes in  
 fido nro et patrimonio ecclesiam dei exaltare et ad dei cultum sancte religionis ibidem plantare inferere assentibus  
 uocioni nre uenerabilibus episcopis nris Johanne dunkeldensi et Jonathane dunblanen[si] lib[er]is q[ue] nris mililib[us] et thomis cont[ra]m  
 ab[bat]e dam[us] concedimus et quodam Johanne Alth[er]i q[ui] latine dicitur insulam anstaru[rum] duo nro ihu xpo beate MARIE  
 genitrici eius. Sec[un]do q[ue] Johanni ap[osto]lo. liberam solutam et quietam ab omni exactione seruicio consuetudine et sul  
 uatione seculari ea uoluntate et intentione qua aliquis locus in toto regno sctorum liberi soluti quieti et honorifice  
 diuino cultui et sancte religioni deputat. Tam q[ui] cum omnibus possessionibus quas habemus ei p[ro] nos hinc et alios fideles di  
 uina largitas contulerit uel amodo collatura est. Custodie et dispensationi Domini Malh[er]i presb[iter]i et heremite conu[er]si  
 n[ost]ri de ipsius discretione et religione plurimum confidentes. Unde uolumus ut idem Malh[er]ius libera utatur faci  
 tate quoscumq[ue] uoluerit fructum aggregandi et eor[um] sciam regulam sci Augustini eo quam potius statuerit  
 deo ad dei seruiciu[m] informandi. Post decessum uero illi ex parte dei prohibem[us] ne aliquis omni p[ro] cupiditate cong  
 gationi illi loci se preponat nisi que sitm concors electio p[er] assensum n[ost]rum sibi preposuerit. Nec aliquis siue ep[iscopu]s  
 sit siue heres n[ost]r[us] presumat uel aliquem q[ui] meram sitm uoluntate intrudere. Locum enim eundem ita di  
 lectum habem[us] q[ui] in eo nob[is] et successoribus n[ost]ris sepulturam elegim[us] et iam p[ro]genitru[m] n[ost]rum ibidem sepelium[us].  
 Deo g[ratia] et sancte MARIE p[ro]p[ri]e uirgini et sancto Johanne ap[osto]lo eundem p[er]curatoru[m] et p[re]fatu[m] Malh[er]io et omnib[us] in predicta insula  
 deo seruientib[us] et seruaturis. Ecclesias et possessiones subscriptas. dam[us] concedimus et presentas scripti munimine  
 p[er] impressione sigilli n[ost]ri confirmamus. Ecclesiam sancti KATHANI de Abernrocheuen. Ecclesiam sancti ECHYDANI de GA  
 DERIN. Ecclesiam sancti PATRICII de STRASKEATH. Ecclesiam sancti MECHSECE de LOCHY ARDEUAY. Ecclesiam sancti BE  
 ANI de KINKELLE. Decimam omnium lanor[um] n[ost]ror[um] et redditu[m] n[ost]ror[um] in frumento farina. brasio. grano. lase  
 is. et omnib[us] cibariis que annuatim expendunt[ur] in curia n[ost]ra. et decima totius piscis q[ui] ad loquuntur n[ost]ram de  
 fertur. et decimam uenacionis n[ost]re et decimam omnium lagroz que pueniunt de placitis n[ost]ris et occis obuentioi  
 bi omnimodis. Licentiam quoq[ue] piscandi in p[er]fectoru[m] ubi uoluerit. et capiendi in ueniorib[us] n[ost]ris ubi sibi ma  
 gis oportu[m] fuerit. mariem ad edificationem domoz suaru[m] et utilitatu[m]. et ad p[er]sum ignis. Tres acras t[er]re illius  
 que prima est insule uel[us]us Aquilonem. quas dedim[us] ad dedicatione capelle pius. Nec g[ratia] omnia cum omnib[us] ad ea  
 p[er]tinentib[us] uolum[us] ut p[re]fatus Malh[er]ius et uirum[us] cu[m] eo uel post eum in p[re]fata insula deo seruientes et seruati in  
 pace dei et d[omi]ni Regis et n[ost]ra teneant et possideant de nob[is] et heredib[us] n[ost]ris in puram et perpetuam elemosinam p[ro]sa  
 lute n[ost]ra et liboz n[ost]ror[um] et omnium amoz n[ost]ror[um]. et p[er] annu[m] omnium antecessor[um] n[ost]ror[um] et p[er]cipue p[ro] anima b[ea]te  
 erit p[ro]genita n[ost]ri ibide[m] quiescentis. ita lib[er]e. quiete. plenarie et honorifice sicut aliqua dom[us] religionis in  
 toto regno sctor[um]. suas possessiones lib[er]is quiete. plenarie et honorifice tenet et possidet. Omnib[us] uero n[ost]ris ex p[ar]te  
 dei et n[ost]ra firmate prohibem[us] ne quisq[ue] eor[um] eodem loco uel eius munitis siue etiam p[ro] pace querenda ad eum co  
 fugientib[us] aliquid molestie uel iniurie infat sup[er] n[ost]ram p[re]fatu[m] sollicitudinem. Nec uero amoz uel fidelu[m]  
 hominu[m] n[ost]ror[um] eodem loco aliqua de suis facultatib[us] capere. ruber. q[ui]at ei d[omi]n[us] bonam n[ost]ra inuenit  
 et firmata. Anno ab inc[un]atione d[omi]ni. m. cc. in octavo. Anno Regni Regis Willi. xxi. s. Ab obitu  
 p[re]fata filij n[ost]ri b[ea]te crist[ian]o anno sec[un]do. Obijt ante n[ost]rum. octobris. Hui[us] ante donationis et confirmatio  
 nis se testes. h[uius] Rogius ep[iscopu]s sancti andree. Joh[ann]es ep[iscopu]s dunkeld[ensis]. Math[ew] ep[iscopu]s dunblan[ensis]. Henric[us] abbas de ab[bat]e  
 Reimb[ert] ab[bat] de Scot[is]. Rob[ertus] ab[bat] de dunferm[ingh]. Rob[ertus] de Dun[ferm]. Seier de Lunc[er]. Malh[er]i[us] fr[ater] cortis. Will[elmu]s. ser  
 uead. Rob[ertus] filij cortis. Will[elmu]s de p[er]fector. Malh[er]ius filij Constantis iudex. Dunc[an] filij Malh[er]i. Anco  
 winus de Dunin. Will[elmu]s gall. Agellus de Dunferm[ingh]. Constantis p[ro]p[ri]a. Henric[us] Remay.



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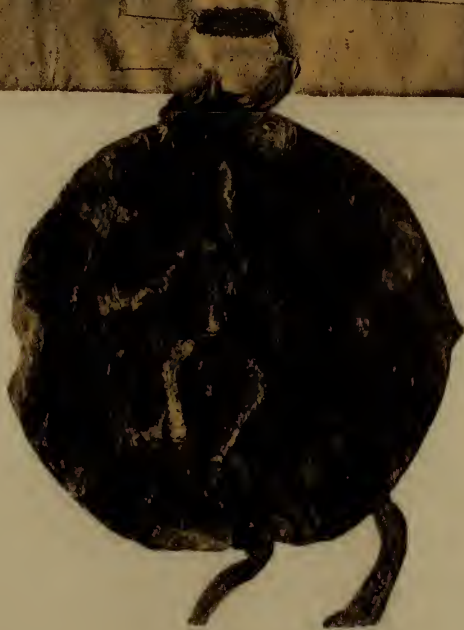
Jonathas dei gra episcopus de Saraden. uniuersis dei patris ecclesie filiis tam presentibus quam futuris  
salutem omnimodam. incolumitatem conuariant. benedictionem perpetuam. Episcopatus officii esse di  
noscentur. ad preteritis opera fidelium merito informare. Informatac approbare. Approbatas. solidissime con  
firmare. ne in summi pastoris presentia ex remisse operationis desidia quod absit arguant. sed ex bone actionis  
merito confidentes. ea uoce gratulationis expectent. quam dominus in euangelio prout dicens. Euge serue bone  
fidelis. quia super pauca fuisti fidelis. super multa et constituiam. Quibus et saluberrime promissionis memores  
deuotionem carissimi filii nostri Gilberti comitis de Saraden et Matildis eiusdem comitisse quam in eorum mentibus  
diuina infudit gratia de fundando in insula nulli religiosorum curio tarius amplectentes. ad eorum pia  
opera tota mentis alacritate gaudent. et ut pie inchoata plene exequantur hortantur. et ut sue salutis sedu  
lo affectu insistant. pro nostre administrationis officio diligenter instigant. Preterea possessiones beneficia in  
numitates. quecumque bona sive in ecclesiis sive in decimis uel in prediis aut in obventionibus pro ipsis sive pro aliis fi  
deles diuina largitas eisdem loco et suis habitatoribus in dei seruitio commendant. in presentiarum iuste contulit  
uel in futurum collatura est. confirmant. et presentis scripti testimonio communit. Statuentes in primis ut idem loci  
qui uocatur lingua Scottica Iuche affrey ad exercitum sancte religionis in perpetuum deputat. que secundum sancti Augustini  
regulam inuolabiliter obseruet. Sicque locum omnibus ad eum confugientibus. pacis et quietis. ita ut nulli liceat  
eum intrare causa peribandi. uel inquietandi. nisi sola causa morandi uel salutis corporis aut anime expe  
tendi. Possessiones autem in nostra diocesi prefato loco assignatas. propriis hinc sursum annotare nominibus. Ec  
clesiam sancti Kattani de Abrocheuen. Ecclesiam sancti Patricij de Struskead. Ecclesiam sancti Mechessoch de  
Colhardenay. Ecclesiam sancti Beani de Kinkelle. Decimam omnium canorum et reddituum prefati comitis in fru  
mento. farina. brasio. grano. caseis et omnibus cibariis que annuatim expenduntur in curia sua. et decimam  
totius piscis qui ad coquinam suam deferuntur. et decimam uenationis sue. et decimam omnium lucorum que pueniunt  
de placitis suis et ceteris obventionibus omnimodis. si non extra comitatus exinde facta testat. Adicimus uero ut sepulch  
ra predicti loci liba sint. ut eorum uoluntati qui se ibi sepeliri uoluerint. nullus obstat. salua reuerentia ecclesi  
arum de quibus corpora mortuorum assumuntur. nec aliquis regimini ipsius preponat loci. nisi qui communi con  
sensu fratrum et pro assensum comitis et hereditum suorum electus fuerit. Prohibemus insuper ut nullus omnino presumat possessiones  
uel beneficia prefato loco et suis habitatoribus assignatas. auferre. uel retinere. salua in omnibus canoni  
ca uiri et successorum nostrorum iusticia. Siquis autem instinetu diabolico sciens quod habet nostre institutionis paginam  
uerit. etiam quomodo. si non congrue satisfecerit. reuise diuino examini cognoscat. et aliter a communi  
fidelium fiat. Et omnibus eodem loco sua uita sequantibus sit pax et gratia et benedictio domini nostri ihesu christi. ut et in  
hac uita de bona actione fructum percipiant. et in futura prima eterne remunerationis inueniant. Amen.  
Quibus uero confirmationis et constitutionis nostre istos testes in scriptis. Johanne archidiaconum nostrum. Ma  
chaelen personam de muochle. Gaucium capellanum nostrum. Abraham capellanum comitis. Matheum personam de dunnis  
magistrum personam de Quithanay. Malisium personam de Squun.



Gilbert comes de Strathern omnib; animis & hominib; suis clericis & laicis. Sicutem.  
Sciatis presentes & futuri me predictas iunctas & posalure anime mee. & gualde comitisse  
de Strathern. uxoris mee. & patris mei. & gualis mee. & heredum meorum dedisse. & concessisse.  
& hac carta mea confirmasse. Deo & ecclie sancti iohannis apoli & euangeliste. de inle  
affrenn. & canonicis ibid' deo feruentib; & feruturil. totam terram de arddengam  
prectas diuisas suas. & cum omnib; iustis p'uentis suis. & totam terram de Achad  
longleg. prectas diuisas suas. & cum omnib; iustis p'uentis suis. & totam terram  
de dubinder. prectas diuisas suas. & cum omnib; iustis p'uentis suis. & totam terram  
terram illam de gadramm que antiquitus ab bacra uocabatur. prectas diuisas  
suas. & cum omnib; iustis p'uentis suis. tenend' in lib' & puram. & p'petuam.  
elemosinam. in bosco & plano. in terris & aquis. in pratis & pascuis. in moris & mar  
telis. in p'eteris & uuaris. in tagis & molendinis. & oib; aliis iustis p'uentis suis  
& cum omnib; aliis a framentis ad p'dictas terras iuste p'uentis; libe & q'ere. ple  
narie & honorifice. ab omni auxilio. & seruo. & consuetudine. & seclari exactione.  
Quare uolo ut p'dicta canonica p'dictas terras prectas diuisas suas. & cu oib; iustis  
p'uentis suis. Ita libe. & q'ere. plenarie & honorifice. in lib' & q'etam. & puram  
& p'petuam elemosinam habeant & possideant. sicut aliq' elemosina in regno scocie.  
de aliquo comite. lib' & quiet'. plenarie & honorifice. tenetur. & possidetur.  
Hinc testib; Ionacha ep'o dunblanen. g. Comitissa de Strathern. Malisio  
fratre comitis. Ferchel filio comitis. Mailda fiba comitis. Iohane archidiacono.  
Abraham capellano comitis. Gillemanemh dapifero com. Malisio filio suo.  
Gillebo fouo com. Constantino iudice. Gillebre. Anachol de dun ene. Dun  
cano filio gualiso.



W. de gra Rex sac. Omnib[us] p[ro]p[ri]et[ar]iis hominib[us] cog[no]scit[ur] sue d[omi]ni & l[ite]ras. p[ro]p[ri]et[ar]iis p[re]sent[is] & fut[ur]e me concessisse &  
h[ab]eo carta mea confirmasse deo & eccl[esi]e s[an]c[t]e Joh[ann]is b[ap]t[iste] & evangelist[ae] de Inche affrey. & canonicis ibid[em] deo  
seruientib[us] & seruic[i]al[ibus]. donacione illar[um] q[ui]m[us] Com[ite] Wil[el]m[us] de Stadbery. et rationabil[iter] fecit de tota t[er]ra  
de Ardubellun[us] p[er] rectal[es] diu[er]sas suas. & cu[m] om[n]ib[us] uillal[ibus] p[er]tenentib[us]. & de tota t[er]ra de Archallongth[us] p[er] rectal[es]  
diu[er]sas suas. & cu[m] om[n]ib[us] uillal[ibus] p[er]tenentib[us] suis. & de tota t[er]ra de Luthmudery p[er] rectal[es] diu[er]sas suas  
& cu[m] om[n]ib[us] uillal[ibus] p[er]tenentib[us] suis. & de t[er]ra illa de Maderyn que anteq[ua]m abbe[ate]y uocabat[ur] p[er]  
rectal[es] diu[er]sas suas. & cu[m] om[n]ib[us] uillal[ibus] p[er]tenentib[us] suis. tenent[ur] in lib[er]a & pur[is]. & p[ro]p[ri]et[ar]iis demo  
lunay p[er] rectal[es] diu[er]sas p[ro]p[ri]et[ar]ias t[er]rar[um]. & cu[m] om[n]ib[us] ad p[ro]p[ri]et[ar]ias t[er]ras uillal[ibus] p[er]tenentib[us]. ita li  
bere. & iure. p[ro]p[ri]et[ar]ie. & honorifice. sic carta p[re]dict[ae] Com[ite] Wil[el]m[us] uillal[ibus] t[er]rar[um]. ita cu[m] p[er]  
p[ro]p[ri]et[ar]ias Com[ite] & h[er]edes sui facer[ent] in & herib[us] me[is] de residuo de Maderyn tota seruic[i]o. q[uo]d in deb[er]e  
tur de toto feudo de Maderyn. t[er]ra. Wille[lm]o de Stalguen. Canonicis mo[n]ast[er]ii. Philippo de Luton. Cano  
nicis meo. Wille[lm]o Com[ite]. Wille[lm]o t[er]rar[um]. Thom[as] de Colerulle Alex. de Stuelin. Ab[ate] de Camer.  
Herib[us] de Camer. et de h[er]ed[ibus] de Lundin. Thom[as] de Stalguen. et de Stuelin. iure de t[er]ra

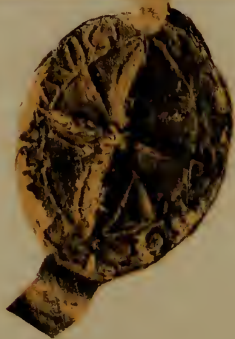


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Sciatis tam licet qm plenat qd ego tñm dedi - concessi - hoc scripto meo confirmay deo - lico  
Iohi aplo de inchealfrin - canomas ibidem deo seruentib' - seruitans. unum croctam in  
titulo meo. edardoennech. qd est pping. stagno exoleandij de sozian. ulus orientem.  
pipal diuinal qd exalif' p'oz iura sua tenuit. p dei amore - pro salute anime mee in  
liberam - ppetuam elemosinam. tenendum sibi - habendu - possidendu de me - thedibz  
meis libere - egece ab oī p'ent' seculari seruitio - seruii actione. hij sunt testel.  
Abraham capllan' dñi comitat. de strach. - iacur fili' ei. - Isachar capllan' de boglais. -  
Dñs reginald' canome de scon. henrie - iustm. - willm filij tñm. - iobald' d boglais.  
Ela femina tñm. - iaur filia ei. - 109 vlt. alij.





Abraham de gra Dunblamentis epi. vniuersi fac maies eccie filijs. Sate z bndictione. Scias  
nos p[re]sentatione. G. comite de Selk. D[omi]ni D[omi]ni D[omi]ni D[omi]ni D[omi]ni D[omi]ni D[omi]ni D[omi]ni D[omi]ni D[omi]ni  
capto z euang[eli]ze de Incheaffren. z e[st] motus ibide deo sequentib[us] z sequentib[us]. ecciam fa Cathari  
de Aberrocheun in puzam z p[ro]ciam elemosinam. Tenendam s[ed] cum omib[us] iustis p[ro]uencis suis.  
z obventionib[us] omnimodis in p[ro]p[ri]o vsu suo. Ita libe z q[ui]o. plenarie z honorifice. sicut aliq[ui] Re  
ligiosi in toto Regno scocie sua eccias libus. g[ra]tis. plenarie. z honorifice tenent z posside  
salus episcopalis n[ost]r[is]. His testib[us]. G. comite. Malg[us] fr[ater] eius. L. deo filio comite. J[er]g[us] fr[ater]  
q[ui] Gillebr[us] arch[iepiscopus]. Brian[us] p[ater] de g[ra]f. Malg[us] p[ater] de foules. Wille[lmus] capite ep[iscopu]s. Malg[us] p[ater] de Skillebr[us].  
L[ud]o. capite comite. L[ud]o. milite. Malg[us] seneschallo. L[ud]o. quibus alijs.



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H. de gra Dunke epe omibz scis hys eccē filijs Echnay i dno Sate. Hinc vultitas vlt nos cessisse & hac carta nra confirmasse. Dilectis i e filijs  
canonicis de Inche Affray Eecēmy de Madernyn cū omibz subis pntentiss suis rē libe & gēre plenarie pntentiss. sicut Carta donatiōis qm dōm  
eisdem pie memorie Johy pmi pdecessor nri testat. cū carta ecclē de Madernyn ad donatiōem epōr Wilkeld q vqz dimoficitur cē pām: pntent.  
Nos autē q licet hora vndecima sumy mē oparios vntē dñi sabbaoth a sumo pte familias ewangelico vocati. Et si religio i nob amō sro  
sufficiat & veq. et cū maliss pie ofoue & religiosos honorabile: tēare debeat. donatiōem memorati dñi Johis pdecessor nri. Hno & hys  
natiōes bone recordationis Ricard. ii. & Johis. ii. pdecessor nroz sup pfata ecclē de Madernyn lat' & benigni impetrantes: de silio dēri  
cor nroz cistern canonie eoz tenuitati & pauprati opacientes cadim & hac carta nra confirmam' ut omis puen' sepelide ecclē de Mad  
ernyn in usus suos ppos p sue voluntatis arbitrio ad hny sustentationes libe utant. Presbicos tē in eadem p tempore istauctos nob & suc  
cessoribz nris representent. q nob & cistern successoribz nris de spualibz & de plebis cura respoceant. ipis vero simaluerint de tēpo  
salibz pōnem exhibent opertate. salvo etiā inōibz cū iure episcopali. Vni h nra cessio futis tēporibz firma sata & inuassā  
pmaneat: cū sigilli nri appoe dñi nri pborandam. Hys & salz. magro. Henrico archy nro. Gillelmo capetto. Wilto captto. ga  
stho Roberto de Hayes laue. magro Johē de Herone. Wilto de elom. canonicas Wilkeld. magro Decano. Eugenio p d elom.  
Ada p d forgrund. Hugone captto nro. vntē captto de abdalyn. Berisario. lūaha. Alano clericis nris. & quibz aliis.





Omni uel scilicet ecclesie filijs et fidelibus, Gillebertus comes de Strathern, salutem. Hinc unum uisum uita  
me quando domum fundasse in honorem dei uel ecclesie et hinc Johannes apostolus et euangelista in terra mea apud Strath  
ren. ubi quosdam canonicos regis possesse. Ad cuius domum fundationem et canonicorum sustentationem factis me de  
dille et concessisse. hac carta mea confirmatio canonice. hinc de seruentibus et seruitibus. Achadunrech.  
et Ardeveni. iardhani. iofundre. i baltur. i balnagillon. et tres alias terre illi que proxima est  
ecclesie de fount. uel aglon. Et villam que dicitur Ruuagalach. quam dedi eis pro decimis lucorum meorum que  
proueniunt in terris meis de placitis. i. quod de comitatu meo. Delicet autem que in terris meis ali  
quibus eueniunt. et decimas plenarie pro solaciis. et tantum de marisio de fount. ad iurisdictionem prioratus huiusmodi quia  
uallati. et ab eis fossato Anno ab incarnatione domini. m. cc. xix. in unum uolendinum super hunc apud duffall  
quod firmauerit iuxta meum uolendinum cum omni assensu quod firmatum est Anno ab incarnatione domini. m. cc. xix.  
Hec autem omnia uolo ut plenarie habeant. teneant. et possideant. In partem ipsorum elemosinam. In deo et pla  
no. i. terris. i. agis. i. pascuis. i. ioriz. i. ioransis. i. ligni. i. uolendini. i. ipsorum. pro omni terra sua  
diuisa. cum omnibus terris pertinentiis. suis. Ita libere et plenarie. et honorifice. sic aliqui elemosina in to  
to regno scocie ab aliquo comite ut barone. liberi. et grati. plenarie. et honorifice teneant et possideant.  
Ergo uero in terra mea totum sanctum seruitium domini regis quod ad prioratus terrarum pertinent. et pertinent ad  
querant. Propter hoc autem ad iura ad honorem dei et promotionem loci ipsorum canonicorum sustentationem.  
Ecclesiam sancti patricii de Strugeth. Ecclesiam sancti seruanii de dunin. Ecclesiam sancti katanii de abwoch  
uin. Ecclesiam sancti cyohessoc de vchardouer. Ecclesiam sancti Beani de kinkelle. Ecclesiam sancti Beani de fount.  
Ecclesiam sancti Iheronimi de maderni. Ecclesiam sancti Seruanii de aydeuand. Ecclesiam sancte Brigide de kulligle.  
Tenenda sibi et successoribus suis cum terris et pascuis. i. herbis. i. ioribus. alijsque terris pertinentiis suis. et as  
sumentis. In partem ipsorum elemosinam. Ita libere et plenarie. et honorifice. sic aliqui religiosi ab  
quis ecclesiis in toto regno scocie. Liberi. et grati. plenarie. et honorifice teneant et possideant ex dono ali  
cuius comitis ut baronis. Hinc testibus. Abraha Dublanensi episcopo. Witto abbate de fount.  
Gilleto archidiacono. de Strathern. Roberto. fagui. Malisio. Gilleto filio meo. Ma  
lino senescallo meo. Bricio pro de es. Doneramo. i. Gillethoma filio Malisii. Doneramo filio  
brani. Gilleto filio iudicis de Strathern. Henrico Renario meo. Tristram filio  
Constantino dapifero. Thebaldo dispensario meo. et multis alijs.





Robertus filius Gilleberti comitis de Strathern. Omnibus dilectis amicis suis presentibus scriptis visuris vel audientibus. Sicut et presentibus quam futuris me  
pro salute anime mee ipsius mei mariti mee antecessorum meorum concessisse et hoc presentibus scriptis meo confirmasse donatione illa quam fecit pater meus  
pater meus. deo. et sancte marie. et sancto Johanni de Juchcaffren canonicis ibidem deo servientibus et servitiis de hyl' t'is. scilicet. ad luyri. et  
ad ewanij. et ad banij. et dofindre. et balfur. et balmakilleoij. et de t'is. et t'is. et illius que prima est de garsco de fout. uerfus aq'lonen  
de villa qui dicitur suuehalach. et de tanto garsij de fout adjacenti p'noiate insule quantum vallatum est ab eis fossato. Anno  
ab incarnatione domini. m. cc. xix. et de vno oxlendino super haren apud dunfallin quod firmaverunt iuxta oxlendinu' predicti  
comitis patris mei cum omnibus assensu cum quo firmatum est anno ab incarnatione domini. m. cc. xix. Et ut hec omnia prefata canonici ce  
neant et possideant in pura et perpetua elemosina. in bosco et plano. et in t'is. et aq's. et in pratis et pasuis. et in moris et mareis. et in stagnis  
et molendinis et piscariis. pro omnibus rectis suis diuisas cum omnibus talibus pertinentiis suis. Ita libere et quiete. plenarie et honorifice.  
sicut carta prenominate comitis patris mei testatur et confirmat presentibus scriptis predictis canonicis sigilli mei munimine roborauit.  
Preterea cum omnibus hijs preteritatis concedo eis et confirmo has ecclesias quas pater meus eis donauit. scilicet. ecclesiam sancte patricij  
de l'rugger. ecclesiam sancte Seruans de dunij. ecclesiam sancte Beany de fout. ecclesiam sancte Beany de kunkelle. ecclesiam sancte katanij.  
de abrochuij. ecclesiam sancte oxhessoc de vcardouer. ecclesiam sancte Seruans de aydeuard. ecclesiam sancte Seruans de tullidene.  
ecclesiam sancte brigide de killbrigde. ecclesiam sancte ydarnalis. de ayadornij. Tenendas et possidendas sibi et successoribus suis cum t'is  
et pasturis et herbagiis et alijs iustis pertinentiis suis et esiam t'is in puram et perpetuam elemosinam. Ita libere et quiete. ple  
narie et honorifice. sicut carta sepe dicti comitis patris mei testatur et confirmat. Hijs t'is. Abrahā dunblanen si  
epo. Willo abbe de s'ona. Gilleberto archidiacono de strachij. regis. malisio. Gillebro. frater meus. malisio senescallo  
predicti patris mei. Jurdano senescallo meo. Bricio persona de arf. de necano et Gillecoma filijs malisij. Gillecrilt filio  
iudicis de stracheren. henrico kenario patris mei. et alijs alijs.



Robertus comes de Strathern omnibus hoc scriptum visuris vel audientibus salutem. Sciam quod sancti et huius  
iure concessisse et hac carta mea confirmasse deo et beato carole et beato Johanni apostolo et iustitiarum  
reuerentiam canonice eidem loci eorumque successoribus tenendum sibi et me et heredibus meis in puram et pacem  
demolendam omnes ecclesias. terras. possessiones. libertates. decimas. Consuetudines. Assamenta. et  
mas. omnimodas in domo mea. et in terra mea. et cetera omnia que prioratus comes dicit et pariter meum  
eidem canonice dedit et concessit. et per cartas suas inde factas confirmavit. Ita libere quiete. plena  
re et honorifice et integre. sicut in eisdem cartis patris mei et mei continetur. Preterea concedo et  
dico canonice. et eis paco de me et heredibus meis in concessis tenendum plene carta confirmo. quatenus  
nullus in eis nec vel aliquo modo conturbet aliquem eorum vel quocumque alium. nisi saltem de consensu et  
reuerentia ad ipsos canonicos de iure pertinentibus. huius testibus. Abrahamus episcopus mumbelan. Gilbertus  
archid. de Strathern. Jurgius. waltherus. Gilbertus fratres mei. Ricardus filius de cres. Wackebet more  
Dunecano et Gilbertus filius waltheri et alii alii.

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Alax. de grat. Rex. Sciant omnes homines quod nos et nos domini et abbas et cano-  
nicos et frater et homines et possessiones eorum universas sub firma pace et protectione nostra  
intra septuaginta dies habent firmas. Et quis est inuicem ut inuicem aut septuaginta dies quos  
intra in terra pignora super nos pignora foris factum. Concessimus et pater abbas et canonicos in  
ubianagi inuenire poterunt. Et nos et nos homines suos qui sui et ratione esse debent  
eos iuste habent. Et pignora firmas. Et quis est inuicem pignora super nos pignora  
foris factum. Et nos et nos archidiaconi. Et nos et nos archidiaconi. Et nos et nos archidiaconi.  
Anno regni nostri undecimo.



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THE UNIVERSITY OF CHICAGO PRESS



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Omnia xvi fidelibus p[re]sentis scriptum videtur vel audire. Inter quos etiam Galfridum de nactham  
salutem. Fides vultus v[est]ra p[ro]p[ter] diuine pietatis intuitu p[er] salutem amorem p[ro]p[ri]i mee bechoc et p[er]  
curam. Ince[ss]anter de hereditate meo[rum] dedit. Concessit. et hac Carta mea firmata. In p[re]sentem et p[er]  
petuam elemosinam deo et beate marie et beato ioh[ann]i ap[osto]lo et eu[angel]iste de iuliana millar. et dano  
m[er]it[is] ibidem deo seruientibus et imp[er]at[or]i seruientibus. Sciam de schurthe. Cum omnia iustis p[ro]  
tinentibus suis penendam sibi et habendam superpetuam. Ita libere plenarie. Quod iure et honorifi  
ce. sicut aliqui baro totius regni scocie liberius plenarie. Quod iure. Aliam etiam dare  
vel conferre potest. De autem ista mea donatio firma et incussa hanc p[er]maneat p[re]s[ent]is  
scriptum sigilli mei munimine. Vna cum sigillo venabilis patris. E. de. gra. dublan. epi.  
tempore huius collationis cum an. ep[iscop]o argadie optinenti. Notari petram. hys testib[us]  
domino ioh[ann]e milice. de. vrb[is]. domino. galfrido quincto. cum consensu. de. the. m. tra.  
cum de. g[ra]. ioh[ann]e. gelulach. Vilto. filio. hano. et ioh[ann]e alio. h[ab]entibus. de. p[er] et multis  
Aliis...





**A**lexander ipse sermo senior dilectus filius abbi prior de sacro nemore ordinis premonstratensis salutem in domino sempiternam. Quia dilectus filius abbas conventus ecclesie de  
 Tufesburgensi ordinis sancti Augustini cum sancto dilectis quibus predecessores eorum decimas redditus molendina nemora in  
 inductiones tunc possessiones quodam alia bona ipsius ecclesie nonnullis clericis laicis tam religiosis quam secularibus  
 aliquibus eorum ad non indidem tempus quibusdam uero perpetuo et alijs diuinitet ad firmam et sub consensu annuo co-  
 cesserunt. Quia super hoc litteris apostolicis penitus et interpositis inuicentis in enormem lesionem ecclesie superinde quibus  
 aliqui dicuntur super hijs a papa apostolica in communi forma confirmationis litteris impetrasse. Quia uero non est  
 lesio ecclesie et monasterijs subiacent. Discretionem uero per apostolica scripta mandamus quatinus ea que de bonis  
 auctoritate ecclesie per concessiones huiusmodi alienata inuenieritis illicita uel distracta non obstantibus penitus  
 litteris inuicentis et interpositis superinde ad usum et proprietatem ipsius legitime tenere curetis  
 Contradicentes per consensum ecclesiasticam appellatione postposita compescendo. Testes autem qui fuerint notati si se-  
 cundum diem uel timore subierint consura simili appellatione cessante cogitis iurati testimonium prebere. Dat  
 Iniquo iij kl Septembris Pontificatus  
 Anno Secundo











The history of the United States of America is a story of a young nation that grew from a small group of colonies on the eastern coast of North America. In 1776, the colonies declared their independence from Great Britain, and on September 3, 1783, the British evacuated New York City and fled to the sea. The United States was born.

The new nation faced many challenges in its early years. It was a vast, sparsely populated country with a diverse population of people from many different backgrounds. The government was weak, and the states often acted in their own interests rather than for the good of the nation as a whole.

Despite these challenges, the United States emerged as a powerful nation in the 19th century. It expanded its territory westward, and its economy grew rapidly. By the mid-19th century, the United States was one of the most powerful nations in the world.

The United States has a long and rich history, and it continues to play a leading role in the world today. Its values of freedom, democracy, and equality have inspired people around the world.

in illis p[ro]p[ri]et[ar]ibus p[re]dictis scriptum videtur. Joh[ann]es cumyn filius bone memorie quondam d[omi]ni Joh[ann]is cumyn salutem etiam in d[omi]no. Nos p[ro] salute anime n[ost]re et uxoris  
n[ost]re ac lib[er]o[rum] n[ost]ro[rum] et papie p[ro]p[ri]et[ar]ie n[ost]re memorie d[omi]ni Joh[ann]is cumyn p[re]s[ent]is n[ost]ri ac cancellor[is] n[ost]ro[rum] dilecti et concessit et ac plena carta n[ost]ra confirmavit p[ro] nobis et heredib[us] n[ost]ris in p[ro]p[ri]etate  
deo et beate marie ac s[an]c[t]i Joh[ann]is ap[osto]lici et b[e]n[e]dicti et viri religiosi albi et conventui monachoru[m] de salula willari et cor[por]e hominu[m] in p[ro]p[ri]etate et perpetua cleinolina lib[er]am p[ro]p[ri]etate calerund  
et animalib[us] caruagiu[m] et aliu[m] bonu[m] l[ib]er[um] p[ro] publica viam que duat a d[omi]no monachis p[ro] nigri vadu qui locat de archethey in memorie n[ost]re de volundouyn usq[ue] ad villam de perth p[ro]p[ri]etate  
et ibidem firmandi sup[er] eam n[ost]ra et n[ost]ra iustitiam l[ib]er[um] sustinendi sup[er] eam d[omi]no ab[bat]is et conventui eode[m] q[ue] p[ro]p[ri]etate utendi in p[ro]p[ri]etate p[ro] lib[er]o l[ib]er[um] voluntate arbitrio sine aliqua reclamacione co[n]cedite  
aut gravamine n[ost]ro vel heredu[m] n[ost]ro[rum]. Unde firmiter inhiberi serventib[us] n[ost]ris qui p[ro]p[ri]etate h[ab]ent de n[ost]ra custodiendis et in p[ro]p[ri]etate custodiendis ne deas religiosi seu cor[por]a  
hominu[m] cu[m] p[ro]p[ri]etate p[ro]p[ri]etate et viam calerund p[ro]p[ri]etate p[ro] negociis suis expediendis in reb[us] suis aut p[ro]p[ri]etate co[n]suetudine dampnu[m] aliq[ui]d aut gravamen cu[m] aut cor[por]e aliqua in parte plumbant  
volunt etiam p[ro] nobis et heredu[m] n[ost]ro[rum] q[uo]d si contingat aliqua d[omi]no ab[bat]is et conventui aut hominu[m] l[ib]er[um] in p[ro]p[ri]etate n[ost]ra calerund h[ab]ere unu[m] denariu[m] argenti p[ro] quolibet calerund d[omi]no  
et aliu[m] no[n]ne p[ro]p[ri]etate sine maiori exactio[n]e serventib[us] n[ost]ris et heredu[m] n[ost]ro[rum] p[ro]p[ri]etate. Nisi aliqua d[omi]no religiosor[um] ab[bat]is et conventui seu hominu[m] corde in n[ost]ra p[ro]p[ri]etate p[ro]p[ri]etate de nocte  
vel die p[ro]p[ri]etate tenente vel p[ro]p[ri]etate p[ro]p[ri]etate p[ro]p[ri]etate. Sol[us] et heredu[m] n[ost]ro[rum] deam d[omi]no p[ro]p[ri]etate n[ost]ra ut p[ro]p[ri]etate est et unnel ho[n]o[r]is in p[ro]p[ri]etate varenazabim et de n[ost]ra. In cu[m] rei t[er]m[in]i  
mouit h[ic] scripto sigillu[m] n[ost]ru[m] appon[ere] fecim[us]. Dat[um] apud Galknes die lune prima ante festu[m] s[an]c[t]e marie magdalene Anno d[omi]ni m[ille]mo c[entesimo] lxxviii octavo. H[ic] sigillu[m] d[omi]ni Will[el]mi  
et Alexandri fr[at]ru[m] n[ost]ro[rum] d[omi]ni Rich[ard]i de vepur et philippo holidand et alib[us] Alano d[omi]no feigus et ac benedi[ct]o hugon[is] labro Alano sineate n[ost]ro et multis aliis

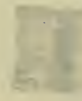


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¶ **D**umly xpi fidelibz presens scripta visuris uel audiribz qualis sius quondam qualis cornes de straperi salute etiam  
indio. honoris nos p salute anime ure et antecessozz uroz dedisse. concessit et profecto carca nra confirmasse in liban pri-  
tam et ppetuam elemosinam deo et monastio sci Johis eple et suffigite de insula missay et canonicis ibidem deo seruientibz  
et in ppetuam seruicuriis aduocatione ecclie de struy. ci solo in quo fundatur ipsa ecclia. una cu illa ppetua tre de qua p nos  
dotata fuit ipsa ecclia in sua dedicatione et quicquid laica psona in ecclia dare poterit uel concedere. Veniendā et habendā aduo-  
catione de ecclie cuij solo sicut pcedem est. de uobis et heredibz uris. sibi et successozz nra libe. querece. plene. pacifice. et  
honorifice sicut aduocato alicui ecclie ab aliquo comite uel barone in regno scocie. aliquibz viris religiosis. liberius. quereci.  
plenius. et honorificentius in liban. ppetuam et ppetuam elemosinam dari poterit et ab ipsis reueri. et possideri. Nos vero et he-  
redes nostri pcedem donatione et concessione nram de pceda aduocatione sicut pcedem est. cont. omnes homines et feminas.  
vauantialibz. ad querealibz. et defendem. Et ut hec ita donacio. concessio et carce nre confirmacio. rata et stablis in ppetuam  
pmaneat. hoc scripta sigilli nri munimine rotozauim. Hinc testibz. Hinc testibz. Hinc testibz. Hinc testibz. Hinc testibz.  
magro thom. eiusdem loci decano. magro Augustin. dunblancus archidiacon. Hinc testibz. Hinc testibz. Hinc testibz. Hinc testibz.  
tricio de Galsh. Hinc testibz. Hinc testibz. Hinc testibz. Hinc testibz. Hinc testibz. Hinc testibz. Hinc testibz. Hinc testibz. Hinc testibz.

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Main body of handwritten text, consisting of several lines of cursive script. The text is significantly faded and difficult to read, but appears to be a continuous paragraph or list of entries.



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Omnes qui fideliter has litteras viderint et audierint velis que comes de Straberg saluam eorum in domino. Fidei  
 et multas que ad iure. Cur et dignos constituti in de susula assistent nobis de hominibus eius succursum  
 fecerint pro pace et tranquillitate Regni eorum sustinend. post obitum felici memoracione Domini Alexandri Regis  
 eorum illustre. Volimus tamen que ex illa curialitate que nobis ex eius prealiqua tunc fecerint. Dato festo  
 grose aut eorum successores ut monasterio suo nullatenus fiat et has prouidant nec pro eis heredes in de aliquo  
 tempore mandate. vel preterintentione et ab huiusmodi exactionibus et imperfectionibus omnium auctoritate in de. Et  
 mitem de Straberg penite et hinc quere. In cuius testimonium presentibus sigillis nostris apponimus. Dato  
 apud piden monasterio in eodem preterito. Anni ante millesimo. Secundo.













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Omnia haec iura vobis ut antea. Et cum istis iuris iudicium in dno educe. Et sicut dicitur in dno de  
 nobis et heredibus nris de se gessisse et hac p[ar]te sua nra q[uod] n[ost]re dno q[uod] n[ost]re sacra nra et heredibus suis h[ab]ere  
 censu[m] et potestate quere[n]di colligendi et habendi om[n]e n[ost]re h[ab]ere iure p[er]petuo ad d[omi]n[u]m de h[ab]ere et de p[er]o  
 n[ost]re h[ab]ere iure de d[omi]n[u]m n[ost]re n[ost]re ad d[omi]n[u]m i d[omi]n[u]m d[omi]n[u]m de h[ab]ere et de p[er]o n[ost]re h[ab]ere iure de  
 p[er]petuo eadem d[omi]n[u]m. Et heredibus suis et om[n]i b[en]e et ad illis suis et om[n]i b[en]e illis p[er]petuo h[ab]ere h[ab]ere  
 eius n[ost]re d[omi]n[u]m n[ost]re h[ab]ere iure p[er]petuo et n[ost]re p[er]petuo h[ab]ere iure p[er]petuo h[ab]ere iure p[er]petuo h[ab]ere iure p[er]petuo  
 eius q[uod] h[ab]ere n[ost]re p[er]petuo h[ab]ere iure p[er]petuo h[ab]ere iure p[er]petuo h[ab]ere iure p[er]petuo h[ab]ere iure p[er]petuo  
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 et n[ost]re d[omi]n[u]m. D[omi]n[u]m apud font. n[ost]re h[ab]ere iure p[er]petuo h[ab]ere iure p[er]petuo h[ab]ere iure p[er]petuo h[ab]ere iure p[er]petuo  
 et n[ost]re d[omi]n[u]m. D[omi]n[u]m apud font. n[ost]re h[ab]ere iure p[er]petuo h[ab]ere iure p[er]petuo h[ab]ere iure p[er]petuo h[ab]ere iure p[er]petuo



29. EARL MALISE II'S GRANT TO HIS SISTER MARY OF THE RIGHT TO PURSUE HER SERFS, 1268/69.  
 (App. No. V. p. 159.)

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30. EARL GILBERT'S FIRST SEAL (OBVERSE) AND SECOND SEAL (OBVERSE AND REVERSE).

PLATE I. THE TWO SPECIES OF THE GENUS *Phyllanthus* (L.)



et multo alio Carta de terra de terra Willi filii

xli

**U**niversis fir matris ecclesie filijs: hancochi p<sup>ra</sup>  
 hoc scriptu visuris del auditoris Robertus  
 de gra abbas de ston et eiusdem loci convento  
 humilis salute in dno etiam nominis nos con cōfessu  
 et solitare capli nri illa vendicem qua vobis filij  
 habebat de p<sup>ri</sup> vobis religiosi abbat et conventu de  
 insula missari fecit vobis et summa hinc p<sup>ri</sup> scriptu  
 nri munimie voluisse volent et coadun q<sup>u</sup> dicit ad  
 bas a conventu dicit etiam de nobis a successorib; nris  
 impetuu hie a qere teneant et possidant faciendo  
 nobis p<sup>ri</sup> fūcū quod p<sup>ri</sup> factu vobis facere cōsuevit  
 filij p<sup>ri</sup> d<sup>o</sup> nobis q<sup>u</sup>q<sup>u</sup> solidos annuatū medietate ad  
 vobiscōt<sup>u</sup> e medietate ad festu b<sup>i</sup> avarim pro o<sup>i</sup>  
 fūcio st<sup>u</sup> saluo fūcio d<sup>o</sup> Reg<sup>is</sup> Et nos  
 p<sup>ri</sup> etiam eiusdem abbat et conventu contra o<sup>i</sup> l<sup>o</sup>  
 d<sup>o</sup> d<sup>o</sup> et defendem<sup>u</sup> In annis v<sup>o</sup> test<sup>u</sup> hoc scriptu  
 sigille nri comun vobiscōt<sup>u</sup> Est caplo; Car

**O**mibus hie scriptu ta Willi de la casta de p<sup>ri</sup> p<sup>ri</sup>  
 tum insuris del auditoris Ricard<sup>o</sup> a xli  
 la casta burg<sup>o</sup> de p<sup>ri</sup> etiam in d<sup>o</sup> salute et dicit  
 d<sup>o</sup> n<sup>o</sup>stras d<sup>o</sup> me pro salute aie nre et antecessoru

meam dedisse accessisse et hac carta mea confirmasse deo  
 beate marie et beato ioh<sup>o</sup> aplo et euangeliste de in b<sup>o</sup>ham  
 et ceteris ibide deo fumentib; et p<sup>ri</sup> in puram et  
 p<sup>ri</sup> elemosina tota illa etiam que me cōm<sup>o</sup>  
 terra ioh<sup>o</sup> filij d<sup>o</sup> que q<sup>u</sup> p<sup>ri</sup> inter n<sup>o</sup> etiam q<sup>u</sup>  
 d<sup>o</sup> filij v<sup>o</sup> etiam abbas et conventu de ston qua  
 terra vobis filius h<sup>o</sup> tenet de me et meis antecessorib;  
 t<sup>u</sup> sibi et heredib; suis venend<sup>o</sup> et h<sup>o</sup> sibi et successorib;  
 suis impetuu ita libere a quiete sicut aliquod burgagium  
 in villa de p<sup>ri</sup> h<sup>o</sup> q<sup>u</sup> ab aliq<sup>u</sup> tenet vel possi  
 detur saluo conventu p<sup>ri</sup> vobis filij h<sup>o</sup> de p<sup>ri</sup>  
 deam s<sup>o</sup> de p<sup>ri</sup> etiam in d<sup>o</sup> meis de h<sup>o</sup>  
 h<sup>o</sup> suis annuatū vobiscōt<sup>u</sup> et saluo fūcio d<sup>o</sup> Reg<sup>is</sup>  
 In annis v<sup>o</sup> test<sup>u</sup> hinc scriptu sigille meu d<sup>o</sup> cum  
 sigillo t<sup>u</sup> de p<sup>ri</sup> ap<sup>o</sup> f<sup>o</sup> h<sup>o</sup> et h<sup>o</sup> a<sup>o</sup> Rob<sup>o</sup>  
 de la casta d<sup>o</sup> henrico filio v<sup>o</sup> d<sup>o</sup> de  
 batalia h<sup>o</sup> h<sup>o</sup> d<sup>o</sup> v<sup>o</sup> de p<sup>ri</sup> etiam  
 de h<sup>o</sup> et h<sup>o</sup> ac<sup>o</sup> apud p<sup>ri</sup> die s<sup>o</sup> p<sup>ri</sup>  
 p<sup>ri</sup> festu s<sup>o</sup> d<sup>o</sup> Anno g<sup>o</sup> a<sup>o</sup> d<sup>o</sup>  
**O**mnibus nri t<sup>u</sup> et Walteru p<sup>ri</sup> de  
**O**mibus xpi h<sup>o</sup> p<sup>ri</sup> scriptu t<sup>u</sup> in p<sup>ri</sup> xli



# REPORT OF THE TWENTY-FIRST ANNUAL MEETING OF THE SCOTTISH HISTORY SOCIETY

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THE TWENTY-FIRST ANNUAL MEETING OF THE SOCIETY was held in Dowell's Rooms, Edinburgh, on the 30th of November 1907, the Right Rev. BISHOP DOWDEN, D.D., LL.D., presiding.

The Chairman expressed regret at the absence of Lord Rosebery, whose speeches, always so bright, so pertinent, so entertaining, gave a distinction on many occasions to their annual gatherings, and were something to look forward to with anticipation, and to look back upon with delight.

The Secretary read the Report of the Council as follows:—

Thirteen members of the Society have died, and four have resigned since the last Annual Meeting. The Society has special reason to mourn the loss of Professor Masson, who, from its inception, rendered such valuable services to it. He presided at the meeting, held on the 17th of February 1886, when 'it was resolved to move in the direction of the formation of a Society for the printing of unpublished documents, illustrative of Scottish History in the widest sense of the term'; and he was a member of the committee which, eight days later, decided that 'the name of the Society shall be the Scottish History Society.' He was also Chairman of the Council from its first meeting (25th May 1886) until his death; and, though latterly unable to attend the meetings,

he never ceased to take a keen interest in the work of the Society.

After the vacancies caused by death and resignation have been filled, there will still be forty-two names on the list of applicants for Membership.

During the past year three Volumes have been issued—

1. The second volume of *Macfarlane's Geographical Collections*.
2. *The Statutes of the Scottish Church*.
3. *Ochtertyre House Booke of Accomps*.

The first two of these were due for the financial year ending in November 1906. For that year there has still to be issued the third volume of *Macfarlane*, which is finished, so far as the Text and Introduction are concerned (320 pages being printed off); but the Index, which is to serve for the three volumes of the work, and is to be included in this one, is not yet completed.

Besides the *Ochtertyre House Booke*, the Council hoped to issue other two volumes for the year which has just closed, viz. :—

1. *The Charters of Inchaffray*.
2. *A Selection of the Forfeited Estates Papers*.

The first of these, the *Inchaffray* volume, is all printed off except the Index. The volume of *Forfeited Estates Papers* has been delayed through the unfortunate illness of the editor, Mr. A. H. Millar, who has, however, now regained his health, and expects to be able to have most, if not all, of the MS. ready for the printers early in January.

For the year which has just begun the Council proposes to issue at least two volumes, viz. :—

1. *Records of the Commissions of the General Assemblies, 1650-1653*. Nearly the half of this volume is already in type, and the editor, the Rev. James Christie, D.D., has carefully collated a considerable portion of it with the original.

2. *Papers relating to the Scots in Poland*. The Council learned of the existence of these papers from Captain Alexander Murray, British Consul-General at Warsaw; and, on his



recommendation, arranged with Miss Beatrice Baskerville to search for, to transcribe, and to edit them. Her researches in the archives of Warsaw and Cracow have been rewarded by the discovery of a vast number of documents. From these she has selected and transcribed 143 of the more interesting and important, belonging to the sixteenth, seventeenth, and eighteenth centuries. Some of them relate to the Scots colonies and the privileges granted to them by the kings of Poland, while others refer to notable Scotch families and individuals. They show that of old the Scots played an important part in Poland; and a number of their descendants are still there. Many of the facts discovered by Miss Baskerville will, it is believed, be quite new to historians. The Council has been fortunate in securing the services of the accomplished authoress of *The Polish Jew*.

Important portions of the long-lost *Diary of Johnston of Wariston* have been found at Mellerstain; and Lord Binning has kindly consented to allow the Society to use them, as also *Lady Grisell Baillie's Day Book*, and other valuable MSS. in his possession. From these, or from MSS. in other collections now under consideration, the Council may issue a third volume for the current year. It may be mentioned that Professor Masson was greatly interested in the *Wariston Diary*, and in the *Papers relating to the Scots in Poland*.

As this is the Twenty-first Annual Meeting, the Society has now attained its majority. It undertook to 'issue yearly two octavo volumes of about 320 pages each'; but it has, not infrequently, issued three volumes a year, and several of them have contained many more than the promised number of pages. Instead of forty-two volumes, the Society has sent out forty-nine, and the three which are now due bring the number up to fifty-two. Over and above these, five volumes have been presented to the members of the Society, one by Lord Rosebery, one by Messrs. T. and A. Constable, two by the Trustees of the late Sir William

Fraser, and one by the family of the late Mr. John Scott, C.B. Forty-two volumes of 320 pages each would amount to 13,440 pages. The forty-nine printed by the Society contain fully 21,000; the three which are due will contain about 1200; and the five which have been presented contain 2000. The total amount, therefore, is well over 24,000 pages. Notwithstanding all that has been done, there is still abundance of valuable MS. material available for publication. Of the intrinsic value of the documents and records already printed, and of the editorial work, the members of the Society are the best judges.

Sir Thomas Gibson Carmichael, Professor Rankine, and Sir James Balfour Paul are the three members of Council who fall to retire at this time; and another vacancy has been caused by the death of Professor Masson. The Council recommend that Professor Rankine and Sir James Balfour Paul be re-elected, and that Lord Guthrie and Mr. W. B. Blaikie be elected as the new members of Council.

Bishop Dowden has been elected Chairman of the Council.

As will be seen from the accompanying *vidimus* of the Hon. Treasurer's accounts, the balance in favour of the Society on the 7th of November 1906 was £618, 5s. 11d., the income for the year 1906-1907 was £529, 3s. 10d., and the expenditure £741, 10s. 1d., leaving a balance of £405, 19s. 8d. in favour of the Society.

THE CHAIRMAN, in moving the adoption of the Report, said the event of most importance in the history of the Society during the last twelve months was the loss the Society had suffered by the death of the chairman of the Council—the late Emeritus Professor Masson. As a chairman, Professor Masson was always wise and tactful, and when his health no longer permitted him to preside the Council felt that they could always resort to him for information and for advice. Even at quite a recent date he examined and contributed a valuable report upon Captain Murray's letters concerning the Scots in Poland, and upon the extracts from the records upon the subject preserved in Polish archives. Professor

Masson's mind was cast in the mould of the serious historical student. Sound and discriminating as were his critical estimates of literature, he was at his best when he viewed literature from the standpoint of history. His great work, his colossal work, the *Life of Milton*, which occupied him for more than twenty years, was something much more extensive than a biography of the poet. It was, in truth, a history of Great Britain during more than half of the seventeenth century. It was Thomas Carlyle who spoke of Masson's great work as 'Masson's History of the Universe from 1608 to 1674, which he wished to call the *Life of Milton*.' Although the Council had already put on record their feelings on the subject, he ventured to ask the general meeting of the members of the Society to authorise him as chairman to convey to the family of the late Professor Masson an expression of the sense of the Society's loss and of their sympathy. They had long hoped for the treatise by Sir Thomas Craig of Riccarton, entitled *De Unione Regnorum*, which Professor Masson had undertaken to edit for the Society, and which was said to be one of the very ablest of the works of the eminent author of *Jus Feudale*. But their hopes had been disappointed.

Their indefatigable secretary had taken the occasion of the Society having reached its majority to tell them the number of well-printed pages that had been issued to the members of the Society since its origin. But what interested them more than the quantity of the fare offered was its quality. The fare was very varied, and fitted to gratify different tastes. They had received the second volume of *Macfarlane's Geographical Collections*, edited by Sir Arthur Mitchell, a weighty and valuable contribution to the study of Scottish topography. They had received Dr. Patrick's translation of the Latin documents published in Joseph Robertson's *Statuta Ecclesie Scoticanæ*. And in Dr. Patrick's work they had much more than a translation. They had in the introduction and in the annotations much that helped to make intelligible ecclesiastical enactments that were obscure to the reader occasionally by reason of the corrupt Latin text, but more frequently because it needed special technical knowledge to reconstruct the conditions of Church life in Scotland in the mediæval period. And if any member of the Society found these two admirable volumes rather solid food, he could indulge himself with the kickshaws and other light viands of the *Ochertyre House Book*, which Dr. Colville had presented with all the artistic skill of an accomplished chef. Yet he ventured to say that the variety of supply afforded by the

Society far surpassed the variety of the daily menu offered to the household of the Murrays of Ochertyre. The highest flights of imaginative cookery which came from the kitchen of Ochertyre were, he thought, apples and cream and a fricassee of tripe.

Of the book that would be in their hands in a few weeks, the *Inchaffray Charters*, he was able to speak freely, because his own share in the work had been comparatively small. It would be a first-rate book, and its chief merits, Mr. Lindsay and himself were very conscious, were due to the immense amount of care and trouble bestowed upon it by Dr. Maitland Thomson. The book also owed much to Dr. Thomson's investigations in the Vatican archives—investigations which were pursued up to the very time when the last pages were going through the press.

Sir JAMES BALFOUR PAUL seconded, and the report was unanimously adopted.

Mr. BEATSON BELL, speaking of the interest which Professor Masson took in the work of the Society, said it so happened that Professor Masson and he were very near neighbours in the Highlands this year, and it also happened that the British Consul at Warsaw was a friend of his (Mr. Bell). The British Consul sent him lists, taken from the Warsaw archives, of Scottish names which he could not identify. The fact that they could not be identified was not very wonderful; because evidently they were Scottish names written down to dictation by Polish clerks, and they had thus Scottish names beginning with 'Cz.' About a fortnight before his death Professor Masson went over these names speculating as to what they meant.

The meeting afterwards closed with votes of thanks to the chairman and the Council.

# ABSTRACT OF THE HON. TREASURER'S ACCOUNTS

*For the Year ending 12th November 1907*

## I. CHARGE.

I. Balance from previous year—				
(1) In Bank on Deposit Receipt,	£600	0	0	
(2) In Bank on Current Account,	17	4	11	
(3) In hands of Treasurer, . . . . .	1	1	0	
			£618	5 11
II. Subscriptions, viz.—				
(1) 400 subscriptions for 1906-7,	£420	0	0	
7 in arrear for 1905-1906, . . . . .	7	7	0	
3 in advance for 1907-1908, . . . . .	3	3	0	
			£430	10 0
Less 14 in arrear and 1 in advance for 1906-1907, . . . . .	15	15	0	
			414	15 0
(2) 82 Libraries, . . . . .	£86	2	0	
1 in arrear for 1905-1906, . . . . .	1	1	0	
1 in advance for 1907-1908, . . . . .	1	1	0	
			£88	4 0
Less 3 in arrear for 1906- 1907, . . . . .	3	3	0	
			85	1 0
III. Copies of previous issues sold to New Members,			2	9 0
IV. Interest on Deposit Receipts, . . . . .			26	17 10
V. Third Dividend—Cheque Bank, . . . . .			0	1 0
			£1147	9 9
Sum of Charge, . . . . .			£1147	9 9

## II. DISCHARGE.

I. *Incidental Expenses*—

(1) Printing Cards, Circulars, and Reports, . . . . .	£14	2	9	
(2) Stationery and Receipt Book, . . . . .	3	16	5	
(3) Making-up and delivering Publications, . . . . .	28	8	4	
(4) Postages and Incidental Expenses of Secretary and Treasurer, . . . . .	6	7	10	
(5) Clerical Work and Charges on Cheques, . . . . .	3	9	3	
(6) Hire of Room for Annual Meeting, . . . . .	1	6	0	
	<hr/>			£57 10 7

II. *Macfarlane's Geographical Collections. Vol. II.*—

Composition, Printing, and Paper, . . . . .	£152	5	0	
Proofs and Corrections, . . . . .	59	13	0	
Translations and revision of Latin, . . . . .	38	1	0	
Binding 545 copies, . . . . .	18	3	4	
	<hr/>			£268 2 4
Less paid to account Nov. 1906	128	8	0	
	<hr/>			139 14 4

III. *Statuta Ecclesiæ Scoticanæ, 1225-1559*—

Composition, Printing, and Paper, . . . . .	£83	11	0	
Proofs and Corrections, . . . . .	59	7	6	
Back lettering, . . . . .	0	15	0	
Binding 525 copies, . . . . .	17	10	0	
	<hr/>			£161 3 6
Less paid to account Nov. 1906,	29	12	0	
	<hr/>			131 11 6
Carry forward, . . . . .	<hr/>			£328 16 5

Brought forward, . . . £328 16 5

IV. *Ochtertyre House Booke*—

Composition, Printing, and			
Paper, . . . . .	£86	0	0
Proofs and Corrections, . . . . .	19	19	6
Transcribing MS., . . . . .	8	18	0
Backlettering, . . . . .	0	13	0
Binding 535 copies, . . . . .	17	16	8
			<hr/>
			133 7 2

V. *Macfarlane's Geographical Collections. Vol. III.*—

Composition, Printing, and			
Paper to date, . . . . .	£77	12	0
Proofs and Corrections, . . . . .	16	8	6
			<hr/>
			94 0 6

VI. *Charters of Inchaffray Abbey*—

Composition, Printing, and			
Paper to date, . . . . .	£90	18	0
Proofs and Corrections, . . . . .	37	14	6
Reproducing Charters and			
engraving Map to date, . . . . .	76	2	6
			<hr/>
	£204	15	0
Less paid to account Nov. 1906,	84	19	0
			<hr/>
			119 16 0

VII. *Records of the Commission of Assemblies*—

Composition, to date, . . . . .	£47	4	0
Alterations, . . . . .	1	3	0
			<hr/>
			48 7 0

VIII. *The Scots in Poland*—

Researches in Warsaw and Cracow—Miss			
Baskerville's expenses, . . . . .	17	3	0
			<hr/>
Carry forward, . . . . .	£741	10	1

Brought forward, . . . £741 10 1

IX. *Balance to next account—*

(1) On Deposit Receipt, . . .	£350 0 0	
(2) On Current Account, . . .	55 19 8	
		405 19 8

Sum of Discharge, . . . £1147 9 9

EDINBURGH, 20th December 1907.—Having examined the Accounts of the Hon. Treasurer of the Scottish History Society for the year ending 12th November 1907, of which the foregoing is an Abstract, we beg to report that we have found the said accounts to be correctly stated and sufficiently vouched, closing with a balance in Bank of £405, 19s. 8d.—£350 of which is on Deposit Receipt, and £55, 19s. 8d. in Account Current.

RALPH RICHARDSON, *Auditor.*

WM. TRAQUAIR DICKSON, *Auditor.*







# Scottish History Society.

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## THE EXECUTIVE.

1907-1908.

*President.*

THE EARL OF ROSEBERY, K.G., K.T., LL.D.

*Chairman of Council.*

Right Rev. JOHN DOWDEN, D.D., LL.D., Bishop of Edinburgh.

*Council.*

JOHN RANKINE, K.C., LL.D., Professor of Scots Law in the University of Edinburgh.

Sir JAMES BALFOUR PAUL, Lyon King of Arms.

THE HON. LORD GUTHRIE.

WALTER B. BLAIKIE.

ROBERT FITZROY BELL, Advocate.

G. M. PAUL, D.K.S.

DONALD CRAWFORD, K.C.

RALPH RICHARDSON, W.S.

J. MAITLAND THOMSON, LL.D., Advocate.

P. HUME BROWN, M.A., LL.D., Professor of Ancient History and Palæography in the University of Edinburgh.

Sir ARTHUR MITCHELL, K.C.B., M.D., LL.D.

A. FRANCIS STEUART, Advocate.

*Corresponding Members of the Council.*

Prof. C. H. FIRTH, LL.D., Oxford; Rev. W. D. MACRAY, Ducklington Rectory, Witney, Oxon.; Prof. C. SANFORD TERRY, Aberdeen.

*Hon. Treasurer.*

J. T. CLARK, Crear Villa, 196 Ferry Road, Edinburgh.

*Hon. Secretary.*

D. HAY FLEMING, LL.D., 4 Chamberlain Road, Edinburgh.

## RULES

1. THE object of the Society is the discovery and printing, under selected editorship, of unpublished documents illustrative of the civil, religious, and social history of Scotland. The Society will also undertake, in exceptional cases, to issue translations of printed works of a similar nature, which have not hitherto been accessible in English.

2. The number of Members of the Society shall be limited to 400.

3. The affairs of the Society shall be managed by a Council, consisting of a Chairman, Treasurer, Secretary, and twelve elected Members, five to make a quorum. Three of the twelve elected Members shall retire annually by ballot, but they shall be eligible for re-election.

4. The Annual Subscription to the Society shall be One Guinea. The publications of the Society shall not be delivered to any Member whose Subscription is in arrear, and no Member shall be permitted to receive more than one copy of the Society's publications.

5. The Society will undertake the issue of its own publications, *i.e.* without the intervention of a publisher or any other paid agent.

6. The Society will issue yearly two octavo volumes of about 320 pages each.

7. An Annual General Meeting of the Society shall be held at the end of October, or at an approximate date to be determined by the Council.

8. Two stated Meetings of the Council shall be held each year, one on the last Tuesday of May, the other on the Tuesday preceding the day upon which the Annual General Meeting shall be held. The Secretary, on the request of three Members of the Council, shall call a special meeting of the Council.

9. Editors shall receive 20 copies of each volume they edit for the Society.

10. The owners of Manuscripts published by the Society will also be presented with a certain number of copies.

11. The Annual Balance-Sheet, Rules, and List of Members shall be printed.

12. No alteration shall be made in these Rules except at a General Meeting of the Society. A fortnight's notice of any alteration to be proposed shall be given to the Members of the Council.

PUBLICATIONS  
OF THE  
SCOTTISH HISTORY SOCIETY

*For the year 1886-1887.*

1. BISHOP POCOCKE'S TOURS IN SCOTLAND, 1747-1760. Edited by D. W. KEMP.
2. DIARY AND ACCOUNT BOOK OF WILLIAM CUNNINGHAM OF CRAIG-ENDS, 1673-1680. Edited by the Rev. JAMES DODDS, D.D.

*For the year 1887-1888.*

3. GRAMEIDOS LIBRI SEX: an heroic poem on the Campaign of 1689, by JAMES PHILIP of Almericlose. Translated and Edited by the Rev. A. D. MURDOCH.
4. THE REGISTER OF THE KIRK-SESSION OF ST. ANDREWS. Part I. 1559-1582. Edited by D. HAY FLEMING.

*For the year 1888-1889.*

5. DIARY OF THE REV. JOHN MILL, Minister in Shetland, 1740-1803. Edited by GILBERT GOUDIE.
6. NARRATIVE OF MR. JAMES NIMMO, A COVENANTER, 1654-1709. Edited by W. G. SCOTT-MONCRIEFF.
7. THE REGISTER OF THE KIRK-SESSION OF ST. ANDREWS. Part II. 1583-1600. Edited by D. HAY FLEMING.

*For the year 1889-1890.*

8. A LIST OF PERSONS CONCERNED IN THE REBELLION (1745). With a Preface by the EARL OF ROSEBERY.

*Presented to the Society by the Earl of Rosebery.*

9. GLAMIS PAPERS: The 'BOOK OF RECORD,' a Diary written by PATRICK, FIRST EARL OF STRATHMORE, and other documents (1684-89). Edited by A. H. MILLAR.
10. JOHN MAJOR'S HISTORY OF GREATER BRITAIN (1521). Translated and edited by ARCHIBALD CONSTABLE.

*For the year 1890-1891.*

11. THE RECORDS OF THE COMMISSIONS OF THE GENERAL ASSEMBLIES, 1646-47. Edited by the Rev. Professor MITCHELL, D.D., and the Rev. JAMES CHRISTIE, D.D.
12. COURT-BOOK OF THE BARONY OF URIE, 1604-1747. Edited by the Rev. D. G. BARRON.

*For the year 1891-1892.*

13. MEMOIRS OF SIR JOHN CLERK OF PENICUIK, Baronet. Extracted by himself from his own Journals, 1676-1755. Edited by JOHN M. GRAY.
14. DIARY OF COL. THE HON. JOHN ERSKINE OF CARNOCK, 1683-1687. Edited by the Rev. WALTER MACLEOD.

*For the year 1892-1893.*

15. MISCELLANY OF THE SCOTTISH HISTORY SOCIETY, First Volume—THE LIBRARY OF JAMES VI., 1573-83. Edited by G. F. WARNER.—DOCUMENTS ILLUSTRATING CATHOLIC POLICY, 1596-98. T. G. LAW.—LETTERS OF SIR THOMAS HOPE, 1627-46. Rev. R. PAUL.—CIVIL WAR PAPERS, 1643-50. H. F. MORLAND SIMPSON.—LAUDERDALE CORRESPONDENCE, 1660-77. Right Rev. JOHN DOWDEN, D.D.—TURNBULL'S DIARY, 1657-1704. Rev. R. PAUL.—MASTERTON PAPERS, 1660-1719. V. A. NOËL PATON.—ACCOMPT OF EXPENSES IN EDINBURGH, 1715. A. H. MILLAR.—REBELLION PAPERS, 1715 and 1745. H. PATON.
16. ACCOUNT BOOK OF SIR JOHN FOULIS OF RAVELSTON (1671-1707). Edited by the Rev. A. W. CORNELIUS HALLEN.

*For the year 1893-1894.*

17. LETTERS AND PAPERS ILLUSTRATING THE RELATIONS BETWEEN CHARLES II. AND SCOTLAND IN 1650. Edited by SAMUEL RAWSON GARDINER, D.C.L., etc.
18. SCOTLAND AND THE COMMONWEALTH. LETTERS AND PAPERS RELATING TO THE MILITARY GOVERNMENT OF SCOTLAND, Aug. 1651-Dec. 1653. Edited by C. H. FIRTH, M.A.

*For the year 1894-1895.*

19. THE JACOBITE ATTEMPT OF 1719. LETTERS OF JAMES, SECOND DUKE OF ORMONDE. Edited by W. K. DICKSON.
- 20, 21. THE LYON IN MOURNING, OR A COLLECTION OF SPEECHES, LETTERS, JOURNALS, ETC., RELATIVE TO THE AFFAIRS OF PRINCE CHARLES EDWARD STUART, by BISHOP FORBES. 1746-1775. Edited by HENRY PATON. Vols. I. and II.

*For the year 1895-1896.*

22. THE LYON IN MOURNING. Vol. III.
23. ITINERARY OF PRINCE CHARLES EDWARD (Supplement to the Lyon in Mourning). Compiled by W. B. BLAIKIE.
24. EXTRACTS FROM THE PRESBYTERY RECORDS OF INVERNESS AND DINGWALL FROM 1638 TO 1688. Edited by WILLIAM MACKAY.
25. RECORDS OF THE COMMISSIONS OF THE GENERAL ASSEMBLIES (*continued*) for the years 1648 and 1649. Edited by the Rev. Professor MITCHELL, D.D., and Rev. JAMES CHRISTIE, D.D.

*For the year 1896-1897.*

26. WARISTON'S DIARY AND OTHER PAPERS—  
 JOHNSTON OF WARISTON'S DIARY, 1639. Edited by G. M. Paul.—  
 THE HONOURS OF SCOTLAND, 1651-52. C. R. A. Howden.—THE  
 EARL OF MAR'S LEGACIES, 1722, 1726. Hon. S. Erskine.—LETTERS  
 BY MRS. GRANT OF LAGGAN. J. R. N. Macphail.  
*Presented to the Society by Messrs. T. and A. Constable.*
27. MEMORIALS OF JOHN MURRAY OF BROUGHTON, 1740-1747.  
 Edited by R. FITZROY BELL.
28. THE COMPT BUIK OF DAVID WEDDERBURNE, MERCHANT OF  
 DUNDEE, 1587-1630. Edited by A. H. MILLAR.

*For the year 1897-1898.*

- 29, 30. THE CORRESPONDENCE OF DE MONTEREUL AND THE BROTHERS  
 DE BELLÈVRE, FRENCH AMBASSADORS IN ENGLAND AND SCOT-  
 LAND, 1645-1648. Edited, with Translation, by J. G.  
 FOTHERINGHAM. 2 vols.

*For the year 1898-1899.*

31. SCOTLAND AND THE PROTECTORATE. LETTERS AND PAPERS  
 RELATING TO THE MILITARY GOVERNMENT OF SCOTLAND, FROM  
 JANUARY 1654 TO JUNE 1659. Edited by C. H. FIRTH, M.A.
32. PAPERS ILLUSTRATING THE HISTORY OF THE SCOTS BRIGADE IN  
 THE SERVICE OF THE UNITED NETHERLANDS, 1572-1782.  
 Edited by JAMES FERGUSON. Vol. I. 1572-1697.
- 33, 34. MACFARLANE'S GENEALOGICAL COLLECTIONS CONCERNING  
 FAMILIES IN SCOTLAND; Manuscripts in the Advocates' Library.  
 2 vols. Edited by J. T. CLARK, Keeper of the Library.

*Presented to the Society by the Trustees of the late Sir William Fraser, K.C.B.*

*For the year 1899-1900.*

35. PAPERS ON THE SCOTS BRIGADE IN HOLLAND, 1572-1782. Edited by JAMES FERGUSON. Vol. II. 1698-1782. (Nov. 1899.)
36. JOURNAL OF A FOREIGN TOUR IN 1665 AND 1666, AND PORTIONS OF OTHER JOURNALS, BY SIR JOHN LAUDER, LORD FOUNTAINHALL. Edited by DONALD CRAWFORD. (May 1900.)
37. PAPAL NEGOTIATIONS WITH MARY QUEEN OF SCOTS DURING HER REIGN IN SCOTLAND. Chiefly from the Vatican Archives. Edited by the Rev. J. HUNGERFORD POLLEN, S.J. (Nov. 1901.)

*For the year 1900-1901.*

38. PAPERS ON THE SCOTS BRIGADE IN HOLLAND, 1572-1782. Edited by JAMES FERGUSON. Vol. III. 1. Rotterdam Papers: 2. The Remembrance, a Metrical Account of the War in Flanders, 1701-12, by JOHN SCOT, Soldier. (July 1901.)
39. THE DIARY OF ANDREW HAY OF CRAIGNETHAN, 1659-60. Edited by A. G. REID, F.S.A.Scot. (Nov. 1901.)

*For the year 1901-1902.*

40. NEGOTIATIONS FOR THE UNION OF ENGLAND AND SCOTLAND IN 1651-53. Edited by C. SANFORD TERRY. (March 1902.)
41. THE LOYALL DISSUASIVE. Memorial to the Laird of Cluny in Badenoch. Written in 1703, by Sir ÆNEAS MACPHERSON. Edited by the Rev. A. D. MURDOCH. (July 1902.)

*For the year 1902-1903.*

42. THE CHARTULARY OF LINDORES, 1195-1479. Edited from the original MS. at Caprington Castle, Kilmarnock, by the Right Rev. JOHN DOWDEN, D.D., Bishop of Edinburgh. (July 1903.)
43. A LETTER FROM MARY QUEEN OF SCOTS TO THE DUKE OF GUISE, Jan. 1562. Reproduced in Facsimile from the Original MS. in the possession of the late JOHN SCOTT, of Halkshill, Esq., C.B. Edited, with historical Introduction and Appendix of original illustrative Documents, by the Rev. J. HUNGERFORD POLLEN, S.J. (Jan. 1904.)

*Presented to the Society by the family of the late Mr. Scott, of Halkshill.*

44. MISCELLANY OF THE SCOTTISH HISTORY SOCIETY, Second Volume—THE SCOTTISH KING'S HOUSEHOLD, 14th Century. Edited by Mary Bateson.—THE SCOTTISH NATION IN THE UNIVERSITY OF ORLEANS, 1336-1538. John Kirkpatrick, LL.D.—THE FRENCH GARRISON AT DUNBAR, 1563. Robert S. Rait.—DE ANTIQVITATE RELIGIONIS APUD SCOTOS, 1594. Henry D. G. Law.—APOLOGY FOR WILLIAM



MAITLAND OF LETHINGTON, 1610. Andrew Lang.—LETTERS OF BISHOP GEORGE GREME, 1602-33. L. G. Græme.—A SCOTTISH JOURNIE, 1641. C. H. Firth.—NARRATIVES ILLUSTRATING THE DUKE OF HAMILTON'S EXPEDITION TO ENGLAND, 1648. C. H. Firth.—BURNET-LEIGHTON PAPERS, 1648-168-. H. C. Foxcroft.—PAPERS OF ROBERT ERSKINE, Physician to Peter the Great, 1677-1720. Rev. Robert Paul.—WILL OF THE DUCHESS OF ALBANY, 1789. A. Francis Steuart. (Feb. 1904.)

45. LETTERS OF JOHN COCKBURN OF ORMISTOUN TO HIS GARDENER, 1727-1743. Edited by JAMES COLVILLE, D.Sc. (March 1904.)

*For the year 1903-1904.*

46. MINUTE BOOK OF THE MANAGERS OF THE NEW MILLS CLOTH MANUFACTORY, 1681-1690. Edited by W. R. SCOTT, Lecturer on Political Economy in St. Andrews University. (Jan. 1905.)

47. CHRONICLES OF THE FRASERS; being the Wardlaw Manuscript entitled 'Polichronicon seu Policratica Temporum, or, the true Genealogy of the Frasers.' By Master JAMES FRASER. Edited, from the original MS. in possession of the Trustees of the late Sir Wm. Augustus Fraser, Bart., by WILLIAM MACKAY, Inverness. (Feb. 1905.)

48. THE RECORDS OF THE PROCEEDINGS OF THE JUSTICIARY COURT FROM 1661 TO 1678. Vol. I. 1661-1669. Edited, from the MS. in possession of Mr. John W. Weston, by Sheriff SCOTT-MONCRIEFF. (July 1905.)

*For the year 1904-1905.*

49. THE RECORDS OF THE PROCEEDINGS OF THE JUSTICIARY COURT FROM 1661 TO 1678. Vol. II. 1669-1678. Edited, from the MS. in possession of Mr. John W. Weston, by Sheriff SCOTT-MONCRIEFF. (Oct. 1905.)

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