

CHARTERS OF THE
ABBEY OF COUPAR ANGUS

VOL. II
CHARTERS CXIX TO CCCX
1389-1608

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EDINBURGH

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

1947

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ADDITIONAL NOTE
ON THE METHOD OF EDITING

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

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

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

CXXIII

17 July, 1408.

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

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

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

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

CXXIII

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

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

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

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

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

CXXIV

22 April, 1418.

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

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

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

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

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

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

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

CXXIV

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

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

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

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

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

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

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

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

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

Johanne lauerok magistro in artibus et licentiatu in decretis: Laverock

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

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

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

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

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

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

CXXV

6 May, 1428.

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

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