

I.

NOTICE OF THE REGISTER OF LINDORES ABBEY, A THIRTEENTH CENTURY SCOTTISH MS. ON VELLUM, IN THE LIBRARY AT CAPRINGTON CASTLE, AYRSHIRE. BY THOMAS DICKSON, LL.D., FOREIGN SECRETARY.

The Register of the Tyronensian Abbey of St Mary and St Andrew of Lindores, now exhibited to the Society by the kind permission of its owner Mr W. C. Smith Cuninghame of Caprington, was discovered about a fortnight ago by Mr Cochran Patrick of Woodside, when on a visit at Caprington Castle. It is not known with certainty how the manuscript found its way into Ayrshire; but it is conjectured that it may have been acquired by Sir John Cuninghame when he was engaged, towards the end of the seventeenth century, in collecting the library, which is still in part preserved at the family seat, or, with more probability perhaps, that it may have come nearly a century earlier through the marriage of John Cuninghame of Brownhill, father of the above-mentioned Sir John, with Janet, fourth daughter of Patrick Leslie, commendator of the abbey and first Lord Lindores.

The volume consists of eighty-six leaves of vellum, measuring $7\frac{1}{2}$ by 5 inches. Its ancient binding is now so dilapidated that only a part of one of the oak boards remains attached to it, and their leather covering has disappeared, with the exception of a minute fragment only sufficient to show that its colour was red; still the stout leather bands and the strong sewing are unbroken, and the book remains firm and well preserved. The first twenty-six leaves form five unequal gatherings, from which eight or nine leaves have been cut away, apparently because they had been written upon, suggesting either that the volume was at first devoted to a different purpose, or that this first

portion of it had once formed a part of another book. The remainder of the volume consists of five equal gatherings, each containing twelve leaves.

At the commencement of this latter part, viz., at the twenty-seventh leaf, is the actual beginning of the Register, from which point to the seventy-second leaf it is written in a fine uniform hand of the middle of the thirteenth century, each page containing twenty-five lines, with careful ruling, the titles of the charters rubricated, and the initial letters red and blue or red and green alternately. This part of the Register contains eighty-nine charters and other instruments and, following these, fourteen papal bulls, the latter in chronological order, the former grouped with reference to the granters or the subjects to which they relate. The design of the writer probably was to register all, or at least the more important, grants which had been made to the abbey down to the time of writing,—apparently about 1260,—but here, as in many such registers, not a few writs of importance are omitted, which have been added afterwards by other hands.

On a blank space between the charters and the bulls, and on the remaining fourteen leaves of the volume, as well as on the twenty-six leaves at the beginning already referred to, the series of charters and other documents, still mostly of the thirteenth century, is continued in various hands of the period.

The whole number of documents which the volume contains is 153, many of which are now made known for the first time, and throw a considerable amount of new light on the early history and endowments of the abbey. The information hitherto available on this subject has been derived almost entirely from a manuscript preserved in the Advocates' Library, which was printed for the Abbotsford Club in 1841, under the title of the Chartulary of Lindores, with an appendix of documents collected by the editor Mr Turnbull. The manuscript however, has no proper claim to that title, being merely a transcript, made apparently so late as the time of James IV., of twenty-five documents relating to the abbey and its burgh, ranging in date from the end of the twelfth century to the beginning of the sixteenth, and selected without any appearance of method. It contains two or three early charters not found in the Register. The writer probably made his copy from the originals.

The Register begins with a charter of William the Lion, granting to his brother, David, earl of Huntingdon, the earldom of Levenaus, the lands of Lundors, Dundee, Forgrund and Petmothel, Neutyle, Fintrith, Rochiod, Inverurin, Munkegyn, Bouerdyn, Durnach, Uuen, Arduuen, Garviach, and Merton in Lothian "near the Maidens' Castle." Following this is a charter bearing the title "*Magna carta comitis David de fundatione monasterii*,"¹ in which the Earl sets forth that, having founded an abbey at Lundors, of the Order of Kelso, in honour of God, the Virgin Mary, and St Andrew the Apostle, for the souls of his grandfather David I., his father Earl Henry, his mother the Countess Ada, king Malcolm and king William his brothers, Queen Ermegarde and David his son, he has granted to it the church of Lundors, with the land thereto belonging, the lands on the west side of the stream flowing from the loch of Lundors, with the mill of the same, its thirlage and multures,² the island called Redinche (Mugdrum Island), with its fishings, saving his yare of Colcrik and the pasturage of the island; the church of Dundee, with a toft in the burgh:—beyond the Mounth, Fintrith (Fintry), with its church; in Garioch, Lethgavel and Malind, the church of Inverurin, with its chapel of Munkegin

¹ The date of the foundation of the monastery, according to Fordun, on whose authority chiefly it rests, was 1178. The Short Chronicle at the end of the Royal MS. of Wyntown gives 1177. The accuracy of this date has been called in question by Dr Laing, in his excellent History of Lindores and its burgh, on the ground of the improbability that so long an interval should have elapsed between the foundation and its confirmation by Innocent III. in 1198. This consideration, however, cannot be strongly insisted on, so long as it is uncertain when the first bull of confirmation was granted. The Register makes known for the first time one of Celestine III., dated in 1195, and it is just possible that there may have been one earlier still. On the other hand, the doubt receives some countenance from the fact that, so far as the dates of Earl David's grants can be approximately ascertained, the charter in the Register, entitled "*Magna carta de fundatione*" was granted after 1189 and before 1199; and that which was printed by Mr Turnbull, as the foundation charter, from the original in Sir James Balfour's collection, is not of earlier date. It may be added, that the letter of Roger, bishop of St Andrews, by which, at the request of Earl David, he granted to the abbey the church of Lundors "*ad proprios usus*," free of corrodies, hospitia, synodalia, can and conveth, "*cum dignitate pacis*," &c., appears to have been given after 1198.

² With the provision that, in an exigency, he might avail himself of the abbey mill, or the abbot of his, without payment of multures.

(Monkegie), the churches of Durnach, Prame (Premnay), Rothmuriel (Christ's Kirk), Inchmabanin (Insch), Culsamuel (Culsalmond), and Kilalcmund (Kinethmont), with the chapels, lands and tithes thereto belonging; also the whole of his land in Perth called the Inch, with a toft there held of him by Everard the Fleming, a ploughgate of land in Balemagh, given, "cum corpore suo," by his daughter Ada, wife of Malise, son of Earl Ferteth of Strathern; a toft in Inverurin, and the tithe of all his profits and pleas within his own lands and without beyond the Mounth, and of everything titheable that he possessed there at the date of this grant. By other charters he also bestowed on his new foundation the churches of Wissenden and Cunington,¹ in the diocese of Lincoln, the lands of Pethergus (Witheston) and two oxgangs in Pethannot in the Mearns, and freedom to take from his quarry of Hirnsyde stone for the building of their church and other purposes as much as they required.

In the lifetime of its founder the monastery received from King William the grant of a toft in each of the following burghs, viz., Berwick, Stirling, Crail, Perth, Forfar, Montrose, and Aberdeen. The church of Mothel (Muthil), an old seat of the Culdees, with its lands, tithes, and offerings, was bestowed upon it by Malise, son of Ferteth, earl of Strathern, and son-in-law of the founder,² and the church of Lescelyn, with the lands and tithes thereto belonging, by Norman, son of Malcolm, constable of Inverury, which gift was afterwards confirmed by his son Norman de Lescelyn.³ Within the same period William de Wascelin and his wife Mabilia gave to the monastery an oxgang in

¹ The churches of Whissendine, in Rutland, and Conington, in North Huntingdon. Earl David had a castle at the latter place.

² Malise's charter of the church of Mothel is engrossed on the last page of the Register, in a hand apparently of the time of Robert I.

³ One of the witnesses of the charter of confirmation by Norman de Lescelyn, which is dated at St Nicholas Church, Aberdeen, "in crastino S. Bartholomæi Apostoli (25th Aug.) 1243," is Richard Veyrement, regarding whose possible identity with the historian Veremund, mentioned by Fordun as one of his authorities, see Fordun, ed. Skene, I. xxxviiij. Master Richard Verement, "Keledeus S. Andree," doubtless the same person, is mentioned, in 1250, in a bull of Pope Innocent IV. relative to a dispute about the appointment of a canon to a prebend there, in succession to a Culdee.—Theiner, *Vetera Monumenta*, p. 53.

Neutyle, appointing that, wheresoever in Scotland their deaths might take place, they should be conveyed to Lundors for sepulture, indicating probably that they had been received into confraternity by the brotherhood. This grant was confirmed by Robert de Griffin and his wife Mabilia, with the addition of a toft and an acre of land in Neutyle, and freedom to the monks and their tenants there from multure and the work of the mill. Robert de Lundon, illegitimate son of King William, gave a toft in his burgh of Inverkeithing, William de Camera a mark of silver yearly from the ferme of his town of Little Hameldun, and William de Muntfort half a thousand cured herrings yearly, to be delivered to them out of the ferme of his ploughgate of land in the burgh of Crail.

The son of the founder, John the Scot, earl of Huntingdon, and subsequently also of Chester, confirmed all his father's gifts, and granted besides to the abbot and convent land in Lundors for the enlargement of their garden, an annual-rent of 20s. from his lands which lay between the burgh of Inverury and the bridge of Balhagardy, a toft in that burgh, another in Inverbervy, and a third in Dundee adjoining St Clement's toft there, with a fishing in Tay. The tithes bestowed on them by his father of his lands and other possessions in Garioch, the payment of which had been allowed to fall into arrear from the time when Simon of Garentuly had become his bailie, were compounded for by a single payment of £66, 0s. 1½d., and an order was issued to the bailie to pay them in time to come, as they had been paid in his father's time.

Henry of Brechyn, natural son of Earl David, having been received with his wife Juliana into confraternity by the abbot and convent in full chapter, gave to them an annual-rent of 20s. from his lands of Lundors, and appointed that he and his wife should, on their death, wheresoever it might occur, be conveyed to Lundors for burial. His son and successor William of Brechyn, having set up a private chapel in his castle of Lundors, came under a formal obligation to the abbot (1248) that his chaplain should render canonical obedience to the mother church of Ebedyn (Abdie). Having also built a mill for the use of his tenants on his lands of Lundors, Bondington, and Rynd, which were thirled to the abbot's mill, as the mill of the "shire" of Lundors, a dispute arose in consequence of the withdrawal of multures, which was settled by the

release of these lands from thirlage, on his granting an obligation to pay to the monastery 33s. 4d. yearly out of the said lands, and engaging that his mill should not be suffered to impede the flow of the stream to the Abbey mill.

From the earls of Strathern the abbey enjoyed both favour and protection. Malise, son of Earl Ferteth, in addition to other gifts already mentioned, granted to it the lands of Rathengothen (Redgorton?), which appear to have extended to a half davach, and his brother Earl Gilbert confirmed the grant. Of the conveth and rent which the bishop and chapter of Dunkeld had from these lands "ad opus makleins¹ et scolocc," they gave quitclaim to Lundors, on condition that they should receive from the heirs of Malise an annual-rent of 4s. from the lands of Hure. From Fergus, son of Earl Gilbert, the abbot and convent had a charter of the lands of Fedale in Kathermothel, in exchange for the second tithes of his cane and rents of Strathern and Hure, which they had by gift of his uncle Malise, and also of the lands of Beny and Concrag, with a confirmation of the right of common pasture in Cotken in Kathermothel. These gifts his brother Earl Robert and his nephew Earl Malise subsequently confirmed.

The church of Muthill, as has been already mentioned, was given to the Abbey by Malise son of Earl Ferteth, and it appears among the possessions confirmed to it by Pope Innocent III. in 1198. Early in the following century a question arose between Abraham, bishop of Dunblane, in whose diocese it was, and Abbot Guido with regard to their respective rights in that church, which was long and keenly discussed before Simon, prior of St Andrews, John, prior of May, and Laurence, archdeacon of St Andrews, to whose judgment the cause had been referred. Ultimately Bishop Abraham, with consent of Gilbert, Earl of Strathern, and Robert his son and heir, Gilbert, archdeacon of Dunblane, with the clergy of the same, and Elphin, prior of Inchaffray, on the one part, and the abbot, with consent of his convent, on the other, abjuring

¹ In the early Celtic Church of Scotland, as of Ireland, the lector or teacher was known as *ferleighinn*, *vir lectionis*, while the scholar or student was *macleighinn* (pronounced *maclane*), *filius lectionis*, and, in a subordinate degree of proficiency, *scoloc*, *scholasticus*.—*Note from Bishop Reeves.*

all right of appeal, remitted the whole question to William, bishop of St Andrews, with a view to the arranging of the terms of a peaceable and lasting settlement. As the result of his arbitration, the abbot and convent resigned their charters of Muthill, and renounced to the Bishop of Dunblane all right which they had therein by the gift of Malise, son of Earl Ferteth, receiving as compensation for the surrender an annual-rent of ten marks, in respect of which were assigned to them the town of Eglesmagril, and the church of the same, together with the tithes of Clethenes, Gilbert, earl of Strathern, taking upon him the military service due for Eglesmagril, and the Bishop of Dunblane all other burdens. In connection with this settlement, "Macbet rex scholarum¹ de Dunblayn et scolastici ejusdem loci," "Malduuiny rex scholarum de Mothel," and the scolocs of the same, and the clerics of Methfen, granted severally to the abbot and convent letters of quitclaim of the conveth which they were in use to enjoy from the town of Eglesmagril, in consideration of an annual-rent of 2s. to be paid to each by the Bishop of Dunblane.

The arrangement thus made did not last long. In 1233 the see of Dunblane was filled by Bishop Clement, a man of considerable energy and ability. On his accession he found the revenues of his church very seriously dilapidated, through the spoliation to which they had been subjected during a prolonged vacancy of the see and the supineness of some of his immediate predecessors. To such a length had this gone that the church itself was quite dismantled and out of repair; there was no college, divine service was performed only by a chaplain (*capellanus ruralis*), and the bishop's own revenues were not sufficient to afford him a half-year's maintenance.² In addressing himself to remedy this state of matters, one of his first steps appears to have been to re-open the settlement made with regard to the church of Muthill, which he reclaimed against as most prejudicial to the church of Dunblane. The question thus moved was referred by the Pope to the judgment of the bishop, chancellor, and treasurer of Glasgow, who

¹ On the rector scholarum and scolocs, see paper "On Scholastic Offices in the Scottish Church in the 12th and 13th centuries," by Dr Jos. Robertson, *Misc. of Spald. Club*, vol. v.

² *Registrum Vetus de Aberbrothok*, p. 176. During this period of the decadence of the church of Dunblane, the church of Muthil had grown in importance.

found (in 1235) that the arrangement appealed against had been made honestly and in good faith; but that the compensation awarded to Lundors was excessive in amount. They accordingly ordained the abbot to pay to the bishop five marks yearly.

Among the witnesses to the documents connected with these proceedings are found, in 1235, the names of Maurice prior of the Culdees of Mothel, Andrew prior of the Culdees of Abirnithi, and Lucas vicar of Mothel; and in 1239, Gillekatan, chaplain and Padyn "presbyter de Mothel."¹ A papal bull contained in the register marks a step in the gradual absorption of the Culdee order in Scotland into the settled organisation of the Roman Church, which had been in progress from the early part of the twelfth century, and was now approaching completion. The church of Dundee, of which the patronage had been granted to Lundors by Earl David, their founder, was confirmed to them "ad proprios usus," by the Bishop of Brechin, in whose diocese it was. This was further confirmed, in 1250, by Pope Innocent IV., with this express provision, that no objection should ever competently be raised against the validity of this grant on the ground that the Culdees of the Brechin chapter had become canons:—"Ex eo quod fratres, qui consueverunt esse in ecclesia Brechinensi, Kelidei vocati fuerunt, nunc, mutato vocabulo, sunt canonici nuncupati."

From the early days of the monastery, its neighbours the Hays of Errol appear among its steadfast friends and benefactors. Sir David de Haya granted to it² a third of his draw-net fishing in Tay on the banks of Glesbany (Clashbennie) and Rugesablun,³ over against Colcrik; Gilbert, eldest son of Sir David, confirmed his father's charter,⁴ and granted in

¹ In the time of Laurence, bishop of Dunblane, we find the name of Patrick rector of Mothel; in the time of Bishop Simeon, Malpol prior of the Culdees of Mothel, Michael rector and Malcolm and Sithach Culdees of Mothel; in the time of Bishop William, Malpol prior of Mothel, Michael rector of the same, and his chaplain Macbeth; in the time of Bishop Jonathan, Malgigill prior, Gillemichel rector; and in Bishop Abraham's time, Malking prior.—*Charters of Northberwick, Register of Cambuskenneth and Reeves, Culdees of the Brit. Islands.*

² The charter contains the names of his wives Ethna and Eva.

³ *Rouge sablon*, the red sand bank. These banks are continually shifting. The locality of this one is unknown, and the name has disappeared.

⁴ The charter mentions his wife Edoyne.

addition a third part of his fishings on Joymersands; Robert and Malcolm, his brothers, rectors of Errol, added the title of the draw-net fishing belonging to the monastery on the same banks; and, at a later date, David de Haya, also rector of Errol, confirmed the gift of his predecessors Robert and Malcolm, with the further grant of the title of the monks' own fishings on Joymersands; John de Haya, also brother of Sir David, afterwards of Ardnaughton, with his wife Juliana (de Lasceles), conveyed to the abbot and convent their right in a toft, in Perth, which Alan de Lasceles had sold to Teodoric, the dyer there.¹

In 1236 King Alexander II. gave to the abbey of Lundros the lands of Wester Fedale, in the thanage of Auchterarder, in exchange for the land in Perth called the Inch, which they had by gift of Earl David, and the lands of Dumvernoch in Strathtay, which he had himself given to them; and the boundaries of these lands were perambulated in 1246, in the time of Sir John Hay, sheriff of Perth, by the following men of assize of the neighbourhood:—Patrik Ker, Simon of Fedale, Gillemury son of the said Simon, Simon Dereth, Gillebride and Gillefalyn his son, Gillecrist MacHatheny, Gillecrist Macmorehethac, Gille Ethmeny, and Gillicostentyn.

In the year 1248 Sir William de Campania granted to the monastery an annual-rent of three marks out of his lands of Stoke in Leicestershire, for a mass to be said daily, at St Nicholas' altar in their church, for the soul of his father Robert,² who was buried there. Payment of this having been suspended on the death of the granter, a litigation ensued between his son Robert de Campania and the abbot, which was terminated by a compromise (1260), the abbot and convent consenting to remit part of the arrears, and to receive their annual-rent in time to come out of the lands of Borg in Galloway, instead of Stoke.

Sir Bartholomew the Fleming gave to their church of St Drostan of Inchmabanin, a toft and two acres in his town of Ravengille, and bound

¹ Among the witnesses to the charter are Arnald the dyer, and Serlo the tailor.

² Robert de Campania was steward to John the Scot, Earl of Huntingdon. The witnesses to this charter were Sir John, Earl of Chester and Huntingdon, Sir Henry of Strivelyn, Sir Henry of Brechyn, Sir Ralph de Campania, Sir Geoffrey of Appleby, Sir Tebald de Bellus, Sir Hugh Fitun, Sir Ralph de Saye, Sir Anketyrn, Sir Peleryn, Hugh and Peter, clerks, and Nicholas of Inverpeffyr.

himself that the said church should not suffer loss in consequence of his having set up a private chapel.¹

For relief from the second tithes with which his lands beyond the Mounth were burdened in favour of Lundors, by his grandfather Earl David, Sir Henry of Hastings conveyed to the abbot and convent his town of Flandres there; and Goscelin de Balliol redeemed the lesser tithes of his lands in Garioch, and of those held by the Earl of Marr of John of Balliol, by the grant of an annual-rent of five marks. In like manner, Robert de Brus, grandfather of King Robert I., in exchange for the second tithes of his lands in the same lordship, gave to Lundors his town of Williamstown there, and his lands of Bondes in the parish of Inverury.² He also, in 1248, confirmed the gift which his mother Ysabella, daughter of Earl David, the founder of the abbey, had bestowed upon it, of her messuage of Cragyn near Dundee, with the lands

¹ Another instrument in the Register affords an illustration of the general nature of the conditions made with those who obtained sanction to the erection of chapels for the convenience of themselves and their households and neighbours. It is an agreement entered into at a Synod held by David, bishop of St Andrews, at Perth, 2nd June 1248, in settlement of a dispute between the abbot and convent of Lundors and Sir Henry of Dundemor, with reference to his chapel at Dundemor (Denmuir). The terms of the agreement were that Sir Henry's chaplain should receive by the hands of the chaplain, who ministered for the time in the mother church of Ebedyn (Abdie or Lundors), twenty-five shillings yearly, binding himself to be faithful to the said church, and to pay to the same all the offerings made in his chapel; that all the parishioners of Dundemor, saving Sir Henry and his household, should present themselves three times yearly in the said mother church, viz., at Christmas, Easter, and St Andrew's day, and should there alone receive the sacraments; and that the said Sir Henry should cause the chapel to be becomingly served, and maintain the chaplain in all necessaries, asking nothing from the abbot and convent but the foresaid yearly stipend of twenty-five shillings, and the first equipment—*ornamenta*—books, vestments, and chalice for the chapel—maintaining the same at his own expense thereafter. Accordingly, on Sunday, 4th May 1253, Sir John of Dundemor formally received at Ebedyn, in presence of witnesses named, "calicem argenteum, unum missale in quo continetur psalterium, ympnarium, legenda, et antiphonarium et gradale et totum plenarium servicium tocius anni et vestimentum plenarium ad missam celebrandam."

² The grant was confirmed by Alexander III. in 1261. The quitclaim of all the second tithes of his lands beyond the Mounth, granted to Sir Robert de Brus by abbot Thomas and the convent of Lundors, is preserved among the Duchy of Lancaster charters.—*Calendar of Documents relating to Scotland*, ed. Bain, i. 445.

thereto belonging, together with the Mylnetown and Abrahamstown, for support of a monk to say mass in the abbey church for herself and for her ancestors and successors.¹

About the year 1262, Roger de Quincey, earl of Winchester and constable of Scotland, whose principal seat in Scotland was at Leuchars, granted to the monastery the church of Cullesy, on the retirement or decease of the rector, Adam of Malcarviston, provided they could obtain it "in proprios usus." Gamelin, bishop of St Andrews, at once granted this, and appears to have also procured the immediate retirement of the rector,² whose letter of demission of the benefice is dated only a few days after the bishop's grant.

Earl Roger granted them also, at an earlier date (1247), two hundred loads of brushwood yearly from his moor of Kyndeloch, with free passage thither, and to the moor of Edyn, with liberty to dig peats in his moss of Monegre, and three acres of ground there for drying and stacking the same. From Elena, lady of Kyndeloch, relict of Sir William of Brechyn, they had a similar gift of two parcels of land for the same purpose in her tenement of Kyndeloch; and Conan, son of Henry, earl of Atholl, gave them leave to take firewood from his woods of Tulyhon, as much as they required. They had also the right to cut timber in the woods of Glenliehern and Curelundyn in Strathearn.

Besides the numerous grants to which reference has been made, the Register contains the record of many others of equal interest by early benefactors of the abbey, such as Alan Durward, David of St Michael, Simon of Garentuly, John of Cockburn, Magnus of Monorgund, Richard of Leycestre, Roger de Berkeley, Reginald and Adam de Warenne, Malcolm of Kynspynethin, and his wife Marjory, Reginald le Chen elder, Ralph de Lasceles, and King Robert I. Notwithstanding the considerable possessions which the monastery had thus acquired during the first hundred years of its existence, it appears from a writ engrossed in the Register that, early in the fourteenth century, its revenues were found to be so seriously impaired, through reckless mismanagement on the part of the abbots and losses by war, as to be barely sufficient

¹ The Lady Ysabella died in 1251.

² The rector was also provost of the collegiate church of St Mary at St Andrews.

for the maintenance of its inmates. To remedy this, the Parliament eventually interposed, passing an Act by which all pensions, gifts, tacks, &c., granted by any of the abbots to the injury of the monastery, were revoked; and, in 1346, King David II. ordered his chancellor Thomas de Carnoto to grant to the brotherhood letters in due form, under the great seal, upon this revocation.

It is understood that arrangements are in contemplation for printing this interesting manuscript, the fortunate discovery of which revives the hope that others of the missing registers—such at least as were seen and quoted by antiquarian writers of the last century—may yet, in like manner, be brought to light.