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ORMOND DEEDS

BEING THE MEDIÆVAL DOCUMENTS PRESERVED
AT KILKENNY CASTLE

GENERAL EDITOR

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IRISH MONASTIC AND EPISCOPAL DEEDS

A.D: 1200-1600

TRANSCRIBED FROM THE ORIGINALS PRESERVED AT
KILKENNY CASTLE

*With an Appendix of Documents of the Sixteenth and Seventeenth
Centuries relating to Monastic Property after the Dissolution*

EDITED BY

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PREFACE

THE present volume, which should be regarded as a supplement to the *Calendar of Ormond Deeds*, edited by Professor Edmund Curtis, contains transcripts of deeds selected for their special ecclesiastical interest, whether as relating to religious houses, or to episcopal administration and the proceedings of church courts, in the period from the beginning of the thirteenth to the end of the sixteenth century, in the south of Ireland, particularly in the counties of Kilkenny and Tipperary.

With a few exceptions (noted on p. xxxi), deeds printed in this book have not appeared (or will not appear) in the *Calendar*. It should be understood that the *Calendar*, supplemented by this volume (and by the *Red Book of Ormond*, published in 1932), will contain all the Ormond deeds (medieval and of the sixteenth century) up to the date which may be fixed for the termination of the *Calendar*, of which three volumes, covering the period from 1172 to 1509, have so far appeared. The only exception to this statement is with regard to the charters of Duiske (Graigenemanagh); these will not be published in the present series for the Irish Manuscripts Commission, as they have already been edited by the late Bishop J. H. Bernard, with the collaboration of Lady Constance Butler, in the *Proceedings of the Royal Irish Academy* (Sect. C.) for 1918.

All the originals (with a very few exceptions) have been in my hands, and the transcripts collated by me with them. The exceptions are nos. 1, 3, 4, 8, 9, 10, 11, and 21. The most important of these is no. 1, the Kells foundation charter; of this I have had a photograph, and for the remaining seven I have used transcripts supplied to me.

The transcripts are in nearly every case complete, except that clauses of warranty have usually been omitted after the opening couple of words. Occasionally, in the case of deeds of similar terminology, a reference from a later to an earlier deed has been thought sufficient, without printing both texts. Similarly, in the case of recurring phrases, repetition has been avoided by reference to an earlier occurrence of the same words. In one very lengthy document, one or two recurring phrases have been indicated after their first occurrence by the use of initial letters. No omissions have been made without notice given. Paragraphs have been introduced into a few of the texts. As regards the varying use of the letters u and v, it has been my aim to follow the originals exactly, but not so (it need hardly be said) as to capitals or punctuation.

All the originals are in Latin or English, and most of them are in Latin. One deed (p. 213) is partly in Latin and partly in English.

The earliest English document is an award of arbitrators dated 19 December, 1533 (p. 71). As regards the Irish language, there are a large number of personal and place-names of Irish formation; there are also two or three interesting Irish nouns in English dress (these are entered in the third section of the index). The Irish names and professions (such as *medicus* and *poeta*) mentioned on p. 248 are specially noteworthy.

Hardly any of these deeds appear to have been printed before; exceptions, in the case of three deeds, are noted on p. 102, p. 229, and p. 233; the texts of these now printed are believed to be more strictly accurate than those previously available. There is an occasional reference to deeds here printed in the works relating to the diocese of Ossory by W. Carrigan (*History*), J. Graves and J. G. A. Prim (*St. Canice's*), and J. B. Leslie (*Clergy and Parishes*).

The deeds in each of the three sections are in chronological order, and a list of them all in chronological order, and of the documents in Appendix I, is given on pp. XIII-XXX. They are of very miscellaneous character (apart from the considerable number dealing in uniform phraseology with the conveyance of land), and it may be helpful to the reader to give some account of them in this preface.

In section A ('monastic') we have foundation charters, quitclaims, leases, grants, letters of protection, a royal mandate relating to the statute of mortmain (p. 13), a petition against an intruded 'Irish' abbot (p. 232), an absolution after a visitation granted to a Cistercian abbot (p. 41), a grant of a corrody (p. 234), a kitchen account (p. 10), arbitrations in disputes, an abbot's testimonial to a monk desiring to migrate (p. 53), a covenant as to the terms of an abbot's resignation (p. 73), regulations laid down for an abbey at the conclusion of a visitation (p. 81), a royal letter granting a pension to a monk at the dissolution (p. 88), receipts signed by monks for their pensions (p. 94 and p. 258).

The second ('episcopal') section has to do with three dioceses of the Ormond territory. Religious houses and dioceses not already dealt with appear in the third section. These sections include judgments of ecclesiastical courts, drawn up often in the form of notarial instruments, some of extreme length; episcopal acts relating to matrimonial causes, and to wills, and administration of property of deceased persons; quitclaims, leases, rentals, mandates from the see of Dublin relating to the excommunication of the Earl of Ormond (p. 137), an order of sequestration of a vicarage to enforce payment of procurations (p. 231), the case of the leper-house at Clonmel (p. 116), episcopal admissions to rectories, accompanied by the archdeacon's certificate of induction, judgments as to patronage and tithes, an absolution for schism and irregularity granted to a priest under authority of Cardinal Pole (p. 197), a license from Queen Elizabeth (to the same priest) for plurality of benefices (p. 208).

The royal *inspeximus* relating to the manor of Burrow, 1577, printed on pp. 213-221, is of special interest. It commences with

recitals of thirteenth-century charters in Latin, and continues in English (from p. 218) with evidence taken at Durrow by the Lord Chancellor, Sir William Gerrard, as to the (former) rights of the Bishop of Ossory in the manor. The narratives and personal details given by these witnesses are well worth reading. The manor had been leased by the Bishop to the Earl of Ormond in 1574 (see the deed here on p. 210). A quarrel then arose between the Earl and the Irish lord of Upper Ossory, Macgilpatrick. In his report on Ireland presented to the English Privy Council, 1578, printed in *Analecta Hibernica*, pt. II (1931), pp. 93-291, Sir W. Gerrard refers (on pp. 164-7) to his intervention in this dispute; he says (p. 167) "I suffered all his [the Earl's] witnesses to be exemplified under the great Seale." (This is the document now printed). As to the old charters exemplified at the same time, reference may be made to the article on *Ancient Charters in the Liber Albus Ossorienses*, by H. F. Berry, in the *Proceedings of the Royal Irish Academy* (Sect. C) for 1909, pp. 115-125.

Other interesting pieces are a papal grant of spiritual privileges (*confessionale*) (p. 107), an action of the friars of Kilkenny to enforce the obligation of a tenant to supply bread and wine for the celebration of mass (a form of excommunication is written on the verso) (p. 112), and a judgment between two claimants to the archdeaconry of Ossory (p. 117). These three are notarial instruments.

There is a series of deeds (commencing on p. 141) relating to the long-continued dispute between the priory of Athassel and the citizens and vicars of Clonmel, regarding the rights to possession of the parish church (St. Mary's).

We may also note several letters of confraternity, an absolution for homicide (p. 232), a papal commission on the question of the legitimacy of the two elder brothers of Earl Piers (p. 110), a lease issued by the prior and convent of Holy Trinity (Christ Church), Dublin (p. 241), an autograph receipt for rent written by the prior of Kilmainham (p. 243), articles alleged against an abbess, and sentence of her deposition pronounced by the bishop (p. 178), surrender by the last head of Holy Cross abbey of his life-interest (p. 98), a lease by a bishop of two eyries of hawks (p. 202).

The first appendix gives notes and extracts from documents up to 1700 relating to the transmission to the Ormond family of property of dissolved religious houses. The second appendix contains:—A. Succession lists of ecclesiastics, regular and secular (other than bishops); B. A list of the better preserved seals remaining on the documents. The third appendix contains the only piece in this book which is not at Kilkenny Castle: it is a transcript from a British Museum MS. of the extracts made in 1628 by Sir James Ware from the (lost) register of Kells priory. This may be thought an appropriate addition to the Kells deeds printed in Section A.

A good deal of trouble has been taken with the Index, which is in three sections, relating to persons, places, and matters and words. In its compilation I have, naturally, been much indebted to various works of reference, among which are the *Calendar of Fiants*, Goblet's *Index of parishes and townlands of Ireland* (Irish MSS. Commission, 1932), the works mentioned above relating to the diocese of Ossory, Archdall's *Monasticon Hibernicum*, and other books.

The last two pages contain a list of the religious houses mentioned in the book. These, including those occurring only in Appendix I., number as many as 57; the bulk, however, of the monastic deeds presented in this compilation relate to one or other of the four houses of Kells, Holy Cross, Jerpoint, and Athassel.

Something should be said about two strange words, *houthorn* and *callupfoide*, neither of which is to be found in the Oxford Dictionary.

Houthorn appears (p. 2) in the Kells foundation charter of 1202-11. In reply to a query of mine printed in *Notes and Queries*, there was a note in the same publication for September 7, 1935, signed "R. S. B." This scholar supposes the word to be either misread or corrupt in the charter (it is not misread, the reading being quite clear in the photograph). He states that it must be intended for *houthesium*, i.e., *hutesium*, the hue and cry, and adds: "The hue was 'horned', by horn-blowing, from place to place, so it is a possibility that the reference is to following the 'hue-horn', but this seems rather unlikely."

Callupfoide occurs in a document of 1577 (p. 218). Professor Curtis holds that the former part of this word is to be equated with *collup*, Ir. *colpa*, a full-grown beast of the ox kind, and that the latter part would appear to be Ir. *fóid*, gen. sing. of *fód* (=sod). Mr. Charles McNeill (to whom I am indebted for help in more than one point in connection with the present book) has written to me about this difficulty. He supports the derivation suggested by Professor Curtis, and points out that this 'custome hertill' is not a true 'heriot', but seems to be rather in the nature of the special *obitus* payable by persons dying within ecclesiastical precincts, in return for which the church would be bound to provide burial with the accustomed ceremonies. He adds: "If this be right, one might explain the qualifying *fóid* as indicating that the 'callup' was payable here, where there is not question of tenancy, on account of the turning of "the sod" to make a grave. So much I offer speculatively, having nothing positive."

I am indebted to Mr. Geoffrey Barraclough, of Merton College, Oxford, author of *Papal Provisions* (1935), for his kindness in replying, with generous amplitude of information and quotation, to an inquiry of mine in connection with a passage printed near the top of p. 146. This relates to the technical terms *purificatio* and *perhorrescentia*, and Mr. Barraclough's help has enabled me to understand the passage, and to print it correctly.

I am under a large obligation to the general editor of this series, Professor Edmund Curtis, for assistance in many ways. The deeds suitable for this volume were selected by him from the great collection which he is engaged in calendaring, and furnished by him with notes as to dates and contents. He has placed at my disposal a considerable number of transcripts, some made originally by Lady Constance Butler, some by Professor Curtis himself, others made or revised under his supervision. He has supplied me with information and notes of much value as to Irish words, and the Irish personal and place-names, where there was any difficulty, have passed his scrutiny. In every question arising, his readiness to help has been unfailing.

NEWPORT B. WHITE.

POSTSCRIPT

HOLY CROSS, 1431.

A FOLDED piece of paper ($4\frac{2}{5} \times 2\frac{1}{2}$ inches) bearing the following contemporary memorandum was found in company with the deed no. 33, Inspeximus by the prince of Thomond, 1434 (page 26) :—

Memorandum quod XIX^o. die mensis Nouembris anno domini M^o. CCCC^o. XXXI^o. Dermicius Odubyr sue nacionis capitaneus relaxauit ac remisit abbati et conuentui de sancta cruce totum ius seu clameum quod habuit in Rathkennan et Cillin Cloynferad pro se et heredibus suis imperpetuum presentibus ibidem honorabilibus viris Thatheo Obreyn et omnibus nobilibus patrie dicti Dermicii et hoc apud Mynydes.

LIST OF DEEDS

1. [A1].—Charter of Geoffrey FitzRobert, relating to his foundation of the Priory of Kells in Ossory. [1202-11]. Page 1.
2. [C1].—Quitclaim by the Abbot and Convent of Owey, in favour of Theobald Walter, to a moiety of the advowson of the church of Nenagh. [1217-21]. p. 226.
3. [C2].—Exemplification of a charter (1217-20) of Margaret de Cogan granting to St. Mary's Abbey, Dublin, land in Rosseletheri. p. 226.
4. [A2].—Two deeds relating to the grant to Kells Priory of the churches of Kellistown in Forth etc. A. Grant by Matthew FitzGriffin [c. 1228]. B. Letter of Miler, Bishop of Leighlin, sanctioning the union of the vicarage of the churches of Kellistown etc. to the rectory of the same. 4 April, 1337. p. 3.
5. [C3].—Bond of the Prior and Canons of St. John Baptist's, Nenagh, to observe the terms of a charter (recited) of Theobald Walter, Pincerna of Ireland. [1224-30]. p. 227.
6. [A3].—Agreement between the Abbot of Holy Cross and Theobald Walter, by which the Abbot leases to Theobald land in Culletti. [1263-78]. p. 5.
7. [C4].—Roll of ameracements on parishes etc. in Co. Tipperary [1370-90]. p. 229.
8. [A4].—Grant by James le Botiller, Earl of Ormond, to Ralph le Botiller, of the manor of Rowyr, with reservation of the advowson of the church and five acres of land, granted to the Abbot and Convent of Jerpoint. 16 April, 1364. p. 6.
9. [A5].—Letters patent of protection, with grant of privileges and exemptions, to the Abbot and Convent of Holy Cross, by James le Botiller, Earl of Ormond. 12 December, 1364. p. 6.
10. [A6].—Quitclaim by H. Albon and C. Lowilok, in favour of the Abbot and Convent of Jerpoint, to all their rights in Bowlek. 7 August, 1372. p. 7.

11. [A7].—Letter of Alexander, Bishop of Ossory, on the petition of the Abbot and Convent of Jerpoint, appropriating the rectory of Blanchvilstown to the monastery. 12 August, 1374. p. 8.
12. [A8].—Frater Walter Pembrok's kitchen account at Kells Priory. 1382. p. 10.
13. [A9].—Quitclaim in favour of the Abbot and Convent of Jerpoint by John de Blanchevyll to 'le Nywemedede' and the advowson of the church of Blanchvilstown. 6 March, 1387-8. p. 11.
14. [A10].—Admission by Matthew, Bishop of Killaloe, of the Abbot and Convent of Holy Cross to the rectory of Buryesnafearna, with mandate to the Archdeacon for induction, and the latter's certificate. 23 October, 1399. p. 12.
15. [A11].—Writ of King Henry IV for the restitution to the Abbot and Convent of Jerpoint of certain lands in Smetheston and Killeerne, forfeited to the late King under the Statute of Mortmain. 22 October, 1400. p. 13.
16. [B1].—Mandate of Thomas, Bishop of Lismore and Waterford, directing delivery to Philip Cryk of the property of Nicholas Cryk, deceased, in le Morton' and Ballynatyn. 17 May, 1402. p. 103.
17. [C5].—Mandate of John, Archdeacon of Cloyne, for the sequestration of the profits of the vicarage of Youghal, on account of non-payment of procurations. 15 October, 1402. p. 231.
18. [A12].—Lease to the Abbot and Convent of Jerpoint by James le Botiller, Earl of Ormond, of Denneslond in Tredyneston. 10 April, 1407. p. 15.
19. [B2].—Quitclaim by Richard, Archbishop, and the Dean and Chapter of Cashel, to John O Hedyan, Archdeacon of Cashel, in respect of a payment from certain lands. 2 August, 1411. p. 104.
20. [A13].—Letters patent of protection granted to the Abbot and Convent of Holy Cross by James le Botiller, Earl of Ormond, and Thomas le Botiller, Prior of Kilmainham. 10 June, 1414. p. 15.
21. [A14].—Letters patent of pardon granted to the Abbot and Convent of Holy Cross by James le Botiller, Earl of Ormond, 3 March, 1428-9. p. 16.
22. [C6].—Absolution for homicide granted by Nicholas, Abbot of Hore Abbey (de Rupe Cassel) to Peter Omorra. No date [? earlier part of fifteenth century]. p. 232.

23. [B3].—Letters of administration granted by John, Bishop of Leighlin, as guardian of the spiritualities of the vacant see of Ossory, to P. Cotterill and R. Smyth, of the goods of Patrick Fox, late Bishop of Ossory. 20 July, 1421. Page 105.
24. [B4].—Rental of the Cathedral of the Holy Trinity, Waterford. Easter, 1427. p. 106.
25. [A15].—Quitclaim in favour of Kells Priory, by the Prior and Brethren of the Hospital of St. John Evangelist, Kilkenny, to certain lands etc. 20 July, 1427. p. 17.
26. [A16].—Grant to the Abbot and Convent of Holy Cross by James le Botiller, Earl of Ormond, of the vill of Ballycahill, with condition as to the maintenance of a light before the high altar of the Abbey Church on certain festivals. (Three deeds). 9 August, 1429. p. 19.
27. [A17].—Appropriation to Holy Cross Abbey by Richard, Archbishop, and the Dean and Chapter of Cashel, of the vicarage of Ballycahill, with mandate to the Archdeacon for induction. 22 September, 1429. p. 21.
28. [A18].—Quitclaim in favour of the Abbot and Convent of Holy Cross by John Sall to all his rights in the messuages etc. of Ballycally. 5 February, 1429-30. p. 22.
29. [A19].—Appropriation to Holy Cross Abbey by Richard, Archbishop, and the Dean and Chapter of Cashel, of the rectory and vicarage of Bekeston. (Two deeds). 6 June, 1430. p. 22.
30. [A20].—Letters patent of protection granted to the Abbot and Convent of Holy Cross by James le Botiller, Earl of Ormond. 15 March, 1431-2. p. 23.
31. [A21].—Mandate of Thomas, Bishop of Ossory, for the union of Ballagh and Mallardstown, vicarages in the diocese of Ossory in the patronage of the Priory of Kells. 26 March, 1432. p. 24.
32. [A22].—Grant to the Abbot and Convent of Holy Cross by Nicholas White of a messuage etc. in Ballycahill. 30 March, 1432. p. 26.
33. [A23].—Inspeximus by Thady O'Brien, Prince of Thomond, of the Charter granted to Holy Cross Abbey at the end of the twelfth century by Donald O'Brien, King of Limerick. 29 July, 1434. p. 26.

34. [A24].—Appropriation to Holy Cross Abbey by James, Bishop, and the Dean and Chapter of Killaloe, of the vicarage of Dunnamonad, with mandate to the Archdeacon to induct. No date [c. 1435]. Page 27.
35. [A25].—Quitclaim by Robert Cardyf in favour of the Prior and Convent of Kells to his rights in Dysertmoholmok Manor and Villa FitzRobert. 18 July, 1435. p. 28.
36. [C7].—Petition of the Abbot and Convent of Jerpoint to James le Botler, Earl of Ormond, for the removal of an intruded abbot of the Irish nation. 31 May, 1436. p. 232.
37. [C8].—Grant by the Abbot and Convent of Mothel of a corrody to Edmund Blakeman Power. 28 July, 1440. p. 234.
38. [A26].—Grant to the Abbot and Convent of Jerpoint by Richard Walshe, of Clonynstollane and other lands. 9 March, 1445-6. p. 28.
39. [A27].—Grant to the Abbot and Convent of Holy Cross by Stephen Sampson, of Tuberedory. 26 July, 1450. p. 29.
40. [A28].—Grant by Robert Folyng to David Mortymer, Abbot of Jerpoint, and after his death to the Convent, of land in Gybboneshephan and Lesmenan etc. March—May, 1451. p. 30.
41. [A29].—Appropriation to Holy Cross Abbey by John, Archbishop, and the Dean and Chapter of Cashel, of the vicarage of Rathkenane, with mandate to the Archdeacon to induct. 27 October, 1452. p. 32.
42. [A30].—Sentence of T. Laules, commissary of David, Abbot of Jerpoint, in a matrimonial cause between Ellen Walche al. Fysser and William Conaly. 13 July, 1456. p. 32.
43. [A31]. Lease by the Prior and Convent of Kells to John Godyne, of Osbardeston in the barony of Erley. 20 October, 1458. p. 33.
44. [C9].—Certificate by Angelus, Abbot of St. Anastasius, Rome, of the admission of Edmund Butler and Egidia his wife into the Confraternity of Scala Celi. 24 October, 1460. p. 235.
45. [A32].—Quitclaim in favour of the Abbot and Convent of Holy Cross by John Sall in relation to rent for messuages in Cashel. 23 March, 1460-1. p. 35.

46. [A33].—Mandate of John, Archbishop of Cashel, under authority of a Letter (recited) from Pope Paul II, for the citation of certain persons to answer a complaint of Holy Cross Abbey regarding wrongful occupation of its property. 30 June, 1466.
Page 35.
47. [A34].—Notarial instrument recording the judgment of Thady O Lauthnan, principal official of the Court of Cashel, in favour of Holy Cross Abbey, and against the rector and vicar of Ballysheehan, as regards the tithes of Ballycally. 11 April, 1467.
p. 38.
48. [A35].—Absolution for various offences granted to John Yoing, abbot of Tintern, by Matthew, abbot of Holy Cross, and Roger Boely, monk of Mellifont, on behalf of the Cistercian General Chapter. 14 October, 1468.
p. 41.
49. [A36].—Grant by John Fyrter of Callan to the Prior and Convent of Kells, of Baryscastell etc., in exchange for other property. (Two deeds). No date [latter part of fifteenth century].
p. 42.
50. [A37].—Grant to the Prior and Convent of Kells by Richard Cantwell, lord of Strowhan, of the vill of Ketynehystoun in the barony of Knocktopher. 6 September, 1476.
p. 43.
51. [A38].—Award of arbitrators in a dispute between the Abbot and Convent of Holy Cross, and William Hedyan, as to the boundaries of Huddeston etc. 20 August, 1476.
p. 44.
52. [A39].—Grants to the Prior and Convent of Kells by James and William Cotterell of lands in Killinigh etc. (Five deeds). 1479-87.
p. 46.
53. [C10].—Grant by Sir James Butler and Sabh his wife to the Friars Minor of Kilkenny of property in Donnobire and Troistoun. (Three deeds). April—August, 1479.
p. 236.
54. [A40].—Quitclaim in favour of the Prior and Convent of Kells, by John Den of Thomastown, to all his rights in the vill of Orbardistown. 19 April, 1479.
p. 47.
55. [A41].—Appropriation to Holy Cross Abbey by David, Archbishop of Cashel, of the vicarage of Gleankyn. 10 July, 1485.
p. 48.
56. [A42].—Quitclaim in favour of Kells Priory by the Prior and Brethren of the Hospital of St. John of Jerusalem, Kilmainham, to all their rights in the Grange of Kells. 6 October, 1486.
p. 50.
57. [B5].—Notarial instrument recording the publication in Waterford Cathedral of a grant by Pope Innocent VIII to John Graunt and others of certain spiritual privileges, in response to their petition (*confessionale*). 7 April, 1491.
p. 107.

58. [B6].—Commission of Pope Alexander VI to the Abbot of Jerpoint and N. Tuyt, canon and official of Ossory, to investigate a question raised by petition of Piers Butler as to the legitimacy of his elder brothers. 25 March, 1497-8. Page 110.
59. [A43].—Grant to the Prior and Convent of Kells by Paul Schewer, lord of Mallardstown, of a wood; and quitclaim by James Chewyr in respect of the same. 10 April and 2 May, 1498. p. 52.
60. [A44].—Letter from William, Abbot of Nenay, to William, Abbot of Holy Cross, in recommendation of a monk of Nenay who desires to be received into Holy Cross Abbey. 9 August, 1499. p. 53.
61. [C11].—Certificate by Rory, Abbot of Mothel and general proctor in Ireland for the Hospital of the Holy Spirit in Saxia, Rome, of the admission of Sawe Kavanagh, widow of Sir James Butler, into the Confraternity of the Hospital. 1501. p. 237.
62. [A45].—Lease by the Abbot and Convent of Jerpoint to Oliver, Bishop of Ossory, of the vill of Cloghran. 20 February, 1501-2. p. 54.
63. [A46].—Notarial instrument recording the judgment of Thomas, Bishop of Emly, and two others, in a dispute between the Prior of Kells and the Prior of Kilmainham regarding rent from Listenber. 14 January, 1506-7. p. 55.
64. [C12].—Grant to the Prior and Convent of the Augustinian Eremite Friary of Callan, by Richard Trody, of a messuage in Callan. (Three deeds). 10 April, 1507. p. 238.
65. [C13].—Certificate by the Abbot and Convent of Oseney, near Oxford, of the admission into their confraternity of Sir Piers Butler and Lady Margaret his wife. 29 March, 1509. p. 239.
66. [C14].—Lease by the Prior and Convent of Inistioge, to Walter Aeyenlys, chaplain, and David Baron of Bronysford, of the rectory of Aghtyr. 16 April, 1509. p. 240.
67. [B7].—Notarial instrument recording the judgment of Oliver, Bishop of Ossory, in a dispute between the Friars (Preachers and Minors) of Kilkenny and Edmund Sleger. 4 August, 1509. p. 112.
68. [B8].—Judgment of T. Howed, Commissary of the Bishop of Lismore and Waterford, that the ecclesiastical revenues of the *Leprosaria* of Clonmel appertain to its rector, and not to the Priory of Athassel. 20 December, 1510. p. 116.

69. [C15].—Lease by the Prior and Convent of the Cathedral Church of the Holy Trinity, Dublin, to W. Hassard, canon of the same church, and others, of the church of Othorlere, and other property. 1 November, 1511. Page 241.
70. [C16].—Quittance by Robert Eure, Prior of the Hospitallers of Kilmainham, to Dame Margaret (Fitzgerald) Butler, for all payments due to him for the farm of Cottrellsboly. 26 January, 1511-12. p. 243.
71. [C17].—Judgment of Nicholas, Bishop of Ferns, and other arbitrators, in a dispute between certain citizens of New Ross arising out of the will of Richard Benet. 15 and 18 March, 1511-12. p. 243.
72. [A47].—Lease by the Abbot and Convent of Jerpoint to William Brenan and Margaret Den his wife, of the vill of Cloghran. 3 August, 1513. p. 63.
73. [B9].—Notarial instrument recording the diffinitive sentence of W. Macgilpadrik, canon of Ossory, judge delegated by Pope Leo X, in a cause relating to the archdeaconry of Ossory, disputed between Edmund Butler and Robert O Hedyan. 25 September, 1516. p. 117.
74. [B10].—Notarial instrument recording the judgment of Oliver, Bishop of Ossory, in a dispute between Piers Butler, Earl of Ormond, and Walter Brennagh, as to the right of presentation to the rectory of Bewley. 30 May, 1517. p. 133.
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REFERENCES TO THE CALENDAR OF ORMOND DEEDS

The following deeds in this volume have been calendared in the *Calendar of Ormond Deeds*, edited by Professor E. Curtis, Vol. I, 1172-1350 (1932), and Vol. II, 1350-1413 (1934).

This volume	=	The Calendar
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10 [A6]	=	183
11 [A7]	=	194
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Other deeds (not in the present volume) having relation to religious houses, will be found in Vol. I of the *Calendar* under the following numbers:—4, 5, 15, 32, 35, 42, 45, 48, 52, 54-74, 79, 115, 132, 134, 146, 149, 452, 555, 698, 805.

IRISH MONASTIC AND EPISCOPAL DEEDS.

SECTION A.

DEEDS RELATING TO THE RELIGIOUS HOUSES OF HOLY CROSS,
JERPOINT, AND KELLS IN OSSORY.

AI. [I].—Charter of Geoffrey FitzRobert, relating to his foundation of the Priory of Kells in Ossory [1202-11.]

Sciunt hii qui modo sunt et illi qui futuri sunt quod ego Gaufridus filius Roberti pro salute anime mee et antecessorum meorum et heredum fundavi quandam domum religionis in terra mea Hibernie in pago Ossirie in villa que vocatur Kenelis ad honorem Dei et eius gloriose matris Marie. Et hanc fundacionem feci per consilium et concessionem et propter salutem domini mei Guillelmi Marescalli qui est capitalis dominus prefate patrie et qui predictam domum et omnes meas donaciones et concessiones eidem factas confirmatas habet per suam cartam. Feci eciam hoc per voluntatem et concessionem sponse mee Eue que prefatam domum confirmavit quoad se. Igitur predicte domui que ita est fundata ad honorem Dei et sue sancte Matris et Priori et canonicis regularibus qui ibidem Deo deseruiunt uel seruituri sunt dedi in quantum ad me pertinet et concessi omnes ecclesias capellas decimas oblaciones et omnimoda beneficia ecclesiastica prouenientia uel prouentura de terra mea in Offathith et nominatim capellam castelli mei de Kenelis cum omnibus oblationibus suis et beneficiis et cum decimis omnium reddituum meorum et questuum et lucrorum que uel ego uel bailliui mei perquirere poterimus et cum decimis omnium expensarum mearum ubicumque locorum fiant siue in camera siue in coquina siue alibi et cum decimis omnium rerum mearum quas decimari decebit. Preterea dedi et concessi predictis Priori et canonicis tres carrucas terre inter villam de Kenelis et villam de Kilri cum pratis designatis et aliis pertinentiis suis. Villam de Baliscallan cum terris natiuis et omnibus pertinentiis suis. Tres alias carrucas terre ultra aquam de Righi circa villam que dicitur Rathalwi versus aquilonem cum beneficiis ecclesiasticis et cum omnibus pertinentiis suis. Villam de Killini et ecclesiam

eiusdem loci cum una carrucata terre cum natiuis et aliis pertinentiis suis. Omnia ecclesiastica beneficia de Pengran Balimacpistan Balincorccardha et Rathamelan et molendinum quod est in eadem terra iuxta nouam villam super aquam de Righi et ad sustentacionem eiusdem molendini decem acras terre que sunt prope idem molendinum. Terram de Distermoholmoc cum ecclesiis capellis piscariis libertatibus suis et pertinentiis. Burgagium quoddam in burgo de Kilkenni quod est ex opposito domus Palmarii cum domibus et aliis pertinentiis suis. Omnes piscarias que sunt uel esse poterunt inter molendinum meum quod est ante portam castelli mei de Kenles et inter terram de Hinisnach. Et ut liceat eis firmare et facere easdem piscarias et stagna molendinorum suorum in terra mea desubtus meum molendinum predictum uersus aquilonem ubicumque uoluerint et ualebunt. Et sua molendina ubicumque facta fuerint desubtus ecclesiam Sancti Marie eis annuo et confirmo. Et quicumque hominum meorum uoluerint licite et libere molant in molendinis eorum nec liceat ulli meorum uolentes ibi molere in causam trahere uel aliquatenus impedire. Concessi etiam eisdem Canonicis meam communem pasturam per totum extra prata et sata et septa. Et ut sint quieti a sequendo houthorn et omnes illi qui fuerint de suo manupastu etiam inde immunes sint set alii tenentes eorum iuxta morem et legem prouincie ipsum sequantur. Et qui non secuti fuerint sicut debebunt secundum legem patrie puniantur et placita et mercie inde prouenientia et etiam omnia placita et mercie hominum suorum et seruientium spectantia ad me sua sint. Habeantque liberam electionem prioris decedente Priore ita tamen ut de eadem domo assumatur siue de Bomine secundum quod scriptum inter prefatas ecclesias confectum et meo sigillo signatum testatur. Hec omnia que predicta sunt et quecumque alia rationabiliter sunt adepti uel in futurum adipisci ualebunt et omnimodas libertates et immunitates quas decet domum religionis habere et quas mihi licet conferre predicte ecclesie Sancte Marie et Priori et Canonicis eiusdem loci concessi et confirmaui impressione sigilli mei in puram et perpetuam elemosinam liberam pacificam solutam et quietam ab omni exactione et seruicio seculari que uel ore possint exprimi uel corde cogitari. Hiis testibus. H. Ossir' Episcopo. G. Archidiacono. O. Decano et Officiali eiusdem episcopi. Roberto de Ardenuethe. Simone Decano de Kilri. Johanne Marescallo.

Willelmo de Sancto Leodegario. Mauricio filio Mauricii.
 Willelmo de Sancto Albino. Matheo filio Griffini. Willelmo de
 Sancto Florentio. Waltero filio Willelmi. Willelmo de Mueles.
 Johanne de Culum. Jordano de Vilers. Stephano capellano.
 Ricardo filio Rau. Gaufrido de Ardene. Waltero camerario.
 Roberto turc. Gaidun. Rogero de Kenles. Et aliis.

Seal.

[*Note*: For a translation of this charter, and a note as to its date, see Curtis, *Calendar of Ormond Deeds*, Vol. I. no. 30].

Az. [4].—Two deeds relating to the grant to Kells Priory of the churches of Kellistown in Forth etc. 1228—1337.

A. Grant by Matthew FitzGriffin. [c.1228].

Omnibus Christi fidelibus ad quos presens scriptum pervenerit Mattheus filius Griffini salutem in Domino. Noverit universitas vestra me divine caritatis intuitu, pro anime mee et Matilde sponse mee et antecessorum et heredum meorum salute, dedisse et concessisse et presenti carta confirmasse Deo et ecclesie Sancte Marie de Kenles in Ossoria priori et canonicis regularibus ibidem Deo servientibus et servituris, omnia ecclesiastica beneficia tocius terre mee de Fotherid in Lagenia, videlicet ecclesiam de Kenelesna, habenda et tenenda sibi et successoribus suis in puram et perpetuam elemosinam libere pacifice et soluta ab omni servicio seculari, cum sanctuario suo et omnibus aliis pertinenciis suis terris et capellis, scilicet capellam de Finnoure, capellam de Mothel, capellam de Villa Laurencii Boscher, capellam de Balybeyl, cum omnibus earum pertinenciis in usus suos proprios, sicut sibi melius viderint expedire convertenda. Ut autem hec concessio mea rata semper et inconcussa permaneat, eam presentis carte attestacione et sigilli mei impressione confirmavi. Hiis testibus: A. Priore de Instyoc, Willelmo Priore Sancte Katerine Waterford, Magistro W. de Foresta, Magistro W. Decano Sancti Kenici, A. Archidiacono Ossorie, Magistro G. de Valle, Geraldo de Rupe, Thoma de Sancto Albino, Johanne filio Galfridi, Ada et Alano capellanis de Kenles, et Alexandro clerico nostro, et pluribus aliis.

B. Letter of Miler, Bishop of Leighlin, sanctioning the union of the vicarage of the churches of Kellistown in Forth etc. to the rectory of the same. 4 April, 1337.

Omnibus sancte matris ecclesie filiis ad quos presentes litere peruenerint Meylerus permissione diuina humilis ecclesie Leighlensis minister salutem in Domino sempiternam. Supplicationem religiosorum uirorum fratris Willelmi prioris domus Beate Marie Virginis de Kynlis Ossoriensis dyocesis et eiusdem loci conuentus, rectoriam ecclesiarum Sancti Patricii de Kynlis in Fothyrd Mothyl Fynor et Ballibethyl nostre dyocesis in proprios usus habentium, audiuius, continentem Quod, licet dicta rectoria de Kynlis in Fothyrd cum suis capellis predictis a diu est et sit eorum religiosorum domui seu monasterio appropriata antedicto eoque amplius ad piam hospitalitatem faciendam situati hactenus fecerunt ex debito sicut astricti, fructus tamen et prouentus obuentiones dicte rectorie, nedum per guerram continuantem inter Anglicos et Hibernicos in marchia ubi predicta rectoria situatur, sed per alios casus fortuitos et ineuitabiles, sunt ita exiles effecti et attenuati, quod dictorum religiosorum hospitalitatis solite urgente necessitate dolenter subtrahitur in ea parte: Propterea idem prior et conuentus nobis humiliter et deuote supplicauerunt, quod uicariam dictarum ecclesiarum de Kynlis in Fothyrd Mothyl Fynor et Ballibethyl nostre diocesis rectorie eiusdem quam ut permittitur in proprios usus habent graciose dignaremur redintegrare. Nos igitur dictam supplicationem piam et iuri consonam esse considerantes, dicteque suggestionis, nedum per famam et notorietatem, sed eciam per alias euidentes probationes ex parte dictorum prioris et conuentus factas coram nobis et exhibitas ad plenum didicimus veritatem, habitis super hiis cum decano et capitulo nostro deliberatione et tractatu diligenti, aliorumque peritorum communicato consilio, considerata utilitate publica et fauorabili quoad hospitalitatem, de consilio et expresso consensu dictorum decani nostri et capituli, Vicariam dictarum ecclesiarum de Kynlis in Fothyrd Mothyl Fynnor et Balibethyl nostre diocesis cum iuribus suis et pertinenciis uniuersis, unacum terra sanctuarii earundem ecclesiarum, magistro Hyllario Brun earundem ecclesiarum uicario ad hoc uocato presente, causasque supradictas uerasque esse considerante et suum expressum consensum prestante, iurisque si quod ei in dicta uicaria competeat pure sponte et absolute primitus renunciante,

reclorice prediote unimus redintegramus annectimus imperpetuum et dicto monasterio appropriamus, redintegratam annexam unitam appropriatam decernimus haberi et pronunciamus in hiis scriptis, hoc tamen attento et prouiso quod per sufficientes capellanos a prefatis priore et conuentu in dictis ecclesiis deputandos animarum cura diligenter exerciatur et deseruiatur laudabiliter in diuinis, et quod iidem prior et conuentus omnia onera dicte uicarie incumbentia more solito subportabunt. In quorum omnium testimonium sigillum nostrum, unacum sigillo comuni decani nostri et capituli, necnon et sigillum dicti magistri Hyllarii Brun tunc uicarii ibidem, in testimonium consensus adhibiti presenti redintegracioni annexioni unioni et appropriationi sunt appensa. Dat' apud Lecgh' in festo Sancti Ambrosii episcopi et confessoris, anno domini M. ccc^o tricesimo septimo.

In dorso : Redintegratio et resignatio uicarie de Kenlis in Fothryd cum pertinentiis.

Seals missing.

A3. [6].—Agreement between T., Abbot of Holy Cross, and Theobald Walter, by which the Abbot leases to Theobald land in Culletti. [1263-78].

Hec est conuencio facta inter T. abbatem de Sancta Cruce ex vna parte et Theobaldum Walteri pincernam Hibernie ex altera, videlicet, quod idem abbas de consilio conuentus sui et dompni J. abbatis de Morgan (tradidit ?) eidem Theobaldo ad firmam dimidiam carucatam terre cum pertinentiis in Culletti que iacet inter riuulum de Culletti et dominicum ipsius Theobaldi de Ardmail, habendam et tenendam eidem Theobaldo omnibus diebus vite sue integre quiete et pacifice cum omnibus libertatibus et liberis consuetudinibus ad liberam terram spectantibus, reddendo inde annuatim duodecim denarios nomine firme, medietatem ad Pascha et medietatem in festo Sancti Michaelis pro omni (seruicio ?) . . . sciendum quod post decessum dicti Theobaldi dicta terra cum pertinentiis ad abbaciam de Sancta Cruce quiete et sine contradiccione reuertetur . . . Theobaldus dictam terram vendet nec inuadiabit nec aliquo modo alienabit ad iacturam abbacie prenotate. Et ad huius conuencionis maiorem certitudinem sigilla partium vna cum sigillis venerabilis

patris fratris D. archiepiscopi Cassellensis et dicti abbatis de Morgan presenti scripto in modum cirographi facto sunt appensa, hiis testibus : Ricardo de Mariscis, Rogero de Samelesburi, Griffino filio Gileberti, Willelmo filio Helie, Odone Maunsel, Johanne de Bileburne, Thoma de Kentuelle, Hugone de Iafford, et multis aliis.

Parchment, 183 × 138 mm.

Seals missing.

The deed is holed and stained.

A4. [8].—Grant by James le Botiller, Earl of Ormond, to Ralph le Botiller, of the manor of Rowyr, with reservation of the advowson of the church and five acres of land, granted to the Abbot and Convent of Jerpoint. 16 April, 1364.

Sciunt presentes et futuri quod nos Jacobus le Botiller Comes Ormondie dedimus concessimus et hac presenti carta nostra confirmauimus nostro carissimo filio Radulpho le Botiller manerium del Rowyr cum omnibus suis pertinenciis, quinque acris terre arabilis cum aduocacione ecclesie ibidem exceptis quas dedimus abbati et conuentui de Jerpointe in perpetuum, habendum et tenendum eidem Radulpho manerium predictum ad totam vitam suam ut prescriptum est de capitalibus dominis feodi illius per seruicia inde debita et consueta. Nos uero predicti manerium predictum cum pertinenciis eidem Radulpho ut prescribitur warantizabimus acquietabimus contra quoscumque et defendemus. In cuius rei testimonium huic carte sigillum nostrum apponi fecimus. Dat' apud Cnoktoffre XVI die Aprilis anno regni regis Edwardi tercii post conquestum Anglie tricesimo octauo.

In dorso : Manerium del Rowyr.

Seal missing.

A5. [9].—Letters patent of protection, with grant of privileges and exemptions, to the Abbot (David) and Convent of Holy Cross, by James le Botiller, Earl of Ormond. 12 December, 1364.

Jacobus le Botiller Comes Ermonie dominus libertatis Typerarie omnibus senescallis vicecomitibus prepositis balliuis seruiantibus ac ceteris fidelibus domini Regis presentes inspecturis salutem. Sciatis nos divini amoris intuitu et pro salute anime nostre antecessorum et successorum nostrorum dedisse et concessisse

fratri David abbati ecclesie Beate Marie de Sancta Cruce iuxta Cassel et eiusdem loci conventui et eorum successoribus ut liberi sint et quieti pro nobis et heredibus nostris de omnibus misericordiis in omnibus curiis nostris et locis in toto dominio nostro pro quacumque causa sint amerciati et sint exclusi quantum in nobis est et ad dominium nostrum spectat de omni servicio seculari. Ita tamen quod ipse abbas et successores sui compareant coram senescallo nostro libertatis predictae qui pro tempore fuerit primo die assisarum. Deditur etiam eis et successoribus suis ut liberi sint et quieti a tolneo in omnibus mercimoniis et mercaturis suis quicquid emerint vel vendiderint ad usus suos proprios per totam libertatem nostram predictam et dominium nostrum. Ac etiam predictos abbatem et conventum cum eorum successoribus bonis et catallis suis tenentes terras res redditus et omnes possessiones suas et eorum tenencium in nostras proteccionem et defensionem suscepimus speciales : Nolentes etiam quod de bladis fenis vaccis porcis multonibus equis carectis carragiis nec ceteris animalibus predictorum abbatis et conventus nec eorum tenencium ad opus nostrum nec aliorum ministrorum nostrorum quorumcumque contra eorum voluntatem quicquam capiatur : Mandantes omnibus officiariis et ceteris quibuscumque quorum interest quod eisdem abbati et conventui nec tenentibus eorumdem dampnum molestiam iniuriam gravamen seu impedimentum quovismodo non inferiant, sed ipsos libertatibus predictis in omnibus et per omnia vti et gaudere permittant sub periculo quod incumbitur. In cuius rei testimonium has literas nostras fieri fecimus patentes sigillo nostro signatas : Hiis testibus : Thoma le Botiller tunc senescallo libertatis nostre predictae, domino Johanne Leredekne milite, Rogero de Sancta Brigida vicecomite comitatus predicti, Thoma Brikyn clerico, et multis aliis : Duraturas dummodo bene et fideliter pacem domini Regis et nostram se gesserint. Dat' apud Cassell XII die Decembris anno regni regis Edwardi tercii post conquestum Anglie tricesimo octavo.

Butler Seal.

A6. [10].—Quitclaim by H. Albon and C. Lowilok, in favour of the Abbot and Convent of Jerpoint, to all their rights in Bowlek. 7 August, 1372.

Uniuersis Christi fidelibus ad quorum noticiam presentes litere peruenerint Henricus Albon et Clemens Lowilok capellani salutem in Domino sempiternam. Nouerit uniuersitas uestra nos non coactu sed mera et spontanea uoluntate remisisse relaxasse et omnino pro nobis et heredibus nostris quietum clamasse religiosis uiris abbati et conuentui monasterii Beate Marie Virginis de Jeriponte et eorum successoribus omnimodas acciones et demandas que uel quas habuimus uel imposterum habere poterimus de toto tempore transacto usque ad diem confectionis presencium in omnibus mesuagiis et terris cum eorum pertinenciis que habuimus ex dono et feoffamento Johannis filii Milonis Cantwell in burgageria de Bowlek, et que quidem mesuagia et terre cum eorum pertinenciis dedimus predictis monachis Deo seruientibus et eorum successoribus per cartam nostram eis confectionem imperpetuum. Ita quod nec nos predicti Henricus et Clemens nec heredes nostri nec aliquis alius nomine nostro aliquam actionem uel calumpniam exigere uendicare uel habere poterimus uel poterit in predictis mesuagiis et terris cum eorum pertinenciis, sed ab omni iuris actione per presens scriptum excludamur imperpetuum. In cuius rei testimonium huic scripto sigilla nostra sunt appensa. Dat' apud Bowlek die sabbati proximo post festum Sancti Petri quod dicitur Ad Vincula anno domini millessimo C°C° septuagesimo secundo.

In dorso: Burgagya de bowlek a release to the abbott and conuent of Jeripont.

A7. [11].—Letter of Alexander, Bishop of Ossory, on the petition of the Abbot and Convent of Jerpoint, appropriating the rectory of Blanchvilstown to the monastery. 12 August, 1374.

Omnibus sancte matris ecclesie filiis ad quorum noticiam presentes litere peruenerint Alexander permissione diuina et apostolice sedis gracia Ossoriensis episcopus salutem in Domino sempiternam. Supplicacionem religiosorum uirorum abbatis et conuentus monasterii Beate Marie de Jeriponte Cisterciensis ordinis nostre diocesis audiuius, continentem quod possessiones redditus fructus et prouentus ac oblaciones dicti monasterii, ne dum per guerram continuam inter Anglicos et Hibernicos ubi prope dictum Manag . . . scituatur, set insidias latronum ac

per alios casus fortuitos atque ineuitabiles sunt ita exiles effecti et attenuati, quod ad hospitalitatem et alia onera necessaria ut premittitur demanda atque ad eorum congruam sustentationem non sufficiunt parte pro maiori, propter que iidem abbas et conuentus super hiis remedium graciose et caritatis intuitu oportunam et pium fieri nobis humiliter supplicarunt, quod rectoriam ecclesie de Blauncheuilston nostre diocesis cum omnibus suis iuribus et pertinenciis uniuersis eisdem abbati et conuentui eorumque successoribus ac monasterio eorundem appropriaremus et confirmaremus in perpetuum, iuxta cartas patronorum quas diligenter inspeximus eisdem abbati et conuentui concessas et largitas. Nos igitur dictam supplicationem piam benignam et iuri consonam esse considerantes, dicte suggestionis nedum per vicinie famam, sed et notorietatem per facti experientiam, ac per alias euidentes probaciones ex parte dictorum abbatis et conuentus factas et exhibitas, ad plenum dediscimus veritatem, habitis super hiis cum decano et capitulo nostro deliberacione et tractatu aliorumque diligenti plurimorum communicato consilio peritorum fauorabili quo ad utilitatem considerata utilitate ac ineuitabili quo ad continuam hospitalitatem pensata necessitate consideratis et probitate et valore monasterii ac gratis suis obsequiis ecclesie Ossoriensi hactenus impensis, de communi consilio expresso consensu dicti nostri capituli, rectoriam ecclesie de Blauncheuilston nostre diocesis cum omnibus suis iuribus et pertinenciis uniuersis, Ricardo Bras eiusdem rectorie persona ad hoc uocato presente easque supradictas ueras que esse considerante et suum expressum consensum prestante, iureque si quod ei in dicta rectoria competebat pure sponte et absolute primitus renunciantem, predictis abbati conuentui ac monasterio de Jeriponte supradictis unimus annectimus imperpetuum et dicto monasterio appropriamus annexam unitam et appropriatam decreuimus habere et pronunciamus imperpetuum per presentes in hiis scriptis, excepta tertia parte omnium fructuum alteragiorum obuencionum et mancionum (?) terre sanctuarii ad dictam rectoriam spectante pro sustentacione perpetui uicarii dicte ecclesie seruituri temporibus futuris, cuius collacio et prouisio ad nos et successores nostros imperpetuum remaneant . . . quod dicti abbas et conuentus et perpetui uicarii ibidem seruituri de omnibus oneribus ordinariis et extraordinariis dictam rectoriam de Blauncheuilston con-

tin(gentibus?) nobis et successoribus nostris perpetuo respondebunt, hac forma predicti abbas et conuentus pro duabus partibus uidebunt, et dictus uicarius qui pro tempore fuerit pro tercia imperpetuum uidebit. In quorum omnium testimonium sigillum nostrum una cum sigillo communi decani et capituli nostri nec non et sigillum dicti Ricardi Bras tunc rectoris ibidem in testimonium consensus adhibiti presenti unioni annexioni et appropriacioni sunt appensa. Dat' Kilkennie die sabbati proximo post festum Sancti Laurentii martiris anno domini millesimo CCC° septuagesimo quarto.

In dorso : De Blanchuiyllyston.

Seals of the Bishop, of the Chapter,
and of the rector, in fair order.

A8. [12].—Fratr Walter Pembrok's kitchen account at Kells Priory. 1382.

Anno domini millesimo CCC^{mo} octogesimo secundo. Recepcio fratris Walteri Pembrok de porcione assignata ad coquinam.

De redditu de Kylloclethe viimr. xiiis. viiid.

— — — de Ardelowthe xls.

— — — Petri Bollok *dim. mr.*

— — — de Maylareston' iimr.

— — — de Archereston' iiis.

Item de decimis de Rathys et Boly xliiis.

— — — — de Shortaleston' (iii?)mr. iiis. iiiid.ob.

— — — — de Dissert et Ballyethe xxiiiis.

— — — — de Lommok iimr. viis. (? v)d.

Item de alteragiis de Maylareston' imr.

— — — — de Erleyeston' xls.

— — — — de Donymegan xxs.

— — — — de Fynwagh iimr.

Item de molendino viimr.

Item de oblacionibus paroch' de Kenles uidelicet in die Pasche
ixs. vid.

Item in die Assumpcionis Beate Marie vs. viiid. ob.

Item in die Natalis Domini viis. vid.

Summa recepcionis xxviii. viis. viiid.

De expensis recepcionis supradicte uidelicet

In prima septimana post festum Purificacionis Beate Marie anno supradicto xis. *iiiiid.* Item II^a septimana, *iiis. id.*; III, *xiiis. iiid. ob.*; IIII, *viis. iid.*; pro fygis et olleo emptis, *xxiid.*; V, *xxid.*; pro peppyr et croco emptis, *vs.*; VI, *xld.*; pro vasis ligneis emptis, *xiid.*; VII, *viiid.*; pro i strenowyer et cutello emptis, *vid.*; VIII, *xviiis. vid.*; IX, *xiiis. viiid.*; X, *xiiis. viiid.*; XI, *xis. iiid.*; XII, *vs. iiid.*; XIII, *xiiis. xd.* Summa quarterii *vili. iiis. iiid. ob.*

In secundo quarterio videlicet

In prima septimana, *xs. viiid.*; II, *xiiis. iiiid.*; III, *xiiis. iid.*; IIII, *xis. xd.*; V, *xis. xd.*; VI, *xis. iid.*; VII, *xs. id.*; VIII, *xis. iiiid.*; IX, *xis. xd.*; X, *xiiis. iiid.*; XI, *xiiis. vid.*; XII, *xiiis.*; XIII, *vs.* Item pro reparacione gurgitis *xviid.*; pro lxii aucis emptis, *xiiis.*; pro vno feretro empto, *xxd.* Summa quarterii secundi *viii. iiis. id.*

In terció et cetera videlicet

In prima septimana *xis. iid.*; II, *xvs. xid.*; III, *xviiis. vid.*; pro porcis emptis *viis. vid.*; IIII, *xvs. iid.*; V, *xviiis. iiid.*; VI, *xiiis. viiid.*; VII, *xiiis. ixid.*; VIII, *xs.*; IX, *xis. ixid.*; X, *ixs. iiid.*; XI, *viis.*; XII, *xis.*; XIII, *xs. iiiid.* Summa quarterii tercii *viii. viis. iid.*

In quarto quarterio videlicet

Pro porcis et cauponibus *xlviis. iiiid.*

In prima septimana, *ixs. xd.*; II, *xiiis. iid.*; III, *xiiis. xd.*; IIII, *xs. iiiid.*; V, *iiiis. viiid.*; VI, *vis. vd.*; VII, *iiiis. viiid.*; VIII, *xvs. ixid. ob.*; pro pepyr empto, *xixd.*; pro vasis ligneis emptis, *xxd.* Summa per VIII septimanas, *vili. xiiis. iid.*

Summa omnium expensarum videlicet *xxixli. vis. viiid. ob.*

Summa omnium recepcionum *xxviii. viis. viiid.*

Et sic debentur dicto Waltero *xxxviiiis.*

Parchment strip, 700mm. in length, 130mm. in width. The writing is along the width. In this transcript, the form of the weekly rents has been compressed; in the original each of these entries occupies a line, preceded by 'Item.' A few of the words and figures are torn away, or difficult to read. The tots as they appear are mostly incorrect.

A9. [13].—Quitclaim in favour of the Abbot and Convent

of Jerpoint by John de Blanchevyll to 'le Nywemedé' and the advowson of the church of Blanchvilstown. 6 March, 1387-8.

Vniuersis ad quos presentes litere peruenerint Johannes filius Johannis de Blanchevyll salutem in Domino sempiternam. Nouerit vniuersitas vestra me pro salute anime mee et parentum meorum et animarum [omnium et] singulorum antecessorum heredum et successorum meorum necnon omnium fidelium defunctorum remisisse relaxasse et omnino quietumclamasse abbati et conuentui de Jeriponte et suis successoribus totum ius meum quod uel que habui habeo uel amodo habere potero in dimidia acra terre in magno campo prope pratium quod dicitur le Nywemedé iuxta viam que ducit versus ecclesiam de Blancheuyliston, vna cum aduocacione ecclesie de Blancheuyliston Ossoriensis diocesis, habenda et tenenda eisdem abbati et conuentui et suis successoribus in puram et perpetuam elemosinam imperpetuum. Et ego vero [*etc., clause of warranty*]. In cuius rei testimonium sigillum meum presentibus est appensum. Dat' VI^{to} die mensis Marcii anno domini millesimo CCC^{mo} octogesimo VII.

In dorso: Blansiuyllyston. Jerepont.

Parchment, 280 x 180 mm.

Seal missing.

A10. [14].—Mandate of Matthew, Bishop of Killaloe, to the Archdeacon, for the induction of Philip, abbot, and the convent of Holy Cross into the rectory of Buryesnafearna. 23 October, 1399.

Matheus permissione diuina et apostolice sedis gracia episcopus Laoniensis discreto viro magistro Cornelio Odeayg ecclesie nostre archidiacono salutem et Dei benedicionem. Quia dompnum Pilipum abbatem de Sancta Cruce et suum conuentum per Willelmum Haket patronum de Buryesnafearna Laonensis diocesis ad rectoriam dicte ecclesie nobis presentatos admissimus et tenore presencium ad eandem rectoriam admittimus, Idcirco vobis committimus et mandamus, quatenus prefatos abbatem et conuentum per nos admissos in corporalem possessionem dicte rectorie vel quasi inducatis induciue faciatis et defendatis inductos. Et in signum execucionis presencium sigillum vestrum secunde caudarum apponatis et eis ut moris est retrodatis. Dat' Laonie die Jovis proximo post festum Luce ewangeliste sub nostro maiori sigillo anno domini M^o CCC^{mo} nonagesimo nono.

Et ego Cornelius Odeayg archidiaconus Laoniensis supradictus eosdem abbatem et conuentum in corporalem possessionem dicte rectorie induxi et presencium tenore induco. In cuius rei testimonium priuatum secunde caude sigillum meum appono. Dat' die anno quibus supra.

In dorso: The Abbot of Holycrosse made Rector of Burrenefarne. An. Dom. 1399.

Seal of the Bishop of Killaloe (broken);
the Archdeacon's seal gone from tag.

Parchment, 240 × 140 mm.

*AII. [15].—Writ of King Henry IV for the restitution to the Abbot and Convent of Jerpoint of certain lands in Smetheston and Killerne, forfeited to the late King under the Statute of Mortmain. 22 October, 1400.

Henricus Dei gracia rex Anglie et Francie et dominus Hibernie escaetori suo Hibernie uel eius deputato in comitatu Kilkennie salutem. Supplicauerunt nobis dilecti nobis in Christo abbas et conuentus domus Beate Marie de Jeripount, ut cum dominus E. nuper rex Anglie auus noster per literas suas patentes concessisset et licenciam dedisset eisdem abbati et conuentui, quod ipsi viginti libratas terrarum tenementorum reddituum et aduocacionum ecclesiarum sibi et successoribus suis imperpetuum acquirere et illas appropriare et in proprios vsus tenere valerent in augmentacionem sustentacionis sue, dumtamen per inquisitionem inde per breve predicti aui nostri de 'ad quod dampnum' modo debito capiendam compertum foret, quod dicta adquisicio non cederet ad dampnum uel preiudicium eiusdem aui nostri seu heredum suorum aut aliorum quorumcumque, prout in eisdem literis plenius poterit apparere, iidemque abbas et conuentus dictarum concessionis et licencie vigore adquisiissent de quibusdam Henrico Lang Thoma FitzWilliam Lercedekene de Killerne Philippo FitzRichard (Wanton' ?), duo mesuagia centum et viginti acras terre sex acras prati et sex acras more cum pertinenciis in Smetheston et Killerne in comitatu Kilkennie, habenda et tenenda sibi et successoribus suis in proprios vsus imperpetuum in forma predicta, quo pre-textu ipsi inde pacifice seisiti fuissent, vsque iam tarde tempore

domini R. nuper regis Anglie secundi post conquestum (Anglie) (vnum ?) mesuagium et quadraginta acre terre et tres acre prati cum pertinenciis in le Moreton, que sunt parcella terrarum et tenementorum predictorum, capta et seisita fuissent in manus dicti R. nuper regis, pretendendo quod quidam Thomas FitzJohn Dobbyn dudum fuit seisitus in dominico suo ut de feodo de quadraginta acris terre et tribus acris prati predictis cum pertinenciis, et extra seisinam suam illa dedit cuidam Johanni abbati abbacie predicte, habenda sibi et successoribus suis imperpetuum, post (statutum) de terris et tenementis ad manum mortuam non ponendis edictum licencia regia super hoc non optenta, velimus premissis consideratis restitutionem tenementorum illorum sic in manus ipsius nuper regis Ricardi seisitorum sibi fieri, ac statum titulum et possessionem quos habent in omnibus terris et tenementis supradictis iuxta vim formam et effectum literarum predictarum ratificare et graciose confirmare : Nos super hoc dictis literis patentibus in cancellaria nostra Hibernie visis et plenius intellectis, concipientes licenciam predictam eisdem abbati et conuentui in forma predicta fore concessam, volentesque perinde supplicacioni sue predicte fauorabiliter annuere, dicta mesuagium et quadraginta acras terre et tres acras prati cum pertinenciis in manus dicti Ricardi nuper regis vt premittitur capta et seisita, tanquam parcellam terrarum et tenementorum predictorum in Smetheston et Killerne per ipsos abbatem et conuentum in forma predicta adquisitorum, restituimus, habenda sibi et successoribus suis imperpetuum iuxta formam adquisicionis predicte, prout in literis nostris patentibus inde confectis plenius continetur, vobis precipimus quod eisdem abbati et conuentui dicta mesuagium quadraginta acras terre et tres acras prati cum pertinenciis in manus dicti nuper regis Ricardi sic vt predictum est seisita, si ea occasione et non alia in manus suas capta fuerunt, indilate restituatis, habenda sibi et successoribus suis imperpetuum iuxta vim formam et effectum adquisicionis predicte, et vos inde decetero non intromittatis, saluo iure cuiuslibet. Teste Johanne de Stanley milite locum nostrum tenente in terra nostra Hibernie apud Kilkenniam XXII die Octobris anno regni nostri secundo.

Euerdon.

In dorso : Morton (*contemp. hand*). Smitheston & Killerne.
Parchment, 250 × 170 mm.

This deed is faded and holed.

No seal.

A12. [18].—Lease to the Abbot (Thomas) and Convent of Jerpoint by James le Botiller, Earl of Ormond, of Denneslond in Tredyneston. 10 April, 1407.

Hec indentura facta inter nobiles viros Jacobum le Botiller Comitem Ermonie ex vna parte, et Thomam abbatem domus Beate Marie de Jeriponte ex parte altera, testatur quod predictus Comes concessit et ad firmam tradidit prefato abbati totum dominum et seruicium ipsius Comitis de Denneslond cum suis pertinentiis in Tredyneston quamdiu eidem Comiti placuerit, reddendo inde dicto Comiti quatuor marcas argenti annuatim ad festa Sancti Michaelis et Pasche per equales porciones, termino cum prima solutione incipientibus ad festum Beati Michaelis Arcangeli proximo futurum post datam confectionis presentium. Et ad conuenciones predictas ex vtraque parte partium predictarum fideliter tenendas partes predictae partibus huius indenture sigilla sua alternatim apposuerunt. Dat' decimo die Aprilis anno regni regis Henrici quarti octauo.

In dorso : 10 Apr. 8 H. 4. Tredineston helde of my Lo :

Parchment, 233 × 140 mm.

Piece of seal.

NOTE : Two more grants relating to the same lands appear in a collection of deeds in two skins marked " De Firmis Dimissis " :—

I. Grant to the Abbot (David) and Convent by James Butler, Earl of Ormond, of " totum dominium et seruicium que ad nos pertinent in Denneslond in Tredineston," at a rent of two marks of silver. Dated 4 March an. 10 Hen. VI (1431-2).

II. Grant to the same by the same of " totum dominium et seruicium cum redditibus [etc.] in Dennesland et Tredineston," in pure alms. Dated 4 May an. 27 Hen. VI (1440).

A13. [20].—Letters patent of protection granted to the Abbot and Convent of Holy Cross by James le Botiller, Earl of Ormond, and Thomas le Botiller, Prior of Kilmainham. 10 June, 1414.

Jacobus le Botiller Comes Ermonie dominus libertatis Typerarie ac Frater Thomas le Botiller prior hospitalis Sancti Johannis Jerusalem in Hibernia omnibus ad quos presentes litere peruenerint salutem. Sciatis quod intuitu caritatis de gracia nostra

speciali suscepimus in protectionem et defensionem nostras speciales in quantum in nobis est abbatem et conuentum monesterii (*sic*) Sancte Crucis homines tenentes terras res redditus et omnes possessiones suas quascumque infra libertatem nostram seu dominium nostrum in comitatu Typerarie: Et ideo vobis mandamus quod ipsos abbatem conuentum homines tenentes terras res redditus et omnes possessiones suas predictas manuteneatis protegatis et defendatis, non inferentes eis vel ab aliis inferri permittentes iniuriam dampnum molestiam aut grauamen, et siquid eis forisfactum fuerit vel iniuriatum id eis sine dilacione restitui et emendari faciatis: Nolentes quod de equis bobis vaccis carectis aut aliis bonis suis quicquid ad opus nostrum per nos aut homines seu ministros nostros contra voluntatem eorum aliquialiter capiatur, seu aliqui equites pedites bonthys inullers (?) aut aliqua alia onera seu contribuccionones licite per nos super ipsos decetero imponentur seu assidentur, set ab huiusmodi oneribus totaliter exonerentur et (immunes?) sint per presentes. In cuius rei testimonium has literas nostras fieri fecimus patentes sigillis nostris signatas. Data decimo die Junii anno regni regis Henrici quinti post conquestum Anglie secundo.

In dorso: A protection from Ja. Ea. Ormond in Hen. 5th time.

Seal of the Prior in fair condition, and about half remaining of that of the Earl.

Parchment, 330 × 150 mm.

A14. [21].—Letters patent of pardon granted to the Abbot (Fergall OHyffernane) and Convent of Holy Cross by James le Botiller, Earl of Ormond. 3 March, 1428-9.

Jacobus le Botiller comes Ermonie dominus libertatis Typerarie omnibus ad quos presentes litere peruenerint Salutem. Sciatis quod de gratia nostra speciali et intuitu caritatis quo mouemur erga monasterium de Sancta Cruce, perdonauimus Fergallo Ohyffernayne abbati eiusdem monasterii et eiusdem loci conuentui ibidem Deo seruientibus sectam pacis nostre que ad nos pertinet

de omnibus sedicionibus felonis homicidiis murdris conspiracionibus confideracionibus extorcionibus falsis alliganciis adherenciis rebellibus et inimicis domini Regis et nostris ac eciam de eschapiis latronum et felonum et receptamentis eorundem seu utluggatorum quorumcunque, necnon de omnibus et singulis opprescionibus falsitatibus contemptibus offencionibus contra statuta seu ordinaciones domini Regis et de omnibus transgrescionibus et gravaminibus quibuscunque per ipsos abbatem et conventum infra libertatem nostram predictam usque ad hunc diem qualitercunque perpetratis, incendio raptu forestallo et thesauro invento dumtaxat exceptis. Perdonauimus eciam eisdem Fergallo abbati et eius conventui utlagarias et forisfacturas terrarum et tenementorum honorum et catallorum suorum in quibus occasionibus premissis seu alicuius premissorum erga nos fuerint incursi, et firmam pacem nostram que ad nos pertinet eis inde concedimus. Ita tamen quod stent recto in curia libertatis nostre predicte si quis versus eos inde loqui voluerit et erga dominum Regem et nos et fidelem populum nostrum in futurum bene et fideliter se gerant. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Clonmell tercio die Marcii anno regni regis Henrici sexti post conquestum Anglie septimo.

Per billam sub privato sigillo ipsius Comitis.

[One of a bundle of deeds fastened together.]

A15. [25].—Quitclaim in favour of Kells Priory, by the Prior (W. Stakboll) and Brethren of the Hospital of St. John Evangelist, Kilkenny, to certain lands, etc. 20 July, 1427.

Vniuersis presentes literas visuris vel auditoris frater Willelmus Stakboll prior domus hospitalis Sancti Johannis Euangeliste iuxta Kilkenniam Ossoriensis diocesis ordinis Sancti Augustini et eiusdem loci conuentus Salutem in Domino. Noueritis nos sollicite considerasse remissionem vel relaxacionem infrascriptas dicte domui domus hospitalis Sancti Johannis ac nobis et successoribus nostris expedire, et idcirco petita habita prius et optenta super hoc auctoritate et licencia speciali a venerabili patre Dionisio Dei gracia episcopo Ossoriensi, vt per literam exinde confectam et predicti venerabilis patris sigillo sigillatam plenius patet, Nos tam prior antedictus quam fratres omnes et singuli

supradicti domus hospitalis Sancti Johannis, prout est moris propter hoc in capitulo congregati, habito prius super hoc pluries ibidem solempni tractatu diligenti et frequenti per nos et a nobis prouida(?) deliberacione, prouiso eciam et reperto ad tunc ibidem premissam remissionem vel relaxacionem eidem domui nostre expedire ex vtilitate eiusdem nostre domus evidenti et perpetua que (? subest), tandem communi nostro consensu et voluntate nostra expressa, pro nobis nostrisque successoribus vice et nomine ipsius domus capitulariter seu colligialiter, remissimus et per presentes nostras literas remittimus, et omnino imperpetuum quietum clamauimus et per presentes literas nostras clamamus pro nobis et successoribus nostris, prioratui Beate Marie de Kenlis et religiosi viri ibidem degentibus videlicet fratri Johanni Lacy priori dicti prioratus ac conuentui eiusdem prioratus dicte diocesis ordinisque supradicti et eorum successoribus quibuscumque, totum ius et clameum percipiendi et habendi decimas, si quod habuerimus et si quod in presenti habeamus, de fructibus terrarum seu locorum infrascriptorum omnium et singulorum, atque ius percipiendi et habendi iura parochialia omnia et singula infra terras seu loca ipsa infrascripta omnia et singula seu eorum aliquem locum, et quecumque ex eisdem iuribus parochialibus quomodocumque proueniencia contingencia seu qualitercumque obueniencia, videlicet campum de Pertre vulgariter nominatum, et in parte boriali eiusdem campi vltra magnam fossam sibi adherentem iacet campus de Kylmakue et Raberry communiter appellatus, et predicta fossa extenditur ab occidentali parte eiusdem campi de Pertre, et extenditur inter predictos duos campos vsque ad viam magnam in qua itinerantes accedunt de villa Kilkennie ad ciuitatem Waterford, que via iacet in oriente a predicto campo de Pertre. Et eciam videlicet campum Sancti Columbe vulgariter nuncupatum, et extenditur iuxta Langgrowse in longitudine vsque ad metam que dicitur Langlaunce, que meta iacet in oriente eiusdem campi, et predictum Langgrowse iacet in borientali parte eiusdem campi, et in latitudine a predicto Langgrowse vsque ad quemdam puteum veprium iacentem quasi in medio campi de Cowlesfeld in australi parte iuxta Deysboisthe, et in occidentali parte predicti campi de Cowlesfeld iacet quedam via que vocatur Langrode, a qua via extenditur quedam meta in longitudine vsque ad orientalem partem eiusdem campi qui vocatur Cowlesfeld inter predictum puteum et Deysboisthe, que

meta designatur per certas metas et bundas cum lapidibus terre infixis. Ita quod nec nos nec successores nostri nec aliquis alius pro nobis nec pro ipsis ius vel clameum inde vindicare poterimus vel poterunt aut poterit infuturum. Insuper vice et nomine dicte domus hospitalis Sancti Johannis renunciamus imperpetuum in premissis omnibus et singulis pro nobis et successoribus nostris omnibus cauillacionibus defencionibus ac priuilegiis quibuscumque datis nobis atque concessis et impetrandis et omnibus aliis, que nobis prodesse poterunt, et dicto prioratui Beate Marie de Kenlis ac supradictis priori et conuentui eiusdem prioratus ac eorum successoribus in aliquo obesse. In cuius rei testimonium presenti scripto sigillum nostrum commune de nostrorum omnium et singulorum communi assensu et voluntate expressa capitulariter seu colligialiter apponi fecimus. Dat' in domo capitulari dicte domus hospitalis Sancti Johannis Euangeliste iuxta Kilkenniam predicte Ossoriensis diocesis vicesimo die mensis Julii anno domini millesimo CCCC^{mo} XXVII^o.

In dorso : A reles made by the Priour of Saynt Johns of Kilkenny to the Priour of Kenles of certayn lands and thiths by Kenles.

Seal of the Hospital of St. John, Kilkenny, in very fair condition.

Parchment, 327 × 287 mm.

A16. [26].—Grant to the Abbot and Convent of Holy Cross by James le Botiller, Earl of Ormond, of the vill of Ballycahill, with condition as to the maintenance of a light before the high altar of the Abbey Church on certain festivals. (Three deeds.) 9 August, 1429.

A. Grant, dated at Clonmel.

A large portion of the Earl's seal remaining.

Parchment, 280 × 145 mm. Deed stained and holed.

B. Letter of attorney, appointing John fitzWilliam fitzPeter le Botiller to give seisin. Dated at Clonmel.

Traces of seal on tag.

Parchment, 300 × 125 mm.

C. Indenture setting forth the conditions of the grant.

Hec indentura facta die Martis proximo ante festum Sancti Laurentii martiris anno domini millesimo CCCC^{mo} XXIX^{uo} et anno regni regis Henrici sexti post conquestum Anglie septimo, inter honorabilem dominum Jacobum le Botyller Comitem Ermonie dominum libertatis Typerarie ex vna parte, et religiosos viros abbatem et conventum monachos Cisterciensis ordinis domus Beate Marie Virginis de Sancta Cruce Deo ibidem seruientes ex parte altera, testatur videlicet quod licet dictus dominus Jacobus dedit et per cartam suam indentatam confirmauit Deo at Beate Marie Virgini et predictis abbati et conventui et eorum successoribus, villam de Balaghcathyll cum omnibus suis iuribus et pertinenciis, vna cum homagiis et seruiciis omnium liberorum tenencium ad predictam villam seu terram quouismodo spectancium, in puram liberam et perpetuam elemosinam imperpetuum, prout in literis indentatis predicti domini Jacobi eisdem abbati et conventui et eorum successoribus inde confectis plenius continetur, Tamen predicti abbas et conuentus pro se et successoribus suis volunt et per presentes concedunt quod ipsi et successores sui imperpetuum annuatim sustineant et manuteneant vnum cereum ardentem coram maiori altari in ecclesia sua ad laudem et honorem Dei et eius intemerate matris Marie Virginis, in vigiliis et diebus subsequentiis festiuis, videlicet a primis vesperis continue usque post secundas vespervas, videlicet, in die Natiuitatis Domini, in die Epiphanie, in die Pasche, in diebus Inuencionis et Exaltacionis Sancte Crucis, in die Ascencionis Domini, in die Pentecostes, in die Sancte Trinitatis, in die festo Corporis Christi, in diebus Assumpcionis et Natiuitatis Beate Marie Virginis, et in festo Omnium Sanctorum. Et si contingat predictos abbatem et conuentum vel successores suos in predicto cereo sustinendo deficere in predictis vigiliis et diebus a primis vesperis continue usque post secundas vespervas, quod tunc obligant se et successores suos predicto domino Jacobo et heredibus suis in quadraginta denariis argenti soluendis ipsi domino Jacobo et heredibus suis, tociens quociens contingat predictos abbatem et conuentum et successores suos dictum cereum non sustinere aut manuteneare. Et quod bene liceat predicto domino Jacobo et heredibus suis distringere in omnibus terris et tenementis predictorum abbatis et conuentus et eorum successorum pro predictis quadraginta denariis argenti pro quolibet die quo ipse abbas et conuentus et eorum successores

deficient in cereo predicto sustinendo modo quo premittitur. Et ad istas conuenciones ex parte dictorum abbatis et conuentus et eorum successorum tenendas et perimplendas, predicti abbas et conuentus obligant se et successores suos dicto domino Jacobo et heredibus suis imperpetuum. In cuius rei testimonium presenti indenture penes predictum Jacobum et heredes suos remanenti predicti abbas et conuentus sigillum commune domus predictae apponi fecerunt. Dat' die et anno supradictis.

In dorso: A feoffment of Belaghachyll past by James le Bottiler Earle of Ormond and lord of the liberty of Tipperarie to the Abbot and Convent of the Abbey of holicrosse by which they are tyed to keepe a lamp lighting on certeine festivall dayes what (lamps?) of . . . if that . . . omitted.

Seal of the Convent, broken, but a fine impression.

Parchment, 300 × 193 mm.

A17. [27].—Appropriation to Holy Cross Abbey by Richard, Archbishop, and the Dean and Chapter of Cashel, of the vicarage of Ballycahill, with mandate to the Archdeacon for induction. 22 September, 1429.

Vniuersis sancte matris ecclesie filiis ad quos presentes litere peruenerint Ricardus permissione diuina et apostolice sedis gracia archiepiscopus Cassellensis Daudid decanus et capitulum eiusdem salutem cum diuina benedictione pariter et nostra. Nos volentes animarum omnium auctori saluti (*sic*) complacere, ac cultum diuinum per temporale et spirituale comodum sub iugo Dei in agro dominico laborantium incessanter augmentare et incidas diaboli procul repellere dum regnum celeste per militantis ecclesie regimen perfectum non immerito secundum sanctorum patrum tradiciones augmentatur: Igitur vicariam ecclesie parochialis de Belachacayl nostre dyocesis de iure et de facto vacantem et ad nostram collacionem spectantem, ob reuerentiam Dei omnipotentis et intemerate matris sue Virginis Marie inclite aduocate nostre stantis a dextris filii sui circumamicta (*sic*) uirtutibus ceteris diuiciis incomparabilibus, in augmentacionem cultus diuini, deuicti precibus humilimis domini Jacobi le Botiler Comititis Ermonie qui ditauit monasterium

Sancte Crucis de Wochturlamand dominiis temporalibus diuersis, dictam vicariam abbati eiusdem monasterii et eius conuentui contulimus et per presentes conferimus ac eam perpetuis temporibus dicto monasterio vnimus appropriamus annectimus et consolidamus, saluis nobis et successoribus nostris ac aliis visitantibus de iure et consuetudine procuracionibus inde debitis et consuētis ac aliis oneribus ordinariis et extraordinariis ac iurisdiccionibus: Mandantes Ricardo Ohedyan archidiacono nostro Cassellensi quatenus dictos abbatem et conuentum vel eorum procuratorem yconomum uel scindicum in possessionem uel quasi dicte vicarie inducat induciue faciat, contradictores et rebelles quod absit si quos invenerit per omnem censuram ecclesiasticam compassendo, Et in signum execucionis per ipsam facte sigillum suum tercie caude presencium apponere faciat. In cuius rei testimonium sigillum nostrum vna cum sigillo decani et capituli presentibus duximus apponendum. Dat' in ecclesia nostra metropolitana Cassall' in crastino Sancti Mathie Apostoli anno domini millissimo CCCC°. XXIX°. et nostre consecracionis XXIII°.

In dorso: Belathacayl (appropriated?) to the Abbey of Holy-crosse An: Dom: 1429.

Seal of the Chapter gone from tag; large seal of the Archbishop in very fair condition; a fragment of the Archdeacon's seal.

In dorso: Ballykeally.

Parchment, 365 × 155 mm.

A18. [28].—Quitclaim by John son of Geoffrey Sall in favour of Fergall, Abbot, and the Convent of Holy Cross, to all his rights in the messuages etc. of Balycally. Dated on the Sunday after the Purification of the B.V.M. in the eighth year of King Henry VI [5 Feb., 1429-30].

Seal of J. Sall, in good condition.

Parchment, 275 × 140 mm.

A19. [29].—Appropriation to Holy Cross Abbey by Richard, Archbishop of Cashel, of the rectory and vicarage of Bekeston. (Two deeds). 6 June, 1430.

A. Grant of the advowson, which had belonged to Thomas Archer, lord of Corketen' and Stourtwes, and was presented by him to the Abbey, and of the rectory. 'Datum in ecclesia nostra metropolitana Cassellensi hora capitulari die Martis proximo post festum Pentecostes anno domini M°.CCCC°.XXX°. et nostre consecracionis XXIII°.'

In dorso : The impropriation of the Rectory of Bekeston to the Hollycrosse. An : Dom : 1430. Proving the advoyson of Bekeston to pertaine to Corkeheyne.

Three seals, same as on No. 27; first
Parchment, 340 x 167 seal gone, pieces of second (the
mm. Archbishop's) and third remaining.

B. Grant of the vicarage.

In dorso : Bekeston Viccarage belongs to Holly Crosse. Appropriated thereunto Anno Dom : 1430.

Same seals as A (only traces on the three tags).

Parchment, 350 × 200 mm.

The phraseology of these deeds is the same as that of No. 27.

A20. [30].—Letters patent of protection granted to the Abbot and Convent of Holy Cross by James Butler, Earl of Ormond. 15 March, 1431-2.

Jacobus le Botiller Comes Ormonie dominus libertatis Tiperarie senescallo nostro vicecomiti balliuis officariis ac ceteris ministris et fidelibus nostris vbilibet in comitatu Tiperarie constitutis salutem. Sciatis quod suscepimus in proteccionem tuicionem et defencionem nostras speciales abbatem monasterii Sancte Crucis Cisterciensis ordinis suos monachos familiares tenentes et clericos ad opera monasterii predicti mendicantes vna cum eorum bonis et catallis quibuscumque. Et ideo vobis mandamus et ceteros nobis benivolentes requirimus et rogamus quattenus ipsos manuteneatis protegatis et defendatis, Non inferrentes eis nec ab aliis inferri permitentes dampnum molestiam iniuriam aut gravamen, et siquid eis forisfactum fuerit aut iniuriatum, id eis sine dilacione faciatis corrigi et debite reformari, Nolentes

quod de bovis vaccis porcis ouibus pulletis equis carectis cariagiis ad vsum nostrum seu alienum quicquid capiatur. In cuius rei testimonium has literas nostras fieri fecimus patentes ad voluntatem nostram duraturas. Dat' sub priuato sigillo nostro apud Fiard XV die Marcii anno regni regis Henrici sexti decimo.

In dorso: A certificat of a proteccion given to the Abbott of Holy Crosse 10.H.6. by Ja : E : of : O.

Seal gone from tag.

Parchment, 390 × 70 mm.

A21. [31].—Mandate of Thomas, Bishop of Ossory, for the union of Ballagh and Mallardstown, vicarages in the diocese of Ossory in the patronage of the Priory of Kells. 26 March, 1432.

Vniuersis sancte matris ecclesie filiis ad quorum noticiam presentes litere peruenerint Thomas permissione diuina episcopus Ossoriensis salutem in Domino sempiternam. Supplicacionem dilecti nobis in Christo filii Willelmi Lorcan, vicarii ecclesie parochialis Beate Marie Virginis de Ballagh nostre Ossoriensis diocesis audiuimus, continentem quod fructus prouentus et obuenciones vicarie sue predictae ecclesie de Ballagh tam per guerram quam eciam insidias latronum diuersasque calamitates ac alios casus fortuitos sunt adeo exiles effecti exhausti, quod ad hospitalitatem et ad nostra episcopalia aliaque onera ordinaria et extraordinaria supportanda atque ad eius congruam sustentacionem non sufficiunt, et quod simili modo fructus et prouentus et obuenciones vicarie ecclesie parochialis Sancti Finani de Villa Malardi nostre eciam diocesis, vacantem (*sic*) per mortem domini Patricii vltimi vicarii ibidem, sunt diminuti et quasi ad nichilum redacti quod non sufficiunt ad nostra episcopalia et alia onera ei incumbentia supportanda, et quod vicarius in ipsa vicaria instituendus non potest ex eisdem congrue sustentari, vnde nullus ad eandem vult promoueri nec ipsius curam in se suscipere, propter que idem Willelmus petiit ac humiliter supplicauit, quatinus consideratis et attentis causis supradictis, et ne cura animarum negligetur, dictam vicariam ecclesie parochialis Sancti Finani de Villa Malardi vt premittitur vacantem cum omnibus suis iuribus et pertinenciis vniuersis sibi et successoribus suis ad vicariam sue antedictae (*sic*) de Ballagh imperpetuum vnire

dignaremur. Nos igitur dictam supplicationem benignam ac iuri consonam esse attendentes, quam nedum per vicinie famam set eciam per facti experientiam et per alias fidedignos (*sic*) probaciones exparte ipsius Willelmi legitime productas factas et exhibitas ad plenum veritatem didiscimus continere, habitis super hiis omnibus et singulis cum decano et capitulo nostro deliberacione et tractatu diligenti aliorumque quam plurimorum communicato consilio iurisperitorum, necessitate ineuitabili distructione hospitalitate exilitate paupertate et animarum cura probitate et valore dicte vicarie de Ballagh et Malardi pensatis et consideratis, de communi consilio et expresso consensu decani et capituli nostri, necnon de consensu et assensu prioris et conuentus prioratus Beate Marie de Kenlis ordinis Sancti Augustini nostre diocesis antedicte patronorum predictarum vicariarum de Ballagh et Villa Malardi, vicariam dicte ecclesie Sancti Finani de Villa Malardi per mortem domini Patricii vt premittitur vacantem cum omnibus suis iuribus et pertinenciis vniuersis supradicto Willelmo et suis successoribus vicarieque sepedicte de Ballagh ex causis premissis anneximus vnimus et consolidamus imperpetuum per presentes, annectamque vnitam et consolidatam pronunciamus decernimus et declaramus per presentes et in hiis scriptis, animarumque curam ab eadem tollimus et auferimus et in dictum Willelmum et eius successores et vicariam predictam de Ballagh totaliter transferimus per presentes, onerantes prefatum Willelmum et eius successores per presentes ad procuraciones nobis et successoribus nostris et alia onera ordinaria et extraordinaria que vicarii dicte ecclesie Sancti Finani de Villa Malardi nobis et predecessoribus nostris debite soluere consueuerunt. In quorum omnium et singulorum fidem et testimonium sigillum nostrum quo ad maiora vtimur vnacum sigillo communi decani et capituli nostri ac sigillo communi dicti prioratus et conuentus presentibus est appensum. Dat' in manerio nostro episcopali Kilkennie vicesimo sexto die mensis Marcii anno domini millesimo quadringentesimo tricesimo secundo.

Et nos decanus et capitulum ecclesie Ossoriensis in signum consensus nostri premissis adhibiti sigillum nostrum commune presentibus apposuimus.

Et nos prior et conuentus prioratus Beate Marie Virginis de Kenlis ordinis Sancti Augustini Ossoriensis diocesis, patroni suprascriptarum vicariarum de Ballagh et Villa Malardi, in

fidem et testimonium voluntatis et consensus nostri supradicti (*sic*) vnioni adhibiti sigillum nostrum commune presentibus apposuimus.

In dorso : Ballagh & Malard vnited.

A small part of the seal of the Priory remains ; that of the Bishop is in very fair condition ; that of the Dean and Chapter is gone from tag.

Parchment, 273 × 175 mm.

A22. [32].—Grant to the Abbot (Fergall OHyffernan) and Convent of Holy Cross, by Nicholas White, of a message etc. in Ballycahill. 30 March, 1432.

Sciunt presentes et futuri quod ego Nicholaus White consanguineus et heres Philippi White de Thurlys concessi et hac presenti carta mea confirmaui Fergallo OHyffernan abbati monasterii de Sancta Cruce et monachis suis ibidem Deo seruientibus vnum vacuum mesuagium et vnam carucatam terre cum pertinentiis in Bethlaghcathyll pro anima mea et animabus antecessorum meorum : habenda et tenenda dictis abbati et monachis et successoribus eorum in liberam puram et perpetuam elemosinam sine aliquo seruicio seculari seu demanda imperpetuum. Et vt hec mea donacio rata et stabilis permaneat in futurum sigillum meum huic presenti carte mee apposui. Dat' penultimo die Martii anno domini millesimo CCCC^o tricesimo secundo.

Seal of the White family (chevron and three roses), imperfect.

Parchment, 255 × 115 mm.

A23. [33].—Inspeximus by Thady O'Brien, Prince of Thomond, of the Charter granted to Holy Cross Abbey at the end of the twelfth century by Donald O'Brien, King of Limerick. 29 July, 1434.

Tatheus Obrien princeps Tuomonie omnibus ad quos presentes litere pervenerint salutem. Inspeximus cartam Donaldi magni ybrien quondam regis Lumnicensis progenitoris nostri ecclesie

Beate Marie de Sancta Cruce et monachis Cystericiensis ordinis factam in hec verba.

Donaldus dei gracia Lumnicensis rex [*etc.*¹].

Nos autem Tatheus obrien princeps Tuomonie prefatus donaciones concessionones confirmaciones et consuetudines predictas necnon omnia et singula in carta predicta Donaldi magni ybrien contenta rata habentes et grata et ea nichilominus pro nobis et heredibus nostris quantum in nobis est tenore presencium approbamus, et eidem ecclesie et nunc monachis ibidem Deo seruientibus concedimus et confirmamus et contra omnes homines warentizamus prout carta predicta racionabiliter testatur et prout ipsi et predecessores sui concessionibus confirmacionibus et consuetudinibus predictis a tempore concessionis earundem semper hactenus racionabiliter vti et gaudere consueuerunt. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso et Tattheo filio Teodrici ybrien, Ruarico macraich sue nationis capitaneo et Fergallo osomochayn prespitero Cassellensis dyocesis apud Cluoynrada,² XXIX. die mensis Julii anno domini M^o.CCCC^o.XXXIII^o.

1. See Curtis, C.O.D., Vol. I, No. 5.

2. Cluoynrada [Clonroad]. The form as written in the original (it cannot be exactly reproduced here in print) appears to be the scribe's attempt to represent the sound of a Gaelic spelling which in modern Irish is Cluain-ramhfhada.

In dorso : Teig o'Brien. Hollycrosse.

Seal gone from tag.

Parchment, 408 × 218 mm.

A24. [34].—Appropriation to Holy Cross Abbey by James, Bishop of Killaloe, and his Dean and Chapter, of the vicarage of the parish church of Dunnamonad, dioc. Killaloe, with mandate to Tatheus Maccannan, Archdeacon of Killaloe, to induct. [c. 1435].

In dorso : Dunnamonad viccar' vnited to Holy crosse. Lease of the viccaradge of Dannamonad.

Parchment, 360 × 238 mm.

This deed, the phraseology of which is similar to that of No. 27, ends with the word 'Datum' (no date). Possibly it is an unfinished draft. The only fifteenth-century Bishop of Killaloe named James on record is James O'Lonergan, who held the see about 1435. The parchment has been cut for three tags, of which only one exists, bearing traces of red wax.

A25. [35].—Quitclaim by Robert Cardyf, in favour of the Prior and Convent of Kells, to his rights in Dysertmoholmok Manor and Villa FitzRobert. 18 July, 1435.

Pateat vniuersis per presentes me Robertum Cardyf remisisse relaxasse et omnino pro me heredibus et assignatis meis imperpetuum quietum clamasse priori et conuentui domus Beate Marie Virginis de Kenlis in Ossoria et eorum successoribus totum (meum ius?) et iuris clameum ac eciam omnimodam accionem quod vel que habui vel habeo in toto manerio de Dysertmoholmok alias vocato Dysard et in villa FitzRobert alias Frebartiston' et in qualibet parcella eorundem cum omnibus suis pertinenciis, ita quod nec ego nec heredes mei nec aliquis alius nomine nostro pro me seu per me aliquod ius seu iuris (clameum) . . . aut . . . in . . . de Dysertmoholmok alias vocato Dysard et in villa FitzRobert alias Frebartiston' cum pertinenciis amodo exigere . . . vel vindicare poterimus imperpetuum, set ab omni accione iuris et clamei inde per presentes penitus simus exclusi imperpetuum. Et ego vero [*etc., clause of warranty*]. In cuius rei testimonium huic quiete clamancie sigillum meum apposui, et quia sigillum meum pluribus est incognitum, Willelmus Archer superior ville Kylkennie sigillum suum officii superioratus ville predictae ad specialem rogatum meum presentibus apposuit in fidem et testimonium premissorum. Dat' decimo octauo die Julii anno regni regis Henrici sexti post conquestum Anglie tercio-decimo.

R. Cardyf's seal (perfect); seal of the sovereign of Kilkenny (broken).

Parchment, 250 × 117 mm.

Deed stained and not completely legible.

A26. [38].—Grant to the Abbot and Convent of Jerpoint

by Richard Walshe, of Clonynstollane and other lands. 9 March, 1445-6.

Sciant presentes et ffuturi quod ego Ricardus filius Galfridi Walshe dedi concessi et hac presenti carta mea confirmavi abbati et conventui domus Beate Marie Virginis de Jeriponte, omnia mesuagia terras et tenementa redditus et seruicia cum omnibus suis pertinenciis et appendenciis quibuscunque que habeo habui seu in posterum habere potero in tenemento de Clonynstollane que omnino vocatur Clone cum omnibus suis pertinenciis in barronia de Kenlys et in Ballychesken in barronia de Knockethoyr et in parochia de Aghbillyr prope Kyllyne de Howelliscastell cum omnibus suis pertinenciis: habenda et tenenda prefatis abbati et conuentui et eorum successoribus cum omnibus libertatibus ad omnia predicta mesuagia terras et tenementa spectantibus de dominis capitalibus feodi illius per seruicia inde debita et de iure consueta. Et ego vero [*etc., clause of warranty*]. In cuius rei testimonium huic presenti carte sigillum meum apposui, Et quia sigillum meum pluribus est incognitum sigillum commune burgent' ville de Thomastoun et sigillum commune burgent' ville de Knoctothyr in fidem et testimonium omnium premissorum presentibus apponi procurauit. Dat' nono die mensis Marcii anno regni regis Henrici sexti post conquestum Anglie vicessimo quarto.

In dorso: Clonstallan &c. com. Kilkenni granted to the Abbey of Jerepont.

Seal of R. Walshe (broken); seal of the town of Thomastown (almost perfect); seal of the town of Knocktopher (perfect).

Parchment, 265 × 148 mm.

A27. [39].—Grant to the Abbot (William) and Convent of Holy Cross by Stephen Sampson, of Tuberedory. 26 July, 1450.

Hec indentura facta vicesimo sexto die mensis Julii anno regni regis Henrici sexti XXVIII^{mo}, et anno domini M^o.CCCC^{mo}.L, inter Stephanum Sampson ex vna parte, et Willelmum abbatem monasterii Sancte Crucis de Whoghtyrlawyn et conuentum eiusdem loci ex alia parte, testatur quod predictus Stephanus

dedit et concessit prefatis abbati et conventui et successoribus suis omnia terras et tenementa sua cum omnibus suis pertinenciis in et de Tuberedory: Habenda et tenenda dictis abbati et conventui ac successoribus suis imperpetuum, pro quaquidem donacione et concessione predicti abbas et conventus soluent prefato Stephano heredibus aut executoribus suis xl^a solidos argenti bone et legalis monete, videlicet, xiiis. et iiiid. annuatim vsque ad finem termini trium annorum proxime sequencium post datam confeccionis presencium, dimedietatem videlicet ad festum Pasche et aliam dimedietatem ad festum Exaltacionis Sancte Crucis equis porcionibus, et si predictus Stephanus vltra predictum terminum trium annorum vixerit, tunc predicti abbas et conventus soluent prefato Stephano annuatim vis. et viiid. durante vita sua et cetera. Ac eciam predicti abbas et conventus et successores sui dabunt ac soluent prefato Stephano tres modios frumenti et quinque modios auenarum annuatim, videlicet ad quodlibet festum Omnium Sanctorum durante vita predicti Stephani et non ulterius. Et si contingat Willelmo Rothe Sampson filio dicti Stephani arrare in aliquibus terris et tenementis dictorum abbatis et conuentus infra comitatum Typerarie, quod tunc non soluet aliquem redditum inde predictis abbati et conventui, preter vnum denarium ad quodlibet festum Sancte Crucis, et hoc pro recognicione domini. Ad quasquidem convenciones bene et fideliter tenendas et perimplendas partes predictae sigilla sua alternatim apposuerunt. Dat' diē et anno supradictis. Hiis testibus ad tunc presentibus: Johanne Sall, Johanne Bron, Thome Gregore, Thome Burname, Cornelio Ocahecy, Edmundo Burke, Willelmo Boyton, Roberto Bron qui hanc scripsit indenturam, et multis aliis.

In dorso: Typperdory to the Abbott of holy crosse. Stephen Sampson's Grant. An. Dom. 1450.

Seal of the Abbey in good condition.

Parchment, 212 × 205 mm.

A28. [40].—Grant by Robert Folyng to David Mortymer, Abbot of Jerpoint, for his life, and after his death to the convent, of land in Gybboneshephan and Lesmenan etc. (Three deeds). March-May, 1451.

A. Grant. 5 March, 1450-1.

Sciant presentés et futuri quod ego Robertus filius Roberti Folyng dedi concessi et hac presenti carta mea confirmaui David Mortymer abbati monasterii Beate Marie Virginis de Jeripont et conuentui eiusdem et successoribus eorundem in puram et perpetuam elemosinam, pro anima mea et anima Johanne Bron' vxoris mee et pro anima domini Jacobi le Bottiller Comitis Ormonie et pro animabus antecessorum suorum, vnum messuagium quadraginta acras terre arrabilis quatuor acras prati et quatuor acras more cum pertinenciis suis siue fuerint magis siue minus in Gybboneshephan et in Lesmenan, que quondam fuerunt Gilberti Swetman ibidem, sicut eisdem abbati et conuentui assignantur et perambulantur per certas metas et bundas: Habenda et tenenda prefato Dauid abbati ad terminum vite ipsius, et quod post mortem ipsius predictum mesuagium et predictae quadraginta acre terre et quatuor acre prati et quatuor acre more remaneant prefato conuentui monasterii predicti et successoribus eorundem de me et heredibus meis imperpetuum de capitalibus dominis feodi illius per seruicia inde debita et de iure consueta. Et ego vero [*etc., clause of warranty*]. In cuius rei testimonium huic presenti carte mee sigillum meum apposui. Dat' quinto die mensis Marcii anno regni regis Henrici sexti post conquestum Anglie uicesimo nono.

In dorso: Gibboneshepehouse and Lesmenan in com' Kilken' graunted to Holy Crosse.

R. Folyng's seal in good condition.

Parchment, 277 × 110 mm.

B. Letter of attorney by the same dated 8 March, 29 Hen. VI. Laurence Arlond and John Denne of Jerpoint appointed attorneys to give seisin of the said lands to the said prior and convent.

Small fragment of seal.

Parchment, 227 × 75 mm.

C. Another letter of attorney by the same dated 30 May, 29 Hen. VI. Laurence Arlond and Robert Archedekyn appointed attorneys to give to the said prior and convent seisin of the grantor's mill of Madokeston 'vna cum omnibus terris tenementis aquis gurgitibus piscariis et omnibus aliis proficuis ibidem ad dictum molendinum spectantibus cum suis pertinenciis.'

In dorso: De Madok ys myl.
Parchment, 235 × 92 mm.

Seal and almost the whole tag missing.

A29. [41].—Appropriation to the Abbot and Convent of Holy Cross by John, Archbishop, and the Dean (Cornelius) and Chapter of Cashel, of the vicarage of the parish church of Rathkenane, dioc. Cashel, with mandate to Thomas Billian, Archdeacon of Cashel, for induction, and his certificate. The deeds includes the statement: “*moti in consciencia cum aliis quod dicta vicaria ad dictum monasterium abbatem et conuentum spectabat et pertinebat.*” Dated 27 October, 1452.

In dorse: The vicaradge of Rathkinan vnited to Holy Crosse
An: Dom: 1452.

Seal of the Archbishop of Cashel (a large piece remaining); seal of the Dean and Chapter (broken, but a fine impression).

Parchment, 453 × 168 mm.

A30. [42].—Sentence of T. Laules, commissary of David, Abbot of Jerpoint, in a matrimonial cause between Ellen Walche al. Fysser and William Conaly. 13 July, 1456.

Vniuersis Christi fidelibus ad quos presentes litere peruenerint salutem. Ne hesitacionis scrupulus vel dubium aliquibus in posterum oriatur super causa matrimonii vel diuorcii, que vertebatur inter Elenam Walche alias Fysser partem actricem ex vnâ parte, et Willelmum Conaly iuniorem ex altera, nouerit vniuersitas vestra quod nos dominus Laules comissarius venerabilis patris et domini domini Dauit abbatis de Jeriponte Cisterciensis ordinis Ossoriensis diocesis, per comissionem suam nobis factam sigillo suo auttentico sigillatam, ad cognossendum procedendum et fine debito terminandum predictam causam matrimonii siue diuorcii cum omnibus suis articulis dependentibus et in conexis emergentibus cum omni iuris potestate commisit, Ideoque nos cognoscentes secundum ordinem iuris in causa sepedicta inuenimus per probaciones legitimas alia documenta eciam per confessionem predictæ Elene ipsam defecisse in omnibus in quibus debuit nos informare pro intencione sua declaranda, tunc de consensu partium processimus ad sentenciam diffinitiuam declarandam in hac forma verborum que sequitur. In Dei nomine amen. Visis auditis cognitis et intellectis meritis cause

matrimonialis siue diuorcii mote et aliquamdiu indecise pendentis inter Elenam Walche alias Fysser partem actricem ex vna parte, et Willelmum Conaly iuniorem partem ream ex altera, Et quod inuenimus et cetera vt supra pronunciauimus sententiam nostram diffinitiuam in hec verba Christi nomine inuocato. Nos dominus Thomas Laules, sedentes pro tribunali Deum pre oculis habentes et de iuris peritorum consilio nobis in hac parte assistencium, petitionem dicte Elene fore et esse nullam decernimus et declaramus per presentes, et predictum Willelmum Conaly a petitione sepedicte Elene absoluimus, et causam vel matrimonium si quod omnino cassamus annullamus, cassum nullum et irritum decernimus et declaramus, et ipsam Elenam et predictum Willelmum ab inuice separamus, licenciam nubendi vtrique parti concedimus per presentes, et hoc omnibus quorum interest vel interesse poterit innotescimus eciam per presentes. Lecta est hec sententia in capella Beate Marie de Jerpont XIII die mensis Julii anno domini millesimo CCCC quinquagesimo sexto, hiis tunc presentibus, domino Ricardo Stakboll, Jacobo Walche, Donato ODoan, Anastac' Purcell, testibus ad hoc vocatis et specialiter rogatis. Dat' die anno et mense supradictis. In cuius rei testimonium sigillum nostrum presentibus apponi fecimus. Datum vt supra in omnibus.

In dorso: A sentence of divorce past by dominus Laules of commissarie to the Abbot of Jeripont betwext Ellan Walshe and William Connelle.

Traces of seal on tag.

Parchment, 265 × 135 mm.

A31. [43]. Lease by the Prior (Nicholas) and Convent of Kells, to John Godyne, of Osbardeston in the barony of Erley. 20 October, 1458.

Frater Nicholaus prior domus Beate Marie Virginis de Kenlis in Ossoria et eiusdem domus conuentus omnibus ad quos presentes litere nostre peruenerint salutem. Licet Johannes filius Patricii Godyne nos per cartam suam feoffamenti sigillatam nos (*sic*) feoffauit in omnibus terris pratis pasturis cuniculariis boscis et gurgitibus suis cum omnibus suis pertinenciis in Obardeston in baronia Derley in comitatu Kilkennie, habenda et tenenda

nobis et successoribus nostris de capitalibus dominis feodi illius per seruicia inde debita et de iure consueta imperpetuum, prout in carta sua prenominata nobis inde confecta plenius continetur, Nos autem predicti prior et conuentus ex nostro vnanimi assensu et concensu pro nobis et successoribus nostris concedimus prefato Johanni et heredibus masculis de corpore suo legitime procreatis, si ipsi volunt aut aliquis eorum vult venire ad villam aut baroniam de Kenlis seu ad villam aut baroniam Derley ibidem seu in aliquo loco earundem mansionem seu mansum habere et in dictis terris de Osbardeston seminare arrare aut culturam facere, tunc liceat prenominato Johanni et heredibus suis masculis de corpore suo legitime ut predictum exeuntibus omnia predicta prata pasturas boscos gurgites et cunicularia cum omnibus suis pertinenciis habere et possidere sine aliqua calumpnia per nos aut successores nostros inde imposterum facienda. Et si contingat nos prenominatos priorem et conuentum aut successores nostros habere aliquam seminacionem in dictis terris de Osbardeston, antequam predictus Johannes aut heredes sui masculi legitime ut predictur procreati venerint aut eorum aliquis venerit ad mansionem ibidem vt predictum est faciendam, istis literis nostris non obstantibus liceat nobis et successoribus nostris vesturam dicte seminacionis nobiscum ducere et portare sine aliquo reddito aut custumis inde prefato Johanni aut suis heredibus masculis vt prenominatum est soluere aut reddere. Et si contingat quod prefatus Johannes aut aliquis de suis heredibus masculis volunt aut eorum aliquis vult venire ad aliquem locum dictorum locorum ad mansionem ibidem vt predictum est faciendam, et iterum abinde recedere, tunc volumus quod presentes litere nostre nullius sint vigoris nec effectus. In cuius rei testimonium presentibus sigillum nostrum commune apposuimus. Data vicesimo die mensis Octobris anno regni regis Henrici sexti tricesimo septimo.

In dorso: A feoffment past by Nicholas priour of Kelles his covent vnto John FitzPatrick Godyn of Osbardston in the barony of Derley. Kenles & the boly.

Seal of the Priory (broken, but the Virgin and Child in centre well preserved).

Parchment, 260 × 180 mm.

A32. [45].—Quitclaim in favour of Holy Cross Abbey by John Sall in relation to rent for messuages in Cashel. 23 March 1460-1.

Nouerint vniuersi per presentes me Johannem Sall burgensem ville de Casshell remisisse relaxasse et omnino pro me et heredibus meis quietum clamasse abbati et conuentui Sancte Crucis de Woghtirlamand in puram et perpetuam elimosinam, duos solidos redditus quos predicti abbas et conuentus michi annuatim debuerunt de duobus mesuagiis cum pertinenciis in vico Fratrum Minorum de Casshell, que iacent inter mesuagium quod quondam fuit Isolde White ex vna parte, et mesuagium quod quondam fuit Petri Mason ex altera parte : Habendos et tenendos predictis abbati et conuentui et successoribus suis pro anima mea et animabus antecessorum meorum imperpetuum, Ita quod nec ego predictus Johannes nec heredes mei nec aliquis alius nomine meo seu nostro aliquod ius clameum seu accionem versus predictos abbatem et conuentum seu successores suos in predictis duobus solidis redditus vt predictum est de cetero exigere vel vendicare potero poterunt seu poterimus in futurum, set ab omni accione inde simus exclusi imperpetuum. In cuius rei testimonium presentibus sigillum meum apposui. Dat' apud Casshell die lune proximo post festum Sancti Patricii anno regni regis Henrici sexti post conquestum Anglie tricesimo nono.

In dorso : A Release of rent to the Abbott of hollycrosse of two houses in Cashell.

Seal (Virgin and Child) (broken).

Parchment, 223 × 105 mm.

A33. [46].—Mandate of John, Archbishop of Cashel, under authority of a Letter (recited) from Pope Paul II, for the citation of certain persons to answer a complaint of Holy Cross Abbey regarding wrongful occupation of its property. 30 June, 1466.

Johannes miseracione diuina et apostolice sedis gracia Archiepiscopus Cassellensis, ac iudex et executor vnacum diuersis in hac parte collega ac cum illa clausula 'quod si non ambo' et cetera ad infrascripta a sede apostolica delegatus, dilectis

nobis in Christo fratribus Hugoni Olynny et Tatheo Omolryan monachis, nunciis et apparitoribus nostris, salutem et nostris ymmo verius apostolicis signatis obedire mandatis. Literas sanctissimi in Christo patris et domini nostri domini Pauli diuina providencia pape II, eius vera bulla plumbea in cordula canapis more Romane curie impendente bullatas, sanas et integras non cancellatas non abrasas nec abolitas aut in aliqua parte suspectas sed omni prorsus vicio et suspicione carentes prout nobis in eisdem prima facie apparuit, per venerabilem virum fratrem Matheum abbatem Sancte Crucis de Wothyrlaund ordinis Cisterciensis Cassellensis diocesis impetratas nobisque per eundem presentatas cum ea qua decuit reuerencia nos noueritis recepisse, sub hoc qui sequitur tenore. Paulus episcopus seruus seruorum Dei venerabilibus fratribus Archiepiscopo Cassellensi et Episcopo Laoniensi salutem et apostolicam benedictionem. Dilectorum filiorum abbatis et conuentus monasterii Beate Marie Sancte Crucis de Wothyrlaund Cisterciensis ordinis Cassellensis diocesis precibus inclinati, presencium vobis auctoritate mandamus, quatenus ea que de bonis dicti monasterii alienata inveneritis illicite vel distracta ad ius et proprietatem dicti monasterii legitime reuenire curetis, contradictores per censuram ecclesiasticam appellatione postposita compescendo, testes autem qui fuerint nominati si se gracia odio vel timore subtraxerint censura simili appellatione cessante compellatis veritati testimonium perhibere, quod si non ambo hiis exequendis potueritis interesse, alter vestrum ea nichillominus exequatur. Datum Rome apud Sanctum Petrum anno Incarnationis Dominice millesimo quadringentesimo sexagesimo quarto Non. Nouembris pontificatus nostri anno primo. Post quarum quidem literarum apostolicarum presentationem et receptionem nobis et per nos factas, fuimus per eundem abbatem Beate Marie Sancte Crucis de Wochtyrlaund ipsiusque conuentum assidue conquerentes de illicita alienacione et distractione rerum et bonorum prefati monasterii, presertim contra fratrem Patricium Omaythyr custodem de Thomè Laoniensis diocesis, ecclesiam de Burgesnyffarryn eiusdem Laoniensis diocesis ipsiusque fructus redditus et proventus ad ius et proprietatem dicti monasterii spectantes, necnon quod nobiles viri Cornelius Oduyr' sue nacionis capitaneus ipsiusque fratres et consanguinei, presertim filii Tathei et filii Philippi Yduyr', nonnullas terras ecclesiasticas de territorio dic-

torum monasterii et monachorum, ac eciam quod Tatheus filius Philippi Ymolryan et sui sequentes ceteras terras et particulas de Ballycathill ad ius et proprietatem dicti monasterii spectantes legitime et pertinentes per longa tempora, dictis abbate et conuentu invitis et reclamantibus, distraxerunt et sibi ipsis vsurpauerunt nequiter et occupauerunt, prout predicta eadem ecclesiam terras particulas res redditus et emolumenta vt asseritur ad presens indebite illicite et iniuste vsurpant et illicite detinent, debita cum instancia requisiti, quatenus contra predictos ac omnes alios et singulos predicto monasterio quoad alienacionem rerum et bonorum eiusdem preiudicantes iuxta formam et effectum dictarum literarum procedere deberemus. Vnde nos, receptis confratris et suffraganei nostri Mathei diuina gracia Laoniensis episcopi nostri in hac parte college [literis] ex eo quod quominus cognicioni huiusmodi cause interesse potuit asseruit se esse bene impeditum ad procedendum in eadem causa commissionis, nos dictam prefatorum abbatis et conuentus supplicacionem esse iuri consonam considerantes, partes ad certos diem et locum citandas et iusticiam fieri decreuimus ac decernimus per presentes. Vobis igitur in salutacione contentis et vestrum cuilibet per se et insolidum committimus ac sub excommunicationis pena districte precipiendo mandamus, quatenus prefatos fratrem Patricium custodem de Thome, ac ceteros omnes et singulos in rectoria siue integra ecclesia de Burgesnyffarryn quouismodo se interesse habere pretendentes, necnon Cornelium Oduyr' sue nacionis capitaneum ac filios Tathei et Philippi Yduyr' ac eciam Tatheum filium Philippi Ymolryan, omnesque alios et singulos eis in premissis adherentes seu interesse habentes, ad comparandum coram nobis in ecclesia parochiali de Rathkenan Cassellensis diöcesis XXIII die mensis Iulii proximo futuro hora qua inibi per uos ad subdelegacionem nostram pro tribunali sedebimus petitioni seu libello dictorum abbatis et conuentus iusticia mediante responsuros, vltteriusque acturos facturos et reportaturos que iuris fuerint et rationis, citetis peremptorie alterve vestrum citet, quos omnes et singulos ad diem et locum predictos et ad totam huiusmodi causam usque ad sentenciam diffinitiuam inclusiue in eadem presencium serie auctoritate apostolica citamus peremptorie, causam citationis peremptorie videlicet imminens animarum periculum eis assignantes, et de execucione presencium literarum vnacum retroditiõne earundem

nos dictis die et loco certificare curetis alterque vestrum procuret et fidem vobis adhibebimus indubiam et cetera. Acta sunt hec in monasterio Sancte Crucis de Wochtyrland ultimo die mensis Junii anno domini millesimo CCCCLXVI indiciōe XIII pontificatus sanctissimi domini nostri supradicti Pauli pape secundi anno secundo, presentibus magistro Tatheo Olaghtnan officiali nostro, Johanne Cantwell cancellario Cassellensi, Willelmo Broun notario publico. In quorum fidem et testimonium sigillum nostrum quo vtimur ad maiora presentibus imprimi fecimus.

Fragments of the Abp. of Cashel's Seal,
in red wax, affixed to the paper at
the top left-hand corner.

Paper, 295 × 357 mm.

A34. [47].—Notarial instrument recording the judgment of Thady OLauthnan, principal official of the ecclesiastical court of Cashel, in favour of Holy Cross Abbey, and against the rector and vicar of Ballysheehan, as regards the tithes of Ballycally. II April, 1467.

Vniuersis et singulis sancte matris ecclesie filiis ad quos siue ad quorum noticiam presentes litere infrascriptum nostrum in se continentes processum pervenerint, quibuscunque nominibus censeantur aut quacunque dignitate prefulgeant, presertim illis quos infrascriptum tangit negocium vel tangere poterit quomodolibet in futurum, magister Tatheus OLoughnan vtriusque iuris bachillarius ac principalis officialis curie Cassellensis et ad infrascripta ex partium subscriptarum consensu et assensu iudex specialiter electus et deputatus, salutem et presentibus fidem adhibere indubiam. Vestre siquidem vniuersitati presencium serie innotescimus quod postquam venerabiles ac discreti viri abbas et conventus Sancte Crucis de Wochtyrland ordinis Cisterciensis, ac rector et vicarius ecclesie parochialis de Ballysychan Cassellensis diocesis, inter quos super decimis et proventibus controuersia et discencionis materia ville siue particule de Ballycally dicte Cassellensis diocesis non modica erat saltem extrajudicialiter suborta, in nos officialem Cassellensem supradictum ad cognoscendum diffiniendum et determinandum super iuribus et titulis ipsorum contendencium, videlicet abbatis et

conuentus Sancte Crucis ex vna, et rectoris ac vicarii de Ballysychan partibus ex altera, eis in decimis et prouentibus dicte ville siue particule de Ballycally ad ius et proprietatem prefati monasterii spectantis competentibus, tamquam in iudicem in hac parte indeferentem et nevtre parti suspectum expresse consenserunt nostroque iudicio in huiusmodi causa stare firmiter promiserunt, nos ipsis partibus ad huiusmodi causam per nos citatis et comparentibus coram nobis, ac quicquid iuris in particula predicta in petitorio seu possessorio habuerunt in iudicium deducuntibus, cum continuatione et prorogatione dierum et locorum sequentium in illa dicta causa suisque questionibus incidentibus cum questionibus connexis et dependentibus ex partium consensu vt prefertur processimus, debitis temporum intersticiis ac aliis de iure obseruandis in hac parte ad plenum seruatis, testibus ab vtraque parte productis in iuris forma receptis iuratis et examinatis, ac pro parte dictorum abbatis et conuentus tam primeue fundacionis dicti monasterii quam subsequenter adquisicionis carte literis et scripturis ac ordinis priuilegiis ad ipsorum ius probandum et coroborandum iudicialiter ministratis, iuribus allegacionibus et disputacionibus partium predictarum coram nobis factis et exhibitis ad plenum intellectis, priuato hucusque nostro processu, ad nostram sententiam diffinitiuam proferendam die et loco infrascriptis partibus ad ipsam audiendam ad eosdem peremptorie citatis processimus in hunc modum. In Dei nomine amen. Visis cognitis et intellectis meritis cause coram nobis inter abbatem et conuentum Sancte Crucis de Wochtyrland ordinis Cisterciensis partem actricem ex vna, ac rectorem et vicarium ecclesie parochialis de Ballysychan Cassellensis diocesis reos partibus ex altera, super decimis ville siue particule de Ballycally ad ius et proprietatem monasterii predicti spectantis mote et indecise pendentis, Et quia per primeuam dicti monasterii fundacionem ac priuilegia ordinis Cisterciensis et testes fidedignos in iuris forma productos ac alia indicia que animum iudicantis mouere deberent, intencionem abbatis et conuentus predictorum super decimis et altragiis dicte particule fundatam et cetera inuenimus, Idcirco nos Tatheus OLauthnan officialis Cassellensis ac in huiusmodi causa ex partium expresso consensu iudex specialiter deputatus, apud Ballycally Cassellensis diocesis XI die mensis Aprilis anno domini MCCCCLXVII pro tribunali sedentes, Deum solum et

iusticiam pre oculis habentes, omnes decimas garbarum et aliorum decimalium ville siue particule de Ballycally ad monasterium Sancte Crucis de Wochtyrland predictum ac ad abbatem et conuentum eiusdem spectare et pertinere per hanc nostram sententiam diffinitiuam quam ex iuris peritorum concilio ferimus in hiis scriptis et promulgamus decernimus et declaramus, dictisque rectori et vicario de Ballysychan super eisdem decimis de Ballycally perpetuum silencium imponimus et cetera. Lecta lata et in scriptis promulgata est hec nostra diffinitiuam sententia anno domini mense die et loco enarratis indiccione XV pontificatus sanctissimi domini nostri domini Pauli diuina providencia pape secundi anno tercio, presentibus fratribus Cornelio Ofovlov priore Monasterii de Rupe Casselle, Tatheo O Lenaghan monacho monasterii de Albo Tractu, Johanne Okennedy clerico, M^croboe Oconyll, et multis aliis testibus ad premissa vocatis et requisitis Cassellensis Corkagensis et Laoniensis diocesium. Que omnia et singula vobis vniuersis et singulis quibus presens noster processus dirigitur intimamus insinuamus notificamus et declaramus ac ad vestram et cuiuslibet vestrum noticiam deducimus et deduci volumus per presentes. Et nichillominus vobis omnibus et singulis quorum interest, presertim occupatoribus dicte ville siue particule de Ballycally, sub maioris excommunicacionis pena quam in contemptores mandati nostri ferimus in hiis scriptis districte precipiendo mandamus, quatenus omnes omnes (*sic*) et singulas decimas obuenciones et altragia dicte ville de Ballycally prefatis abbati et conuentui Sancte Crucis eorumve procuratoribus vel atturnatis et nulli alii (*sic*) persoluatis et persolui faciatis cum effectu infra tres dies noticiam presencium vobis factam proximo et immediate sequentes. Et insuper monemus ac requirimus primo secundo et tercio ac peremptorie rectorem et vicarium de Ballysychan, eorumque procuratores et firmarios, presertim Dermicium Otathyll vicarium eiusdem, quod infra tres dies noticiam presencium eis factam immediate sequentes ab omni molestacione perturbacione et inquietacione dictorum abbatis et conuentus super decimis particule predictae de Ballycally penitus et omnino decistant (*sic*) ac quod omnes et singulas decimas per eos ex eadem particula post causam per nos inceptam perceptos (*sic*) prefatis abbati et conuentui cum dampnis et interesse infra dictos tres dies sub maioris excommunicacionis pena, quam in

ipso et eorum quemlibet in premissis culpabilem sua contumacia id exigente dicta canonica monicione premissa ferimus in hiis scriptis, restituant et cetera. In quorum omnium et singulorum fidem et testimonium premissorum presentes literas fieri nostroque sigillo communiri ac per notarium publicum huiusmodi cause scribam et secretarium subscribi et signari fecimus.

Et quia ego Willelmus Broun clericus Eboracensis diocesis auctoritate imperiali notarius publicus dicte sentencie diffinitive prolacioni ceterisque supradictis dum sic vt premittitur fierent et agerentur presens interfui eaque sic vidi fieri et audiui, et ideo hunc processum per me ex mandato prefati domini iudicis fideliter scriptum ipsiusque sigillo communitum subscripsi signoque et nomine meis solitis et consuetis signavi in fidem robor et testimonium premissorum rogatus et requisitus.

Notarial sign, with initials W.B.

In dorso: Tyeths of Ballically belongs to Holly Crosse : And so adiudged by this definitiue sentence An : Dom : 1467.

Seal gone from tag.

Parchment, 200 × 507 mm.

A35. [48].—Absolution for various offences granted to John Yoing, Abbot of Tintern, by Matthew, Abbot of Holy Cross, and R. Boely, monk of Mellifont, on behalf of the Cistercian General Chapter. 14 October, 1468.

Jhs.

Uniuersis Christi fidelibus ad quorum noticiam presentes litere peruenerint Frater Matheus abbas monasterii Sancte Crucis de Woghtirlavyn Cisterciensis ordinis Cassellensis diocesis, et Frater Rogerus Boely monachus monasterii Mellifontis dicti Cisterciensis ordinis Ardmachane diocesis, tocius nostri ordinis in Momonia et Lagenia auctoritate generalis capituli Cisterciensis cum potestate instituendi et destituendi abbates alias plenissime reformatores coniunctim et diuisim specialiter deputati, salutem et celestis gracie perfectum salutarem. Nouerit vestra vniuersitas quod cum bonorum meritum sit timere vbi nulla vel minima culpa reperitur, hinc est quod comparens coram nobis in conuocacione publica anni iam instantis apud Kilkenniam in ecclesia parochiali

Beate Marie Virginis in progressu reformacionis nostre religiosus confrater noster Frater Johannes Yoynge, abbas monasterii de Voto alias Tynterna dicti nostri ordinis Fernensis diocesis, humiliter nostris reformacioni et correccioni in omnibus se submisit, caucionem eciam iuratoriam exponens de parendo iuri et nostris preceptis obtemperando in debita iuris et nostre religionis forma et effectu. Vnde, cum alma mater ecclesia nemini claudit gremium redeunti et vnique humiliter pulsanti ianuam attollit remissionis, volentes eundem confratrem et coabbatem nostrum tanto vberius gratiam consequi et fauorem quanto altius apud nos sua humilitas commendatur, eundem igitur a quibuscunque sentenciis suspencionis excommunicacionis et interdicti a iure vel ab homine in eum latis absoluimus, nec non super heresi quacunque simonia dilapidacione alienando vel dissipando bona sui monasterii commissa furto sacrilegio homicidio solempni quocunque periurio sortilegio conspiracione adulteriis incestibus fornicacionibus manuum violentarum iniectiōibus, eciam super crimine falsi vel falsarum literarum apostolicarum vel cuiusvis alterius inferioris, nec non super impetracione retencionē et vsu literarum seu processuum contra communia statuta et priuilegia ipsius nostri ordinis, et aliis quibuscunque criminibus et excessibus per eundem Fratrem Johannem abbatem ante datam presenciam perpetratis, auctoritate qua fungimur in hac parte misericorditer dispensauimus, et statum eius reintegrauimus et reformauimus, prout absoluimus dispensamus reintegramus et reformamus per presentes. In cuius rei testimonium sigillum nostrum quo in huiusmodi officio vtimur presentibus apposimus. Dat' Kilkennie in conuocacione nostra decimaquarta die mensis Octobris anno domini millesimo quodringentesimo sexagesimo octauo.

In dorso: Com. Wexford. Letters of Absolution granted to the Abbott of Tinterne An: 1468.

Seal gone from tag.

Parchment, 235 × 147 mm.

A36. [49].—Grant by John Fyrter of Callan to the Prior and Convent of Kells, of Baryscastell etc., in exchange for other property. No date [latter part of fifteenth century]. (Two deeds: A. Grant; B. Quitclaim).

A. Sciant presentes et futuri quod ego Johannes Fyrter burgensis ville de Callania et Kenllis dedi concessi et hac presenti cartha mea confirmaui priori et conuentui domus seu prioratus Beate Marie Virginis de Kenllis in Ossoria castellum meum vocatum Baryscastell cum omnibus suis pertinenciis in tenemento ville Prioris cum omnibus messuagiis tenementis terris pratis pascuis moris aquis siluis buscis growys que habeo in tenemento predictae ville Prioris et in tenemento le Westowne de Kenllis cum omnibus pertinenciis, in escambium pro dimidia parte vnus messuagii cum dimidio orti adiacentis et quindecim acris terre arabilis in tenemento Callanie, que habuerunt ex dono et feoffamento Johannis filii Willelmi Whytte, sicut eisdem priori et conuentui assignantur et perambulatur per certas metas et bundas: Habenda et tenenda predictum castellum predictas terras vt supradictum est cum omnibus pertinenciis prefato priori et successoribus suis de me et heredibus meis imperpetuum libere quiete et in pace per seruicia et redditus pro terris in tenemento le Westowne reddendo. Et ego vero [*etc. clause of warranty*]. In cuius rei testimonium presentibus sigillum meum apposui, et quia sigillum meum pluribus est incognitum ideo sigillum commune ville Callanie ad specialem rogatum meum presentibus est appensum. Dat' [*no more*].

In dorso: Barryes castle neere Kells.

Seals of the Town of Callan and of J.
Fyrter in good condition.

Parchment, 230 × 105 mm.

B. Quitclaim by the same to the same in regard to all his property "in tenemento ville Prioris et in tenemento le Westowne de Kenllis." Ends with the same words as A.

In dorso: Prior de Kellis.

Same seals as A.

Parchment, 215 × 110 mm.

A37. [50].—Grant to the Prior and Convent of Kells by Richard Cantwell, lord of Strowhan, of the vill of Ketynehystoun in the barony of Knocktopher. 6 September, 1476.

Sciant presentes et futuri quod ego Ricardus filius Thome

Cantwell dominus de Strowhan dedi concessi et hac presenti carta mea confirmaui Deo Beate Marie Virgini priori et conuentui domus Beate Marie de Kenllis in Ossoria vnam villam vocatam Ketynehystoun cum omnibus suis terris natiuis iuribus et pertinenciis quibuscumque in baronia de Knoctofre in comitatu Kilkennie, situatam in longitudine inter terram de Garwa . . . ex parte orientali et terram German ex parte occidentali, in latitudine vero iacet a terra German ex parte boreali usque ad Mursynehystoun ex parte australi, pro salute anime mee et vxoris mee et animarum parentum meorum videlicet Thome Cantwell et Isabelle Maccod', et pro salute animarum fratrum sororum antecessorum et successorum meorum, sicut eisdem priori et conuentui assignatur et perambulatur per certas metas et bundas : Habendam et tenendam predictam villam cum omnibus suis terris natiuis iuribus et pertinenciis quibuscumque prefatis priori et conuentui et successoribus suis de me et heredibus meis in puram et perpetuam elemosinam imperpetuum libere quiete in pace ab omni seruicio seculari et demanda. Et ego vero [*etc., clause of warranty*]. In cuius rei testimonium sigillum meum apposui. Dat' sexto die mensis Septembris anno regni regis Edwardi quarti post conquestum Anglie sextodecimo.

Seal gone from tag.

Parchment, 237 × 137 mm.

A38. [51].—Award of arbitrators in a dispute between the Abbot (Matthew) and Convent of Holy Cross, and William Hedyan, as to the boundaries of Huddeston, etc. 20 August, 1476.

Nouerint vniuersi per presentes nos Georgium Comyn vicecomitem libertatis comitatus Typperarie, Oliuerum Burdon, et Walterum de Sancto Johanne, arbitros et iudices per religiosum virum Fratrem Matheum abbatem de Sancta Cruce de Wothyrland et eius conuentum vna ex parte, et Willelmum filium Petri Hedyan altera ex parte, de ipsorum vnanimi concensu et assensu, ad iudicandum et determinandum super quadam lite seu discordia orta et mota inter partes predictas, super metis et confinibus inter terras de Huddeston Typpryry et Kyllynys, ac super vno messuagio vndecem acris terre arrabilis et quinque acris more et pasture et dimedietate siti molendini existent' infra terram de Tippryry in proprietate et possessione, ac omnes

terras infra metas predictas in Tippryry et Kyllynys, nominatos et specialiter electos, recepto prius per nos iuramento ex vtraque parte de stando iudicio nostro in premissis, visis tunc predictarum partium cartis et evidenciis ac receptis testibus ex vtraque parte productis ac attestacionibus eorundem scriptis et pupplicatis, receptis eciam attestacionibus Roberti Sall, Thome Gregor', Daud Boyton, Willelmi filii Henrici Veyton, iudicum per presens in predicta causa per predictas partes electorum, dicto Willelmo asserente eorum sentenciam pro eo fore latam, premissis omnibus et singulis per nos consideratis et diligenter perscrutatis, de concilio iurisperitorum decreuisse metam pro tunc per abbatem et conuentum predictos et suos testes perambulatum fore veram metam inter terras de Huddeston Typpryry et Kyllynys ac predicta messuagium vndecem acras terre arrabilis quinque acras more et pasture et dimedietatem siti molendini in proprietate et possessione predictis abbati et conuentui adiudicasse, ac ita decernimus et adiudicamus per presentes, donec et quousque in assisa in forma iuris regalis contra ipsos abbatem et conuentum adiudicata fuerint, et ab eis iudicialiter in assisa recuperata per dictum Willelmum heredes aut assignatos suos et cetera. In quorum omnium et singulorum premissorum fidem et testimonium nos prefati arbitri et iudices presentibus sigilla nostra apposui-
 mus. Dat' apud Typpryry die martis proximo ante festum Assump-
 tionis Beate Marie Virginis anno regni regis Edwarde quarti post conquestum regni sui Anglie sextodecimo et cetera.

In dorso : An Arbitration and adward concerninge the meares between Tippryry Huddeston and Killines. The Abbott of Hollycrosse. 16° Edw. 4 : An : Do : 1476.

Parchment, 370 × 130 mm.

Seals gone, except for a portion of O. Burdon's. On the tags for the seals :—

- 1). Sigillum Georgii Comyn vicecomitis ;
- 2). Sigillum Oliueri Burdon ;
- 3). Sigillum Walteri de Sancto Johanne.

A39. [52].—Five deeds relating to the Priory of Kells and the vill of Killinigh, etc. 1479-87.

A. Quitclaim by James Cotterel in favour of the Priory to all his rights in Killinigh. 20 February, 1478-9.

Nouerint vniuersi per presentes me Jacobum Cotterel burgensem ville Kilkenie remisisse relaxasse et omnino pro me et heredibus meis imperpetuum quietum clamasse priori et conventui domus siue monasterii Beate Marie de Kenlis in Ossoria et successoribus suis totum ius meum et clameum que vel quod habeo seu in futurum habere pottero in omnibus terris et tenementis redditibus et seruiciis cum omnibus suis pertinenciis in villa de Kilinthi alias Kilinigh in baronia de Erley in comitatu Kilkenie vna cum vno molendino et gurgitibus ibidem super aquam de Ry. Ita quod nec ego predictus Jacobus Cotterell nec heredes mei nec aliquis alius nomine nostro aliquod ius seu iuris clameum in predictis terris tenementis redditibus seruiciis cum eorum pertinenciis exigere clamare seu vendicare decetero poterimus set ab omni actione iuris et clamei simus exclusi imperpetuum. Et ego vero [*etc., clause of warranty*]. Et si ego predictus Jacobus vel heredes mei contra quietam clamanciam venerimus vel venire presumpserimus in toto vel in parte, concedo et volo et per presentes obligo me heredes et assignatos meos ad soluendum dictis priori et conventui vel eorum successoribus CC. libras bone et legalis monete nomine puri debiti, Et quod dominus episcopus Ossoriensis qui pro tempore fuerit et eius vicarius in spiritualibus aut officialis possint me et heredes et assignatos meos excommunicare et interdicere de die in diem ad dictam summam CC. librarum predictis priori et conventui et eorum successoribus plenarie persoluendam, Nullis eciam excepcionibus cauillationibus prohibitionibus nec defencionibus mihi aut heredibus meis predictis in contrarium premissorum valituris. In cuius rei testimonium presentibus sigillum meum apposui, et quod sigillum meum pluribus est incognitum, ideo et sigillum communitatis uille de Callan, vna cum sigillo vicarii generalis Ossoriensis diocesis sede vacante, ad specialem rogatum meum presentibus est appensum. Dat' apud Callan XX die mensis Februarii anno domini millesimo quadringentesimo septuagesimo VIII, et anno regni regis Edwardi quarti post conquestum Anglie decimo octavo.

In dorso : James Cotterel his release of the towne and lands

of Killinigh to the Prior and Conuent of Kenlis. An : Dom :
1478 | 18 E.3 [*sic : recte 4*].

Three seals, of J. Cotterel ; of the Town
of Callan ; and of the Vicar General
of Ossory, in very good condition,
except that some portions of the last
have been broken off.

Parchment, 260 × 140 mm.

B. Grant by James Cotterel to William Cotterel of a piece
of land called Harperysrath (with reference to the lands conveyed
in the preceding deed). *Witnesses* : dominus Thadeus O Maylle
and dominus Walter Nettelton, capellani, Edmund Whytte, and
'many others.' No date or place.

In dorso : lands in the Barrony of Erley.

Seal and tag gone.

Parchment, 275 × 80 mm.

C. Grant by William Cotterell burgess of Kells, son of Henry
Cotterell, to the Prior and Convent of Kells, of Harper ys Rathe,
which he had by the grant made in the preceding deed. *Witnesses* :
dominus Philip Kepe and dominus Edmund Lyazlure, capellani,
John Veynge, John Osmunde, and 'many others.' No date or place.

Seal of W. Cotterell.

Parchment, 220 × 90 mm.

D. Quitclaim by the same in respect of the grant more fully
set forth in C. Dated 6 February, 1486 in the second year of
K. Henry VII.

Same seal as C.

Parchment, 230 × 86 mm.

E. Letter of attorney by the same, appointing John Osmown
to give seisin to the Prior and Convent of the same property.
Same date as D.

Same seal as C.

Parchment, 172 × 94 mm.

A40. [54].—Quitclaim in favour of the Prior and Convent
of Kells, by John Den of Thomastown, to all his rights in the vill
of Orbardistown. 19 April, 1479.

Noverint vniuersi per presentes me Johannem Den' de Thomastown principalem mee nacionis remisisse relaxasse et omnino pro me et heredibus meis imperpetuum quietum clamasse priori et conventui domus siue monasterii Beate Marie de Kenlis in Ossoria et successoribus suis, totum ius meum et clameum que vel quod habui habeo seu in futurum habere potero in capitalibus redditibus sectis curie et molendini ac aliis seruiciis in villa de Orbardistown in baronia de Erley in comitatu Kilkennie, quamquidem villam predicti prior et conventus tenent ex dono et feofamento Johannis filii Patricii Godyn : Ita quod nec ego antedictus Johannes Den' nec heredes mei nec aliquis alius nomine nostro aliquod ius seu iuris clameum in predictis redditibus sectis et seruiciis exigere vendicare seu clamare decetero poterimus, set ab omni accione iuris et clamei simus exclusi imperpetuum. Et ego vero [*etc., clause of warranty*]. In cuius rei testimonium presentibus sigillum meum apposui. Dat' apud Thomastown XIX die mensis Apprilis anno domini M^oCCCCCLXXIX, et anno regni regis Edwardi quarti post conquestum Anglie XVIII [*sic, recte XIX*].

A signet, in very good condition, bearing initial J (?).

Parchment, 233 × 105 mm.

A41. [55].—Appropriation to Holy Cross Abbey by David, Archbishop of Cashel, of the vicarage of Gleankyn. 10 July, 1485.

Dauid miseracione diuina et apostolice sedis gracia Cassellensis archiepiscopus provideo et circumspecto viro domino Johanni Ohedyan decano ecclesie Cassellensis salutem in Domino sempiternam. Quia vicariam ecclesie parochialis de Gleankyn integram cum suis pertinenciis vacantem de iure et de facto nostre Cassellensis diocesis et ad nostram collationem spectantem monasterio Sancte Crucis de Woghtirlaund Cisterciensis ordinis eiusdem nostre Cassellensis diocesis, ob reuerenciam et honorem salutiferi ligni crucis et Illius qui in illo pependit, in puram et perpetuam elemosinam, de consensu et assensu dilectorum filiorum decani et capituli nostri Cassellensis ac aliorum interesse habencium, saluis nobis et successoribus nostris iuribus ordinariis et extraordinariis in eadem vicaria, anneximus incorporauimus et perpetuo appropriauimus provt per presentes annectimus

incorporamus et appropriamus, curam et administracionem eiusdem ecclesie in ipsum monasterium illiusque abbatem et conventum transferentes. Proviso tamen quod ipsa cura animarum que . . . vicarie iminet propter huiusmodi annexionem et appropriacionem nullatenus negligatur et onera ordinaria et extraordinaria debite (solu)entur ex illa. Quare vobis decano nostro supradicto precipimus et mandamus, quatenus abbatem . . . monasterii seu illorum procuratorem nomine dicti monasterii in corporalem realem et actuaalem possessionem . . . (vicari)e de Gleankyn cum omnibus suis iuribus et pertinenciis vniuersis inducatis i(nduciu)e faciatis ac inductos . . . defendatis, contradictores et rebelles siquos quod absit in hac parte inueneritis per omnem censuram ecclesiasticam (auctoritate) nostra compescendo, Et in signum huiusmodi execucionis vestre sigillum vestrum tercie caude presencium apponatis. In cuius rei testimonium sigillum nostrum presentibus apponi fecimus. Dat' Cassellie decimo die mensis Junii anno domini millesimo quadringentesimo octuagesimoquinto, et nostre consecracionis anno secundo. Volumus autem quod dicti abbas et conventus presentent nobis successoribusve nostris vnum capellanum qui cure dicte vicarie per nos dictosve successores respectiue admissus deseruiet et cetera.

Et nos decanus et capitulum ecclesie Cassellensis nostrum consensum et assensum huic annexioni incorporacioni et appropriacioni vnanimiter prebemus, et in signum huiusmodi consensu sigillum nostrum commune presencium secunde caude apposimus. Subscriptum vt supra.

Et nos Johannes Hedyan decanus Cassellensis huic appropriacioni et incorporacioni consentimus, et huiusmodi mandatum iuxta ipsius vim formam et effectum sumus executi, Et in signum huiusmodi consensu et execucionis sigillum nostrum tercie caude presencium apposimus. Subscriptum vt supra.

In dorso: Glankeene vic' vnited to Holy Crosse An : Dom : 1485.

A considerable portion of the Archbishop's large seal remains; the other two seals are gone from tags.

Parchment, 315 × 220 mm. This deed is slightly defective through holing.

A42. [56].—Quitclaim in favour of the Prior and Convent of Kells by the Prior (J. Ketyng) and Brethren of the Hospital of St. John of Jerusalem, Kilmainham, to all their rights in the Grange of Kells. (Two copies of the deed, slightly differing from one another). 6 October, 1486.

A. Uniuersis Christi fidelibus ad quos presentes nostre litere pervenerint Frater Jacobus Ketyng prior Hospitalis Sancti Johannis Jerusalem in Hibernia et eiusdem Hospitalis fratres salutem in domino sempiternam. Nouerit vniuersitas vestra nos antedictos priorem et fratres de nostris vnanimi consensu et assensu remisisse relaxasse et omnino pro nobis et successoribus nostris imperpetuum quietum clamasse priori et conuentui domus Beate Marie de Kenllis in Ossoria et eorum successoribus totum ius nostrum et iuris clamei quod habemus habuimus seu quouis modo in futurum habere poterimus in villa que vocatur Grangia de Kenllis predicti alias Rathalwey seu quocumque alio nomine appellatur, vna cum omnibus messuagiis terris tenementis redditibus seruiciis aquis gurgitibus molendinis fructibus emolumentis aliisque iuribus et pertinenciis quibuscumque ad ipsam villam qualitercumque spectantibus siue pertinentibus, necnon in tribus libris de illis quinque marchis annui redditus siue annue pencionis quas ipsi prior et conuentus de Kenllis et eorum predecessores nobis et predecessoribus nostris soluere consueuerunt, Ita quod nec nos prior aut fratres aut successores nostri predicti nec aliquis alius nomine nostre quicquid iuris aut clamei in dicta villa messuagiis [*etc., as above . . .*] emolumentis pertinenciis aut tribus libris predictis exigere clamare seu vindicare poterimus sed ab omni actione iuris et clamei inde simus exclusi imperpetuum: Saluis tamen nobis et successoribus nostris sex solidis et viii denariis de dicta annua pencione remanentibus ab ipsis priore et conuentu de Kenllis eorumque successoribus annuatim persoluendis, vniones et annexiones quaslibet de dicta villa messuagiis [*etc., as above . . .*] emolumentis iuribus pertinenciis ac quinque marchis annui redditus predictis quibuscumque preceptoris Hospitalis predicti presertim de Clonawell aut Kyllergy per nos aut predecessores nostros alias eciam capitulariter forsitan ad tempus aut in perpetuum factas presentium serie dissoluentes ac penitus et omnino reuocantes. Et si forte nos prior et fratres aut successores nostri predicti contra remissionem relaxationem et quietam clamanciam huiusmodi

venerimus aut venire presumpserimus in toto vel in parte, ipsos priorem et conventum de Kenllis aut eorum successores per nos vel per submissas personas super premissis in iudicio vel extra molestando aut quomodolibet perturbando, volumus et concedimus quod in penam centum librarum ipsis priori et conventui de Kenllis ipso facto incurramus, Ad cuius pene solucionem nos et successores nostros predictos ac beneficia nostra ecclesiastica omniaque bona alia nostra mobilia et immobilia vbilibet existencia obligamus per presentes : Nullis omnino privilegiis exempcionibus statutis immunitatibus excepcionibus aut defencionibus quibuslibet per nos hactenus optentis aut in futurum obtinendis per que premissa forsitan quoquomodo suo frustrari possent effectu contra premissa vel aliquid premissorum in aliquo valituris, quibus omnibus quantum ad hoc penitus et omnino renunciamus per presentes. In cuius rei testimonium sigillum nostrum commune vna cum sigillo armorum dicti domini prioris presentibus est appensum. Dat' in capitulo nostro apud Kylmaynan sexto die mensis Octobris anno domini millesimo quadringentesimo octuagesimo sexto, et anno regni regis Henrici septimi secundo.

In dorso : Grangia de Kenlis. Release to the prior of Kenlis from the prior of Kylmaynan.

Seal of the Prior of Kilmainham (in good condition) ; seal of the Hospitallers of Kilmainham (fragments).

Parchment, 275 × 180 mm.

B. Deed identical with A, except that it does not contain the clause "vniones et annexiones . . . omnino reuocantes," and at end after "sigillum nostrum commune" it reads "vna cum sigillis dicti domini prioris ac prioris templi presentibus" etc.

In dorso : A release from the prior of Saint Johne Jerusalem of the grange of Kenles.

A portion of the seal of the Hospitallers of Kilmainham ; seal of the Prior of Kells (in good order) ; seal of the Prior of Kilmainham (broken).

Parchment, 250 × 140 mm.

A43. [59].—Grant to the Prior and Convent of Kells by Paul Schewer, lord of Mallardstown, of a wood. (Two deeds).

A. Grant. 10 April, 1498.

Sciant presentes et futuri quod egō Paulus Schewer dominus de Villa Malardi dedi concessi et hac presenti carta mea confirmaui priori et conuentui monasterii Beate Marie Virginis de Kenlys Ossoriensis diocesis vnam particulam silue cum suis pertinenciis sicut iacet infra margines in bosco meo de Sowydwod alias Shewer ys Wod, que quidem particula cum pertinenciis iacet in circuitu infra margines a le Schewer ys Myll et sic vsque a le Gurtynvur et sic vsque ad le Kylbley et Shanclon et a Shanclon vsque ad aquam de le Tartoge et sic infra le Myll pown quod transit vsque ad dictum fontem de le Schewer ys Myll, prout dictis priori et conuentui assignatur et perambulatur per certas metas et bundas: Habendam et tenendam dictam particulam silue cum suis pertinenciis predictis priori et conuentui et suis successoribus in puram et perpetuam elemosinam libere quiete sine aliquo reddito. Et ego vero [*etc., clause of warranty*]. In cuius rei testimonium presentibus sigillum meum apposui. Dat' Callan decimo die mensis Aprilis anno regni regis Henrici septimi terciodecimo.

P. Schewer's seal, in good condition.

Parchment, 345 × 105 mm.

B. Quit-claim by James Chewyr in respect of the same property. 2 May, 1498.

Jhus.

Nouerint vniuersi per presentes me Jacobum Chewyr filium ac heredem Nicholai Chewyr diuine pietatis intuitu et ob salutem anime mee remississe relaxasse et omnino pro me et heredibus meis imperpetuum quietum clamasse Deo et Beate Marie necnon priori et conuentui domus siue monasterii eiusdem Beate Marie de Kenlis Ossoriensis diocesis et eorum successoribus imperpetuum totum ius meum et iuris clameum quod vel que habui habeo seu quouismodo habere potero in futurum in vna particula silue cum pertinenciis que quondam erat Pauli Chewyr mei consanguinei in Sowthewod alias Chewiryswod in tenemento de Maylardyston. Ita quod nec ego predictus Jacobus nec heredes meo nec aliquis alius nomine nostro aliquod ius seu iuris clameum

aut accionem in predicta particula silue cum suis pertinenciis amodo exigere clamare nec vindicare poterimus imperpetuum sed ab omni accione iuris et remedii inde simus exclusi per presentes. In cuius rei testimonium quiete clamancie mee huiusmodi sigillum meum apposui. Dat' apud Kenlis secundo die mensis Maii anno domini M°CCCC°XCVIII°, Et anno regni regis Henrici septimi post conquestum Anglie tercio decimo.

About half of the seal remains.

Parchment, 260 × 125 mm.

A44. [60].—Letter from William, Abbot of Nenay (de Magio), to William, Abbot of Holy Cross, in recommendation of the application of a monk of Nenay who desires to be received into Holy Cross Abbey. 9 August, 1499.

Frater Willelmus Dei paciencia abbas monasterii Beate Marie de Maio Cisterciensis ordinis Limericensis diocesis venerabili confratri nostro Fratri Willelmo eadem paciencia abbati monasterii Sancte Crucis eiusdem ordinis Cassellensis diocesis salutem et mutuam in Domino caritatem. Quia nuper ex supplicacione vestra nobis porrecta percepimus consensum vestrum benevolum ad recipiendam professionem Fratris Willelmi Ymannenan monachi nostri in domo vestra, si literas nostras comenditicias posset optinere, Quia autem predictus Frater Willelmus Omanenan super premissis nostram presentiam cum instancia non modica iteratis vicibus sepius propulsavit, certam causam pretendens concernentem salutem anime sue vt asserit tam publice quam priuatim: Nos vero considerantes quod animarum nobis subditarum saluti ex debito postoralis (*sic*) officii providere tenemur, et quod in omni loco uni Domino seruitur et vni regi Christo militatur, ipsum Fratrem Willelmum Omanenan inter nostros retroactis temporibus laudabiliter conuersatum ex vnanimi consensu et assensu conventus nostri a professione nobis facta, cum manus suas inter manus vestras profitendi gracia porrexerit cum effectu, absolvimus per presentes, et eundem absolutum et quietum ab onere nostri monasterii dimittimus in manus vestras, petentes tamen vt de professione sua vobis facta nos certiores faciatis per literas vestras patentes. In cuius rei testimonium sigillum nostrum presentibus apponi fecimus. Dat' in conventu

nostro in vigilia Sancti Laurentii Martiris anno domini millesimo CCCC°. nonagesimo nono.

Seal of the Abbot of Nenay (a considerable portion remaining).

Parchment, 345 × 65 mm.

A45. [62].—Lease by the Abbot and Convent of Jerpoint to Oliver, Bishop of Ossory, of the vill of Cloghran. 20 February, 1501-2.

Hec indentura facta apud Jeripontem XX die mensis Februarii anno domini M°CCCC primo, inter venerabiles et religiosos viros abbatem et conuentum de Jeriponte ex vna ac reuerendum in Christo patrem et dominum dominum Oliuerum Dei gracia Ossoriensem episcopum partibus ex altera, testatur quod prefati abbas et conuentus de eorum vnanimi consensu pariter et assensu evidenti vtilitate monasterii supradicti pensata et super hoc premissis tractatu diligenti dimiserunt et ad firmam tradiderunt eidem reuerendo patri episcopo et suis successoribus villam de Cloghran cum pertinenciis in spiritualibus et temporalibus tam in bosco quam in plano in viis in semitis in siluis pascuis et nemoribus ad terminum XX annorum videlicet de quinquenio in quinquenium plenarie complendum termino incipiente in festo Pasche proximo futuro. Et idem reuerendus pater episcopus remisit eisdem abbati et conuentui per tempus predictum de procuracionibus et synodalibus suis quibus sibi obligantur annuatim xviii. iiiid. Habendam et tenendam villam predictam cum pertinenciis suis predictis ut premissum est eidem domino episcopo et successoribus suis de dictis abbate et conuentu in forma premissa durante firma supradicta. Et predicti abbas et conuentus promiserunt warantizare et defendere premissa firma perdurante. In cuius rei testimonium dicti abbas et conuentus huic parti indenture suum apposuerunt sigillum commune.

[Continued in dorso]: Item idem reuerendus pater episcopus promittit prefatis abbati et conuentui omnes debitos fauores in eorum iusticia defendenda ut ipsi abbas et conuentus eidem reuerendo [patri] et suis (*sic*) similiter fauores eorum impendent et idem pater episcopus in quolibet festo Incarnacionis Domini

soluet prefatis abbati et conuentui vnum . . . (caponem ?) . . . quo inueniri non poterunt . . . (sasuny ?)

[*Another endorsement*]: XX die februarii M^oV^o primo vsque ad finem XX annorum.

Seal of Jerpoint Abbey (a considerable portion).

Parchment, 230 × 100 mm.

A46. [63].—Notarial instrument recording the judgment of Thomas, Bishop of Emly, and two others, in a dispute between the Prior of Kells and the Prior of Kilmainham regarding rent from Listenber. 14 January, 1506-7.

Uniuersis alme matris ecclesie filiis presencium continenciam literarum visuris lecturis pariter et auditoris ac illi uel illis quem siue quos infrascriptum tangit negocium siue tangere poterit quomodolibet in futurum, Thomas permissione diuina et apostolice sedis gracia Imolacensis episcopus et Magister Willelmus Fyan canonicus ecclesie Ossoriensis principaliter et Nicholaus dicta permissione Leghlinensis episcopus tercius et impar, inter venerabiles et summe religionis viros Fratres Robertum Everoc Sancti Johannis Jerusalem de Kylmaynan in Ibernia Dublinensis actorem ex vna et Thomam Dei paciencia de Kenllys ordinis Sancti Augustini Ossoriensis diocesis priores reum partibus ex altera, de et super causa cuiusdam annui redditus census siue pensionis quinque marcarum legalis monete cum earum arreragiis ex quibusdam terris de Lissenber, de quibus ut idem asseruit actor Grangia de Kenlis erat particula, prefato priori de Kylmaynan et fratribus suis debitis, iudices arbitri arbitratores et amicabile compositores communiter et concorditer ab eisdem partibus electi, Salutem eternam in Domino et presentibus fidem adhibere iudubiam. Et quia ea que in iudiciis rite et cum maturitate fiunt atque aguntur interdum obliuioni traderentur nisi per scripture memoriam roboris sumerent firmitatem, Ad vestre igitur vniuersitatis noticiam deducimus per presentes qualiter post discenciones et discordias non modicas inter partes predictas exhortas et habitas ex causa premissa, volentesque huiusmodi discordiarum et discencionum materias radicitus evellere pacemque atque vnitatem perpetuo inter eas firmare et stabilire, predicte

partes nulla precedente coactione sed spontanea earum voluntate promiserunt et earum altera promisit nostris in hac parte stare iudicio arbitrio et arbitramento seu iudicio aut arbitrio vel laudo et concordie prout in predicti compromissi forma continetur cuius tenor est talis.

In Dei nomine amen. Anno domini millesimo quingentesimo sexto indictione IX pontificatus sanctissimi in Christo patris et domini nostri domini Julii diuina providencia pape secundi anno tercio mensis Julii die XIII, in monasterio fratrum minorum de Casteldermoth Dublinensis diocesis, in mei notarii publici presensia et diuersorum tunc astancium testium, venerabiles et religiosi uiri Fratres Robertus Ever' Sancti Johannis de Kylmaynan et Thomas Dei paciencia de Kenllis ordinis Sancti Augustini Dublinensis et Ossoriensis diocesum priores, Volentes amfractus litis exorte et discensionis inter eos habite super annuo redditu seu pensione annua quinque marcarum cum earum areragiis quas vendicat dictus prior de Kylmaynan a priore de Kenllis antedicto dirimere pariter et amputare, in venerabiles et circumspectos viros Magistrum Thomam Wortly electum Imolacensem et Willelmum Fyan canonicum ecclesie Ossoriensis compromiserunt nomine suo et conuentuum suorum et eorum alter compromisit, promittentes stare iudicio arbitrio arbitramento et laudo atque concordie seu iudicio vel arbitrio uel arbitramento seu concordie eorundem sub pena C. librarum sterlingorum applicandarum parti obseruanti, quodque causa ipsa ad finem deduceretur infra festum Natiuitatis Domini proximo sequenti (*sic*) nisi de eorundem compromittencium voluntate et assensu prorogaretur. Et si predicti Magistri Thomas et Willelmus sic electi in vnum non possent concordare, habebunt assumere sibi reuerendum in Christo patrem et dominum dominum Nicholaum Dei gracia Leghlinensem episcopum in tertium imparem, et quod per eos actum esset firmiter obseruari deberet sub pena predicta. Item quod sic electi potuissent procedere in causa ad eius examinacionem tam in presensia quam in absensia sic compromittencium diebus eciam feriatis et in locis atque diocesibus quibus vellent iuris ordinem obseruando uel non obseruando et cetera. Johannes Mohland notarius publicus premissa vidi et audiui.

Quo compromisso sic facto et confirmato et nos huiusmodi cause onus in quantum cum Deo potuimus in nos assumentes,

XXVIII. diem mensis Julii predicti in ecclesia parochiali de Kylmocathyll Leghlinensis diocesis prefato domino priori de Kylmaynan ad suam petitionem proponendam et ad alia que de iure fuissent facienda assignauimus et partes si vellent comparere citauimus et causam continuauimus.

Quo die adueniente et nobis in assignacionis loco pro tribunali sedentibus, partibus preconizatis parte actrice per procuratorem parte vero rea personaliter comparentibus, prefatus procurator nomine prioris et fratrum de Kylmaynan prefatum priorem de Kenllis ad soluendum quandam annum redditum censum seu pensionem quinque marcarum cum earum arreragiis sibi instanter petiit condemnari ipsumque ad hoc finaliter cogi atque compelli, et pro sue intencionis iustificacione quoddam instrumentum [exhibuit] manu ut dicebatur notarii publici confectum, et sigillo nuper reuerendissimi in Christo patris quondam archiepiscopi Casselensis sigillatum, quo continebatur de quadam annua pensione a priore et conuentu monasterii de Kenllis supradicti priori et fratribus de Kylmaynan persoluenda singulis annis, prout in ipso instrumento extensius continetur. Item idem procurator alia exhibuit munimenta, videlicet concessionem quondam [recte quandam] Galfridi filii Roberti de tribus carucatis terre in Lystenber Deo et Beate Marie et Sancto Johanni Baptiste et beatis pauperibus Hospitalis Jerusalem ac fratribus eiusdem domus, ac quandam conductationem factam per fratrem Algarum priorem canonicorum ecclesie Beate Marie de Kenllis a quodam M. de Prendircaste priore fratrum Hospitalis Jerusalem in Ibernia, de quadam terra quam habuit in Lystenber ex donacione Galfridi filii Roberti pro quinque marcis singulis annis persoluendis, necnon quandam inquisitionem per Walterum de Islipe quondam escaetorem Ibernie captam super quibusdam terris de quibus Galfridus filius Roberti erat seisitus videlicet de tribus carucatis terre iuxta Kenllis, prout in quodam instrumento super eisdem munimentis confecto plenius continetur.

Quibus sic ministratis et exhibitis, pars prioris antedicti de Kenllis allegando proposuit quod ea que deducta erant per partem aduersam intencionem producentis ea nullatenus concludebant, et pro suo voto diversa iura et plures raciones allegauit. Et tandem vtrique parti ad articulandum necnon ad probandum suam intencionem et ad testes producendum XV. diem mensis Augusti proximo sequentis in monasterio de Kenllis assignauimus,

cum facultate interim recipiendi et examinandi testes quos vtraque pars duxerit nominandos, earundem partium tunc eciam ad hoc interueniente expresso consensu et assensu. Ad quos diem et locum partes peremptorie citauimus et causam continuauimus.

In cuius diei eventu nobisque in assignacionis loco sedentibus partibus preconizatis et eo modo quo contenti fuimus comparentibus, pars prioris de Kenllis ad probandum suam intencionem infrascriptos articulos ministravit, quorum primus talis est, Quod grangia que vulgariter et communiter (*sic*) Grangia de Kenllis ex parte orientali eiusdem ville de Kenllis ex parte boreali aque de Rey cum omnibus suis iuribus et pertinenciis in spiritualibus et temporalibus iure domini pure sine solucione exinde alicuius census quocunque nomine censeatur alicui prestande spectat ad monasterium de Kenllis et ad priorem et conuentum qui ibidem pro tempore sint. Secundus articulus, Quod omnes terras quas ad presens possidet monasterium de Kenllis eas sine solucione alicuius census seu prestacione exinde possidet, et presertim Grangiam de Kenllis. Tercius articulus, Quod dicta Grangia ut premittitur est in possessione monasterii prioris et conuentus predictorum tanto tempore cuius incii ac contrarii memoria non existit. Quartus articulus, Quod de premissis omnibus et singulis in villa de Kenllis et in dicta Grangia est publica vox et fama. Willelmus Mareys etatis LXXXVI annorum primus testis receptus iuratus et examinatus dicit et in animam suam deponit omnes articulos continere veritatem, causam reddit sciencie quia nouit dictam Grangiam toto tempore vite sue et nouit octo priores qui successiue preerant dicto monasterio et eius regimini, necnon interdum in eorum seruicio esse consuevit, dictosque priores commemorat, incipiendo a priore Lacy, et demum ad priorem Whit, post eum prior Mothull et prior Hedyan, Edmundus Stapultown¹Nicholaus Jhon', Frater Johannes Carue, et Frater Thomas Lathy qui nunc est, et nulla fuit facta solucio priori de Kylmaynan ab illis nec ab aliquo eorum nomine ex Grangia de Kenllis, et si fuisset ipse videret uel audiret, et de premissis est publica vox et fama ut dicit. Edmundus O Kearnan etatis LXXX annorum secundus testis modo iurifico examinatus dicit omnes articulos continere veritatem, causam sciencie reddens quod nouit ipsam Grangiam temporibus suis et in propinquo moram traxit, et nichil exinde solvi vidit uel audivit, dicit eciam

¹Nicholas Jhon and Nicholas White were two distinct persons, as appears from *Calendar of Papal Letters*, xii_622 f (1469). Cf. p. 312 below.

se recordari quum castrum de Grangia erat in constructione per vnum canonicum de Kenllis, et quod idem eciam deponens moram traxit in eadem per VI annos, et sic vidit atque audiuit prout ipse deponit. Willelmus Mowran 3 testis Artur Ywor 4 Willelmus Howyn 5 Philippus Mareys 6 Donaldus O Gowre 7 Philippus O Gowre 8 et Willelmus Broton 9 testes antiqui examinati et recepti deponunt articulos continere veritatem, causam sciencie reddentes quia viderunt ut in articulis continetur et audierunt moramque traxerunt aliqui eorum in ipsa grangia et alii in locis sibi propinquis. Frater Petrus Glerne canonicus professus dicti monasterii etatis LXXXVIII annorum deponit articulos continere veritatem, quia nouit dictam Grangiam libere spectare ad monasterium de Kenllis, nichil exinde solui vidit uel audiuit. Dermicius O Dulchante 10 testis etatis L annorum, qui XII annis moram traxit in ipsa grangia, Jacobus Brown 11, Johannes Walche etatis LXX annorum et Johannes Tuen (?) etatis LXXVI annorum 12 testes iurati et examinati deponunt articulos continere veritatem, quia nouerunt dictam Grangiam sine alicuius census solucione vite eorum temporibus, omnesque deponunt se nunquam audiuisse usque modo mencionem de Listenber. Dominus Edmundus Leaglour capellanus etatis L annorum Jacobus fiz Cadman 15 testes Sabina inymourchow etatis LXXX annorum 16 Isabella Leaglour etatis LX annorum 17 Thomas filius Johannis etatis XLVIII annorum 18 et Jacobus Dexeter eiusdem etatis 19 testes secrete et singillatim examinati concordant in effectu suarum deposicionum cum precontestibus ex eo quod sic viderunt et audierunt. Edmundus Whit LXXXIX annorum 20 testis concordat cum primo teste, causam sciencie reddit quod toto tempore vite sue moram [traxit] iuxta Kenllis et in ipsa villa et contrarium eius quod dicit non audiuit neque vidit. Et predictis testibus rite ut premittitur receptis pars prioris de Kenllis ¹cartam sive literam fundacionis dicti monasterii de Kenllis sigillo fundatoris sigillatam in qua expresse continebatur secundum producentem illa terra de Grangia vulgariter tunc Rathalwey nuncupata et limites faciendo circa dictas terras ex vtraque parte.

Quibus rite receptis atque examinatis eorumque attestacionibus in scriptis redactis, parti actrici XX diem mensis Septembris in ecclesia predicta de Kilmocathyll ad producendum si quos testes producere vellet, et eciam parti ree si quos alios habuerit

¹Cartam. Cf. p. 1, p. 300 f., p. 311.

producendos cum potestate interim testes vtriusque recipiendi de earum expresso consensu assignauimus, causam continuauimus et partes peremptorie citauimus.

Die quoque illo suo solito cursu naturali adueniente nobisque in assignacionis loco sedentibus partibus preconizatis et per procuratores comparentibus, pro parte prioris de Kylmaynan infrascripti articuli fuerunt ministrati. Primus articulus, quod prior domus Hospitalis de Kylmaynan pro tempore existens consueuit recipere a priore monasterii de Kenllis et ab eius conuentu ex quibusdam terris iuxta Kenllis cituatis ex feofaccione Galfridi filii Roberti fundatoris dicti monasterii de Kenllis adquisitis singulis annis quinque marcas vsualis monete. Alius articulus, quod dicti prior et conuentus de Kylmaynan fuerunt in possessione percipiendi dictas quinque marcas per tantum tempus cuius contrarium in memoria non existit, donec bone memorie Frater Johannes Carue dicti monasterii de Kenllis nuper prior XX annis elapsis, et eius nunc successor modernus prior, ab huiusmodi solucione cessarunt, priore et fratribus de Kylmaynan reclamantibus. 3 articulus, Quod de premissis omnibus et singulis laborat publica vox et fama. Dominus Karolus OCurryn primus testis iuratus et examinatus deponit quod ipse nouit grangiam illam iuxta Kenllis, et semper audiuit quod fuit terra domus de Kylmaynan, et quod ex ea consueuit prior de Kenllis soluere quinque marcas, ipse vidit nuncios prioris de Kylmaynan portando falinguas et alias res pro redditu predicto de Kenllis ut interrogati per eum responderunt. Dicit etiam quod Ricardus Glerne vno die asserebat sibi quod prior de Kylmaynan voluit vendere illam terram priori de Kenllis pro XXX marcis sterlingorum, de quibus ipse habuit in custodia sua ab ipso Ricardo XV marcas, quas ipse Ricardus postmodum secum reportauit ad priorem de Kenllis, et sic a contractu vendicionis et empcionis predictae Grangie resilierunt, prout dictus Ricardus sibi retulit, aliter non deponit.

Ministratisque articulis et teste recepto predicto, de consensu ambarum partium IX diem mensis Octobris proximo sequentis in predicto monasterio de Kenllis vtrique parti ad alios si quos testes habuerunt producendos assignauimus causam continuauimus et partes peremptorie citari fecimus.

Ac in illius diei eventu et nobis in assignato loco sedentibus, partibusque preconizatis et per procuratores comparentibus

ac vltiori productioni renunciantibus, de earum consensu et voluntate expressa, attestaciones esse publicandas decreuimus et eas publicauimus, ac nobis ad deliberandum quid in huiusmodi causa acturi essemus IIII diem mensis Nouembris in ecclesia cathedrali Sancti Kanici Kylkenie assignauimus, causam continuauimus et partes peremptorie citauius.

In illius quoque diei eventu nobisque tribunaliter inibi sedentibus, priore de Kenllis expresso consensu dante, ut si infra festum Natiuitatis Domini causa non finiretur ut potuissemus eciam causam prorogare et in ea procedere et finire eandem post festum Natiuitatis quum oportunitas nobis finiendi adesset, et ad communicandum desuper et de aliis cum priore de Kylmaynan eandem causam ad antepenultimum diem eiusdem mensis in ecclesia domus Hospitalis de Kylmaynan supradicta continuauimus, ad quos diem et locum partes peremptorie citauius.

Die quoque illo adueniente altroque nostrum in assignacionis loco pro tribunali sedente, partibus preconizatis, parte impetrante personaliter rea vero parte per procuratorem comparentibus, et expresse consencientibus ut causam valeremus et potuissemus prorogare et differre usque post Natiuitatem Domini et tunc vbi convenienter potuissemus illam finire, illamque de partium expressa voluntate continuauimus ad sentenciam proferendam in eadem et ad alia que de iure fuissent facienda ad XIII diem mensis Januarii proximo sequentis in capella Beate Marie ad Caput pontis antiqui de Carlagh Leghlinensis diocesis et partes peremptorie citauius.

Adueniente quoque illo die et nobis tribus in assignacionis loco pro tribunali sedentibus, partibus preconizatis et personaliter hincinde comparentibus, post quam plures disputaciones et altercaciones ac iurium hincinde allegaciones, de partium eciam expresso consensu ipsam causam ad sentenciam diffinitiuam proferendam in ecclesia de Fynnogh' Leghlinensis supradicte diocesis XIII die eiusdem mensis continuauimus et partes peremptorie citauius.

Et nobis dictis die et loco tribunaliter sedentibus premissis eciam diuersis tractibus de concordia facienda ipsam sentenciam tulimus in hunc modum.

In Dei nomine amen. Nos Thomas permissione diuina et apostolice sedis gracia Imolacensis episcopus et Willelmus Fyan canonicus ecclesie Ossoriensis principales ac Nicholaus eadem

eciam permissione Leghlinensis episcopus tercius et impar, in quadam causa annui redditus pencionis quinque marcarum et terrarum de Listenber, de quibus ut dicebatur Grangia de Kenllis est particula eiusdem, inter venerabiles et religiosos viros fratres Robertum Ever Sancti Johannis Jerusalem de Kylmaynan actorem et Thomam Dei paciencia de Kenllis monasteriorum Dublinensis et Ossoriensis diocesum priores aliquamdiu mota, iudices arbitri arbitratores et amicabiles compositores per eosdem communiter electi, quia visis cognitis et intellectis dicte cause meritis, articulis ministratis, et testibus desuper nominatis receptis et examinatis eorumque attestacionibus in scriptis redactis, munimentis exhibitis vtriusque partis, omnibus et singulis dicte cause meritis recensitis rimatis et equa iusticie lanxe discussis, assignacionibus necessariis et oportunis per omnia seruatis, invenimus prefatum priorem de Kylmaynan in sue intencionis probacione quo ad predictam Grangiam de Kenllis et terras eiusdem et quo ad causam solucionis dictarum quinque marcarum quas vendicat, penitus defecisse suasque probaciones predictas in nullo suam intencionem conclusisse. Christi igitur nomine primitus invocato, per hanc nostram sentenciam quam eciam arbitrando in hiis scriptis de iuris peritorum concilio nobis in hac parte assistencium ferimus et promulgamus, decernimus et declaramus prefatum priorem de Kenllis et conuentum eius ac successores suos ab impetitione dicti prioris et fratrum de Kylmaynan et successorum eius esse absoluendum et absoluimus per presentes, ipsumque eciam arbitrando liberamus, salua eidem priori de Kylmaynan et successoribus suis iure vendicandi terras de Listenber quocumque nomine censeantur coram iudice in hac parte competenti si eas legitime posset reperire. Et insuper arbitrando componimus et laudamus quod predictus prior de Kenllis in recompensacionem laborum et expensarum ipsius prioris de Kylmaynan in hac causa soluat eciam pro bono pacis eidem XII marcas argenti, et decetero sint amici se mutuo diligentes. Lecta et lata ac in scriptis promulgata est hec nostra sentenciam absolutoria et arbitraria XIII die mensis Januarii in ecclesia de Fynnogh' Leghlinensis diocesis anno domini MCCCCVI^{to} indiccione X pontificatus sanctissimi in Christo patris Julii divina providencia pape secundi anno secundo, presentibus reverendo patre Edmundo Dei gracia Fernensi episcopo, ac venerabilibus et circumspcctis viris Magistris Jacobo

Cantwell officiali Ossoriensi, Waltero Wesley in decretis bacal-
aureo, Fratре Patricio O Curryn preceptore de Kyllerg, Cornelio
O Curryn decano Leghlinensi, et Jacobo O Curryn canonico
eiusdem ecclesie, aliisque quam pluribus testibus vocatis
nominatis et rogatis. Que omnia et singula vobis in salutacione
contentis innotescimus per presentes. In quorum omnium et
singulorum fidem et testimonium premissorum presentibus
sigilla nostra sunt appensa.

Et ego Johannes Mohland clericus Ossoriensis diocesis publicus
sacra imperiali auctoritate notarius, Quia predicto compromisso
et pene in eodem appositioni articulorum ministracioni et
testium produccioni ac munimentorum exhibicioni predictorum
necnon sentencie prolacioni et ordinacioni omnibusque aliis et
singulis premissis, dum ut premittitur fierent et agerentur vna
cum prenominatis testibus presens personaliter interfui, eaque
sic fieri vidi et audiui, et exinde notam scripsi, Ideoque presentes
litteras seu presens publicum instrumentum manu mea propria
fideliter scriptas seu scriptum de mandato antedictorum iudicum
et arbitratorum subscripsi publicavi et in hanc publicam formam
redegi, signoque et nomine meis solitis et consuetis vna cum
appensionibus sigillorum dictorum iudicum signavi in fidem et
testimonium omnium et singulorum premissorum rogatus et
requisitus.

[*Notarial sign, enclosing at base ' Jo. mo. de monte '.*]

Seal of the Bishop of Emly missing ;
seal of the Bishop of Leighlin in good
condition ; a fragment of W. Fyan's
seal.

Parchment, 375 × 490 mm.

A47. [72].—Lease by the Abbot (Nicholas Gras) and Convent
of Jerpoint to William Brenan and Margaret Den his wife, of the
vill of Cloghran. (Two parts of the indenture). 3 August, 1513.

A. Hec indentura facta tercio die Augusti anno domini
millesimo quingentesimo XIII^o inter venerabiles ac religiosos
viros fratres Nicholaum Gras abbatem de Jeriponte et eius

conuentum parte ex vna, et Willelmum Brenan ac Margaretam Den eius vxorem parte ex altera, testatur quod predicti abbas et conuentus de ipsorum vnanimi consensu et assensu, ipsis ad hoc capitulariter congregatis diligenti tractatu et deliberacione premissis et evidenti vtilitate monasterii pensata, dederunt concesserunt et ad firmam tradiderunt predictis Willelmo et Margarete villam terram et tenementum de Cloghran cum singulis suis pertinenciis et commoditatibus vniuersis, habendam et tenendam dictis Willelmo et Margarete heredibus et assignatis suis de predictis abbate et conuentu et eorum successoribus dictam terram siue villam de Cloghran cum suis pertinenciis ad terminum et finem quinque annorum proxime sequencium et sic de quinquennio in quinquennium usque ad finem XXV annorum proxime sequencium plenarie complendorum, completa seu finita firma alias per eosdem abbatem et conuentum reuerendo patri Oliuero Ossoriensi episcopo concessa, termino vero incepturo proximo Pascha immediate post completam firmam dicti Oliueri patris episcopi Ossoriensis: Reddendo inde idem Willelmus et Margareta dictis abbati et conuentui XX marcas pre manibus, et deinceps cuilibet episcopo Ossoriensi pro tempore existenti procuraciones censuales pro eisdem abbate et conuentu et eorum successoribus, ad quas tenentur idem abbas et conuentus et eorum successores pro ecclesiis suis ab extra, prout in rotul' episcopi Ossoriensis registrantur. Item eciam reddendo idem Willelmus et Margareta heredes et assignati sui dictis abbati et conuentui et eorum successoribus quolibet anno durante firma antedicta vnam suam in estate et vnam suam in yeme. Item idem Willelmus et Margareta heredes et assignati sui habebunt curiam integram domicilii proprii et dimediatatem curie omnium tenencium commorancium ibidem, hoc tantummodo abbati et conuentui et eorum successoribus reseruato videlicet heriod absque aliqua diuisione, et dicti Willelmus et Margareta heredes et assignati sui edificabunt ibidem domos honestas et reparabunt et in fine termini ita relinquent, nisi ceciderint seu combusta fuerint per inimicos domini regis seu rebelles quod absit. Et si predicti Willelmus et Margareta seu ipsorum heredes seu assignati infra terminum antedictum ibidem ecclesiam seu capellam edificauerint, habebunt item pro labore ab abbate et conuentu et eorum successoribus prout electi communiter per ipsos arbitrarentur. Item annunt abbas et conuentu et eorum

successores quod idem Willelmus et Margareta et eorum heredes et assignati habeant decimas illius terre in emptione ante aliquem alium, provt conuentum fuerit inter ipsos circa precium illarum, et dicti abbas et conuentus et eorum successores dictam firmam superius recitatam dictis Willelmo et Margarete et eorum heredibus et assignatis contra omnes gentes warantizabunt acquietabunt et durante firma defendent. In quorum omnium et singulorum fidem et testimonium huic indenture penes Willelmum et Margaretam existenti sigillum commune domus siue monasterii de Jeriponte est appensum. Dat' in domo capitulari de Jeriponte die et anno quibus supra, hiis testibus presentibus protunc videlicet Patricio Cantwell canonico ecclesie Ossoriensis, Nicholao Robbuck, et Philippo Burnan, et aliis diuersis.

Et nos fratres Thomas Neil, Thomas Nordyn, Valterus Tayllour, Johannes Heyn, Dionisius Kewanath, ac Nicholaus Fyn, monachi professi ac conuentus predictorum quod propriis manibus scribere non valuimus ad validitatem et confirmationem omnium et singulorum premissorum nos his propria manu Nicholai Robbuck discreti viri subscribi fecimus.

In dorso : tercio die mensis Agosti anno domini M^oV^oXIII usque fynem XXV annorum. Cloran. Parcell of Jeripont.

Seal of the abbey in quite good condition.

Parchment, 277 × 203 mm.

B. The other part of the indenture, in the same words, except for the conclusion, which reads "indenture penes monasterium remanenti sigillum Willelmi est appensum. Dat' [etc.] . . diuersis [without the note by the monks].

In dorso : Cloghran. To W. Brenan by the abbot and convent of Jeripont.

Seal of W. Brenan (broken).

Parchment, 270 × 205 mm.

A48. [75].—Lease by the Abbot and Convent of Jerpoint to Robert Roth burgess of Kilkenny, of the fishery at Donbill. 9 March, 1518-19.

Jesu Marie.

Hec indentura facta apud Jerepont nono die mensis Marcii anno domini milesimo quingentesimo decimooctauo et anno

regni regis Henrici octavi decimo inter dominum abbatem et conuentum monasterii Beate Marie de Jerepont parte ex vna, et Robertum Roth burgensem ville Kilkenie parte ex altera, testatur quod predicti abbas et conuentus de et ex eorum vnanimi assensu et ad hoc specialiter capitulariter pariter congregati consensu dederunt concesserunt et ad firmam tradiderunt prefato Roberto heredibus et assignatis suis vnam acram terre iuxta molendinum de Donbill vt mensuratur et assignatur prefato Roberto heredibus et assignatis suis per metas et bundas, necnon totam suam partem aque de le Noer que iacet in longitudine a vado alias Thredyghisford in australi parte vsque ad molendinum de Madogsstowne in boreali parte et illius aque omnes piscarias piscaturas et prouentus pertinentes prefatis abbati et conuentui piscaria de Carigsbay solum excepta, Proviso tamen quod libeat et liceat prefato Roberto heredibus et assignatis suis habere dimedietatem tocuis piscature que capiatur in stagno alias in le butt siue lett molendini de Donbill: Habenda et tenenda prefatam totam suam aquam et omnes piscarias piscaturas et prouentus cum omnibus et singulis suis pertinenciis prefato Roberto heredibus et assignatis suis ad terminum trium annorum et sic de termino in terminum vsque ad terminum triginta vnus annorum proximorum datam presencium sequencium plenarie complendorum, termino vero incipiente ad festum Michaelis Archangeli proximum sequens datam presencium. Reddendo inde annuatim predictus Robertus heredes et assignati sui prefatis abbati et conuentui eorumque successoribus decem solidos bone et vsualis monete per equales porciones ad duos cuiuslibet anni terminos, videlicet, dimedietatem ad festum Michaelis Archangeli et aliam dimedietatem ad festum Pasche pro omni accione seruicio et demanda et sic de anno in annum et de termino in terminum durante termino supradicto. Et prefati abbas [*etc., clause of warranty*]. In cuius rei testimonium sigillum meum apposui. Dat' die mense et anno quibus supra.

[*Continued in dorso in the same hand*]: Proviso quod infrascriptus Robertus neque heredes vel assignati sui non facient clameum ad acram infrascriptam durante firma infrascripta.

In dorso: Caryge ys bay.

Fishery of Donbill. Robertus Roth.

Parchment, 270 × 128 mm.

Seal gone from tag.

A49. [86].—Grant to the Abbot (William) and Convent of Holy Cross by Walter Walch, provisor of the Common Hall, Cashel, and the college, of lands in Tybyrhory. (Two deeds). 6 October, 1527.

A. Sciant presentes et futuri quod nos dominus Walterus Walch prouisor colegi Aule communis Cassellensis et conventus eiusdem, de consensu et assensu decani et capituli, dedimus et concessimus et hac presenti carta nostra confirmauimus domino Willelmo abbati de Sancta Cruce et eiusdem monasterii Sancte Crucis priori et conventui, vnum mesuagium et nouem acras terre arrabilis cum pertinenciis in Le Pryry hybernice Tybyrhory, quod quidem mesuagium iacet [iuxta?] Le Cayll in occidentali parte Arboris Palme, quarum nouem acrarum quatuor acre iacent iuxta Le Mothe quod est prope fontem, videlicet, in latitudine intra Le Mothe et terras Schan Samson in longitudine vnum caput se extendit in parte vsque ad viam que ducit ad monasterium Sancte Crucis, et alia pars predicti capitis se extendit vltra dictam viam usque ad fossam in oriente, et aliud caput se extendit vsque ad molendinum in occidente, siue maius siue minus fuerit, et quinque acre iacent in boreali parte Arboris Palme, videlicet, a via regia in oriente vsque ad moram in occidente, siue ibidem fuerit maius siue minus: Habenda et tenenda predictis abbati priori et conventui et eorum successoribus in dicto monasterio Sancte Crucis Deo et Sancte Cruci seruientibus. Et nos vero [*etc., clause of warranty*]. In cuius rei testimonium sigillum quo vtimur apossuimus. Dat' Cassellie sexto die mensis Octobris anno domini millesimo CCCC° XXVII°. et anno regni regis Henrici octau decimo nono.

In dorso: One messuadge & nyne acres in Typerhory alias Tibrodory.

Red wax seal of the Common Hall, Cashel,
central portion remaining.

Parchment, 242 × 125 mm.

B. Letter of Attorney. David Boython appointed to give seisin of the lands described in A. Same date.

In dorso: Concernynge the hollycrosse abbaye of Tybrodory. Letter of Atturny for giueing possession of certaine lands to the

Abbot (Will. oDwyr) and to the convent of Holycross. An :
Dom : 1527.

Same seal as on A, in somewhat better
condition.

Parchment, 220 × 110 mm.

A50. [88].—Lease by the Abbot and Convent of Jerpoint to Thady McMorieth and Isabella Swetman his wife of lands at Yagyston. [A fragment, date gone ; perhaps about 1530].

Hec indentura facta IIII^{to} die mensis Januarii anno domini millesimo . . . abbatem monasterii Beate Marie de Jereponte eisque conventum . . . McMorieth et Isabellam Swetman eius vxorem parte ex altera . . . assensu et consensu considerat' in hoc eorum evidenti vtilitate . . . cognicione dederunt concesserunt et ad firmam tradiderunt . . . vulgariter nuncupatam [? Balagh . . .] . . . cum suis pertinenciis . . . villam cum suis pertinenciis . . . eorum successores franke aud ffre . . . bundas . . . se in vsu dictam villam . . . post datam prescriptam plenarie complendorum pro omni . . . per antefatos Thadeum et Isabellam predictos abbatem . . . et demanda durante firma predicta termino vero incipiente ad festum . . . preterea prefati abbas et conventus eorumque successores . . . et Isabelle heredibus et assignatis suis contra omnes gentes . . . durante predicta firma defendent. In cuius rei testimonium . . . conventum remanenti sepefati Thadeus et Isabella sigilla . . . domini quo supra.

In dorso : Yeagyston.

Portion of a seal remains.

A51. [90].—Lease by the Abbot (Philip Lonogran) and Convent of Jerpoint to Thomas Fossard, merchant of Thomastown, of the water of Skerdan. 22 October, 1532.

Jhūs.

Hec Indentura facta in monasterio Beate Marie de Jeripond ordinis Cysterciensis Ossoriensis diocesis XXII. die mensis Octobris anno domini M^oCCCC^oXXXII, inter venerabiles ac religiosos viros dominum Philippum Lonogran Dei paciencia abbatem dicti monasterii eiusque totalem conventum parte

ex una, ac Thomam Fossard mercatorem de Tomaston' parte ex reliqua, testatur quod nos prefati Pilippus abbas ac conuentus, de vnanimis nostris concensu pariter et accensu nobis ea de causa capitulariter congregatis maturis deliberacione ac sufficienti cause cognicione prehabitis premissis de iure premittendis pensataque nostri monasterii vrgenti necessitate ac non modica vtilitate, dedimus concessimus et ad firmam tradidimus, prout per presentem indenturam exinde confectam damus et concedimus, ac datum et concessum de nobis et successoribus nostris esse per presentes ostendimus, prelibato Thome mercatori heredibus et asingnatis suis aquam nostram de Skerdan subtus Kilgrellan iuxta et cum aqua de Bonne cum earundem aquarum omnibus piscibus et vtilitatibus que in stangnis aquis uel gurgitibus et cadellis aut eciam alias quocunque similli modo capi et haberi poterunt, habendas et tenendas dictas aquas cum omnibus suis iuribus et pertinenciis dicto Thome heredibus et asingatis (*sic*) suis de nobis et successoribus nostris sicut nobis et antecessoribus nostris per certas metas et bundas asingnantur et perambulantur ad terminum III annorum et sic de termino in terminum vsque spacium et complementum XXXI inclusiue termino incipiente ad festum Pasce proximum sequens, soluendo inde dictus Thomas heredes et asingnati sui nobis et successoribus nostris singulis annis firma durante predicta dimediam pipi salsati salmonis quod Angelice (*sic*) a. but samon vocatur, preseacione dictorum abbatis et conuentus singulis temporibus quadragesinalibus, hoc semper adibito moderamine quod si quod absit Domino dissonante contingat tantam summam piscium in dictis aquis nostris cum suis pertinenciis non capi, volumus tunc et ordinamus quod dictus Tomas heredes et asingnati sui soluant et soluat nobis et successoribus nostris valorem XX^s secundum communem estimacionem non singularem affectionem quum de hoc requisitus fuerit uel fuerint requisiti: Prouiso eciam quod si dictum vas plus valuerit XX^s tunc dicti abbas et conuentus de eo quod super est vltra valorem XX^s satisficient dicto Tome heredibus et asingnatis suis durante firma predicta. Et nos prefati [*etc., clause of warranty*]. In cuius rei testimonium sigillum nostrum simul cum singneto dicti Tome huic parti apud nos dictos abbatem et conuentum remanenti duximus apponenda. Datum anno die et loco supradictis.

In dorso. Aqua de Scerdan demissa Thome Fossard per abatem de Jeripont.

T. Fossard's small seal, in very good condition.

Parchment, 315 × 225 mm.

A52. [91].—Lease by the Abbot and Convent of Jerpoint to Thomas Purcell of Kilkenny, of the tithes of Kilry. 16 April, 1533.

Hec indentura facta XVI die mensis Aprilis anno domini millesimo quingentesimo tricesimotercio inter venerabiles religiosos viros videlicet abbatem et monachos conuentuales monasterii Beate Marie de Jeripont Cisterciensis ordinis Ossoriensis diocesis ex vna parte, et Thomam Purchell mercatorem de Kilkennia partibus ex altera, Testatur quod prefati abbas et conuentus, ipsorum ac dicti monasterii nomine specialiter capitulariter congregati, consideratis in hoc eorum evidenti vtilitate et vrgenti necessitate, prehabitis atque desuper sepefactorum abbatis et conuentus diligenti tractatu matura atque deliberacione et sufficienti cause cognicione, de eorum vnanimi assensu et concensu dederunt concesserunt et ad firmam de se et successoribus suis tradiderunt prefato Thome Purchell heredibus et assignatis suis, omnes et singulos decimas omnium bladorum et frugum omnis terre de Killry ad terminum trium annorum et sic de termino in terminum vsque ad finem termini XII annorum proximo sequencium plenarie complendorum, singulis terminis dictam firmam presencium tenore ad voluntatem dicti Thome fore renouandam et renouatam denunciandam, Termino vero incipiente ad Festum Micahelis Archangeli proximo futurum post datam presencium: Reddendo inde annuatim prefatus Thomas heredes et assignati sui memorato abbati quinque marcas bone currentis monete Hibernie markas singulis annis durante firma predicta, aut quamdiu dictus Thomas tenuerit antedictam firmam ad beneplacitum dicti abbatis, pro

omni seruicio accione et demanda in spiritualibus et temporalibus curiis. Et prefati [*etc., clause of warranty*].

In dorso : the tiethes of Kilry. Jeripont.

Fragment of seal.

Parchment, 360 × 210 mm.

[The writing occupies less than half of the parchment, and concludes with the clause of warranty].

A53. [93].—Lease by the Abbot (Philip) and Convent of the Monastery of Holy Cross of Hwaghtirlaund to Richard Archdeacon, Treasurer of St. Patrick's Cathedral, Cashel, and Walter Mothell of Kilkenny merchant, of all messuages etc. and all ecclesiastical profits 'in villa et campis de Balykealy,' co. Tipperary, for the use of Margaret Butler, for 62 years, at an annual rent of one mark. Dated 12 October, 1533.

In dorso : Ballyakelly. A lease made by the priour of Kenlis (*sic*) unto Walter Mothell of Ballykelly.

Seals of R. Archdeacon and of W. Mothell,
one in poor, the other in fair condition.

Parchment, 247 × 210 mm.

A54. [94].—Award of arbitrators in a dispute between the Abbot (Philip) of Jeripont and Richard Archedekyn as to the possession of Yagyston. 19 December, 1533.

This Adward made at Jeripont the XIX day of December in the XXVth yere of the Reigne of King Henry the eight, Witesithe Where there dependithe certain variences contencions and debates nowe lately movid betwyxt Phillip Abbot of the house or monastery of the blessid Virgin Marye of Jeripont as in the right of his said monastery of the oone partie, And Richard Archedekyn othirwise callid Richard Mac Coode lord of Kyll-

morregh ny of the othir partie, conserning the right title and possession of Yagoistoun With all the . . . othir appertenaunces to the same belonging nowe being in contrauercy betwyxt bothe . . . (? baronie) of Ogenti, Whiche Abbot and Richard by ther awne assent dyd submyte . . . Adwarde arbittrement and Judgment of vs James Swet(man) baroun of . . . (Laurence) Dobyne burgeise of the towne of Thomastoun in of and . . . the premissis . . . Daudid and Laurence taking vpon vs the hiring ord . . . determination of the . . . (be)fore vs the said parties duely examyning both ther titles . . . and prowes and after go(od) (mature) Deliberacion had in the examynacion of all the premissis Wherby . . . appier vnto vs . . . mattiers by bothe the aforsaid parties before vs shovid and disclosid that . . . said abbot as in the right of his said Monastery hathe better right and title to kepe and deteigne the said Yagoistoun withe his hole appertenaunces, as is aforsaid then the said Richard hathe to the contrarye. Wherfor we the afornamed James Daudid and Laurence arbitratours do by theis presentis adwarde that the said Phillip abbot in the right of his said monastery shall haue kepe and peasyblie enyoie fromhensforthe the possession of the said Yagoistoun withe his hole lands tenements and all othir appertenaunces to the same belonging nowe being in debate betwyxt hym and the said Richard, to haue and to holde to hym and to his successours for evir Without any lett or disturbance of the said Richard or of his heires to the contrarye, vnto suche tyme as the saide Richard or his heires at any tyme hereafter do showe and exhibite better right or title to exclude the saide abbot or his successours of the premissis with ther appertenaunces or of any part therof before the kingis moost honorable counsaile in Irland or the more part of them for the time being, or before any of the kingis judges or commyssioners deputid or assigned within the said land of Irland. And for the performauce of all and euery the premissis the aforsaid abbot and Richard are boundin eithe to othir in XL li. sterling by ther seuerall deadis obligatories bering date the XIII daye of Novembre in the yere aforsaide. In wittnis wherof we the aforsaid James Daudid and Laurence arbitratours to this our adwarde haue putt herunto seuerally our sealis, thies witenis being present at the publicacion of this our adwarde, Thomas Whit of Thomaston, William Brittain, Teige Gorman, Edmond Browne clerke, Patricke

Neill, withe dyverce otheris. Datyd the day yere and place abowe rehersid.

In dorso: Yagyston.

Seals and tags gone.

Parchment, 265 × 225 mm.

Deed damaged and holed.

A55. [97].—Covenant between William, Abbot of Holy Cross, and Philip Purcell *clericus*, as to the terms of the former's resignation of his office as Abbot. 10 May, 1534.

Hec indentura facta X die mensis Maii anno domini M°CCCC°XXXIIII° inter venerabiles et discretos viros fratrem Willelmum Dei paciencia abbatem monasterii Sancte Crucis de Woghterlawe Cisterciensis ordinis Cassellensis diocesis parte ex vna, et Philippum Purcell clericum eiusdem diocesis parte ex altera, Testatur quod prefatus frater Willelmus abbas, compos sue mentis, ex diuersis iuriticis et racionabilibus causis animam suam mouentibus, resignauit suam abbacialem dignitatem in manus suorum superiorum, talibus condicionibus appositis post resignacionem, sicut concordant adinvicem ambo partes: In primis quod prefatus frater Willelmus habebit terciam partem omnium oblacionum Sancte Crucis ubicunque existencium extra vel infra sua vita durante. Et habebit isto instanti anno terciam partem omnium bladatum seminatarum per carucas et arratra abbatis siue monasterii ubicunque existencium, et habebit eciam dimediam partem omnium ovium suum et porcorum et granorum modo existencium in domo. Et predictus frater Willelmus habebit terciam partem omnium caballorum et bouum modo existencium in domo, vel eleccionem suam de tribus carucis domus. Eciam quod omnia vtencilia domus remaneant in domo, ita tamen quod prefatus frater Willelmus habebit commodum predictorum vtencilium cum necesse fuerit durante vita. Et quod prefatus frater Willelmus habebit omnia vtencilia sue camere durante vita sua, meliore pelve excepto. Et habebit integram spiritualitatem parrochie de Belaghahill durante sua vita. Etiam prefatus frater Willelmus habebit vnam carucatam terre libere in monasterio, et libertatem vigenti quatuor vaccarum

cum suis ovibus sibi ipsi, et sex vaccas liberas prouisoribus sue caruce, et vnum pistarium per ipsum electum. Et diuisio officiorum Sancte Crucis stabit laudo et arbitrio comitis et comitisse Ossorie, proviso quod prefatus frater Willelmus non dilapidabit nec alienabit aliquid bonorum de premissis, sed remaneant et reuertantur predicto monasterio post eius decessum. Et si aliqua controuersia fuerit in premissis, stabunt laudo et arbitrio comitis et comitisse Ossorie et aliorum adhoc electorum per ipsos. Et si fuerit aliqua controuersia circa terras vel arraturas vel aliqua similia, stabunt laudo et arbitrio Jacobi Purcell et Oliueri Grace et Dauid Odoyr et Rycardi Cantwell. Et prefatus frater Willelmus habebit eleccionem omnium camerarum tocus monasterii, camera abbatis excepta. Et prefatus frater Willelmus habebit mansionem Philippi Rewagh sibi ipsi et seruitori suo, et habebit domum mansionis suis animalibus secundum dispositionem predictorum Jacobi Olyueri Dauidis et Ricardi in monasterio predicto. Et predict' ambo partes contenti (*sic*) sunt quod comes et comitissa Ossorie, cum Jacobo eorum filio, et capitaneus odoyr cum sua nacione, et cum filiis predicti abbatis, et Jacobus Purcell cum sua nacione, sint intercessores aut vulgariter nuncupati 'slane' pro premissis condicionibus obseruandis. Dat' die et anno quibus supra. In cuius rei testimonium predictus frater Willelmus huic parti indenture penes predictum Philippum remanenti sigillum suum commune apposuit. Et prefatus frater Willelmus soluet omnia [debita] domus vsque ad datam presencium, et habebit sibi ipsi et assignatis suis omnia bona domo tenta vbicunque inventa fuerint ante datam presencium, et si eveniet aliquid dampnum iuritico monasterio pro predictis debitis stabit periculo predicti Willelmi.

In dorso: Couenants betweene the Abbott of Holy Crosse & others.

Seal of Holy Cross Abbey (a very fine impression).

Parchment, 300 × 290 mm.

A56. [98].—Lease by the Abbot (Oliver Grace) and Convent of Jerpoint to Edward Legrasse, of Balygown etc. 30 October, 1534.

Hec indentura facta in domo capitulari de Jeripont monasterii Cysteriensis ordinis Ossoriensis diocesis anno domini M^oCCCC^oXXXIV^o penultimo die mensis Octobris et regni regis Henrici octavi XXVI^o inter probos et religiosos viros dominum Oliuerum Grase dicti monasterii abbatem et suum conuentum ex una parte, ac Edmundum Legrassse parte ex reliqua, testatur quod predicti abbas et conuentus dederunt concesserunt et ad firmam tradiderunt de se suisque successoribus dicto Edmundo suisque heredibus uel assignatis ad firmam XLI annorum villam de Baligawn ac Gybbonysshephous cum omnibus suis pertinentiis, sicut per metas et bundas mensurantur et perambulantur, termino incipiente post completam siue firmam finitam alias datam domino Fulconi Den domino de Grenan proximo Pasca, soluendo exinde dictus Edmundus sui heredes uel assignati dictis abbati et conuentui suisque successoribus singulis annis firma durante predicta viis. *iiiiid.* ad duos anni terminos, medietatem ad Pasca et alteram ad festum Micaelis, ouem estiualem suemque solitam si ibidem fuerint alias *xxd.* in recompensacionem medietatem omnium obuencionum racione domini ibidem obuenciencium, ita quod le heriod in diuiso cedat monasterio, excepto le heriod domicili proprii Edmundi predicti uel eius heredum. Et dicti abbas [*etc., clause of warranty*]. In cuius rei testimonium sigillum dicti Edmundi huic parti indenture est appensum. Dat' die et loco quibus supra.

In dorso: Balygown. A lease per abbatem et conuentum de Jeripont. Edmund Legrace. Balliokoyne (?). A lease per Abbot & Convent of Jerepont.

Seal missing (part of tag remaining).

Parchment, 357 × 160 mm.

A57. [99].—Lease by the Abbot (Oliver Grace) and Convent of Jerpoint to Piers Butler, Earl of Ossory, and the Countess Margaret, of the vill of Grangehaghmoth. 5 May, 1535.

Jhūs.

Hec indentura facta quinto die Maii anno domini M^oV^oXXXV^{to} inter prepotentem virum ac dominum Petrum Comitem Ossorie et Margaretam vxorem suam ex vna parte,

Et dominum Oliuerum Grace abbatem monasterii Beate Marie Virginis de Jeripont Cisterciensis ordinis et conventum dicti monasterii ex parte altera, Testatur quod predicti abbas et conventus ex eorum vnanimi assensu et consensu matura deliberatione prehabita et vtilitate dicti monasterii tangent', dederunt concesserunt et ad firmam dimiserunt prefatis domino Comiti et Margarete vxori sue villam vocatam Grangehaghmoth in comitatu Kilkennie cum omnibus suis pertinenciis temporalibus in terris tenementis redditibus seruiciis boscis mariscis et aliis comoditatibus ad terminum viginti septem annorum plenarie complendorum: Habendam et tenendam et gaudendam predictam villam de Grangehaghmoth cum omnibus suis pertinenciis et comoditatibus vt premittitur prefato Petro Comiti et Margarete vxori sue heredibus et assignatis suis durante termino predicto, termino vero incipiente in festo Pasche proximo futuro: Reddendo inde annuatim dicti Petrus Comes et Margareta heredes et assignati sui dictis abbati et conventui et eorum successoribus vnam rosam rubeam ad quodlibet festum Natiuitatis Sancti Johannis Baptiste si petatur durante termino predicto. Et dicti Petrus Comes ac Margareta heredes et assignati eorum dictam villam de Grangehaghmoth occupantes exonerabunt villam de Ballylynchy in comitatu predicto ad dictum monasterium pertinentem ab omnibus impositionibus et exactionibus secularibus equeferorum equorum Scoticorum turbariorum et quorumcunque operum durante termino predicto. Et si forte aliquis sine precepto aut consensu dicti Comitis et Margarete heredum et assignatorum suorum vel aliter quouismodo aliquam impositionem aut oneracionem in villa de Ballylynchy predicta exigere vel imponere presumant, quod hoc probatur veraciter, dictus Comes et Margareta heredes et assignati sui dictam firmam occupantes reddent et satisficient dictis abbati et conventui et eorum successoribus verum valorem exactionum impositionum et aliorum onerum quorumcunque sic super villam de Ballylynchy predictam quouismodo exactorum impositorum et levatorum durante termino predicto. Prouiso semper quod in fine termini predicti dictus Comes et Margareta et assignati eorum habebunt omnia blada et grana cuiuscunque generis super terris de Grangehaghmoth predicti seminata et crescencia ibidem, non obstante expiratione firme predictae, et quod dicta villa de Ballylynchy permaneat exonerata de [omnibus et]

singulis oneribus et exaccionibus temporalibus, quamdiu dictus Comes et Margareta et assignati eorum terras de Grangehaghmoth predict' occupaverint, donec penitus ab omni occupacione ibidem recedant. In cuius rei testimonium huic parti indenture remanenti prefatis Comini et Margarete predicti abbas et conventus in domo capitulari dicti monasterii sigillum eorum commune apposuerunt. Dat' die et anno quibus supra.

In dorso : Grangehaghmoth. Parcell of Jerepont.

Seal of Jerpoint Abbey in fair order.

Parchment, 325 × 165 mm.

A58. [101].—Lease by the Prior (Philip Holeghan) and Convent of Kells to Piers Butler, Earl of Ormond and of Ossory, and the Countess Margaret, of the parsonages of Drommacwarran and Kellasnaghe. (Pair of indentures). 30 June, 1536.

A.—This indenture made the last day of June in the eight and twenty yere of oure Souerain Lord king Henry the eight, Betwen Sir Phillipe Holeghan priour of oure lady howse of Kenles in the diocese of Ossorie and the covent of the same of the oone part, And the right honourable Piers Erle of Ormond and of Ossorie and Dame Margaret his wife of the other partie, Witnissith that the said priour and covent, in consideracion of the syxten pownds Irishe by the forsaid erle and dame Margaret his wife paide to the said prior and covent befor the hande being conuertide to the necessary vse and behofe of the said howse, and for sundry other vrgent causes for the vtilite and proffit of the said covent, hawe demisid and to ferme letten to the saide erle and dame Margaret the hole intier parsonages of Drommacwarran in the contie of Typperarie and in the diocese of Casshell, and Kellasnaghe in the contie of Catyrlaghe, with all the meses lands tenements rents reuenues seruices theds demises oblacions alterages and other the premisses with there hole apportenaunces concerning and belonging vnto the forsaid two parsonages, vnto [the] saide erle and dame Margaret there heyres and assigns, for the terme and to the ende of oone and thyrty yeres next insuing the date herof, yelding and paing yerly to the saide prior and covent and there successors, during the furst thre yeres next

insuing the date herof oone corne of whet if it be demandid att the fest of all Saincts yerly, and frome the saide thre yeres forthe during the residue of the saide one and thyrty yeres to pay yerly eight marks Irishe at the festis of Michalmas and Ester by equale porcions, that is to say, halfe att Mychalmas and the other halfe att Ester, And the saide erle and dame Margaret there heysr and assigns shall stand chargide with all reparacions procuracions and all other charges ordinary and extraordinary belonging to the forsaide two parsonages during [the] saide terme. And the saide prior and covent and there successors during the forsaide terme the saide two parsonages and other the premisses with there hole appertenaunces vnto the said erle and dame Margaret there heysr and assigns shall warrant acquit and defende again all people by theis presents. In witnes whereof to this part of the endenture remayning in the custodie of the forsaide erle and dame Margaret the saide prior and covent haue layde there Seale the day moneth and yere above writen.

(Signed) per me Philippum priorem per me Edmundum
Loghnan per me Nicholaum Tobin per me Nicolaum
Lacy.

A considerable portion remaining of the
Convent seal.

Parchment, 295 × 255 mm.

Deed holed in several places. Endorsement, not wholly legible, naming the parishes.

B.—The other half of the indenture, ending 'to this part of the endenture remayning in the custodie of the saide priour and covent the saide erle haue layde his signet the day moneth and yere abovewriten.'

A portion of the Earl's signet remaining.

Parchment, 310 × 235 mm.

A59. [102].—Lease by the Abbot (Oliver Grace) and Convent of Jerpoint to Adam Brenagh alias Walshe, of Woolengrange, etc. (Both parts of the indenture). 7 August, 1536.

A. Hec indentura facta anno domini M^oV^o tricessimo sexto annoque regni regis Henrici octavi vicessimo octavo die vero mensis Augusti VII^o in domo siue monasterio Beate Marie Virginis de Jeriponte Ossoriensis diocesis Cysterkiensis ordinis inter fratrem Oliverum Grace abbatem dicti domus siue monasterii de Jeriponte suumque totalem conventum parte ex vna, et magistrum Adam Brenagh alias Walshe parte ex reliqua, Testatur quod nos predicti frater Oliverus nosterque conventus premissis diligenti tractatu maturaque deliberatione, nobisque ea ipsa de causa capitulariter congregatis, pensatis eciam in hoc dicti nostri domus siue monasterii evidenti utilitate ac vrgenti necessitate, dedimus concessimus ac ad firmam centum 1 annorum de nobis et successoribus nostris tradidimus prefato magistro Ade Brenagh suisque heredibus uel assignatis villam nostram de Grangianaholle alias Wolgrange, et feudum nostrum quod vocatur Mowrhouse alias Farynmortuse iuxta Kyllerne, et feudum nostrum quod vocatur Stanysland in et apud villam de Kylbleyn, in omnibus et singulis terris et tenementis molendinis aquis gurgitibus amnibus piscariis in viis semitis nemoribus pratis pascuis pasturis cuniculariis ecclesiis capellis decimis obblacionibus rebus redidibus ac proventibus in spiritualibus et temporalibus, omnibusque aliis et singulis iuribus ac pertinenciis vniuersis predictam quouismodo pertinencia uel ad ipsam siue aliquam exinde parcellam quocumque iure aut titulo spectancia siue pertinencia, eciam cum sectis curie: habenda et tenenda predicta omnia et singula, villam siue Grangiam nehollie alias Wolgrange, Morhouse, Stanyslandis, messuagia terras et tenementa molendina aquas amnes piscarias gurgites vias semitas nemoras prata pascuas pasturas cuniculares (*sic*) ecclesias decimas oblaciones redditus et proventus ceteraque premissa, dicto magistro Ade Brenagh alias Walshe suisque heredibus uel assignatis de nobis et successoribus nostris firma durante predicta: soluendo exinde dictus magister Adam suique heredes uel assignati nobis et successoribus nostris singulis annis firma durante prefata quatuor marcas legalis monete Ibernicane, videlicet ex Wolgrange alias Grangianaholle cum suis predictis spiritualibus et temporalibus tres marcas, et ex Mowrhouse cum suis iuribus et pertinenciis vis. viii*d.*, et ex Stanysland in Kylbleyn cum suis prefatis iuribus et pertinenciis vis. viii*d.*, ad duos anni terminos, dimediatatem videlicet ad festum Michaelis Archangeli et aliam

dimedietatem ad festum Pasce per equales porciones, et predictus magister sui que heredes et assignati suportabunt ac soluent omnia et singula onera ordinaria ac extraordinaria predicta quoquomodo tangengia siue ex ipsis exeuntia uel contingengia firma durante predicta: preterea dictus magister pro se suisque heredibus uel assignatis sponndit pacissiter, quod si temporibus solucioni prefixis aretro in solucione prefate summe quatuor marcarum annualis reditus existat, extunc liceat ipsis Olivero abati et conventui suisque successoribus in premissis villa siue grangia terris tenementis et ceteris premissis distringere siue pingnorare, et districciones siue pingnoraciones sic captas secum ducere, quoadusque de aragiis huiusmodi dictus magister Adam sui que heredes uel assignati satisfecerint competenter. Et nos [*etc., clause of warranty*]. In cuius rei testimonium sigillum conventuale nostrum huic parti remanenti aput prefatum magistrum est appensum. Dat' anno die et loco et mense quibus supra.

[*Signed*] Oliuerus Abbas Johannes Heyn prior per me N. F.
per me Recardum C. per me Jacobum Grasse per me
Patricium Burnam per me T. C.

In dorso: Adam W. B. Jerepont parcells etc.

Seal of Jerpoint Abbey, in very fair condition.

Parchment, 445 × 200 mm.

B. The other half of the indenture, in slightly different terms, including the reading of 'octagenta' instead of 'centum' (the latter word in A. is written over an erasure, or added later in a space left for the purpose). The concluding words are 'sigillum dicti magistri huic parti remanenti in custodia dictorum abbatis et conuentus,' etc.

In dorso: Adam W. B. Wollgrange. Demised to m. Adam Brenagh alias Walshe. Woolengrange parcell of Jerepont.

Seal of Adam Walshe (a beautiful impression).

Parchment, 410 × 170 mm.

A60. [103].—Regulations for Holy Cross Abbey ordained by John, Abbot of Newry, as representative of Richard, Abbot of Mellifont, following on a Visitation of the Monastery. 31 October, 1536.

Ad incrementum diuine laudis necnon gloriosissime Virginis Marie anno domini M^oCCCCC^oXXX^oVI^o vltimo die mensis Octobris, Nos Frater Johannes abbas monasterii Beate Marie Virginis de Viridiligno ordinis Cisterciensis Dromorensis diocesis, auctoritate reuerendi in Christo patris Richardi abbatis diue Virginis Marie de Mellifonte eiusdem ordinis, Monasterium dicte Virginis de Sancta Cruce et dicto monasterio Mellifontis subiectum visitantes, Subsequencia omnia et singula a personis omnibus et singulis huius monasterii ordinauimus et statuimus inuolabiliter obseruari.

—In primis statuimus et ordinamus ac districte precipimus quod quilibet monachus sacerdos huius monasterii quater adminus in qualibet septimana celebret missam suam, nisi pretendere legitimum impedimentum in hac parte poterit, et ne aliquis eorundem sacerdotum celebrare presumat, nisi prius suam confessionem deuote faciat et beneficium absolucionis optinuerit, quod si quis contrarium fecerit in salutem hominis vtriusque primo et secundo premonitus, bis in septimana sit in pane et aqua et vno die peragat penitentiam leuis culpe eidem per presidentem in capitulo limitando.

—Item precipimus et demandamus abbati et priori huius monasterii quod tres misse singulis diebus in isto monasterio, videlicet, de die, de Sancta Maria, et pro defunctis, celebrentur, et singulis dominicis diebus et festis duarum missarum missa matutinalis non omittatur, et iniungimus cantori quod in singulis septimanis intitulet in tabula vnum monachum sacerdotem ad quamlibet dictarum missarum devocius celebrandam. Ac etiam firmiter precipimus quod omnes religiosi huius monasterii surgant indifferenter singulis diebus horis competentibus ad vigiliis, videlicet, de Sancta Maria et de die, quod si quis non fecerit, infirmitate non detentus, aut graui labore presedentis diei non vexatus, ipso die sine remissione in capitulo recipiat disciplinam, necnon careat suis pitanciis illius diei eidem per presidentem iniungendo.

—Item ordinamus et districte abbati et priori huius monasterii precipimus et demandamus, ut tam in psalmodia quam reliquum diuinum seruicium in choro coram summo altare distinctius et morosius ac solito devocius exsoluantur, et quod nullus religiosus huius monasterii presumat in chorum intrare diuina celebrando sine sua cuculla, et firmiter sillerario huius monasterii precipimus quod singulis diebus candelas ad vigiliis ministret siue ministrari faciat prout necesse fuerit. Ac eidem abbati et sacriste huius monasterii quod munde et honeste ecclesia custodiatur firmiter precipimus, et presertim magnum siue summum altare, tam in ornamentis quam in omnibus ad illum pertinentibus, et ut corpus Christi cum summa securitate et reuerencia in preciosa pixide infra corporale seruetur, et vna lampada aut cereus ante sacratissimum sacramentum corporis et sanguinis domini nostri Jesu Christi continue adminus durante diuino seruicio sit ardens aut illuminans.

—Item ordinamus et precipimus abbati et sillerario pro conuentus huius monasterii necessariis si non habeant decetero ut deberent habere quatenus iuxta facultates monasterii honeste in omnibus provideatur et eis ministretur prout decet et prout oportuerit cuilibet tribuendo, ne aliqua murmuracionis occasio in hac parte detur.

—Item districte et firmiter precipimus abbati et conuentui huius monasterii quod caste et regulariter viuerint, et quod mulieres aliquo modo in dormitorium intrare non permittantur, et specialiter quod nulla mulier suspecta infra septra (*sic*) monasterii vel in villa prope eiusdem aliquam moram trahere vel facere permittatur.

—Item abdicacio proprietatis sicut et castitas sunt ita regule monachali annexe quod contra eas summus pontifex dispensare non valeat, ordinamus et constituimus quod obseruentur, sicut in constitutionibus Benedictinis capitulo X^oIII^o plenius continetur, vbi sic dicitur, quod monachi sue salutis oblii contra regularem institutionem pecunia congregata possessiones redditus animalia et alia bona emerunt et emunt faciunt et fecerunt aliquando proprio nomine et sepe alterius nomine huiusmodi animalia tradunt aliis nutrienda cum augmento vel lucro sibi vel alteri reddendo, et sic appetentes lucra turpia peculium occultant in suarum maximum periculum animarum, quod huiusmodi peculium abbati restituant vsibus communibus

applicanda et in vtilitatem monasterii totaliter conuertenda, sub pena proprietariis limitata grauiter sustinenda, et si huiusmodi peculium non reddiderint, et quilibet eorum reddiderit, excommunicacioni subdantur.

—Item ut omnis vagandi necessitas auferatur, ordinamus et firmiter precipimus quod omnes et singuli huius monasterii religiosi ut in dormitorio singulis noctibus dormiant et pernoctant, et nequis solus in grangiis seu aliis locis forincicis remanens seu moram faciens suspicioni incurrat, scandalum aliorum canente malicia secularium modernorum qui religiosis obuiant quantum possunt et precipue plus solito hiis diebus, precipimus quod ex causis predictis nullus monachus huius monasterii absentat se a monasterio sub pena suspencionis sine licencia speciali ab abbate vel a priore in absencia abbatis petita et optenta, et quicumque secreta ordinis secularibus vel alterius religionis personis reuelauerit sit ipso facto excommunicatus.

—Item ordinamus quod si inter quoscumque personas huius monasterii verba iram mouentia seu impropetiosa moueri contigerit indiscrete, iunior autem (?) suum seniore[m] honorat et ab eo veniam petat, prout in regula nostra plenius continetur, quod si quis facere omiserit seu contempserit, tam diu sit in pane et aqua donec se humiliauerit et benedictione sanetur huiusmodi commestio inter ipsos, quod si quis in abbatem suum verba impropetiosa vel minas intulerit, penam conspiratoribus ordinatam incidat, prout in antiquis distinccionibus distinccione septima capitulo VI^o plenius continetur.

—Item precipimus priori huius domus in virtute sancte obedientie et sub pena suspencionis quatenus singulis diebus cantetur 'preciosa' in capitulo, et ibidem vnum capitulum de marthologio et aliud capitulum sancti patris nostri Benedicti regule coram conuentu legantur, et quociens opus fuerit proclamaciones et correcciones non omittantur, et firmiter dantes in mandatis sub omni pena canonica, quod omnia supradicta nostra statuta et precepta inuolabiliter obseruentur, et volumus quod presens hec carta nostra sit in custodia cantor[is], districte precipiendo ne aliquis ex negligencia excusetur in hac parte, quatenus adminus semel in quolibet mense per annum coram conuentu in capitulo legatur et omnia in ea contenta demonstrantur et declarantur. Dat' anno et die supradictis sub nostri sigilli officii testimonio, caueatur defuturo.

In dorso: Pro monasterio Sancte Crucis. Rules & orders to be obserued in the Monasterie of Holy Crosse.

Seal at bottom missing from tag; fragments of another seal on tag at the middle left-hand side of the document.

Parchment, 340 × 330 mm.

A61. [104].—Lease by the Abbot (Oliver Grace) and Convent of Jerpoint to Nicholas Motyng, Chancellor of St. Canice's, Kilkenny, of the altarage of Kilry. 1 January, 1536-7.

This indenture made the first day of January the eight and tontie (*sic*) yere of our soueraine lorde King Henry theighte, Betwixt sir Oliuere Grace Abboth of the house monastery or abbothry of Jeripond and the Convent of the same on thone partie, And sir Nicholas Motyng chaunceller of Kilkenny on thothere partie Wyttnesseth that the said Abboth and convent of on intier assent and consent haue gyven demised and to ferme lettyn to the said sir Nicholas and his Assignes the hole alterage of Killry, with all the tiding pasture of the hole towne, and all and singulere othere proficts and comodities perteynyng to the said Alterage in the forsaid village of Kyly in the countie of Kilkeny, To haue and to holde the said alterage tedyng of pasture with all and singulere othere the premysses to the said sir Nicholas and his assignes for the terme and to the ende of tovtie (*sic*) and five yeres next insuing the date here of, Yeldynge and paing yerly the said sir Nicholas and his assignes to the said Abboth and convent and there successours two shillings of good and lawfull mony of Irland at two termes of the yere, that is to witt Ester and Michalmas by even porcions. And if the said Rente be behynde and onpaid in parte or in the hole by the space of two moneths afftir any of the said termes, that then and as often as the said Rent shalbe so arere and on paid, it be lawfull to the said Abboth and Convent and their successours to entre in the above named parcellis leassed and demised, and to distraine and the distresses so takine to receiue, vnto suche time that the said Rent and the arrerages shalbe fully satisfied and paid. And the said Abboth and Convent bindeth them and there successours by these presents to the said sir

Nicholas and his assignes the said alterage thithis and pasture and all and singuler other the premissis to warrant acquite and defend against all people during the said terme. In witesse whereof to this parte of the indenture remaining in the custodie of the said Abboth and Convent and there successours the said sir Nicholas haue put his seals the day and yere above writin.

In dorso : The alterage of Kilry. Nicholas Motyng. A Lease of the Altradge of Kilry from the Abbot and Convent of Jeripont.

Seal in good condition bearing initials N. M.

Parchment, 300 × 207 mm.

A62. [105].—Lease by the Abbot (Oliver Grace) and Convent of Jerpoint to Nicholas Motyng, Chancellor of the Cathedral Church of Ossory, of the rectory of Cloghran and Garranmanagh in the diocese of Ossory, with all appurtenances and rights, spiritual and temporal, for a term of 25 years, at an annual rent of 26s. 8d. This part of the indenture sealed by N. Motyng. Dated 14 May, 1537.

In dorso : The parsonage of Cloghran to Nicholas Motyng.

Armorial seal of N. Motyng, in good condition.

Parchment, 237 × 180 mm.

A63. [107].—Lease by the Prior (P. Wologhan) and Convent of Kells to James Sweetman, gentleman, and John Tobyn, parson of Callan, of the parsonages of Newchurch etc. 4 December, 1538.

This indenture made the IIIIth daie of Decembre the XXX^{ti} yere of the reigne of our souerain lorde king Henry theight, Betwyxt sir Phillipp Wologhan priour of the house monasterye or priorie of Kenlis and the convent of the same on thone partie, and James Swetman of Castellyf gent' and sir John Tobyn parson of Callan on thother partie, Witnessith that the said priour and convent of oon intier assent and consent haue giuen demised and to fferme lettin to the said James and sir John and

their assignes the parsonages of the Newechirche Racolpin Byallagh and Sprawsheys otherwise callid Garry yn Sprowse and the tyethes of Castellyf in the com' of Kilkenny. To haue and to holde the said parsonages with all and singuler the premisses to the said James and sir John and their assignes for the terme and to thende of fforty and oon yeres next insuyng the date herof, yelding and paing yerely to the said priour and convent and their successours six markes of good and lawfull money of Irlande to be paiede at two termes of the yere, that is to wit, Ester and Mighelmas by even porcions, And yf the said rent be behinde and vnpaied in parte or in the hole by the space of ii monethes after any of the said termes, that then and as of tyn as the said rent shalbe soo arere and vnpaied, it be lafull to the said priour and convent and their successours to intre in the aboue named parcells leassid and demised and to distrayne and the distresses so takyn to retaine vnto suche tyme as the same rent and arrerages shalbe fully satisfied and paid. And the said priour and convent byndith them by these presents to the said James and sir John and their assignes the said parsonages with all and singuler the premisses during the said terme to warrant acquyt and defende against all people. In witesse wherof to this indenture remayning in the custodie of the said James and sir John the said priour and convent have put their Commen Seale the daye and yere aboue writtin.

In dorso: Kells. It concernde that Monasterie. Tyeths of Newchurch Racolpin Bellagh, Sprowshey & Castleffe.

Seal gone from tag.

Parchment, 320 × 175 mm.

A64. [109].—Inspeximus by Piers Butler Earl of Ormond and of Ossory, at the request of Philip Purcell, abbot, of certain charters granted to Holy Cross Abbey. 8 February, 1538-9.

Petrus Comes Ormond' et Ossorie dominus libertatis et regalitatis Tiperarie omnibus ad quos presentes littere nostre peruenerint salutem.

Inspeximus quasdam cartas siue litteras patentes Donaldi O Breatan regis Lymbriticencis ecclesie Beate Marie Virginis de Sancta Cruce et monachis Cisterciensis ordinis ibidem factas

in hec verba : Donaldus Dei gracia Limbricensis rex [*etc. See Curtis, C.O.D., vol. I, no. 5.*]

Inspeximus eciam cartam Johannis quondam domini Hibernie et comitis Morit' dicte ecclesie Beate Marie de Sancta Cruce et monachis ibidem factam in hec verba : Johannes Dominus Hibernie Comes Morit' [*etc. See Curtis, op. cit., no. 15.*]

Inspeximus etiam cartam siue inspexionem domini Ricardi secundi regis Anglie et Francie et domini Hibernie dicte ecclesie Beate Marie de Sancta Cruce factam in hec verba : Ricardus Dei gracia Anglie et Francie Rex et dominus Hibernie omnibus ad quos presentes littere pervenerint salutem. Inspeximus cartam Johannis quondam domini Hibernie et Comit' Morit' progenitoris nostri ecclesie Beate Marie de Sancta Cruce et monachis Cisterciensis ordinis ibidem factam in hec verba : Johannes dominus Hibernie [*etc. as above.*] Nos autem donaciones concessionones et confirmaciones libertates consuetudines et quietancias predicta et omnia et singula in carta predicta contenta rata habentes et grata, ea pro nobis et heredibus nostris quantum in nobis est tenore presencium approbamus, et eidem ecclesie et nunc monachis ibidem Deo seruientibus concedimus et confirmamus, prout carta predicta racionabiliter testatur, et prout ipsi et predecessores sui libertatibus consuetudinibus et quietanciis predictis a tempore concessionis earundem semper hactenus racionabiliter vti et gaudere consueuerunt. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud Waterford vicesimo nono die Aprilis anno regni nostri decimo octauo.

Inspeximus etiam quasdam litteras patententes (*sic*) domini Henrici secundi quondam regis Anglie factas abbati Sancte Crucis de Hosterlan in hec verba : Henricus Dei gracia rex Anglie dominus Hibernie dux Normannie Aquitanie et Comes Andagaui iusticiario suo Hibernie et omnibus balliuis et fidelibus suis per Hiberniam constitutis ad quos presentes littere peruenerint salutem. Sciatis quod suscepimus in protectionem et defencionem nostram abbatiam Sancte Crucis de Hosterlan et homines terras redditus res et omnes possessiones suas. Et ideo vobis mandamus quod eandem abbatiam et homines terras redditus res et omnes possessiones suas manuteneatis protegatis et defendatis, nullum eis inferentes vel inferri permittentes molestiam iniuriam dampnum aut grauamen. Et si quid eis forisfactum fuerit id eis sine

dilacione faciatis emendari. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud Oxoniam XXX die Septembris anno regni nostri XVII°.

Inspeximus etiam quasdam alias litteras patententes (*sic*) domini Henrici tercii Regis Anglie abbati Sancte Crucis predict' factas in hec verba : Henricus Dei gracia Rex Anglie dominus Hibernie dux Normannie Aquittanie et Comes Andegauie iusticiario suo Hibernie et omnibus balliuis et fidelibus suis per Hiberniam constitutis salutem. Sciatis quod suscepimus in proteccionem et defencionem nostram homines terras res redditus et omnes possessiones abbatis Sancte Crucis de Hosterlayn in Hibernia. Et ideo vobis mandamus quod manuteneatis protegatis et defendatis homines terras res redditus et omnes possessiones predicti abbatis, non inferrentes eis aut inferri permittentes molestiam iniuriam dampnum aut grauamen. Et si quid eis fuerit forisfactum id eis sine dilacione faciatis emendari. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud Herford secundo die Nouembris anno regni nostri decimo octauo.

In cuius rei testimonium nos predictus Comes ad specialem rogatum Philippi Purcell nunc abbatis dicte ecclesie Beate Marie de Sancta Cruce sigillum nostrum libertatis nostre predicte presentibus duximus apponendum VIII° die mensis Februarii anno regni regis Henrici octauo tricesimo.

In dorso : An Inspeximus by Piers E : of Oss : of severall graunts made to the Abbott &c. of Holy Crosse.

Large seal of Piers Earl of Ormond, on green and yellow cord. On one side, mounted warrior bearing sword and shield ; on the other, a larger representation of the shield. Inscription running round both sides.

Parchment, 525 × 350 mm.

A65. [112].--Letters Patent of King Henry VIII, granting a pension to James Grace, late monk of Jerpoint. 28 April, 1540.

Henricus octauus Dei gracia Anglie et Francie rex fidei defensor et dominus Hibernie ac in terra supremum caput ecclesie Anglicane et Hibernicane omnibus ad quos presentes littere peruenerint salutem. Sciatis quod nos de gracia nostra speciali ac ex certa scientia et mero motu nostris, ac de assensu et consensu dilectorum et fidelium consiliariorum nostrorum Johannis Alen cancellari nostri terre nostre Hibernie Willelmi Brabason vicethesaurarii nostri terre nostre Hibernie predictae et Roberti Cowley magistri rotulorum cancellarie nostre eiusdem terre nostre, commissionariorum nostrorum inter cetera ad assignandum competentes penciones gubernatoribus et aliis personis conuentualibus monasteriorum et domorum religiosorum nobis concessorum et sursum redditorum vel aliter dissolutorum et dissoluendorum legitime constitutorum, durante vita dictorum gubernatorum aut personarum conuentualium aut donec aliter premoti vel beneficiati fuerint: Considerantes bonam conformitatem inclinacionem et obedienciam Jacobi Grace, nuper persone conuentualis siue religiosi abbacie monasterii siue domus Beate Marie Virginis de Jerepount, dedimus concessimus et assignauimus ac per presentes damus concedimus et assignamus prefato Jacobo et Petro Ragged de Kilkennia mercatori vnam pencionem annuitatem siue annualem redditum quadraginta solidorum legalis monete Hibernie exeuntem de omnibus messuagiis terris tenementis et hereditamentis cum suis pertinenciis in Jerepount, Ballylinch, Kilgrellan, et Donnbille, ac de ecclesiis rectoriis siue capellis de Jerepount et Blanchilleston in comitatu Kilkennie, necnon de omnibus messuagiis terris tenementis decimis et alteragiis eisdem ecclesiis rectoriis siue capellis siue earum alicui pertinentibus siue spectantibus, ac de omnibus aliis terris tenementis redditibus proficuis reuencionibus et hereditamentis quibuscumque eidem nuper abbacie monasterio siue domui pertinentibus siue spectantibus, que nuper fuerunt parcelle possessionum dicte nuper abbacie monasterii siue domus et que in manibus nostris existunt et existere debent: Habendam levandam et annuatim percipiendam predictam pencionem annuitatem siue annualem redditum quadraginta solidorum prefatis Jacobo et Petro et assignatis suis, durante vita naturali dicti Jacobi, aut donec et quousque ad beneficium valorem pencionis predictae excedens per nos promotus fuerit, ad festa Sancti Michaelis archangeli et Pasche per equales porciones per

manus firmariorum omnium et cuiuslibet receptoris tenentis et occupatoris predictorum messuagiorum terrarum tenementorum ecclesiarum rectoriarum ac ceterorum premissorum cum pertinenciis et cuiuslibet inde parcelle qui pro tempore erunt. Et si contingat predictam pencionem annuitatem siue annualem redditum a retro fore non solutam in parte vel in toto post aliquod festum festorum predictorum in quo vt prefertur solui debeat, quod tunc bene liceat dictis Jacobo et Petro et assignatis suis in predicta messuagia terras tenementa ac cetera premissa et quamlibet inde parcelam intrare et distringere, districtionesque sic ibidem captas secum ducere et penes se retinere, donec et quousque de predicta pencionem annuitate siue annuali redditu et arreragiis eiusdem (si que fuerint) sibi modo et forma predictis plenarie satisfactum fuerit et persolutum. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud Dublin XXVIII die Aprilis anno regni nostri tricesimo secundo. Cowley

In dorso: A patent of a pencion granted to one of the late monkes of Jeripont by H 8. (*Alia manu*) K. Hen: 8. his Patent for granting a pention of 40s. p annum to James Grace monke of the Abby of Jerepoint, when the said Abby was dissolved. Dat. 32°. Hen: 8.

Great Seal of Ireland, in splendid condition.
On the top (back) of the seal-tag is written, 'Sir James Graces pention.'

Parchment, 353 × 240 mm.

A66. [1113].—Royal grant to James Butler, Earl of Ormond, of the possessions of the dissolved abbey of Jerpoint. Indenture (the Earl's part), with the Great Seal of Ireland attached. (What remains of the Seal—about half—is in very good condition).

The terms of this Deed will be found in *Fiants of Henry VIII*, no. 241. Dated at Dublin, 11 August, 1541.

One of the conditions imposed upon the grantee is: "reparando omnia domos cancellos edificia . . . sumptibus suis propriis . . . ecclesia campanile et aliis edificiis superfluis infra scitum et precinctum dicte nuper abbacie . . . solummodo exceptis."

Parchment, 370 × 223 mm.

A67. [114].—James Butler Earl of Ormond's comptus of the possessions of Jerpoint Abbey for the year 1540-1.

Comptus domini Jacobi Butler Comitis Ormond receptuum omnium et singulorum terrarum et tenementorum ac aliorum possessionum quarumcumque tam spiritualium quam temporalium nuper monasterii de Geriponte de termino Sancti Michaelis Archangeli anno regni regis Henrici VIII^o XXXII^o et Pasche tunc proxime sequentis videlicet per vnum annum integrum.

- | | |
|--|-------------------|
| §. Exitus scitus monasterii predicti cum gardino et pomeriis infra precinctum eiusdem per tempus predictum | xiiis. iiiid. |
| §. Exitus villate de Geriponte cum decimis eiusdem per idem tempus. | ixli. vis. viiid. |
| §. Exitus villate de Ballylenche per idem tempus | liiis. iiiid. |
| §. Exitus villate de Bawne per tempus predictum | liiis. iiiid. |
| §. Exitus villate de Wulgrange cum decimis et molendino | lxvis. viiid. |
| §. Exitus terre vocate Stansylande per idem tempus | viiiis. |
| §. Exitus terre vocate Morehouslande per tempus predictum | viiiis. |
| §. Exitus villate de Crosteoke per tempus supradictum | xiiis. iiiid. |
| §. Exitus de Smytheston et Gibbonshepehouse | xs. iiiid. |
| §. Exitus villate de Jackeston per tempus predictum | nil. |
| §. Exitus villatarum de Shrowliswodd Ballyndowlyn et Ardshynnan cum decimis per idem tempus | lxs. |
| §. Exitus villate de Kylgrelyn per tempus predictum | xxxiiiis. iiiid. |
| §. Exitus villate de Thomaston per tempus predictum | xxs. |
| §. Exitus nove ville de Geriponte per idem tempus. [<i>Against this entry in margin :</i> | iiiis. viiid. |
| Nota (<i>erasure</i>) burgagio]. | |
| §. Exitus Grangie de Lyegane cum decimis per tempus supradictum | viii. vis. viiid. |
| §. Exitus villate de Blakrathe cum decimis per huiusmodi tempus | vii. |

§. Exitus de Feroghmore per tempus predictum	xiiid.
§. Exitus villate de Dunbylle cum decimis per idem tempus	xviii. xiiis. iiiid.
§. Exitus Grangie de Kylry cum decimis per tempus predictum	viii. xvis. viiid.
§. Exitus vnus molendini aquatici in Madokeston	xls.
§. Exitus ville de Kilkennia per huiusmodi tempus	iis.
§. Exitus Grangie de Cloran et Gawran cum decimis per idem tempus	xxxiiis. iiiid.
§. Exitus Grangie de Mokhene alias Rathlyne cum decimis per etc.	iiii.
§. Exitus decimarum magne [<i>recte</i> magni] burgagii per idem tempus	xiiis. iiiid.
§. Exitus rectorie de Rowre per huiusmodi tempus	xli.
§. Exitus rectorie de Blancheviliston per idem tempus	lxs.
§. Exitus vnus tenementi in villa de Rosse per tempus predictum	iiiiis. vid.
Summa totalis lxxxviii. xxiiid.	
Inde predictus computans petit allocacionem procuracionum solutarum episcopo Ossoriensi per tempus predictum	xxs.
Item procuracionum archidiaconi ibidem per huiusmodi tempus	xiiis. iiiid.
Item pro capitali reddito de Kilgrallane soluto Comiti Ormond per tempus predictum	vis. viiid.
Item pro annuale pensione soluta Geraldo Aylmero concessa per litteras nuper abbatis et conventus eiusdem monasterii	xxs.
Item pro pensione Olyueri Grace nuper abbatis ibidem	xli.
Item pro pensionibus Patricii Brenane	xls.
Nicholai Fynne	xls.
Ricardi Croke	xls.
Thome Croke xls. et Jacobi Grace xls. per idem tempus	xli.
Summa allocucionum xxiiii.	
Et debita vnde	

Super Adam Walshe pro villata de Wulgrange cum decimis et molendino per idem tempus	iii <i>li</i> . vis. viii <i>d</i> .
Super dictum Adam pro Stanysland et More- housland per idem tempus	xvis.
Super Isabellam Grace pro villata de Crostyoke	xiiis. iiiii <i>d</i> .
Super Edmundum Grace pro vill' de Smytheston et Gibbonshepehouse per idem tempus	xs. iiiii <i>d</i> .
Super Isabellam Swetman pro Jakeston per idem tempus	[no figure].
Super Margaretam Comitissam Ormond Shrowleswodd Ballyndolyn et Ardshynnan per idem tempus	lxs.
Super tenentibus et occupatoribus de Thomaston per idem tempus	xxs.
Super Edwardum Waton pro nova villa de Geriponte	iiiis. viii <i>d</i> .
Super Robertum Rothe de Kilkennia et Thomam Purcell de eadem pro villa de Kylry cum decimis per idem tempus	viii <i>li</i> . xv. viii <i>d</i> .
Super Nicholaum Cranysbroghe videlicet pro molendino de Madokeston	xls.
Super Thomam Purcell pro vno messuagio in Kilkennia	iis.
Super Willelmum Brenane et Nicholaum Mothing pro villata de Clorane cum decimis per idem tempus	xxxiiis. iiiii <i>d</i> ,
Super Comitissam Ormond pro Grangia de Mok- hene cum decimis per idem tempus	iii <i>li</i> .
Super eandem Comitissam Ormond pro decima magni burgagii per idem tempus	xiiis. iiiii <i>d</i> .
Super Walterum Cowley pro rectoria de Blaun- chevileston	lxs.
Super Johannem Brymegham de Rosse pro vno tenemento ibidem per tempus predictum	iiiis. vi <i>d</i> .
Summa debitorum xxx <i>li</i> ix <i>d</i> .	
Et sic remanent Regi xxxv <i>li</i> . xiii <i>d</i> .	

In dorso: The Temporalities & Spiritualities of the Abey
of Jerpont & the rent that the Earle of Ormond had therout
in K Henry the 8th Raign Ano 32.

Meg Fossard de Tomaston George Morghan off Kilelans . . .
missid (?) &c.

Parchment, 163 × 460 mm.

A68. [116].—Certificate by five monks of the dissolved Abbey of Jerpoint of the receipt of their pensions from the Earl of Ormond. 12 October, 1542.

Nouerint vniuersi per presentes nos Nicholaum Fyn, Ricardum Croke, Patricium Brenan, Jacobum Grace, Thomam Croke, nuper monacos de Jeriponte, recepisse et habuisse die confeccionis presencium, de honorabili viro Jacobo Butler Comitti Ormonie et Ossorie ffirmario receptore tenente et occupante omnium messuagiorum terrarum tenementorum et hereditamentorum cum suis pertinenciis in predicto Jeriponte domini Regis, quinque libras legalis monete Hybernie in quibus idem Jacobus nobis tenetur in obligacione sua et defesancia super eandem soluendam in termino siue festo Michaelis vltimi preteriti, de quibusquidem quinque libris predictis fatemur nos fore solutos fideliter dictumque Jacobum heredes et executores suos inde esse quietos per presentes singnetis nostris singnetas. Dat' anno regni regis H. octavi XXXIIII^o, die uero mensis Octobris XII^o.

[Signed] per me Nicholaum Fyn
per me Recardum Croke
per me Jacobum Grace
per me Thomam Croke
per me Patricium Brenan.

In dorso: V^{li}. pro termino Michaelis anno XXXIIII^o.

Five small seals (in varying condition),
two on one tag, three on another.

Parchment, 225 × 100 mm.

A69. [121].—Leasè by the Provost or Abbot (Philip Purcell) and Convent of Holy Cross to John Purcell, and Elicia his wife, of the lands of Garrane Rathcnohan. 18 July, 1558.

Hec Indentura facta in monasterio Sancte Crucis de Woghterlaund XVIII die mensis Julii anno domini millesimo quingentesimo quinquagesimo octauo, et annis regnorum regis Philippi et regine Marie quarto et quinto, inter prouidum et discretum virum dominum Philippum Purcell prepositum siue abbatem monasterii Sancte Crucis de Woghterlaund Cisterciensis ordinis Cassellensis diocesis eiusque conventum ex vna parte, et Johannem filium Edmundi Purcell de Burgeslieth in comitatu Tipperarie gent' ac Eliciam filiam Johannis Marrese eius vxorem parte ex altera, testatur quod dicti prepositus siue abbas et conventus, habito super hoc prius inter se in loco capitulari et capitulariter ad hoc congregatos solenni tractatu et matura deliberacione, pensando vtilitatem dicti monasterii, quod ob defectum bonorum conductorum qui terras domus excolerent et occuparent magnum patiebatur detrimentum, paruum vel nihil ex diuersis particulis monasterium concernentibus sic incultis et devastatis recipiendo, et ideo considerando nullam meliorem viam pro earum habitacione quam eas bonis conductoribus ad firmam dare, dederunt concesserunt et de eorum expresso consensu pariter et voluntate vnanimi ad firmam tradiderunt dictis Johanni et Elicie, cum neminem eis ad hoc commodiorem invenerunt, villatam tenementum seu terras de Garrane Rathcnohan in eodem comitatu cum pertinentiis dictum monasterium concernentes, necnon omnia messuagia terras tenementa redditus reuersiones seruicia prata pascua pasturas boscos subboscos aquas gurgites stagna warenas et alia hereditamenta quecumque cum pertinentiis in villa et campis de Garrane Rathcnohan predicto in comitatu predicto : Habenda et tenenda omnia et singula predicta villatam tenementum terras messuagia redditus reuersiones seruicia prata pascua pasturas boscos subboscos aquas gurgites stagna warenas hereditamenta et cetera premissa cum pertinentiis prefatis Johanni et Elicie heredibus et assignatis suis a festo Pasche proximo sequentis datam presencium vsque ad finem termini trium annorum, et illo termino finito ad finem aliorum trium annorum proximo immediate sequencium, et sic de termino in terminum continue et incessiue, donec perficietur et finietur terminus sexaginta annorum plenarie complendorum : Reddendo inde annuatim dictis preposito seu abbati et conventui et successoribus suis quinque solidos currentis monete Hibernie per equales porciones ad festa Beati Michaelis et Pasche pro

omni seruicio. Et si contingat dictum redditum in parte vel in toto a festo Pasche quo solui debeat vsque ad festum Natiuitatis Sancti Johannis Baptiste aut a festo Beati Michaelis quo solui debeat vsque ad festum Natiuitatis Domini aretro fore non solutum, tunc bene licebit dictis preposito siue abbati et conventui et successoribus suis eorumque certo attornato in huiusmodi terras et tenementa locata intrare et distringere, non solum pro redditu aretro existente verum etiam pro tanta alia argenti summa quam dicti Johannes et Elicia conductores heredes et assignati sui propter non solucionem redditus vsque ad illa tempora forisfacere debent prout inter partes conventum est, et districciones ibi inventas aut si ibi nulle fuerint districciones etiam in terris propriis dictorum conductorum captas secum ducere et penes se retinere, donec eis tam de redditu quam de pena duplicationis eiusdem ad plenum satisfactum fuerit. Et dicti prepositus [*etc., clause of warranty*]. In cuius rei testimonium huic parti presentis indenture penes dictos prepositum seu abbatem et conventum remanenti dicti Johannes et Elicia sigilla sua apposuerunt. Dat' ut supra.

In dorso: Garran Rathnohan by Burgesliegth Once parcell of the Holly crosse.

A fragment of one of the two seals remains.

Parchment, 455 × 117 mm.

A70. [124].—Lease by the Provost or Abbot (Philip Purcell) and Convent of Holy Cross to Richard Wale, of the lands etc. of Ballykeally. 7 October, 1559.

Sciant presentes et futuri quod Nos Philippus Purcell prepositus siue abbas monasterii Sancte Crucis de Wochtirlaund Cisterciensis ordinis Cassellensis diocesis et conventus eiusdem monasterii, habito prius inter nos in domo capitulari et capitulariter ad hoc specialiter vocatos et congregatos solenni tractatu et matura deliberacione prout iura et stilus ordinis exposcunt, provide pensantes qualiter terras ad dictum nostrum monasterium spectantes et ob impositiones et oppressiones dominorum temporalium qui oneribus sordidis tam illas quam earum incolas in dies fatigant omnino devastatas et magis dampnosas quam vtilis, ad domus seu monasterii huiusmodi profectum et vtilitatem

deducere possemus, infrascriptam villatam ex qua paruum vel nihil comodum ymo potius graue dampnum per impositiones tales eidem nostro monasterio insurgit et incumbit, in emphiteosim alicui bono emphiteote qui annualem censum aut redditum bene augumentatum exinde perpetuo solueret concedendam fore decreuimus, hiis et aliis causis animum nostrum mouentibus de vnanimi nostro consensu pariter et voluntate dedimus concessimus et hac presenti carta nostra indentata confirmauimus in recompensacionem certe summe pecunie per nos pre manibus recepte et in vtilitatem necessitatisque nostre releuamen et monasterii nostri conuerse, Ricardo Wale burgensi ville de Cassell villatam de Balykeally in comitatu Tipperarie dictum nostrum monasterium concernentem, necnon omnia messuagia terras tenementa redditus reuersiones prata pasqua pasturas boscos suboscos wardenas et alia hereditamenta quecumque cum pertinentenciis, ac etiam decimas fructus res oblaciones prouentus alteragia et alia emolumenta ecclesiastica quecumque cum pertinentenciis in villa et campis de Balykeally predicti in comitatu predicto, Habenda et tenenda omnia et singula predicta villam messuagia terras tenementa hereditamenta decimas oblaciones alteragia emolumenta et cetera premissa tam spiritualia quam temporalia cum omnibus suis pertinentenciis prefato Ricardo heredibus et assignatis suis imperpetuum de capitalibus dominis feodi illius per seruicia inde debita et de iure consueta, Reddendo inde annuatim nobis predicto preposito seu abbati et conventui et successoribus nostris viginti solidos currentis monete Hibernie per equales porciones ad festa Beati Michaelis et Pasche, licet antea vix (decem solidi?) aut vna marcha ad magis eiusdem monete exinde annuatim percipi solebat nunc tamen de industria dicti prepositi suiue conventus redditus ille in tantum est augmentatus, pro omni seruicio. Et nos vero [*etc., clause of warranty*]. In cuius rei testimonium huic parti presentis carte indentate penes nos remanenti dictus Ricardus sigillum suum apposuit. Dat' in dicto nostro monasterio septimo die Octobris anno regni serenissime regine Elizabeth primo et domini millesimo quingentesimo quinquagesimo nono.

In dorso : Ballykelly parcell of the holly crosse.

Seal gone from tag.

Parchment, 427 × 130 mm.

Deed stained.

A.71. [126].—Grant by Philip Purcell, Provost (formerly Abbot) of Holy Cross, to Thomas Butler, Earl of Ormond, of his life-interest in the property of the dissolved monastery. 11 April, 1561.

Omnibus Christi fidelibus ad quos presens scriptum pervenerit probus vir Phillippus Purcell olim abbas monasterii Sancte Crucis de Wothorlan diocesis Casshellensis salutem in Eo qui est omnium salus. Cum illustrissimus Henricus octavus nuper rex Anglie per litteras suas patentes de data XX° die Maii anno regni sui XXXII° ordinavit et transmoutavit dictam abbaciam siue monasterium de cetero prepositure nomine decernendam, ipsumque Phillippum in prepositum domus dicte prepositure duxit et ordinavit, Ac monasterium siue abbaciam predictam cum omnibus suis iuribus et pertinenciis vniuersis tam spiritualibus quam temporalibus dicto Phillippo ad eius vitam duxit comendandam, Sciatis quod ego prefatus Phillippus, pro vtilitatē rei publice et ex diuersis aliis causis racionabilibus animum meum in hac parte inste moventibus, dedi concessi ac per presentes do et concedo honorabili viro Thome le Butler militi Comiti Ormonie et Ossorie ac domino libertatis Tipperarie, prefatam abbaciam siue monasterium ac litteras meas patentes inde michi confectas cum omnibus suis iuribus et pertinenciis vniuersis tam in spiritualibus quam in temporalibus qualitercumque de iure aut consuetudine olim aliquando et hactenus ad dictam abbaciam spectantibus: Habendam et tenendam predictam abbaciam siue monasterium cum omnibus suis pertinenciis prefato Comiti heredibus et assignatis suis durante viti naturali ipsius Phillippi in tam amplis modo et forma provt ego predictus prepositus predictam abbaciam siue monasterium habui tenui aut gavisus fui vel habere tenere aut gaudere debui virtute predictarum literarum patentium, Et manu mea propria tam seisinam in predicta abbacia siue monasterio prefato Comiti dedi quam predictas litteras patentes inde michi confectas. In cuius rei testimonium huic scripture sigillum meum apposui. Dat' XI° die Aprilis anno regni regine nostre Elisabeth tercio.

[Signed] Phillipus prepositus Sancte Crucis.

In dorso: Being present at thensealing and delyvery herof

and also at the making of the livery and seisein those whose names ensueth

John Riane
Wylliam Dowyed
John Walshe.

A graunt from Purcell provost of the [*sic*] Thomas Erle of Ormond of the said monastery for terme of the said Philips life.

Phillip Purcells graunt to Thomas [*sic*] of the Abbey of the holly crosse.

About half remaining of Philip Purcell's seal.

Parchment, 282 × 195 mm.

APPENDIX TO SECTION A.

FOUNDATION CHARTER OF OWNEY ABBEY.

Hardiman's copy, 1820.

Omnibus sancte matris Ecclesie filiis tam presentibus quam futuris Theobaldus Walteri pincerna Hibernie Salutem. Sciatis me pro honore Dei et beate Dei genitricis Marie Virginis et pro anima domini mei H. Regis Anglie et Ricardi Regis Anglie filii eius et pro salute Domini mei Johannis Comitis Moreton et Domini Hibernie et pro salute H. fratris mei Cantuariensis Archiepiscopi et pro anima chari mei Ranulfi de Glanull et pro anima Heruei Walteri patris mei et pro anima Matilde de Walences matris mee et pro salute anime mee et pro salute Matilde sponse mee et pro salute animarum omnium amicorum et antecessorum et successorum meorum dedisse et concessisse et hac presenti carta mea confirmasse in puram et perpetuam elemosinam Deo et beate Marie et Abbati et Monachis de Wodez in Cantredo de Wodeny oathelan et Wodez oifflian totum thoudum sive fundum

de Wedemfidenwide in villa de Clonken sit est cum medietate aque de Molkerne in quantum predictum twodum se extendit super predictam aquam de Molkern cum omnibus pertinentiis suis et rationabilibus divisis scilicet per has divisas, ex aquilonari parte per aquam de Clodach ubi cadit in Molkern sic ascendendo usque ad Balynagarfh et Villenegarfh cum pertinentiis suis et de Villa nagarf per eandem aquam sic ascendendo usque ad montana et sicut aqua de Clodagh circuit montana et sic per exteriores partes montium versus orientem descendendo usque lacum de Greye et sic per aquam de Molkern que exiit de lacu predicto descendendo usque ad Abbatiam, et preterea feudum unius militis qui dicitur Dromenakewy tam in bosco quam in plano de terra que proxima est aque de Molkerne ex australi parte de contra villam de Clonkern, et terram que est ex aquilonari parte de Molkern que vocatur Balligaibeg in quantum prefatum theodum se extendit super prefatam aquam de Molkerne cum tota medietate eiusdem aque et cum omnibus pertinentiis suis usque ad butrum inter Karkent et Dromenalewy et alias divisas suas rationabiles, et unum burgach in Lymerico cum omnibus pertinentiis suis. Quare volo et firmiter precipio quod prefati Abbas et Monachi habeant et teneant omnia prenominata cum omnibus pertinentiis suis libere et quiete bene et honorifice pacifice integre et plenarie in bosco et in plano in viis et semitis in pratis pascuis et pasturis in aquis et molendinis in stagnis et vivariis in moris et mariscis in piscacionibus et piscariis in villis et turbariis in vivariis et lervoriis in ecclesiis et capellis et in omnibus aliis libertatibus et liberis consuetudinibus et omnibus aisiamentis que in predictis terris sunt et esse possunt. Concessi etiam eisdem Abbati et Monachis eandem libertatem quam et magistra domus ipsorum scilicet Savenie habere dinoscitur scilicet sach et soch et tholl et them et infongetheof et outfongetheof et duellum et furcas et follaz et iudicium ferri et aque. Insuper concessi eisdem Abbati et Monachis ut ipsi et homines sui sint quieti a tolneto pontagio stallagio et panna per totam terram meam, Et volo ut sint quieti ab omnibus causis et querelis et placitis balliuorum prepositorum hundredi et a pultura seriantorum et de rewardis foristariorum et foreste et de omnibus aliis causis et querelis et placitis ad me et heredes pertinentibus et de omni placito que eis et hominibus suis accidere potest, et volo ut habeant et

teneant omnes rationabiles donaciones tenentium meorum quas eis conferre voluerint in elemosina et libere et quiete sicut ulla elemosina liberior et quietior teneri et haberi potest. Hiis testibus Philippo Wygornie Hamundo de Valen' W. de Burgo Adam de Herford' Elia filio Norm' G. de Kentewell Jordano de Luseg Adam de Ratlelden Amory de Beaufou' Ricardo de Samuelberi et multis aliis.

Irrotulatum ad requisicionem Johannis Ryan prepositi de Wothny.

[There follow official certificates relating to the making of this copy in June, 1820].

In dorso : Grant to (*sic*) Theob^d Walter Butler of Ireland taken from the Patent Roll of the 34th year of Henry the 8th.

NOTE : The above has been copied exactly (but with enlargement of contractions) from James Hardiman's MS., but he seems to have mistaken the original (or the intention of the original) in a few cases. What he writes, apparently, in a contracted form, as 'follarum' should, I suppose, be 'fossarum' or 'fossas.' 'Leporiis' would be more intelligible than 'lervoriis.' He writes 'panna' without a mark of suspension; *rd.* 'pannagio.' It appears from his translation that he supposed the enlargement of 'magist' domus' to be 'magister domus' (master of the house), but 'magistra domus' (ruling house, a description of Savigny) seems more probable.

This copy is accompanied by a translation (with several errors) into English by James Hardiman, and an affidavit sworn by him before one of the Masters in Chancery on 23 June, 1820. testifying to the accuracy of the transcript and of the translation. He has written the following note on the back of the translation :—

"N.B.—This deed is without any date, but it appears to have been perfected in the reign of King Richard I. It was enrolled in Chancery in Ireland in the 34th year of King Henry VIII.

The abbey of Wotheny or Abington was founded A.D. 1205, according to the *Monasticon Hibernicum*, but it appears by this deed to have been founded before the year 1200."

This charter is recorded in the printed Abstract of the *Patent Rolls* of 34 Hen. VIII, no. 78, and the text has been printed, with some inaccuracies, in Dugdale's *Monasticon* and in *Chartae, Privilegia, etc.* (p. 11) (Irish Record Commissioners, 1830-1889). The greater part of the text is translated with topographical comments in Archdeacon St. J. Seymour's article on the Abbey in vol. 37 of the *Journal of the Royal Society of Antiquaries of Ireland*.

SECTION B.

DEEDS RELATING TO THE DIOCESES OF CASHEL, LISMORE AND WATERFORD, AND OSSORY.

BI. [16].—Mandate of Thomas, Bishop of Lismore and Waterford, directing delivery to Philip Cryk of the property of Nicholas Cryk, deceased, in le Morton' and Ballynatyn. 17 May, 1402.

Thomas permissione diuina et apostolice sedis gracia episcopus Lismorensis et Waterfordensis omnibus ad quos presentes litere peruenerint salutem in Domino sempiternam. Cum alias dominium terre et tenementa que fuerunt Nicholai Cryk defuncti apud le Morton' et Ballynatyn in manu nostra fuerint certis de causis seisita ad nos racione dominii spectantibus adtunc, venit ad nos quidam Philippus Cryk, asserens se verum rectum et proximum heredem ipsius Nicholai esse, petens a nobis inde deliberacionem dictorum dominii terrarum et tenementorum sibi fieri, pretextu (?) (eiusdem?) nos consciencia motus nolentes sibi de iusticia deficere prefiximus et assignauimus sibi diem curie apud Ardfynan pro iusticia sibi facienda, quibus die et loco vna inquisicio proborum et legalium hominum dominii nostri antedicti ibidem in dicta curia coram nobis capta fuit, quorum nomina sunt hec videlicet, Walterus Loundres, Nicholaus filius Johannis Mauclerk, dominus Dauid Haket capellanus, [*hole in deed*]. . . rd (Ricardus) Drak, Robertus filius Griffini Prendirgast, Edmundus Scaddan, Johannes Braynok, Nicholaus Roth, Dauid Bron', Willelmus Walshe, Ricardus Corre, Adam White, dominus Dauid Cryk capellanus, Qui iurati dicunt super sacramentum suum quod predictus Philippus Cryk est verus rectus et proximus heres ipsius Nicholai Cryk defuncti in gradibus consanguinitatis. Nos igitur premissa considerantes habita deliberacione cum consilio nostro, predicto Philippo deliberacionem dictorum dominii terrarum et tenementorum ex causis premissis fecimus et per presentes facimus, iuribus ecclesie nostre cathedralis Lismorensis nobis et successoribus nostris semper saluis. Et hoc omnibus quorum interest innotescimus presencium

per tenorem. In cuius rei testimonium presentibus sigillum nostrum quo ad maiora vtimur apponi fecimus. Dat' apud Ardfynan die Mercurii proximo post festum Pentecostes anno domini M^o.CCCC^{mo} secundo necnon anno regni regis Henrici quarti post conquestum Anglie tercio.

In dorso: Ballynnatyn and Moretovn.

Small fragments of the Bishop of Lismore's seal.

Parchment, 255 × 135 mm.

B2. [19].—Quitclaim by Richard, Archbishop, and the Dean and Chapter of Cashel, to John O Hedyan, Archdeacon of Cashel, in respect of a payment from certain lands. 2 August, 1411.

. . . quod nos Ricardus archiepiscopus Cassellensis decanus et capitulum eiusdem de vnanimi consensu et voluntate habit' super hoc diligenti . . . pro nobis et successoribus nostris quietum clamauimus magistro Johanni O Hedyan archidiacono Cassellensi domino de . . . hilly . . . Dauyiston et Lysterkyen . . . assignatis suis omnimodas summas . . . predecessores nostri de predictis . . . recipere consueuerunt . . . et percipere deberent vsque ad summam (octo) solidorum nobis et successoribus nostris soluendorum ad . . . (per) equales porciones . . . (condiccionem ?) quod predictus magister Johannes edificet vnam turrem . . . manerio de Kylmenaddoc . . . quod nec nos predictus Ricardus archiepiscopus decanus aut capitulum supradictum seu . . . quouis modo . . . ad aliquas (summarum ?) . . . (distring . . . ?) . . . quandam (?) in predictis terris de Kylmenaddoc Rath(na ?)hilly Dauyiston et . . . et Lysterkyen . . . simus omnino nos et successores nostri exclusi per presentes. Reseruantes nobis et successoribus nostris (sectam) curie nostre in premissis dominiis) . . . predecessores . . . (et nos vero) predictus Ricardus archiepiscopus decanus et capitulum supradictum et successores nostri predictam quietam clamanciam . . . predictorum terrarum seu dominiorum vsque ad summam dictorum octo solidorum ut premittitur predicto magistro (Johanni et) assignatis suis contra omnes gentes warantizabimus acquietabimus et vbique imperpetuum defendemus. In quorum fidem omnium et singulorum premissorum sigillum nostrum quo ad maiora vtimur vna cum sigillo comuni

decani et capituli nostri (his litteris ?) apposuimus : presentibus honorabilibus et discretis viris dominis Ricardo Walche Philippo Walche Henrico Payn Henrico Elyoyd . . . vicar' Communis aule ecclesie nostre metropolitice Cassellensis ad premissa vocatis similiter et requisitis. Dat' Cassellie in crastino (festi Sancti) Petri ad Vincula anno domini millesimo CCCC^{mo} vndecimo et regni regis Henrici quarti post conquestum Anglie decimo et (secundo).

In dorso : Kilmenadoc Davidyston Listerkyen & other lands.

Seal of the Archbishop of Cashel (a very fine impression); seal of the Dean and Chapter missing.

Parchment, 235 × 185 mm.

Note.—This deed is much damaged, particularly on the left-hand side, and the beginnings of each line are gone. The reading 'vicar' Communis aule' seems probable, and if vicar' represents 'vicariis' (not 'vicario'), perhaps the preceding (lost) word may have been 'perpetuis.' The College of Vicars Choral at Cashel was founded by this Archbishop Richard.

B3. [23].—Letters of administration granted by John, Bishop of Leighlin, as guardian of the spiritualities of the vacant see of Ossory, to P. Cotterill and R. Smyth, of the goods of Patrick Fox, late Bishop of Ossory. 20 July, 1421.

Johannes Dei gracia Episcopus Leghlinensis custos spiritualitatis et spiritualis iurisdictionis ciuitatis et diocesis Ossoriensis sede eiusdem vacante dilectis nobis in Christo Patricio Cotterill armigero et Ricardo Smyth clerico salutem gratiam et benedictionem. De vestris fidelitate et circumspeccione pariter et industria plenius in Domino confidentes, administracionem omnium et singulorum bonorum et catallorum qui fuerunt vel esse debuerunt Patricii Fox nuper Episcopi Ossoriensis nuper defuncti vobis et vestrum cuilibet coniunctim et diuisim com-

mittimus et concedimus per presentes. In cuius rei testimonium sigillum nostrum presentibus apposuimus. Dat' vicesimo die mensis Julii Kilkennie anno domini M^oCCCC^{mo}XXI^o.

Seal missing.

(Two strips cut in the parchment).

Parchment, 250 × 100 mm.

B4. [24]. Rental of the Cathedral of the Holy Trinity, Waterford. Easter, 1427.

Rentale reddituum ecclesie Cathedralis Sancte Trinitatis civitatis Waterford' tam infra muros quam extra termino Pasche anno regni regis Henrici sexti quinto.

In primis Petrus Wyte tenet de predicta ecclesia manerium de Ballycasshyn et reddit inde ad terminum iiis. iiiid.

De Thoma Wyte priore Sancti Johannis iuxta Waterford ad terminum . . .

De Johanné Alysandre capellano pro vna . . . scitua' iuxta ecclesiam ad terminum . . .

De Roberto Lyncoll pro vno orto iuxta ecclesiam ad terminum

. . .

De Petro Ryce pro vno paruo orto iuxta ecclesiam Sancti Olai ad terminum iid. quad.

De Waltero Power pro domo iuxta keyam ad terminum xs.

De Thoma Whitefeld pro domo iuxta keyam ad terminum vis.

De Nicholas Parys pro domo in qua manet ad terminum viiid.

De Thoma Sawtre pro tenemento quondam Ricardi Maii ad terminum xviiid.

De Philippo Gerot pro domo in qua manet ad terminum vs.

De Roberto Lawles pro vna celda ex opposito domus Ade Walsh ad terminum iiiid.

De Adam Walsh pro domo in qua manet ad terminum iis. iiiid.

De Thoma Donegan pro domo in qua manet ad terminum iis. iiiid.

De Ricardo Kyryn pro tenemento ex opposito domus Thome Donnegane et reddat ad terminum iis. vid.

De Roberto Rowe capellano pro camera sua ad terminum ixid.

De Thoma Okkebourne pro celdis suis ex opposito cimiterii Sancti Petri ad terminum xiid.

De Johanne Saymour pro vno orto iuxta stagnum molendini de Coldebeke ad terminum *vid.*

De Petro Ryce pro vno orto via qua itur versus ecclesiam Sancte Katerine ad terminum *vid.*

De Willelmo Russell pro vno orto iuxta gardinum Cecilie Stolbyn ad terminum *iiid.*

De Johanne Neell pro tenemento iuxta pipam in qua manet ad terminum *xvd.*

In dorso : Ecclesia Waterforde.

Strip of parchment, 95 × 366 mm., cut at top to a tapering point, signs of stitching at bottom. Some of the words and figures are rubbed and illegible.

B5. [57].—Notarial instrument recording the publication in a chapel of Waterford Cathedral of a grant by Pope Innocent VIII to John Graunt and others of certain spiritual privileges, in response to their petition (*confessionale*). 7 April, 1491.

In Dei Nomine Amen. Per hoc presens publicum instrumentum cunctis euidenter appareat et sit notum, quod anno ab incarnatione Domini secundum cursum et computationem Anglicane et Hibernicane ecclesiarum millesimo quadringentesimo nonagesimo primo indicione nouena pontificatus sanctissimi in Christo patris et domini nostri domini Innocencii diuina providencia pape octaui anno sexto mensis vero Aprilis die septimo in mei notarii publici et testium subscriptorum presencia in capella Sancti Jacobi ecclesie cathedralis Sancte Trinitatis Waterfordensis, comparuit discretus et circumspectus vir Johannes Graunt clericus Ossoriensis diocesis, qui Johannes ibidem publice in medium produxit vnum confessionale tenorem qui sequitur de verbo ad verbum continentem (*sic*).

Beatissime pater, Vt animarum saluti deuotorum oratorum vestrorum Johannis Graunte, Ricardi Bottuler, Edmundi Brennage, Edmundi Graunte, Petri Bottuler, Nicholai Macchomyn, Thebaldi Botuler, domini Jacobi Brennage, Alsono Forrestall, Willelmi O Geaune, Elicie Foristall, Willelmi Brennage, Edmundi Hevnybre, Patricii Stliger, Edmundi Vale, et Thome Foristall, ac domini Willelmi Ruffi, eorumque et cuiuslibet ipsorum vxorum et vtiusque sexus liberorum, salubrius

consulatur, Supplicant humiliter Sanctitati vestre prefati oratores, quatinus eis specialem gratiam faciens vt confessor ydoneus secularis vel regularis presbiter, quem quilibet ipsorum duxerit eligendum, ipsos ab omnibus et singulis excommunicationis suspensionis et interdicti aliisque ecclesiasticis sententiis censuris et penis a iure vel ab homine quauis occasione vel causa latis seu promulgatis ac votorum quorumcumque et ecclesie mandatorum transgressionibus ieiuniorum horarum canonicarum et diuinorum officiorum penitenciarumque iniunctarum in toto vel in parte omissionibus manuum violentarum in personas ecclesiasticas iniectionibus ac periurii et homicidii voluntarii casualis vel mentalis ac fornicacionis incestus adulterii et cuiuslibet speciei libidinis reatibus vsurarum maculas (*sic*), Omnibus aliis et singulis suis peccatis criminibus excessibus et delictis quantumcumque grauibus et enormibus, de quibus corde contriti et ore confessi fuerint, eciam si talia essent propter que sedes apostolica specialiter aut generaliter merito foret consulenda, de reseruatis, exceptis contentis in bulla que legitur 'In cena Domini,' semel in vita et in mortis articulo, de aliis vero sedi apostolice non reseruatis casibus tocians quociens opus fuerit, absoluere et pro commissis penitentiam iniungere salutarem, vota vero quecumque voluntaria, Jerosolomitano apostolorum Petri et Pauli de vrbe atque Jacobi in Compostella religionis et continencie votis dumtaxat exceptis, in alia pietatis opera commutare, et iuramenta quecumque relaxare, ac omnium suorum peccatorum plenariam remissionem et absolucionem impendere possit et valeat. Quodque ipsorum corpora oratorum, si eos aut eorum aliquem in loco ecclesiastico supposito interdicto auctoritate ordinaria forsan decedere contigerit, ecclesiastice tradi possint sepulture, omissis solennitatibus consuetis, ipsique eukaristiam et alia ecclesiastica sacramenta recipere possint a quocumque presbitero seculari vel regulari vbicumque voluerint sine preiudicio rectorum, necnon in locis seu ecclesiis interdictis huiusmodi auctoritate ordinaria missas et alia diuina officia audire possint, dummodo causam non dederint huiusmodi interdicto. Et insuper vt vnam vel duas ecclesias seu duo vel tria altaria in partibus vbi singulos oratores pro tempore residere contigerit, quam quas vel que quilibet ipsorum duxerit eligendum, singulis diebus quadragesimalibus cuiuslibet anni visitando, tot et similes indulgencias ac peccatorum remissiones conse-

quantur, quas consequerentur si singulis diebus eiusdem singulas vrbis ecclesias que a Christi fidelibus propter staciones visitari solent personaliter visitarent. Necnon singulis diebus quadragesimalibus et aliis diebus ac temporibus prohibitis butiro et lacte ac aliis lacticiniis in defectum olei vel vini vel piscium ac carnibus quarta feria extra quadragesimam vti vesci et frui possint et valeant, licenciam et facultatem auctoritate apostolica concedere et indulgere misericorditer dignemini de gracia speciali, Constitutionibus et ordinacionibus apostolicis ac legatinis, necnon regulis cancellarie quibus cauetur quod confessionalia in forma 'Beatissime Pater' imposterum signanda nullius sint roboris nisi per datarium Sanctitatis vestre datata fuerint, ac eciam illa de mense Septembris per quam eadem Sanctitas vestra voluit et decreuit quod confessionalia huiusmodi nemini suffragare possint, nisi in casibus dumtaxat in forma in quaterno eiusdem cancellarie annotata contentis, quibus hac vice derogare placeat, ceterisque in contrarium facientibus non obstantibus quibuscumque. Concessum vt petitur. In presencia domini nostri pape. A. Cardinalis Aleriensis.

Et de reseruatis, exceptis premissis, semel in vita et in mortis articulo.

Et de aliis sedi apostolice non reseruatis casibus tociens quociens opus fuerit.

Et de commutatione votorum, supradictis exceptis, et relaxacione iuramentorum.

Et de plenaria remissione et absolucione semel in vita et in mortis articulo.

Et quod possunt interesse diuinis ecclesiastica sacramenta recipere et ecclesiastice tradi sepulture vt supra.

Et de indulgenciis stacionum ecclesiarum vrbis visitando ecclesias seu altaria huiusmodi pro omnibus.

Et de butiro et lacte temporibus prohibitis ac carnibus quarta feria extra quadragesimam.

Et de derogacione predictarum regularum pro hac vice dumtaxat.

Et quod presentis supplicacionis sola signatura sufficiat ac si littere desuper plumbate forent.

Et quod illius transcripto per notarium publicum subscripto plena fides adhibeatur.

Concessum. A. Cardinalis Aleriensis.

Super huiusmodi confessionalis exhibicione et tenore eiusdem supradictus Johannes me notarium publicum infrascriptum debita cum instancia rogavit pariter et requisivit quatinus sibi conficerem vnum vel plura publicum seu publica instrumentum et instrumenta. Acta sunt hec prout supra scribuntur et recitantur sub anno indiccione mense die loco et pontificatu predictis, presentibus ibidem ad tunc honestis et circumspectis viris domino Eugenio oSowlevan capellano et Edmundo Graunte ciue ciuitatis Waterfordensis cum multis aliis.

Et ego Thomas Vale clericus Waterfordensis (diocesis) publicus sacris papali et imperiali auctoritatibus notarius, quia premissis omnibus et singulis cum sic vt premittitur coram me agerentur et fierent vna cum prenomnatis testibus presens personaliter interfui, omniaque ea et singula sic fieri vidi et audiui per supradictum Johannem, idcirco ex eadem confessionale hoc presens transcriptum fideliter manu mea propria fideliter scriptum exinde confeci subscripsi publicaui et in hanc publicam formam reddegi signoque et nomine meis solitis et consuetis signaui rogatus et requisitus in fidem et testimonium omnium et singulorum premissorum.

[*Notarial sign, enclosing at base 'T. Vale'*].

Parchment, 235 × 380 mm.

B6. [58].—Commission of Pope Alexander VI to the Abbot of Jerpoint and N. Tuyt, canon and official of Ossory, to investigate a question raised by petition of Piers Butler as to the legitimacy of his elder brothers. 25 March, 1497-8.

Alexander episcopus seruus seruorum Dei dilectis filiis abbati monasterii de Jeroporte Ossoriensis diocesis et Nicolao Tuyt canonico ecclesie Ossoriensis ac officiali Ossoriensi salutem et apostolicam benedictionem. Querelam dilecti filii Petri Botler laici Ossoriensis diocesis accepimus continentem quod licet quondam Edmundus et Theobaldus filii quondam Jacobi Butler laici dicte diocesis, ante matrimonium inter eundem Jacobum et quondam (*sic*) Sebinam Kevanace orum genetricem contractum

et eis quominus illud contrahere possint certo canonico impedimento obsistente, ex eisdem Jacobo et Sebina nati et procreati et perconsequens illegitimi fuerint, tamen Theobaldus et Ricardus etiam Butler, pro eorundem Theobaldi et Edmundi defunctorum filiis et heredibus respectiue se gerentes, falso pretendentes dictos Theobaldum et Edmundum defunctos ipsorum Jacobi et Sebina legitimos filios et heredes fuisse, ipsum Petrum, quominus hereditate ipsius Jacobi ad eum sicuti eius legitimum filium et heredem pertinente frui et gaudere pacifice possit, pretextu legitimitatus huiusmodi contra iustitiam impedire nixi fuerunt hactenus et nituntur minus iuste in animarum suarum periculum et ipsius Petri preiudicium non modicum et grauamen. Quare pro parte ipsius Petri nobis fuit humiliter supplicatum ut sibi super hoc oportune prouidere paterna diligentia curaremus. Quocirca discretioni vestre per apostolica scripta mandamus quatinus uocatis qui fuerint euocandi et auditis hincinde propositis quod canonicum fuerit appellatione remota decernatis, facientes quod decreueritis per censuram ecclesiasticam firmiter obseruari, Testes autem qui fuerint nominati si se gratia odio uel timore subtraxerint censura simili appellatione cessante compellatis ueritati testimonium perhibere. Quod si non omnes hiis exequendis potueritis interesse duo aut vnus vestrum ea nichilominus exequantur. Dat' Rome apud Sanctum Petrum anno incarnationis dominice millesimo quadringentesimo nonagesimo septimo octauo Kal. Aprilis pontificatus nostri anno sexto.

Written on front of turned-up flap :
ex^m post plumbum.

In dorso : G. de Polanco.
P. D. Cor.
Jo. Ortegar.

A Bull concerninge thesue of the brethren.

The ' bulla ' is gone ; part of the cord remains.

Parchment, 355 × 265 mm.

B7. [67].—Notarial instrument recording the judgment of Oliver, Bishop of Ossory, in a dispute between the Friars (Preachers and Minors) of Kilkenny and Edmund Sleger. 4 August, 1509.

Reuerendissimo in Christo patri ac domino Waltero miseracione diuina et apostolice sedis gracia Dublinensi archiepiscopo Ibernique primati, ac vniuersis et singulis Christi fidelibus presentes litteras processum infrascriptum in se continentes visuris vel auditoris, presertim illis quorum interest et quos infrascriptum tangit negocium seu tangere poterit quomodolibet infuturum, Oliuerus eadem gracia Ossoriensis episcopus ac magister Jacobus Cantwell ciuitatis et diocesis Ossoriensis officialis generalis, ac in causa discencionis seu controuercie infrascripta inter religiosos viros priorem et gardianum monasteriorum fratrum predicatorum et minorum ordinum ville Kylkenie ac eorundem conuentus actores ex vna parte, ac Edmundum Sleger sue nacionis capitaneum parte ex altera, aliquamdiu coram nobis mota, Iudices auctoritate ordinaria procedentes, Reuerencias debitas cum salute et presentibus fidem adhibere indubiam. Et quia ea que in iudicio inter partes agitantur obliuionis discrimini interdum subiacent, nisi per scripture memoriam roboris acceperint firmitatem, Hinc est quod ad vestre primitatis reuerendissime et omnium interesse habencium et infuturum habere pretendencium noticiam deducimus per presentes, qualiter nos inter predictas partes rite procedentes, et quia petitione dictorum fratrum, per quam quoddam mesuagium quod nunc inhabitat honesta vidua Caterina Sherloke iuxta cimiterium Beate Marie Kylkenie situatum, necnon et domum eiusdem, ad subueniendum et soluendum fratribus supradictis panem et vinum pro corpore Christi conficiendo in eorum monasteriis imperpetuum iuxta ratum redditum eiusdem domus onerata esse allegabant et proponebant, premissa, exhibitis nobis pro parte allictorum fratrum diuersis antiquis documentis et litteris, presertim bone memorie Thome Johannis ac Jacobi Oweyn heredum dicti mesuagii seu tenementi necnon et Philippi Legete vnus heredum dicti Jacobi eorum sigillis sigillatis, in quibus legarunt et se ac successores suos per viam seu modum legati obligarunt ad inueniendum ex dicto tenemento et ministrandum panem et vinum ut prefertur predictis fratribus, ipsisque litteris ac aliis litteris venerabilium virorum Roberti quondam archi-

diaconi Ossoriensis ac reuerendi patris Alexandri Dei gracia Ossoriensis episcopi commissarii protunc, necnon Francisci de Caponago decretorum vt in eis scribitur doctoris ac tunc reuerendi patris et domini Ricardi quondam Ossoriensis episcopi generalis vicarii, executoriis contra quendam Philippum Legete propter retardacionem seu denegacionem solucionis legati videlicet panis et vini ex dicto tenemento, ad cuius legati solucionem sententialiter condempnatus extiterat prout in ipsis litteris continetur, ipsisque litteris vnacum aliis euidentiis et documentis pro eorundem fratrum intencionis iustificacione per nos receptis examinatis et ad plenum ascultatis ac premissa super eisdem plena deliberacione, ad nostram sentenciam promulgandam processimus eamque tulimus in hunc qui sequitur modum. In Dei nomine amen. Nos Oliuerus Dei et apostolice sedis gracia Ossoriensis episcopus ac magister Jacobus Cantwell ciuitatis et diocesis Ossoriensis officialis, ac in causa discencionis seu controuercie inter religiosos viros Dawyd Gerratt sacre theologie humilem professorem ac priorem necnon et Rath Roth gardianum monasteriorum fratrum predicatorum et minorum ordinum ville Kylkenie ac eorundem monasteriorum conuentus ex vna parte actores, ac Edmundum Sleger sue nationis capitaneum reum parte altera, de et super inuencionem panis et vini pro corpore Christi conficiendo in monasteriis predictis, quibus pane et vino oneratum asserebant mesuagium quod tenet honesta vidua Caterina Sherlok iuxta cimiterium ecclesie Beate Marie Kylkenie ab Edmundo supradicto, ad instantem querelam dictorum fratrum procedentes, Et quia per sufficientes probaciones euidentias et documenta legitima, contra que in termino assignato nichill allegatum propositum aut in aliquo probatum extiterat quod ea eneuare aut illidere in aliquo poterat, prefatum mesuagium esse et fuisse oneratum et obligatum onere inuencionis et exhibicionis panis et vini ad conficiendum corpus Christi in monasteriis supradictis, quoad valorem anni redditus eiusdem tenementi, illique ad quos dictum mesuagium iure successionis seu alias deuenire contingeret ad hoc onus inperpetuum teneri et obligari, sufficienter esse probatum inuenimus, Christi igitur nomine primitus inuocato per hanc nostram sentenciam diffinitiuam quam in hiis scriptis solum Deum pre oculis habentes de iuris peritorum concilio nobis in hac parte assistencium ferimus et promulgamus, idem mesuagium ac Edmundum supradictum, ad quem ipsum

mesuagium iure successionis seu hereditario deuenit et ipsum tenet ac possidet de presenti, ad huiusmodi panem et vinum pro corpore Christi conficiendo in monasteriis supradictis inueniendum exhibendum et dandum, quoad summam valoris anni redditus eiusdem tenementi dumtaxat, singulosque alios eius successores huiusmodi mesuagium ad onus supradictum sic vt prefertur obligatum et oneratum tenentes et possidentes similiter ad hoc teneri et obligari, ipsosque ad huiusmodi panem et vinum dandum et exhibendum condempnandos et ad hoc per censuram ecclesiasticam compellendos decernimus et declaramus, quos sic condemnatum et condempnatos esse decernimus et declaramus per presentes, sententias quoque predecessorum nostrorum contra dicti Edmundi predecessores in eadem causa, et quibus alias nobis iudicialiter constabat alias latas, approbamus ratificamus et confirmamus per presentes. Lata et in scriptis recitata est hec nostra sententia in ecclesia cathedrali Sancti Kannici Kylkenie in crastino Corporis Christi anno domini secundum cursum et computationem ecclesiarum Anglicane et Hibernicane millesimo quingentesimo nono indicione duodessima pontificatus Iulii diuina prouidencia pape secundi anno sexto, presentibus protunc discretis uiris Vellelmo Quemerforde decano, Johanne Cantwell precentore, magistro Vellelmo Fyan cancellario, Roberto Hedian archidiacono, Thoma Donyll tesaurario Ossoriensibus, fratre Jacobo Shortals priori Sancti Johannis iuxta Kylkeniam, vnacum diuersis aliis clericis et laicis generosis, uidelicet Johanne Barone Legrace, Nicholao Cantwell, ac Vellelmo McGillepadrike, testibus requisitis. Que omnia et singula uobis reuerendissimo patri supradicto ac illis in salutacione contentis insinuamus et notificamus ac ad uestram et illorum noticiam deducimus per presentes, uestram reuerendissimam primitatem in Domino rogantes, quatinus sententiam et processum huiusmodi nostros approbare ratificare et confirmare ceteraque in premissis facere et exercere uestra metropolitana auctoritate quod oportunitate uobis videbitur et expediens. Monemus insuper prefatum Edmundum, ac ipsum per omnes et singulos prelatos ciuitatis et diocesis Ossoriensis presentes nostras litteras visuros moneri precipimus, quatenus infra nouem dierum spacium, quos pro monicione canonica cum legitima distribuzione eorundem [assignamus], huiusmodi nostre sentencie humiliter et cum effectu parendo, in exhibicione panis et uini pro corpore Christi in

monasteriis de quibus supra conficiendo iuxta modum concessionis suorum predecessorum secundum quod ad hoc condempnatus exstiterat se humilem et beniuolum reddat. Et si, quod absit, inobediens exstiterit et rebellis, eadem monicione premissa, eundem Edmundum exnunc prout extunc et vice versa maioris excommunicacionis sententia innodamus, ac ipsum sic innodatum per prelatos et curatos nostros supradictos in eorum ecclesiis .B. solenniter publicari et denunciari precipimus et mandamus. In quorum fidem omnium et singulorum presentes litteras siue hoc presens publicum instrumentum processum et sententiam nostram suprascriptam in se continentes siue continens per notarium infrascriptum huiusmodi cause scribam fieri nostrorumque sigillorum iussimus appencionibus communiri. Acta sunt hec prout supra.

Et ego Thomas Fyan sacris apostolica et imperiali auctoritatibus notarius Ossoriens' vero dioces' oriundus, quia predictarum partium comparicioni petitionis propositi-
 onis litterarum documentorum et euidenciarum supradictorum exhibicioni lecture et examinacioni ac sentencie prolaccioni presens interfui eaque sic fieri vidi et audiui ac de eis notum sumpsi, ideoque presentes litteras siue hoc presens publicum instrumentum sententiam quod et processum supradictos in se continentes siue continens scripsi et in hanc publicam formam redegi, signoque et nomine meis solitis et consuetis singnavi vnacum appencione sigillorum supradictorum rogatus et requisitus in fidem ac testimonium premissorum signavi.

[*Notarial sign, with name ' T. ffyan notarius ' at base*].

[*Alia manu*] Et nos Walterus miseracione diuina Dublinensis archiepiscopus Hibernie primas in cursu nostre metropolitice visitacionis existentes, visis lectis et intellectis antiquis cartis originalibus super quibus prefatus fundatur processus et exordium superfit, supradictum processum et sententiam diffinitiuam supradicti confratris nostri et suffraganei ratos habentes, eosdem processum et sententiam auctoritate nostra metropolitana confirmamus approbamus et ratificamus per presentes. In cuius rei testimonium sigillum nostrum ad maiora presentibus apponi

fecimus. Dat' Kylkennie quarto die mensis Augusti anno domini millesimo quingentesimo nono, et nostre consecracionis anno XX^{mo} quinto.

[*In dorso*] Auctoritate istius mandati infrascripti quia Edmundus Sleger ad instanciam fratrum predictorum minorum Kylkennie est legitime convictus et in eadem condempnatus pro invencione panis et vini ad diuina officia celebranda coram iudice ideo nos dictum Edmundum excommunicamus donec de dicto pane et vino dictis fratribus satisfaciat et beneficium absolucionis in forma iuris meruerit obtinere fiat fiat Amen et sicut iste candele extinguntur de manibus nostris ita anima eius extingatur.

Ab^t the fryers preachers and fryers Minors of Kilkenny. Black Abbey Kilkenny.

A large portion remaining of the Seal of the Bishop of Ossory; central seal missing; small fragment of a seal on the right side.

Parchment, 300 × 470 mm.

B8. [68].—Judgment of T. Howed, Commissary of the Bishop of Lismore and Waterford, that the ecclesiastical revenues of the *Leprosaria* of Clonmel appertain to its rector, and not to the Priory of Athassel. 20 December, 1510.

In Dei nomine amen. Quia visis ascultatis et recensitis meritis cause discencionis inter Philippum Oconyll procuratorem seu firmarium prioris et conuentus monasterii de Atthassell Cassellensis diocesis, ad quos spectat rectoria ecclesie parochialis ville de Clomell, habito ad hoc eiusdem monasterii conuentus concensu coram nobis iudicialiter comparentem, ac vicarium eiusdem ecclesie ex vna, ac Johannem Waringe eiusdem ville de Clomell leproserie rectorem seu procuratorem partibus ex altera, mote seu mouende, inuenimus ex parte dicte leproserie domus procuratoris seu rectoris ostensum doctum et probatum processibus et sentenciis Nicholai Roberti Lismorensium episcoporum ac domini David Cassellensis archiepiscopi et ex aliis animum nostrum mouentibus ac iuris communis decisione, fructus res

redditus et prouentus oblaciones decimas quascunque obuenciones omniaque alia eiusdem leproserie emolumenta tantum concernere debere procuratorem seu rectorem leproserie domus eiusdem. Quare Christi nomine primitus invocato Nos Thomas Howed in dicta contencione reuerendi patris domini Thome Lismorensis et Waterfordensis episcopi specialis commissarius, per hanc nostram diffinitiuam sententiam quam pro tribunali sedentes de iuris peritorum concilio in hiis scriptis ferrimus, per ea que vidimus ascoltauimus et examinacione cognouimus dictos redditus decimas oblaciones et prouentus dicte leproserie tantum rectorem seu procuratorem domus eiusdem leproserie concernere debere et in vsus suos et dicte leproserie recuperacionem et pauperum eiusdem loci sustentacionem conuerti debere decernimus et pronunciamus auctoritate qua in hac parte fungimur, ipsum Johannem rectorem seu procuratorem dicte leproserie a dictorum prioris et conuentus suorumque firmariorum et procuratorum ac dicte ecclesie vicarii et suorum successorum molestacione absoluentes, eisdem perpetuum silencium imponentes super omnibus premissis. Lecta et lata est hec nostra diffinitiuam sententia in ecclesia de Clomell Lismorensis diocesis vicesimo die mensis Decembris sub nostro sigillo M^o.V^o.X^{mo}, presentibus Dauid Roche ac Johanne Hanr' notariis Mauricio Lynchy dictis partibus et aliis quam plurimis testibus.

In dorso: Rectory of Clonmell to belong to the poore of lepry of Clonmell.

At upper left-hand corner of recto: In Domino comandatum.

A very small fragment of the seal.

Parchment, 255 × 110 mm.

B9. [73].—Notarial instrument recording the diffinitive sentence of W. Macgilpatrik, canon of Ossory, judge delegated by Pope Leo X, in a cause relating to the archdeaconry of Ossory, disputed between Edmund Butler and Robert OHedyan. 25 September, 1516.

Reuerendissimo in Christo patri ac domino Willelmo miseracione diuina et apostolice sedis gracia Dublinensi archiepiscopo Ibernique primati, ac reuerendo in Christo patri Oliuero eadem gracia

Ossoriensi episcopo, eorumque in spiritualibus vicariis et officialibus generalibus, venerabilibus quoque et circumspectis viris decanis precentoribus cancellariis thesaurariis archidiaconis ceterisque de capitulis ecclesiarum cathedralium eorundem, necnon vniuersis et singulis dominis abbatibus prioribus quorumcunque monasteriorum etiam exemptorum conventibus plebanis viceplebanis rectoribus vicariis eorumque loca tenentibus firmariis stipendiariis capellanis curatis et non curatis clericis tabellionibus et notariis publicis ceterisque viris ecclesiasticis tam secularibus quam regularibus exemptis et non exemptis vbique existentibus et eorum cuilibet in solidum, necnon omnibus et singulis comitibus vicecomitibus senescallis iusticiariis baronibus militibus capitaneis baliuis ciuitatum quoque ac villarum castrorum opidorum potestatibus maioribus superioribus rectoribus prepositis iudicibus et aliis quibuscumque personis iurisdictionem temporalem et ordinariam per se uel alios pro tempore exercentibus, ac illi uel illis quem seu quos infrascripta tangunt respectiue negocia sive tangere poterunt quomodolibet infuturum, quibuscumque nominibus censeantur aut quacumque prefulgeant dignitate, Willelmus Macgilpatrik canonicus ecclesie Ossoriensis ac vnus iudicum delegatorum ad infrascripta exequenda cum clausula ' quatenus vos uel duo aut vnus vestrum et cetera ' et aliis clausulis oportunis et necessariis, prout in ipsis diuersis respectiue litteris desuper confectis plenius continetur, consolidata in nos tam eisdem litteris apostolicis quam a nostris in hac parte collegis in quantum de iure erat necessarium totali iurisdictione, sufficienter legittime ac notorie deputatus, salutem in Domino sempiternam ac presentibus fidem adhibere iudubiam et nostris huiusmodi ymmo uerius apostolicis firmiter obedire mandatis.

Litteras diuersas sanctissimi in Christo patris ac domini nostri domini Leonis diuina prouidencia pape decimi, eius ueris bullis plumbeis cum cordulis canapis more Romane curie impendentibus bullatas, sanas integras non viciatas non abrasas nec cancellatas nec in aliqua sui parte suspectas sed omni prorsus vicio et sinistra suspicione prout nobis prima (specie) apparebat carentes, per venerabilem ac circumspectum virum Edmundum Butler clericum Ossoriensis diocesis ac in supradictis litteris principaliter nominatum nobis presentatas, nos cum ea [qua] decuit reuerencia recepisse noueritis, tenores qui sequuntur in se continentes.

Leo episcopus seruus seruorum Dei dilectis filiis Willelmo McGilpatrik Ossoriensis et Cornelio OLaghnan Cassellensis ecclesiarum canonicis ac officiali Ossoriensi, salutem et apostolicam benedictionem. Dudum per nos accepto quod Ossoriensis et Cassellensis ecclesiarum archidiaconatus certo modo vacabant tunc et tanto tempore vacauerant quod eorum collatio iuxta Lateranensis statuta Concilii erat ad sedem apostolicam legitime devoluta, quodque Robertus OHedyan pro presbitero et Geraldus de Geraldinis pro clerico se gerentes, Ossoriensis et Cassellensis ecclesiarum archidiaconatus huiusmodi nullo titulo nullove iuris adminiculo eis desuper suffragante sed temeritate propria et de facto per certum tempus detinuerant prout tunc detinebant indebite occupatos, nos volentes dilecto filio Edmundo Butler clerico Ossoriensis diocesis, apud nos de vite ac morum honestate aliisque laudabilibus probitatis et virtutum meritis multipliciter commendato, gratiam facere specialem, priori monasterii per priorem soliti gubernari Sancte Crucis de Insula Viuentium Laonensis diocesis et Guillermo ODuygyn Laonensis ac Rurico ODuygyn Coloniensis (*sic*) ecclesiarum canonicis per alias nostras litteras dedimus in mandatis, quatenus ipsi uel duo aut vnus eorum, si vocatis Roberto et Geraldo prefatis ac aliis qui forent evocandi, archidiaconatus predictos, qui in dictis ecclesiis dignitates non tamen maiores post pontificales respectiue existebant, quibusuis modis et ex quorumcunque personis vacare reperirent, illos, eciam si dispositioni apostolice specialiter reseruati existerent, dummodo tempore date dictarum litterarum non esset in eis alicui specialiter ius quesitum, cum omnibus iuribus et pertinenciis suis eidem Edmundo auctoritate nostra conferre et assignare curarent, inducentes per se uel alium seu alios eundem Edmundum uel procuratorem suum eius nomine in corporalem possessionem archidiaconatumque et pertinentiarum predictorum, et alia facerent et exequerentur prout in dictis litteris plenius dicitur contineri. Cum autem sicut exhibita nobis nuper pro parte dicti Edmundi peticio continebat ipse Edmundus ad priorem Guillerum et Roricum canonicos prefatos super premissis de facili recursum habere posse dubitet, pro parte ipsius Edmundi nobis humiliter fuit supplicatum ut, ne litterarum predictorum frustetur effectus, sibi super hiis oportune providere paterna diligentia curaremus. Quocirca discrecioni vestre per apostolica scripta mandamus quatenus ad executionem dictarum

litterarum illarum forma seruata procedatis in omnibus et per omnia ac si ille vobis a principio directe fuissent. Dat' Rome apud Sanctum Petrum anno incarnationis dominice millesimo quingentesimo quintodecimo quarto Idus Iulii pontificatus nostri anno tercio et cetera.

Litterarum quoque aliarum apostolicarum de quibus in predictis mencio habetur insequitur tenor.

Leo episcopus seruus seruorum Dei dilectis filiis priori monasterii per priorem gubernari soliti Sancte Crucis de Insula Viuentium Laonensis diocesis et Guilielmo ODuygyn ac Rorico etiam ODuygyn Cluonensis canonicis ecclesiarum, salutem et apostolicam benedictionem. Vite ac morum honestas aliaque laudabilia probitatis et virtutum merita super quibus dilectus filius Edmundus Butler clericus Ossoriensis diocesis apud nos fidedigno commendatur testimonio nos inducant (*sic*) ut sibi reddamur ad gratiam liberales. Cum itaque sicut accepimus Ossoriensis et Cassellensis ecclesiarum archidiaconatus certo modo vacent ad presens et tanto tempore vacauerunt quod eorum collatio iuxta Lateranensis statuta Concilii est ad sedem apostolicam legitime devoluta, licet Robertus OHedyan Ossoriensis et Geraldus de Geraldinis pro cleris se gerentes dilecti filii (*sic*) Cassellensis ecclesiarum archidiaconatus huiusmodi nullo titulo nulloue iuris adminiculo eis desuper suffragante sed temeritate propria et de facto per certum tempus detinuerunt prout adhuc detinent indebite occupatos, nos qui dudum inter alia voluimus statuimus et ordinauimus, quod quicumque beneficium ecclesiasticum tunc per annum immediate precedentem pacifice possessum, et quod certo modo vacare pretenderet, extunc deinceps impetraret gradum et nobilitatem possessoris eiusdem et quot annis possessor ipse illud possedisset in huiusmodi impetracione exprimi deberet et teneretur, alioqui impetracio predicta et quecumque inde secuta nullius existerent firmitatis, dicto Edmundo, qui ut asserit defectum natalium patitur de coniugato genitus et coniugata, et hoc ignorans clericali caractere alias tamen rite insignitus fuit, ac in vigesimoprimo vel circa sue etatis anno constitutus existit, premissorum meritorum suorum intuitu specialem gratiam facere volentes, ipsumque Edmundum a quibusuis excommunicacionis suspencionis et interdicti aliisque ecclesiasticis sentenciis censuris et penis a iure uel ab homine quauis occasione uel causa latis si quibus

quomodolibet innodatus existit ad effectum presencium dumtaxat consequendum litterarum serie absolutes et absolutum fore censentes, necnon verum et vltimum dictorum archidiaconatum vacationis modum eciam si ex illo quecumque generalis reseruacio resultet, ac gradus et nobilitatis dictorum Roberti et Geraldii si qui fuit, necnon tempus per quod Robertus Ossoriensis et Geraldus prefati Cassellensis ecclesiarum predictarum eosdem archidiaconatus respectiue obtinuerunt, pro expressis presentibus habentes, discrecioni vestre per apostolica scripta mandamus quatenus vos uel duo aut vnus vestrum, si vocatis Roberto et Geraldo prefatis et aliis qui fuerint evocandi, archidiaconatus predictos qui in dictis ecclesiis dignitates non tamen maiores post pontificales respectiue existunt, et quorum insimul fructus redditus et proventus octuaginta marcharum sterlingorum secundum communem estimationem valorem annum, ut dictus Edmundus eciam asserit, non excedunt, quibusuis nominibus et ex quorumcunque personis seu per liberas quorumcunque resignationes de illis extra Romanam curiam eciam coram notario publico et testibus sponte factas, aut constitutionem felici recordacionis Johannis pape XXII predecessoris nostri que incipit 'exécrabilis,' uel assecucionem alterius beneficii ecclesiastici ordinaria auctoritate collati, vacare repperitis, illos, eciam si dispositioni apostolice specialiter reseruati existant, et ad eos consueuerunt qui per electionem assumi eis que cura emineat animarum, super eis quoque inter aliquos lis cuius statum presentibus haberi volumus pro expresso pendeat indecisa, dummodo tempore date presencium non sit in eis alicui specialiter ius quesitum, cum omnibus iuribus et pertinenciis suis eidem Edmundo auctoritate nostra conferre et assignare curetis, inducentes per vos uel alium seu alios eundem Edmundum uel procuratorem suum eius nomine in corporalem possessionem archidiaconatum iuriumque et pertinenciarum predictorum et defendentes inductum, a motis ab Ossoriensis Roberto et a Cassellensis ecclesiarum archidiaconatibus huiusmodi Geraldo prefatis et quibuslibet aliis illicitis detentoribus, facientes Edmundum uel pro eo procuratorem predictum ad archidiaconatus huiusmodi ut est moris admitti, sibi que de illorum fructibus redditibus proventibus iuribus et obuencionibus vniuersis integre responderi, contradictores auctoritate nostra appellatione postposita compescendo, non obstantibus priori

voluntate ac statuto et ordinacione predictis ac pie memorie Bonifacii pape VIII eciam predecessoris nostri, illa presertim qua cauetur ne quis extra suam ciuitatem vel diocesim nisi in certis exceptis casibus et in illis vltra vnam dietam a fine sue diocesis ad iudicium evocetur, seu ne iudices a sede predicta deputati extra ciuitatem et diocesim in quibus deputati fuerint contra quoscumque procedere aut alii uel aliis vices suas committere presumant, et de duobus decretis in Concilio generali edita, dummodo vltra tres dietas aliquis auctoritate presencium non trahatur, et aliis constitutionibus apostolicis ac dictarum ecclesiarum iuramento confirmatis apostolica uel quauis alia firmitate roboratis statutis et consuetudinibus contrariis quibuscumque, aut si aliqui super provisionibus sibi faciendis de dignitatibus ecclesiarum speciales vel aliis beneficiis ecclesiasticis in illis partibus generales dicte sedis vel legatorum eius litteras impetrauerunt, eciam si per eas ad inhibitionem resignacionem et decretum vel alias quomodolibet sit processum, quibus omnibus prefatum Edmundum in assecucione dictorum archidiaconatum volumus anteferri, sed nullum per hoc eis quoad assecucionem dignitatum et beneficiorum aliorum preiudicium generari, seu si venerabilibus fratribus nostris episcopis et dilectis filiis capitulis Ossoriensibus et Cassellensibus vel quibusuis aliis communiter uel diuisim ab eadem sit sede indultum quod ad recepcionem uel provisionem alicuius minime teneantur et ad id compelli aut quod interdicti suspendi non possint, quodque de dignitatibus earundem ecclesiarum uel aliis beneficiis ecclesiasticis ad eorum collacionem provisionem presentacionem eleccionem seu quamuis aliam disposicionem coniunctim uel separatim spectantibus nulli valeat provideri per litteras apostolicas non facientes plenam et expressam de verbo ad verbum de indulto huiusmodi mencionem, et qualibet alia dicte sedis indulgentia generali uel speciali cuiuscumque tenoris existit per quam presentibus non expressam uel totaliter non insertam effectus huiusmodi gracie impediri valeat quomodolibet vel differri, et de qua cuiusque tenore toto habenda sit in nostris litteris mencio specialis, aut si dictus Edmundus presens non fuerit ad prestandum de obseruandis statutis et consuetudinibus dictarum ecclesiarum solita iuramenta, dummodo per procuratorem ydoneum in absentia sua et cum ad ecclesias ipsas accesserit corporaliter illa prestet, seu quod prefatus Edmundus natalium et ad obtinendum archidiaconatus

predictos etatis premisse in illius anno predicto constitutus defectus patitur antedictos, Nos eum secus ut eosdem archidiaconatus si sibi vigore presencium conferantur recipere et quoad vixerit insimul retinere libere et licite valeat, quodque litterarum studio extra Ibernie provinciam in locis vbi generale aut intra dictam provinciam vbi illud saltem particulare vigeat insistendo, eorundem archidiaconatum et quorumuis aliorum beneficiorum ecclesiasticorum curatorum vel alias de iure consuetudine aut statuto fundacionis vel alias sacros et presbiteratus ordines requirencium, usque ad quinquennium a fine anni a iure sibi prefixi computatum, dummodo infra primum biennium dicti quinquennii sit subdiaconus, ad aliquem alium ex eisdem sacris ordinibus promoueri minime teneatur nec ad id a quoquam invitatus valeat coartari, defectibus predictis ac Lateranensis Pictauiensis et generalis Conciliorum necnon quibusuis aliis apostolicis et in provincialibus et sinodalibus Conciliis editis generalibus vel specialibus constitutionibus et ordinacionibus statutis quoque et consuetudinibus supradictis eciam ut prefertur roboratis ceterisque contrariis nequaquam obstantibus, auctoritate apostolica tenore presencium de specialis dono gracie dispensamus, proviso quod archidiaconatus et alia beneficia huiusmodi debitis propterea non fraudantur obsequiis et animarum cura si qua illis emineat nullatenus negligatur sed illorum congrue supportentur onera consueta, et insuper exnunc irritum decernimus et inane si secus super hiis a quoquam quauis auctoritate scienter vel ignoranter contigerit attemptari. Dat' Rome apud Sanctum Petrum anno incarnationis dominice millesimo quingentesimo quartodecimo quinto Kal. Maii pontificatus nostri anno secundo et cetera.

Post quarum quidem litterarum apostolicarum diuersarum supradictarum presentacionem et recepcionem sic ut premittitur nobis et per nos factas, per partem supradicti Edmundi Butler in eisdem litteris principaliter nominati debita fuimus cum instancia requisiti quatenus ad execucionem dictarum d. l. a. et contentorum in eisdem iuxta traditam per easdem a sede apostolica nobis formam procedere, et citacionem legittimam contra et aduersus Robertum Hedyan et Geraldum de Geraldinis in speciali aliosque omnes et singulos edicto generali in archidiaconatibus respectiue ius sibi competere pretendentes transmittere dignaremur. Nos vero considerantes huiusmodi requisi-

cionem fore iustam et rationi consonam ac mandatum apostolicum nobis in hac parte per easdem d. l. a. directum exequi reuerenter ut tenemur volentes, nostre competencie incepcionis et citacionis citandorum si qui sint vel eciam pretendant decretis per nos prius datis et interpositis, Robertum H. et G. de G. in s. omnesque alios et s. e. g. in dictis a. interesse s. c. p. ad certos diem et locum citandos fore per nostros in hac parte apparitores nostris mediantibus litteris citatoriis certi et soliti tenoris, prout in ipsis litteris citatoriis plenius continetur, decreuimus, ac in eventu cuiuslibet termini per nos prefigendi citari iussimus.

Quo die adueniente, videlicet XXIX^{uo} mensis Maii anno domini M^{mo}CCCCCXVI^o, nobis in monasterio de Aghmaccarth pro tribunali sedentibus, partibus solito et congruo iudiciorum more orrida preconis voce preconizatis, ac coram nobis comparentibus impetrante personaliter, ac Roberto Hedyan archidiaconatui Ossoriensi incumbenti per quendam Cristinum Otonere suum in hac parte procuratorem factaque fide de personali citacione dicti Roberti, memorato vero Geraldo in diocesi Cassellensi non reperto in ecclesia Cassellensi in stallo ac manso archidiaconi citato apparitorum per iuramenta, demum recitatis articulis supracitatis per eundem Edmundum impetransem nobis in locum summarie petitionis porrectis, quibus per nos receptis datisque decretis ut premittitur de verbo ad verbum facta eciam comparacione ad recitatorum copiam perlectis, predictus Cristinus incumbentis procurator, premissa protestacione de non concensiendo in personam iudicis nisi in quantum de iure artaretur et non aliter, terminum petiit ad deliberandum competentem. Nos vero provida deliberacione prehabita septimum diem mensis Junii eiusdem anni in monasterio de Scartha cum effectu ad deliberandum incumbenti prefiximus et assignauimus, causam vero archidiaconatus Cassellensis ad ipsius Geraldi maliciam convincendam dictis die et loco eciam continuauimus, ad quos diem et locum partes premptorie citauimus.

Cuius diei naturali cursu effluente nobis in assignacionis loco protribunali sedentibus legitimo iuris ordine ut prefertur obseruato, Cristinus predictus incumbentis procurator supradicta protestacione premissa quandam papiri sedulam quasdam excepciones retardarias in se continentem exhibuit et perlegit, quibus prehabita deliberacione cum arbitris per eundem procuratorem electis ad cause merita reseruatis, primum diem mensis

Julii eiusdem anni ad omnes excepciones dilatarias proponendum ac interim pro advocato habendo in ecclesia parochiali de Aghour prefiximus et assignauimus.

Cuius diei desiderio in loco assignato ob timorem regalis inhibitionis satisfacere non valuimus, immo causam sub eodem desiderio continuantes, secundum diem mensis eiusdem anni et in ecclesia parochiali de Cahyr prefiximus et assignauimus.

In quibus die et loco nobis p. t. s. partibus preconizatis ac coram nobis comparentibus, procurator incumbentis quamdam sedulam papiri quasdam excepciones dilatarias tam contra personam iudicis quam contra impetrantis in se continentem nobis exhibuit, quibus perlectis, terminisque ad replicandum et duplicandum partibus respectiue congruis locis ac legitimis dierum intersticiis intercurrentibus datis et assignatis, obseruatisque in hac parte obseruandis premissisque premittendis, post plures disputaciones et allegaciones partium hincinde matura deliberacione premissa easdem excepciones dilatarias ad merita cause seruantes impetranti ad ponendum et articulandum in ecclesia parochiali de Kilermoe XXX^{um} diem mensis Julii anni eiusdem prefiximus et assignauimus.

Illis vero d. et l. n. p. t. s. preconizatis ac coram nobis comparentibus partibus, pars impetrantis diuersas posiciones in articulos deductas scripti serie duxit proponendas et ministrandas, iudicis officium postulans quatenus ipsum incumbentem ipsis posicionibus medio suo iuramento per verbum 'credo' vel 'non credo' vel alia verba ad hoc convincencia respondere iuberet seu compelleret, tactis partem per impetrantem evangeliiis iurauit quod credebat ipsas posiciones fore veras, incumbens vero premissis suis protestacionibus ac partium hincinde disputacionibus et allegacionibus plurimis iudicis materie dilicti iussu quibusdam posicionibus assirtiue et quibusdam negatiue prout in earum capitibus intuenti apparebit medio suo iuramento respondebat, pars vero impetrans ad posiciones negatas probandas testes nominauit, assignatisque terminis ad primo II° III° et IIII° producendum cum debitis dierum intersticiis congruis et locis produxit, quibus sic productis et rite receptis eorumque attestacionibus in scriptis redactis ac demum publicatis, premissa prius protestacione per incumbentem de opponendo in posiciones et dicta testium, incumbenti copiam attestacionum petenti et recipienti, ad omnes peremptorias et

quasi excepciones proponendas XIX^{um} diem mensis Augusti anni supradicti in ecclesia cathedrali Sancti Kannici Kilkennie prefiximus et assignauimus, Patricio vero Cantwell canonico ecclesie Ossoriensis in quantum de iure potuimus et non alias et presertim singulis in terminis ad causam ipsam continuandam et ad alia que mei erant ministerii exercenda vices nostras quociens nos abesse contingat commisimus.

Quibus excepcionibus die et loco assignatis ordine iudiciario rite obseruato propositis, terminis etiam et assignacionibus congruis ad replicandum et duplicandum partibus respectiue immo ad omnia acta et munimenta exhibenda, nobis vero ad deliberandum et ad animum nostrum informandum et ad concludendum, datis et assignatis, obseruatis etiam in hac parte obseruandis et premissis premitendis, legitimis dierum intersticiis mediantibus et in congruis locis prefixis, XXV diem mensis Septembris eiusdem anni in ecclesia parochiali de Dorwagh Ossoriensis diocesis nobis ad sententiam diffinitiuam ferendam et promulgandam prefiximus et assignauimus, ad quos [diem] et locum partes personaliter et preemptorie audituros sententiam citauimus et causam continuauimus.

Quo die adueniente nobis quoque p. t. in loco assignato s. p. p. et c. n. comparentibus, premissis per nos et iurisperitos nobis in hac parte assistentes matura deliberacione ac diligenti librorum revolucionem, cunctis meritis dicte cause auditis et ascultatis, sanctorum apostolorum vestigia sequi volentes videlicet iussa principum ac minas hominum contempnere et magis omnia mala pati quam veritatem derelinquere, de consilio iurisperitorum nobis in hac parte assistencium cum nobis nichil canonicum obstabat sententiam diffinitiuam equa lance tulimus et promulgauimus in hunc qui sequitur modum.

In nomine Dei amen. Nos Willelmus McGilpatrik canonicus ecclesie Ossoriensis, ac in quibusdam litteris apostolicis ad honesti viri Edmundi Butler clerici Ossoriensis diocesis instanciam, contra et aduersus dominum Robertum Hedyan archidiaconatu ecclesie Ossoriensis incumbentem de et super archidiaconatu predicto inter alia diuersimodi impetrantis, consolidata in nobis tam litteris apostolicis quam a nostris in hac parte collegis in quantum de iure necessarium et oportunitate erat totali iurisdictione, delectorum vnus sufficienter legitime et notorie deputatus ut prefertur, quia citacione personali

dicti domini Roberti Hedyan in speciali aliorumque in dicto archidiaconatu interesse sibi competere pretendencium edicto generali premissis, anpositis supradictis decretis, datisque et assignatis ipsi Roberto terminis ad deliberandum et advocato habendo, aliisque terminis et dilacionibus cum congruis et legitimis temporum intersticiis tam ad omnes dilatarias peremptorias et quasi excepciones proponendum replicandum duplicandum et triplicandum ad ponendum et articulandum testes desuper producendum ac ad omnia iura et munimenta exhibenda, nobis eciam ad deliberandum ad concludendum, et partibus personaliter et in speciali citatis sententiam diffinitivam audituris, datis et assignatis, defencionibus legitimis vtrique parti obseruatis, invenimus prefatum Edmundum suam intencionem ad plenum fundasse et probavisse dictum archidiaconatum vacavisse et tanto tempore vacasse quod eius collatio iuxta Lateranensis statuta Concilii est et erat ad sedem apostolicam legitime devoluta. Christi igitur invocato nomine primitus, per hanc nostram sententiam diffinitivam quam in hiis scriptis de consilio iurisperitorum nobis in hac parte assistentium ferimus ac promulgamus, ac per ea que vidimus et cognovimus videmus pariter et cognoscimus, decernimus et declaramus Edmundum suam intencionem fundasse ad plenum et probavisse dictumque archidiaconatum vacasse et tanto tempore vacavisse quod eius collatio est et erat ad sedem apostolicam legitime devoluta, ipsumque archidiaconatum sic devolutum ut premittitur prefato Edmundo auctoritate apostolica qua in hac parte fungimur contulimus conferrimus et assignamus, amouentes eundem Robertum et quoscumque alios illicitos detentores ab eodem, ac Edmundum per berreti nostri tradicionem suoque capiti impositionem supradicta auctoritate apostolica cum plenitudine iuris archidiaconalis de eodem archidiaconatu investimus, decernentes sepefatum Edmundum vel pro eo procuratorem ydoneum eius nomine in realem corporalem et actualem possessionem vel quasi iurium et pertinenciarum dicti archidiaconatus eadem apostolica auctoritate fore inducendum et inductum defendendum, stallum in choro et vocem in capitulo assignando, ac ipsum Robertum in expensis litis factis et faciendis ipsi Edmundo condemnantes earumque taxatione nobis reseruata, contradictores ac rebelles quoscumque per censuram ecclesiasticam compescendos fore. Lata lecta et in

scriptis promulgata est hec nostra sententia diffinitiva in ecclesia parochiali de Dorwagh Ossoriensis diocesis XXV^o die mensis Septembris anni supradicti, presentibus protunc dominis Donato Maccostygyn rectore de Dorwagh, Willelmo Archidekyn vicario de Eirke, Cornelio Obergyn capellano, magistro Johanne Dugyn balliuo, Willelmo Macfynyn clerico Ossoriensis diocesis, cum aliis diuersis testibus ad premissa vocatis specialiter et rogatis.

Que omnia et singula supradicta, videlicet prefatas diuersas litteras apostolicas hunc nostrum processum et diffinitiuam sententiam ac omnia et singula in eis contenta, vobis reuerendissimo ac reuerendo in Christo patribus ac dominis dominis archiepiscopo et episcopo ceterisque omnibus et singulis supradictis quibus presens noster processus dirigitur notificamus intimamus insinuamus ac ad vestram et vestrum cuiuslibet noticiam deducimus ac deduci volumus per presentes, vosque viros ecclesiasticos et vestrum quemlibet presertim auctoritate predicta apostolica tenore presencium requirimus et monemus primo secundo et tercio peremptorie, vobisque et vestrum cuiuslibet in virtute sancte obediencie et sub infrascriptis censurarum penis districte precipiendo mandamus, quatenus infra sex dies post exhibitionem seu notificacionem presencium vobis siue alicui vestrum factam, et postquam pro parte ipsius Edmundi desuper fueritis requisiti vigore presencium seu aliquis fuerit vestrum requisitus immediate sequentes, quorum sex duos pro primo duos pro secundo et reliquos duos pro tercio et peremptorio termino vobis vniuersis et singulis ac monicione canonica assignamus, prefatum Edmundum vel pro eo procuratorem y. e. n. in et ad r. c. et a. p. v. quasi archidiaconatus supradicti iurium et pertinenciarum eiusdem recipiatis admittatis ac ab aliis recipi et admitti faciatis, ac ipsi de omnibus et singulis fructibus redditibus proventibus iuribus obuencionibus et emolumentis vniuersis eiusdem archidiaconatus integre respondeatis et ab aliis inquantum in vobis fuerit responderi faciatis cum effectu.

Monemus vero et requirimus ac per vos omnes et singulos quibus presentes nostre littere diriguntur moneri volumus et mandamus eundem Robertum ac alios omnes et singulos eiusdem Edmundi contradictores et rebelles quatenus sub eisdem censurarum penis infra dictorum sex dierum terminum quem pro peremptorio et monicione canonica assignetis, prout nos eciam in hiis scriptis prefigimus et assignamus, ab omnibus occupacione

vsurpacione et detencione dicti archidiaconatus i. et p. eiusdem penitus et omnino desistant et eorum quilibet desistat, ipsumque Edmundum illis vti frui et pacifice gaudere sinant et permittant et eorum quilibet sinat et permittat.

Insuper monemus et per vos omnes et singulos moneri volumus et mandamus immo et forma premissa vniuersos et singulos censuarios tributarios colonos agricultores laboratores et generaliter vtriusque sexus homines in terris seu infra districtum dicti archidiaconatus commorantes, quatenus ipsi Edmundo in antea ut eorum vero et indubitato archidiacono et nulli alii fideliter pareant humiliter obediant et attentius intendant, sibique de decimis oblacionibus alteragiis fructibus redditibus proventibus iuribus et obventionibus vniuersis ad dictum archidiaconatum pertinentibus integraliter et sine diminucione qualibet respondeatur, ac ab aliis in exigendo leuando recipiendo premissa dolo et fraude quibuslibet cessantibus fideliter assistatur nec a quibusuis aliis asportari permittatur.

Quod si forte vos omnes et singuli supradicti premissa omnia et singula prout vobis iniunguntur et mandantur non adimpleueritis, ac mandatis et monicionibus nostris ymmo verius apostolicis non parueritis cum effectu, nos in vos omnes et singulos supradictos qui culpabiles fueritis in premissis, ac in contradictores quoslibet et rebelles aut impedientes prefatum Edmundum seu impedientibus dantes auxilium consilium uel fauorem publice uel occulte per se uel alios exnunc prout extunc et econuerso et singulariter in singulos dicta canonica sex dierum monicione premissa excommunicacionis, in capitula vero conventus et collegia in hiis forsan delinquencia suspencionis a diuinis, ac in ipsorum delinquencium et rebellium ecclesias monasteria et capellas necnon terras dominia et alia loca eorundem interdicti, sentencias in hiis scriptis ferimus ac eciam promulgamus.

Vobis vero reuerendissimo ac reuerendo in Christo patribus ac dominis dominis archiepiscopo et episcopo supradictis, exceptis dumtaxat quibus ob reuerenciam vestrarum pontificalium dignitatum deferri volumus in hac parte, si contra premissa vel premissorum aliquid per vos uel submissas personas feceritis seu vestrum alter fecerit, predicta sex dierum canonica monicione premissa, ingressum ecclesie in hiis scriptis interdicimus. Si vero huiusmodi interdictum per alios sex dies dictos sex dies immediate sequentes sustinueritis, vos simili canonica moni-

cione premissa a diuinis suspendimus, verum si prefatas interdicti et suspencionis sentencias per alios sex dies dictos duodecim dies immediate sequentes animis quod absit induratis cordis cecitate suadente more Pharontico sustinueritis, extunc vos et vestrum alterum supradicta auctoritate apostolica nobis in hac parte commissa et demandata Christi prius nomine invocato excommunicamus et excommunicatos fuisse et esse denunciamus.

Si vero prefati contradictores et rebelles et presertim supradictus Robertus monicionibus requisicionibus mandatis et processibus huiusmodi nostris ymmo verius apostolicis infra dictos sex dies superius expressatos parere neglexerint et recusauerint, predictas sentencias censurasque in eis ut premittitur latas et fulminatas dampnabiliter incurrando, extunc vobis in salutacione contentis sub excommunicacionis pena committimus et mandamus, quatenus ipsum ceterosque Robertum (*sic*) contradictores et rebelles singulis dominicis diebus et festiuis in vestris ecclesiis monasteriis et capellis infra missarum solennia palam publice nominatim et in speciali postquam pro parte dicti Edmundi vigore presencium fueritis requisiti excommunicatum ac excommunicatos fore ac esse denunciatis donec aliud a nobis habueritis in mandatis.

Et si prefati Robertus et ceteri contradictores et rebelles dictam excommunicacionis sentenciam per alios sex dies illius denunciacionem immediate sequentes pertinaciter sustinuerint, nos extunc, quia crescente contumacia crescere debet et pena ne facilitas venie incrementum tribuat delinquendi, processus huiusmodi nostros aggrauamus, vobis in salutacione contentis precipientes quatenus singulis dominicis diebus et festiuis inter missarum solennia dictam excommunicacionem iterando prefatos Robertum et ceteros contradictores et rebelles sic excommunicatos nominatim cruce erecta candelis desuper accensis demum extinctis et in terram proiectis campanisque in classicum pulsatis cumque decantacione Psalmi 'Deus laudem' et responsorii 'Reuelabunt celi' et antiphone 'Media vita' excommunicatos denunciatis et insinuetis.

Preterea si prefati Robertus et ceteri excommunicati denunciati et aggrauati aggrauacionem huiusmodi nostram per alios sex dies dictos sex dies immediate sequentes sustinuerint, ad modum apidum surdarum et obturancium aures suas ne exaud-

iant vocem incantancium, nos extunc processus huiusmodi nostros reaggrauamus (omnesque?) ciuitates villas terras ecclesias ac monasteria et alia loca ad que idem Robertus et alii contradictores et rebelles declinauerint seu eorum aliquis declinauerit quamdiu in eis moram seu (confugium?) fecerint seu fecerit ecclesiastico supponimus in hiis scriptis interdicto.

Demum vero si prefati Robertus et ceteri contradictores et rebelles excommunicati denunciati aggrauati et reaggrauati reaggrauacionem huiusmodi per alios sex dies dictos duodecim immediate sequentes sustinuerint ac processibus mandatis et monicionibus nostris ymmo verius apostolicis non paruerint cum effectu quod Deus auertat, nos extunc, attendentes quod monicione non proficiente ecclesiastico [-o sic] corporalis saltim ei gladius non immerito suffragatur, auxilium brachii secularis duximus invocandum, ut quos diuinus timor non reuocat a malo temporalis seueritas coherceat discipline, hinc est quod nobiles ac strenuos viros Comitem Ormondie Jacobumque eius filium ac alios quoscumque nobiles et potentes capitaneos quoslibet quos sepe dictus Edmundus duxerit nominandos ac ciuitatum opidorum castrorum et villarum maiores superiores et presertim Kilkennie rectores potestates et gubernatores quibus presens noster processus dirigitur, dicta apostolica auctoritate requirimus et monemus primo secundo et tercio ac peremptorie coniunctim et diuisim sub excommunicacionis pena quam in hiis scriptis in vos et vestrum quemlibet ferimus si non feceritis canonica sex dierum monicione premissa que mandamus, quatenus postquam pro parte dicti Edmundi presencium vigore ad id fueritis requisiti seu vestrum aliquis fuerit [requisitus] in iuris subsidium contra supradictos R. et c. c. et r. dicta a. a. per captionem invasionem incarcerationem et detentionem corporum et rerum ac bonorum eorundem et aliorum suorum complicum insurgencium, necnon omnes et singulos eiusdem Roberti complices autores fautores consiliarios et sibi in hac parte adherentes ab omnimodis inquietacione perturbacione et molestacione Edmundi supradicti prohibeant pariter et compescant, ne eidem Edmundo circa fructus res redditus et proventus dicti archidiaconatus integre percipiendo impetum aliquem quouis quesito colore vel ingenio quolibet afferre presumant, Absolucionem vero omnium et singulorum qui prefatas nostras sentencias seu censuras aut earum

aliquam incurrerint seu incurrerit quoquomodo nobis aut superiori nostro tantummodo reseruantes.

In quorum omnium et singulorum premissorum fidem et testimonium presentes litteras siue presens publicum instrumentum huiusmodi nostrum processum et diffinitiuam sententiam in se continentes siue continens exinde fieri, et per notarium publicum bone memorie Patricium Cantwell quo mortuo per notarium publicum infrascriptum ex notis et prothocollis ipsius premortui notarii, citato prius dicto Roberto Hedyan, scribi subscribi publicari seu in publicam formam redigi vigore sui officii seu iuramenti auctoritate apostolica quam in hac parte fungimur iussimus ac mandauimus, vna cum appensione sigillorum, videlicet reuerendi in Christo patris ac domini domini Oliueri Dei et apostolice sedis gracia Ossoriensis episcopi, ac monasterii et conventus Sancti Tygernasi de Aghmaccarth ordinis Sancti Augustini Ossoriensis supradicte diocesis nomine nostro ob defectum proprii, communiri et roborari. Acta sunt hec prout supra scribuntur et recitantur sub anno domini pontificatu mense diebus et locis memoratis.

Et ego dominus Jacobus Donyll presbiter Ossoriensis diocesis publicus sacris imperiali et apostolica auctoritatibus notarius ad requisicionem et de mandatis et auctoritatibus reuerendi in Christo patris ac domini domini Oliueri Dei et apostolice sedis gracia Ossoriensis episcopi ac iudicis delegati supradicti, suprascriptas litteras seu instrumentum de notis et prothocollis bone memorie Patricii Cantwell supradicte cause notarii et scribe premortui, qui predictas notas manu propria scripserat quam bene noui, quas de verbo ad verbum suscepi scripsi subscripsi publicauimus et in hanc publicam redegi formam quo ad substanciam nullo detrimento limitato siue transportato, dicto domino Roberto Hedyan prius ad hoc per preconem seu apparitorem iuramentaliter facta fide citato, signo et nomine meis solitis et consuetis vna cum predictis sigillis in fidem et testimonium omnium et singulorum premissorum signaui per Edmundum supradictum impetranter eciam rogatus et requisitus.

[*Notarial sign; at base, 'Jhus' and 'J. D. notarius'*].

In dorso : William Macgilpadrick, canon of Ossory, his Definitive sentence (In pursuance of Pope Leo the 10th his two Bulls) for constituting Edmund Butler to be Archdeacon of Ossorie, in place of Robert Ohedyan, who challenged the same. An. Dom. 1515.

Pieces of the seals of the Priory of Aghamart and of the Bishop of Ossory.

Parchment, 477 × 620 mm.

B10. [74].—Notarial instrument recording the judgment of Oliver, Bishop of Ossory, in a dispute between Piers Butler, Earl of Ormond, and Walter Brennagh, as to the right of presentation to the rectory of Bewley. 30 May, 1517.

Vniuersis alme matris ecclesie filiis litteras presentes siue hoc publicum instrumentum visuris lecturis vel auditoris, ac illi vel illis quem siue quos infrascriptum tangit negocium vel tangere poterit quomodolibet infuturum, quibuscumque nominibus censeantur aut dignitate prefulgeant quacumque; Oliuerus diuina permissione episcopus Ossoriensis salutem et fidem presentibus adhibere indubiam. Quoniam ea que inter partes in iudicio peraguntur vel extra obliuionis vicio nebulantur, nisi per scripture memoriam que contrahencium pariter et contendencium vota in eum conservat roboris acceperint firmitatem, Ad vniuersitatis vestre noticiam deduci volumus et deducimus per presentes, qualiter comparentibus coram nobis potentissimo ac probo viris domino Petro Butler Ormonie Comite, ac Waltero Brennagh generoso, pro patronis ecclesie de Bewle se hincinde asserentibus, presentatos ab vtraque partium earumdem videlicet dominum Walterum Englis pro parte Comitum, Daudid vero filium Oliueri Brennagh per partem aduersam, coram nobis admittendos presentarunt. Quibus diucius desuper contendentibus, evidenciis diuersis et documentis diuersis pro parte dicti Comitum productis et per nos examinatis, cum idem Walterus nec ius aliquod exhibuit quam solam facti quandam allegauit possessionem, quandoque vero dictis Waltero et Daudid comparentibus quandoque vero contumaciter se absentantibus, cum nichil allegauit vel in iudicio produxit, eo quoque ac dicto Daudid per diuersos dies et annos expectatis et reexpectatis demum quoque ad sentenciam nostram

audiendam citatis personaliter, ad nostram sententiam diffinitivam proferendam processimus eamque tulimus in hunc qui sequitur modum, decreto contumacie tam dicti Waltero quam David citatorum personaliter per nos sepius dato. In Dei nomine amen. Nos Oliuerus diuina permissione Episcopus Ossoriensis ac in causa iuris patronatus rectorie de Bewle inter potentissimum virum dominum Petrum Butler Ormonie Comitem et Walterum Brennagh mutuo se asserentes fore patronos respectiue, ac dominos Walterum Englis et David Brennagh hincinde admissos, iudex, visis cognitis et intellectis cunctis actis et articulis dicte [cause] iuris patronatus ac evidenciis partium earumdem pensatis, dicto quoque Waltero et David ab eo presentato quandoque comparentibus quandoque vero contumaciter [se] absentantibus, decreto sue contumacie dato et interposito, Inuenimus dictum dominum Petrum Comitem et ab eo presentatum videlicet dominum Walterum intencionem eorum ad plenum probauisse, videlicet ius patronatus in illa ecclesia ad Comitem supradictum Ormonie spectauisse potius quam ad illum Walterum. Christi igitur primitus nomine invocato per hanc nostram sententiam diffinitivam quam in hiis scriptis de iuris peritorum consilio ferrimus et promulgamus decernimus et declaramus, solum Deum et iusticiam pre oculis habentes diuina presencia illius Walteri et domini David absenciam contumacem supplendo, ius patronatus in dicta causa de Bewle ad dictum Comitem spectasse et pertinere, ac dominum Walterum Englis ab eo presentatum dicto domino David preponendum in dicte ecclesie rectoria, Ipsamque rectoriam eidem Waltero sic presentato adiudicamus diffinitive, silencium Waltero Brennagh ac David supradictis in iure patronatus dicte ecclesie et eius rectoria imponentes, Amoto exinde dicto David et quolibet alio illicito detentore. Lecta et lata est hec nostra sententia diffinitiva in Cimiterio ecclesie Sancti Kannici Kilkenie sabbato proximo post festum Ascencionis anno domini M^{mo}CCCC^{mo} decimoseptimo, presentibus Jacobo priore monasterii Sancti Johannis Kilkenie, domino Johanne Tobyn rectore de Callan, Willelmo Archidekyn vicario de Eyrk, et multis aliis. Que omnia et singula vobis vniuersis et singulis in salutacione contentis insinuamus et notificamus per presentes. In quorum fidem premissorum omnium et singulorum presentes litteras siue hoc publicum instrumentum processum nostrum et sententiam in se continentes siue continens

per notarium infrascriptum huiusmodi cause scribam fieri fecimus nostri sigilli cum appencione. Dat' vt supra.

Et ego Thomas Fyan clericus Ossoriensis diocesis publicus apostolica et imperiali auctoritatibus notarius, quia dicti processus celebracioni et sentencie prolacioni vicibusque aliis supradictis dum sic vt premittitur agerentur et fierent vnacum prenominatis testibus presens interfui eaque sic vidi et audiui, ideoque presentes litteras siue hoc publicum instrumentum processum et sentenciam predictam in se continentes siue continens de mandato iudicis predicti scripsi subscripsi et in hanc formam publicam redegī, signoque et nomine meis solitis et consuetis singnaui vnacum appencione sigilli supradicti rogatus et requisitus in fidem et testimonium premissorum.

[*Notarial sign, with 'Thomas Ferus' at base*].

In dorso: Beouly the presentacion for the Erle sentenced.

Seal missing.

Parchment, 260 × 310 mm.

BII. [76].—Notarial instrument recording evidence given before the commissary of Oliver, Bishop of Ossory, relating to a dispute between the Franciscans of Kilkenny and James Sherloke as to Troyswood. 2 May, 1519.

Jhs

In Dei nomine amen. Per hoc presens publicum instrumentum cunctis euidenter appareat et sit notum, quod anno ab incarnatione domini secundum cursum et computacionem ecclesiarum Anglicane et Hibernicane M^oCCCC^oXIX indicione VII^a pontificatus sanctissimi in Christo patris ac domini domini Leonis diuina prouidencia pape decimi anno septimo mensis vero Maii die II, in cimisterio ecclesie cathedralis Sancti Kanice Kylkenye, coram probo ac discreto viro domino Jacobo Schorthals priore monasterii Sancti Johannis Euangeliste iuxta Kylkeniam ac reuerendi in Christo patris et domini domini Oliueri permissione diuina et apostolice sedis gracia Ossoriensis episcopi ad infra

scripta comissario, discretus ac religiosus vir Edmundus Asteykyn alias M'Ode Gardianus fratrum minorum ville predicte quosdam testes producens in medium super possessionem terrarum vulgariter nuncupatarum Troy ysWod, circa quas vertitur controuersia inter ipsum Gardianum et Jacobum Sherloke de Naesse, ipsumque comissarium cum instancia rogauit quatinus eosdem testes ad perpetuam rei memoriam, timens ne processu temporis probacionis copia valeat deperire, recepere et examinare dingnaretur: Prefatus comissarius considerans huiusmodi petitionem fore iustam iurique ac rationi consonam, ipsos quidem testes coram ipso et me in earum absentia, premissa partis aduerse procuratoris corporaliter (*this word crossed through*) videlicet Willelmi Marchall ad infra scriptos testes iurare videndum citacione, duximus examinandos in hunc qui sequitur modum: Euginius Ofelayn primus testis tactis sacrosanctis Dei euangeliiis iuratus et in forma iuris examinatus in animam suam deponit quod ipse vidit terras de Troyyswod apud Gillys enygaruyll et in possessione Edmundi filii Rycardi Butler et post obitum Edmundi in possessione fratrum minorum sepedicte ville sine aliqua contradiccione. Interrogatus qualiter nouit hoc, dicit quod erat in seruitute predicti Edmundi Butler in predicta terra per dies et annos. Interrogatus de sua etate dicit quod LX annorum et vltra. Item dicit quod nouit predictas terras de Troyyswod per XL annos et amplius in possessione fratrum minorum Kylkenie absque aliqua contencione vsque in hunc diem, dicit quod non prece nec precio nec odio uel amore deponit. Dermicius Offelayn secundus testis tactis sacrosanctis Dei euangeliiis iuratus et in forma iuris examinatus concordat cum primo teste. Gilbertus Clonwell etatis circiter octaginta annorum iuratus et examinatus concordat cum primo. Edmundus Sliger sue nacionis principalis etatis circiter quinquaginta annorum iuratus et examinatus ut supra concordat cum primo. Felayn M^egayn quintus testis circiter octaginta annorum iuratus et examinatus concordat cum omnibus testibus. Filurcian Eniware iuratus ut supra concordat cum omnibus. Robertus Lynard vltimus testis iuratus et examinatus et in animam suam deponit quod ipse vidit omnia sicut primus testis deponit. Quibus testibus sic receptis et examinatis supra dictus Edmundus Gardianus me notarium publicum implorauit debita cum instancia quatinus super predictorum testium de-

posicionibus vnum uel plura conficerem instrumentum uel instrumenta publicum seu publica tot que fuerint necessaria pro salario competenti. Acta sunt hec prout supra scribuntur die mense et anno ut supra, hiis testibus presentibus: priore Sancti Johannis Eüangeliste iuxta Kylkeniam, domino Nycolao Coltayn, domino Daudid Meldom, Roberto Linard, Johanne Selayn.

Et ego Rycharodus Butler clericus Ossoriensis diocesis sacris imperiali et apostolice (*sic*) auctoritatibus notarius publicus, quia premissis omnibus et singulis supradictorum testium videlicet produccioni iuramenti prestacioni eorumque testium examinacioni ceterisque aliis ut premittitur presens personaliter interfui eaque omnia sic fieri vidi et audiui ac de eis notas scripsi, ideoque hoc presens publicum instrumentum manu mea scriptum subscripsi puplicaui et in hanc publicam et attenticam formam redigi, singnoque et nomine meis solitis et consuetis singnauit in fidem et testimonium omnium et singulorum premissorum rogatus et requisitus.

[*Notarial sign, with 'R.B.' at base*].

In dorso: Troyswoodd.

Parchment, 265 × 320 mm.

Br2. [78].—Two deeds relating to an excommunication and interdict laid by Oliver, Bishop of Ossory, upon Piers Butler, Earl of Ormond, and his associates and lands. 1522-24.

A. Mandate of Prior William Hassard, guardian of the spiritualities of the metropolitan see of Dublin, to the Bishop of Ossory, to suspend the interdict, pending an appeal. 22 September, 1522.

Frater Willelmus Hassard prior ecclesie Cathedralis metropolitice sancte Trinitatis Dublinensis Alter custodum spiritualitatis et spiritualis iurisdicciois ecclesie Dublinensis sede eiusdem

vacante Venerabili in Christo patri Oliuero Episcopo Ossoriensi ecclesie Dublinensis Suffraganeo, vniuersis et singulis abbatibus prioribus decanis archidiaconis rectoribus vicariis perpetuis capellanisque curatis et non curatis ac clericis et literatis quibuscumque per provinciam Dublinensem maxime per diocesim Ossoriensem vbilibet constitutis, ac illi vel illis ad quem vel ad quos presentes littere peruenerint, Salutem. Ex parte prepotentis domini domini Petri Botiller Comitis Ormonie deputatique domini nostri Regis in terra Hibernie Ossoriensis diocesis nobis extitit intimatum et declaratum, quod licet dictus dominus Comes et Deputatus fuisset et sit bone fame vite laudabilis et opinionis illese suisque superioribus in licitis et honestis obediens nullis ecclesiasticis sententiis aut censuris quod scire possit irretitus aut respersus, nichilominus vero vos, reuerende pater episcope, terram ipsius Comitis ecclesiastico susposuistis interdicto, ad instanciam cuiusdam Karoli alias Callagh M'gilpatryk asserentis se de quodam Cimiterio violenter extractum, Et assercione ipsius Comitis dictum Cimiterium siquam habuit immunitatem dictus Callagh violauit inantea, Vnde prefatus Comes et Deputatus ex premissis scenciens se fore grauatum et in futurum plus posse grauari, Sacrosanctam sedem apostolicam eiusque sacram audienciam directe, tuitorie vero Sedem metropolitricam Dublinensem atque eius audienciam ac ipsius custod' sede vacante, provocauit et applicauit et apostolos peciit, prout ex ipsius Comitis appellacione sub publico instrumento nobis exhibita plenius continetur: Vnde cum nostrum sit applicantes ad sedem apostolicam infra provinciam Dublinensem tueri et defendere, ne quicquam in contemptum ipsius sedis et partis applicantis preiudicium innouetur vel attemptetur, eundem dominum Petrum Comitem durante fatali prosecutionis sue appellacionis predictae iuxta laudabilem curie predictae metropolitice consuetudinem hactenus vsitatam et approbatam decreuimus fore tuendum et protegendum litterasque desuper oportunas in forma solita concendas (*sic*), ac huiusmodi interdictum in terra dicti Comitis interpositum pendente sua appellacione decreuimus ad cautelam fore relaxandum prout tenore presencium relaxamus in hiis scriptis: hinc est quod vobis venerabili Episcopo Ossoriensi in virtute sancte obediencie omnibusque aliis et singulis sua communiter vel diuisim in hac parte interesse putantibus Inhibemus primo secundo tercio et

peremptorie ne post et contra appellacionem predictam quicquam in dicte partis applicantis preiudicium directe vel indirecte attemptetis vel attemptent mandetis vel faciatis quomodolibet attemptari pendente huiusmodi appellacione dicti domini Comitis et quousque eius causa legitime fuerit discussa: Alioquin si mandatis nostris metropolitico non parueritis et paruerint cum effectu, vos venerabilem Episcopum cum ob reuerenciam pontificalis officii magis deferimus in hac parte canonica sex dierum monicione premissa ab ingressu ecclesie, reliquos vero a diuinis nunc prout tunc et econuerso vestris et suis mora culpa et offensa id exigentibus suspendimus in hiis scriptis. Rursus vero si vos, domine Episcopo, et alii in huiusmodi suspensione per sex dies inde sequentes perstiteritis et perstiterint indurati, vos a sacerdotali officio suspendimus et reliquos excommunicationis sententia innodamus, simili sex dierum monicione premissa nunc prout tunc et econuerso. Et si adhuc quod absit vos suspensionis et alii excommunicationis huiusmodi sententias per alios sex dies rebelles sustinere volueritis et voluerint, in vos venerabilem patrem Episcopum excommunicationis sententiam simili monicione premissa nunc prout tunc et econuerso ferrimus in hiis scriptis, et sententiam excommunicationis contra alios latam aggravando eos et cum eis communicantes simili sententia innodamus, Mandantes vobis executoribus supradictis quatinus lapsis huiusmodi monicionis terminis huiusmodi censuram publicetis et denunciatis et quilibet vestrum publicet et denunciatis contra huiusmodi rebelles et contumaces in ecclesiis vestris intra missarum solennia quando maior affuerit populi multitudo pulsatis campanis candelis accensis et extinctis cum cruce erecta declarantes huiusmodi interdictum fuisse et esse per nos auctoritate metropolitana relaxatum pendente huiusmodi appellacione. Dat' sub sigillo quo in huiusmodi custodie officio vtimur antiquitus vsitato XXVI die mensis Septembris anno domini millesimo quingentesimo vicesimo secundo.

In dorso: A direction from the prior of the Trinity Church of Dublin to Oliver Busshopp of Ossorie concerning a suspension giuen by the busshopp against Piers Erle of Ormond vpon an appeale made vnto the Archbusshop of Dublin.

Fragments of seal.

Parchment, 400 × 160 mm.

B. Mandate of Hugh, Archbishop of Dublin, to the Bishop of Ossory to revoke the sentences, pending a decision by the Archbishop. 29 October, 1524.

Hugo miseracione diuina Dublinensis archiepiscopus Hibernie primas reuerendo confratri nostro Oliuero Osserensi episcopo suffraganeo nostro salutem et fraternam in Domino charitatem. Dudum siquidem in progressu nostre metropolitice visitacionis in diocesi vestra Osserensi personaliter existentes et per totam nostram prouinciam in omnibus et singulis causis ad forum ecclesiasticum spectantibus ex prerogatiua nostre Dublinensis metropolitice ecclesie plenam iurisdictionem sine quacumque contradiccione habentes, vbi inter ceteras causas cognoscentes in quadam causa contrauersie inter vos et prepotentem virum dominum Petrum Comitem Ormonie de et super quamplurimis contrauersiis coram nobis motis et maxime super quibusdam [sentenciis] excommunicacionis suspencionis seu interdicti per vos confratrem nostrum Oliuerum Osseriensem episcopum in et contra dictum Petrum Comitem Ormonie seu eius complices seu familiares et eius terram prout nobis tunc videbatur iniuste proferendis et fulminandis, Ideo premissa quadam cause cognitione voluimus fraternitatem vestram exhortatique fuimus immo eciam per nostras litteras quamuis manu mea scriptas et signeto sigillatas vobisque inbuimus ne in dictum Comitem eiusve complices seu familiares suspencionis excommunicacionisve sentenciam promulgare seu fulminare nec ipsius terram interdicto supponere propter causas tunc ad manus meas spectantes presumeretis seu faceretis, vos nichilominus meis voluntati mandato et inhibicionibus litterisque contemptis et postpositis terram dicti Petri Comitum Ormonie propter easdem causas coram nobis tunc agitatis (vt informamur) interdicto supponere presumpsistis, eiusque familiares et complices excommunicare et suspendere non formidastis, in nostre metropolitice iurisdictionis contemptum non modicum diuini cultus subtractionem animarum inibi degencium periculum iuris et dicti Comitum preiudicium non minimum et grauamen, quare nobis denuo idem Comes per modum querele de oportuno supplicari fecit iuris remedio: Nos igitur prospicientes ne nostrum pastorale officium in suis sollicitudinibus contempni patiamur, sed quod semel iuste decreuimus firmum et stabile obseruetur, ac animarum periculis subuenire volentes, vobis in virtute sacre obediencie stricte precipiendo

mandamus, quatenus siquas sentencias suspencionis seu excommunicacionis interdictive proferre promulgare seu fulminare fecistis seu procurastis, illas visis hiis nostris litteris reuocare et in pristinum statum deducere suspensos et excommunicatos absoluere non postponentes, nichilominus vobis per presentes inhibentes ne sentencias suspencionis excommunicacionis seu interdicti proferre seu fulminare propter dictam causam coram nobis inter vos et dictum Comitem motam seu ventilatam presumeretis, donec debitum eidem imponere finem valeamus, vtrique tum vestrum vnus mensis spacium ad causam illam prosequendam assignantes prout per presentes assignamus. In cuius rei testimonium sigillum nostrum presentibus duximus apponendum. Dat' XXVIII die mensis Octobris anno domini M^oD^oXXIII^o et nostre translacionis secundo.

In dorso: Absolutio excommunicacionis.

Part remaining of the Archbishop of
Dublin's seal.

Parchment, 285 × 165 mm.

Br3. [79].—Letter of Pope Clement VII to the Treasurer of Waterford Cathedral, delegating him to consider and under certain conditions to grant the prayer of Peter White, vicar of Clonmel, in his petition, for the erection of the vicarage with the annexed rectory into a prebend of the cathedral church of Lismore, to be held by the petitioner. 20 March, 1523-4.

Clemens episcopus seruus seruorum Dei dilecto filio thesaurario ecclesie Waterfordensis Salutem et apostolicam benedictionem. Apostolice sedis circumspecta benignitas recurrentibus ad eam post excessum cum humilitate filiis libenter se propitiam et benignam exhibet, ac illorum votis per que eorum commoditatibus cum diuini cultus augmento ac ecclesiarum Cathedralium decore et venustate valeat salubriter prouideri annuere et illos gratioso fauore prosequi consuevit quos ad id alias propria virtutum merita multipliciter recommendant. Cum itaque sicut accepimus perpetua vicaria parrochialis ecclesie de Clonmel Lismorensis diocesis que de iure patronatus laicorum existit, ex eo quod

dilectus filius Petrus Whit clericus dicte diocesis, vicariam ipsam tunc certo modo vacantem canonice sibi collatam per annum et amplius pacifice possidens, se non fecit, impedimento cessante legitimo et nulla per eum super hoc dispensatione obtenta, ad sacerdotium promoueri, per non promotionem huiusmodi vacet ad presens et tanto tempore vacauerit quod eius collatio iuxta Lateranensis Statuta Concilii est ad sedem predictam legitime deuoluta, Et sicut exhibita nobis nuper pro parte dicti Petri petitio continebat, ipse eandem vicariam post vacationem huiusmodi nullo sibi de nouo in ea quesito titulo per certum tempus detinuerit prout detinet, fructus non tamen vltra tres marchas sterlingorum percipiens ex eadem quamuis inhabilitatem contrahendo, Et si dicta vicaria de Clomell cui rectoria eiusdem ecclesie perpetuo vnita existit in simplicem prebendam ecclesie Lismorensis ad ipsius Petri vitam erigeretur et institueretur, ex hoc profecto ipsius Petri postquam sibi de illa prouisum et ipse eam assecutus fuerit commoditatibus opportune consulere, et in ipsa ecclesia Lismorensi ministrorum numerus vita durante ipsius Petri aueretur, pro parte dicti Petri, asserentis fructus redditus et prouentus vicarie et annexe rectorie huiusmodi octo marcharum similium secundum communem estimationem valorem annum non excedere, nobis fuit humiliter supplicatum, vt dictam vicariam in simplicem prebendam eiusdem ecclesie Lismorensis ad ipsius Petri vitam erigere et instituere ac alias in premissis opportune prouidere de benignitate apostolica dignemur: Nos volentes prefatum Petrum, alias apud nos de vite ac morum honestate aliisque probitatis et virtutum meritis multipliciter commendatum, horum intuitu fauore prosequi gratioso, ipsumque Petrum a quibusuis excommunicationis [*etc. as in no. 73 . . .*] absolutum fore censentes, necnon omnia et singula beneficia ecclesiastica cum cura et sine cura que dictus Petrus etiam ex quibusuis dispensationibus apostolicis obtinet et expectat ac in quibus et ad que ius sibi quomodolibet competit quecunque quotcunque et qualiacunque sint eorumque fructuum reddituum et prouentuum veros annuos valores ac huiusmodi dispensationum tenores presentibus pro expressis habentes, ac omnem inhabilitatis et infamie maculam siue notam per eundem Petrum premissorum occasione contractam penitus abolentes, huiusmodi supplicationibus inclinati discretioni tue per apostolica scripta mandamus, quatenus vocatis venerabili fratre nostro Episcopo

et dilectis filiis Capitulo Lismorensibus et aliis qui fuerint euocandi, vicariam predictam siue vt premittitur siue alias quouismodo aut ex alterius cuiuscunque persona seu per liberam resignationem cuiusuis de illa in Romana Curia vel extra eam etiam coram notario publico et testibus sponte factam aut Constitutionem felicitis [*etc. as in No. 73 . . .*] ecclesiastici quauis auctoritate collati vacet, etiam si dispositioni apostolice specialiter reseruata existat et super ea inter aliquos lis [*etc. as in no. 73 . . .*] ius quesitum et eius collatio deuoluta sit vt prefertur, ad ipsius Petri vitam dumtaxat sine alicuius preiudicio erigere et instituire, et si erectionem ac institutionem huiusmodi per te vigore presentium fieri contingerit vt prefertur, ac super quo tuam conscientiam oneramus per diligentem examinationem eundem Petrum ad hoc idoneum esse reppereris, prebendam predictam ab eius primeua erectione huiusmodi tunc vacantem necnon eiusdem ecclesie Lismorensis canonicatum eidem Petro conferre et assignare cum plenitudine iuris canonici ac omnibus iuribus et pertinentiis suis auctoritate nostra cures, inducens per te vel alium seu alios eundem Petrum vel procuratorem suum eius nomine in corporalem possessionem canonicatus et prebende iuriumque et pertinentiarum predictorum et defendens inductum, amoto exinde quolibet illicito detentore, ac faciens Petrum vel pro eo procuratorem predictum ad prebendam huiusmodi in dicta ecclesia Lismorensi in canonicum recipi et in fratrem, stallo sibi in choro et loco in capitulo ipsius ecclesie Lismorensis cum dicti iuris plenitudine assignatis, sibi que de ipsorum canonicatus et prebende fructibus [*etc. as in no. 73 . . .*] compescendo, Non obstantibus pie memorie Bonifacii pape VIII etiam predecessoris nostri et aliis apostolicis constitutionibus ac dicte ecclesie Lismorensis iuramento confirmatione apostolica vel quauis firmitate alia roboratis statutis et consuetudinibus contrariis quibuscunque, Aut si aliqui apostolica vel alia quauis auctoritate in dicta ecclesia Lismorensi in canonicos sint recepti vel vt recipiantur insistant, seu si super prouisionibus sibi faciendis de huiusmodi vel aliis beneficiis ecclesiasticis in illis partibus speciales vel generales [*etc. as in no. 73 . . .*] sit processum, quasquidem litteras et processus habitos per easdem et indesequata quecunque ad dictam vicariam volumus non extendi, sed nullum per hoc eis quoad assecutionem beneficiorum aliorum preiudicium generari, Seu si Episcopo et Capitulo predictis vel quibusuis aliis [*etc. as in no. 73*

. . .] suspendi vel excommunicari non possint, Quodque de canonicatibus et prebendis ipsius ecclesie Lismorensis vel aliis beneficiis [*etc. as in no. 73 . . .*] mentionem, et quibuslibet aliis priuilegiis indulgentiis et litteris apostolicis generalibus vel specialibus quorumcunque tenorum existant per que presentibus non expressa vel totaliter non inserta effectus earum impediri valeat quomodolibet vel differri et de quibus quorumque totis tenoribus habenda sit in nostris litteris mentio specialis, Seu si dictus Petrus presens non fuerit ad prestandum de obseruandis statutis et consuetudinibus dictę ecclesie Lismorensis solitum iuramentum, dummodo in absentia sua per procuratorem idoneum, et cum ad ecclesiam ipsam Lismorensem accesserit corporaliter illud prestet. Volumus autem quod dicto Petro cedente vel decedente seu canonicatum et prebendam predictos alias quomodolibet dimittente, erectio et institutio predictę si fiant extincte sint et esse censeantur, ipsaque vicaria in pristinum statum reuertatur eo ipso, Ac quod antequam ad executionem presentium in aliquo procedas idem Petrus vicariam predictam in manibus tuis realiter et omnino dimittere teneatur, Et insuper si dictus Petrus ad hoc repertus fuerit idoneus vt prefertur exnunc perinde decernimus [irritum] et innane si secus super hiis a quoquam quauis auctoritate scienter vel ignoranter contigerit attemptari, ac si die date presentium eidem Petro ad hoc reperto idoneo de dictis canonicatu et prebenda cum interpositione decreti mandauissemus prouideri. Dat' Rome apud Sanctum Petrum anno Incarnationis dominice millesimo quingentesimo uigesimo tertio tertidecimo Kal. Aprilis pontificatus nostri anno primo.

At the top: Lecta in audientia D. de Villoslada locum tenens.
At bottom, on flap: A. de Sanctacruce. *Other words and names on both front and back.*

'Bulla' on cord.

Parchment, 620 × 470 mm.

BI4. [80].—Notarial instrument recording the judgment of Henry Walch, canon of Waterford, in a cause delegated by Pope Clement VII concerning the appropriation of the rectory of Clonmel to the Priory of Athassel. 22 July, 1525.

Reuerendo in Christo patri ac domino domino Nicholao permissione diuina et apostolice sedis gracia Lismorensi et Waterfordensi episcopo, vestroque in spiritualibus vicariis et officialibus generalibus, venerabilibusque viris decanis et capitulis earundem et collegiatarum et conuentualium ecclesiarum ciuitatum et diocesium predictarum, abbatibus quoque prioribus gardianis et exemptorumque locorum custodibus prepositis et prioribus quibuscumque aliis et singulis prelati rectoribus vicariis capellanis stipendiariis aliisque omnibus et singulis in dictis ciuitatibus et diocesibus diuina suo uel alieno nomine celebrantibus, et presertim illi uel illis quem quos infrascriptum tangit negocium seu tangere poterit quomodolibet infuturum quibuscumque nominibus censeantur aut quacunque prefulgeant dignitate, dominus Henricus Walch canonicus ecclesie Waterfordensis ac in in quodam rescripto apostolico in forma sua nobis de et super rectoria ecclesie Beate Marie ville de Clomel Lismorensis diocesis a sede apostolica cum clausula 'quod si non ambo' per discretum virum Petrum Whit vicarium ecclesie ville de Clomell contra et aduersus Theodricum episcopum Laonensem ac commendatarium et conuentum monasterii Sancti Edmundi Regis de Athassell Cassellensis diocesis impetrato, delegatorum alter, salutem et nostris ymo uerius apostolicis firmiter obedire mandatis.

Litteras namque sanctissimi in Christo patris et domini nostri domini Clementis diuina prouidencia pape septimi sacrosancte Romane et vniuersalis ecclesie summi pontificis, eius vera bulla plumbea cum cordula canapis more Romane curie impendente bullatas, sanas integras non viciatas non cancellatas nec abrasas aut in aliqua sui parte suspectas sed omni prorsus vicio et suspicione ut prima facie apparebat omnino carentes, nobis per dictum Petrum Whit vicarium et impetranter presentatas nos cum ea qua decuit reuerencia noueritis recepisse, quarum tenor sequitur et est talis.

Clemens episcopus seruus seruorum Dei dilectis filiis Henrico Walch Waterfordensis et Johanni Hanreghan Lismorensis canonicis ecclesiarum salutem et apostolicam benedictionem. Sua nobis dilectus filius Petrus Whit perpetuus vicarius parochialis ecclesie de Clomell Lismorensis diocesis petitione monstrabat, quod cum rectoria dicte ecclesie de Dunbrode seu de Athassell Sancti Augustini et Cisterciensis ordinum Cassellensis et Fernensis

diocesium monasteriis seu eorum alteri vnita annexa et incorporata fore diceretur, et cetera, prout in litteris originalibus plenius continetur.

Post quarum quidem litterarum apostolicarum presentationem receptionem et lectionem ac purificata prius clausula perhorrescentie antequam ad aliquid in hac parte per nos processum fuerat debita cum instantia requisiti fuimus per eundem Petrum impetransem, quatenus ad illarum litterarum apostolicarum executionem iuxta earum vim formam et effectum procedere dignaremur. Nos vero mandatum apostolicum nobis in hac parte directum ut tenemur exequi volentes, dato prius de cognoscibili nostra iurisdictione ac litterarum validitate decreto, reuerendum in Christo patrem Theodricum episcopum Laonensem ac c. et c. m. S.E.R. de A.C. diocesis in speciali omnesque alios et singulos in hac parte interesse habentes seu habere putantes sub edicto generali per nostrum certum nuncium et apparitorem ad hoc litteratorie destinatum, ad comparendum coram nobis in ecclesia prebendali Sancti Patricii in suburbiis ciuitatis Waterford' octauo die mensis Februarii anno domini millesimo V°XXIII°, allegaturos et probaturos causam siue causas rationabilem siue rationabiles quare nos ad huiusmodi mandati apostolici nobis directi executionem ut mandatur iuxta earum vim formam et effectum procedere non deberemus, immo et ad omnes alios actus primordiales intermedios et finales vsque ad sententiam diffinitiuam inclusiuę, citari fecimus et citauimus.

Quo adueniente termino et nobis in loco prefixo pro tribunali sedentibus, partibus citatis et preconisatis, quidam Johannes Hanreghan clericus Lismorensis diocesis, dicti Petri Whit vicarii et impetrantis ut asseruit procurator, coram nobis comparens infrascriptum suum procuratorium tenoris sequentis nobis monstrauit in hunc modum.

In Dei nomine amen. Nouerint vniuersi per presentes me Petrum Whit vicarium ecclesie Beate Marie de Clomell fecisse ordinasse ac constituisse dilectum mihi in Christo Johannem Hanreghan clericum Lismorensis diocesis meum verum et indubitatum procuratorem ac attornatum omnibus melioribus modo via iure et forma quibus melius et efficacius potui et debui ac possum et de presenti debeo [*interlined*: ad acquietandum et defendendum] eciam contestandum iurandumque de

calumpnia et de veritate dicenda cetera omnia et singula eciam speciale mandatum exigencia, coram vobis magistro Henrico Walsh delegatorum altero cause rectorie ecclesie Beate Marie dicte ville de Clomell Lismorensis diocesis, eciamque ad apponendum crimina et deffectus contra quoscumque comparentes iuste uel iniuste detinentes fructus et prouentus rectorie ville de Clomell, et presertim contra priorem ac conuentum monasterii de Atthassell Cassellensis diocesis, cum potestate substituendi et destituendi vnum uel plures procuratorem uel procuratores in loco suo quociens ipsum abesse contingerit coniunctim et diuisim per presentes ac si presens personaliter, interessem, ratum et gratum habiturum et cetera. Datum Clomell sub sigilli mei testimonio sexto die mensis Februarii anno domini M^oCCCCC^oXXIII.

Quo in audientia per huius cause scribam perlecto, ac facta fide de executione citatorii in monasterio de Atthassell per iuramentum dicti nostri apparitoris, dictus Johannes procurator, prefati Theodrici commendatarii et conuentus de Atthassell et aliorum quorumcunque in hac parte interesse habencium seu habere putancium et comparere non curancium contumaciam accusans, ac nobis dictas apostolicas litteras pro radificatione nostre iurisdictionis exhibens, nos ad mandati apostolici executionem iuxta ipsarum litterarum vim formam et effectum procedere ob illorum contumaciam postulauit. Nos vero absentibus sub ipsorum comparacionis spe parcere cupientes dicto Theodrico c. et c. de A. gratiam eciam faciendo XX diem eiusdem mensis in ecclesia Cathedrali ciuitatis Waterford' ad eorum maliciam convincendam assignauimus, ad quos diem et locum partes peremptorie citauimus.

Quo adueniente termino et nobis in loco prefixo pro tribunali sedentibus, partibus citatis et preconizatis, ac dicto Johanne impetrantis procuratore comparente, et dictorum Theodrici c. et c. de A. per se uel per alium comparere minime curancium atque nostram ut asseruit iurisdictionem contempnencium accusante, ac ipsos per nostrum decretum contumaces decernere et pronunciare et in ipsorum eciam contumacie penam ad ulteriora in hac causa iuxta litterarum predictarum continenciam fore procedendum postulante, nos tunc ipsis diucius expectatis et minime comparentibus ac facta in premissis iurisperorum matura deliberacione, dictum Theodricum c. et c. monasterii

de A. in hac parte conuentos ac omnes alios et singulos in hac parte interesse habentes seu habere putantes et contumaciter non comparentes et se aliquatenus non excusantes, hoc nostro iudiciali decreto decreuimus contumaces et in ipsorum contumacie penam ad ulteriora in huiusmodi causa fore procedendum declarauimus, ac ipso decreto inter acta huiusmodi cause registrato, dictus Johannes procurator sue appellacionis ad sedem apostolicam interponente (*sic*) instrumentum manu notarii publici conscriptum nobis in iudicio exhibens et perlegens, nos ad ulteriora in eadem causa procedere postulans infrascriptam petitionem in scriptis nobis in iudicio monstraui ac dedit in hunc qui sequitur modum.

In Dei nomine amen. Coram vobis magistro Henrico Walch canonico ecclesie Waterfordensis ac in litteris cause rectorie ecclesie Beate Marie ville de Clomell Lismorensis diocesis in forma sua vobis ad instanciam Petri Whit vicarii eiusdem ecclesie cum clausula 'quod si non ambo' a sede apostolica impetratis delegatorum altero, pars predicti Petri Whit perpetui vicarii eiusdem ecclesie Beate Marie de Clomell Lismorensis diocesis dicit et in iure proponit, quod licet Nicolaus Fyzhenry dicti Petri immediatus predecessor [*the MS. has* successor] nuper super dissolutione et dimembracione illius rectorie a monasteriis de Donbrody et Atthassell sen ipsorum altero Sancti Augustini et Cisterciensis ordinum Cassellensis et Fernensis diocesum cui vnita seu incorporata fore dicebatur, necnon et super vnione aneccione et incorporacione supradicte rectorie prefate vicarie de Clomell perpetuo faciendis, litteras apostolicas ad certum impetrauit inde iudicem, qui ordine iudiciario obseruato in eadem rite procedens vocatis prius priore et conuentu illorum monasteriorum premissis de iure premittendis et seruatis seruandis diffinitiuam dissolutionis et dimembracionis illius rectorie a prefatis monasteriis seu ipsorum altero cui vnita seu incorporata fore dicebatur, necnon et vnionis annexionis et incorporacionis premissis rectorie prefate vicarie ad trium seu quatuor presbiterorum vite sustentacionem et instanciam (*sic*) cotidie in eadem ecclesia Beate Marie de Clomell deseruiencium pro diuini cultus augmentacione ipsam rectoriam dicte vicarie perpetuo vniendo et incorporando pro ipso Nicolao dicti Petri predecessore sentenciam inter alia promulgauit, qui nulla saltim legitima appellacione sussa in rem transiit iudicatam,

fructus exinde tam suo quam dicte ecclesie et dictorum capellanorum nominibus pacifice per dies et annos percipiendo, nichillominus tunc reuerendus in Christo pater Theodoricus episcopus Laonensis ut asseruit illius monasterii commendatarius de Atthassell per priorem soliti gubernari, spiritu quo nescitur ductus nullo sibi titulo uel (saltim?) canonico uel alicui alio gerenti se inibi pro priore in parte uel in toto desuper suffragante ymo hostili ac potenti manu potius in ipsa rectoria se de facto penitus intrudendo, ipsum Nicolaum predecessorem dicti Petri coram certo iudice tunc expresso ad locum notorie non tutum in sinu inimicorum situm citari fecit, propter quod idem Nicolaus ad sedem duxit apostolicam appellandum, qui tunc propter ipsius episcopi commendatarii potenciam et alia impedimenta infra tempus debitum appellacionem suam non fuit prosecutus, nec fructus ex eadem percipere ipsius episcopi commendatarii potencia obstante potuit, quare predictus Petrus vicarius successor immediatus supradicti Nicolai probatis in hac parte probandis et seruatis seruandis officium vestrum humiliter implorando petit, quod lapsu dicti temporis dicte appellacionis sui predecessoris non obstante dictas dimembracionem et dissolucionem ac vnionem annexionem et incorporacionem dicte rectorie eidem vicarie factas renouando et approbando, necnon et decernendo pro ipsius Petri vicarii appellacione, prefatam rectoriam cum omnibus suis iuribus et pertinenciis ad sustentacionem et instanciam vite prefatorum presbiterorum pro tempore in eadem ecclesia deseruiencium pro diuini cultus augmentatione in eadem ut supra vestra sententia diffinitiuam auctoritate qua in hac parte fungimini apostolica mediante sibi adiudicare faciatis, ipsos commendatarium et conuentum et quemcumque alium pretendentem sibi in illa rectoria ius habere ad omnes fructus medii temporis per eos de facto perceptos restituendum condemnantes, silentium eisdem c. et c. perpetue super premissis imponentes, et quod decreueritis per censuram ecclesiasticam auctoritate apostolica canonice exequendo, iure addendi mutandi corrigendi et in meliorem formam redigendi saluo libellanti, non artans se ad superfluum probacionem sed ad ea que sibi sufficiunt ad victoriam obtinendam.

Post cuius petitionis propositionem et lecturam dictus Johannes impetrantis procurator nos instanter postulauit, quatenus admissa

sic sua antedicta appellacione ac pro eius rectitudine et valeditate per nos declarato, omnia innouata et post huiusmodi appellacionis ad sedem apostolicam interposicionem per antedictum Theodricum c. et c. m. de A. versus predictum Petrum vicarium et impetrantem et suum predecessorem attemptata per nostrum decretum reuocaremus et in statum pristinum reduceremus. Nos quoque prehabito iuris peritorum concilio omnia et singula antedicta innouata et attemptata post supradicte appellacionis interposicionem auctoritate qua fungimur appostolica per hoc nostrum decretum tenore presencium reuocamus et in statum pristinum deducimus ac deduci et reuocari declaramus, protestantes equitatem partibus hinc inde in eorum iusticia obseruare et non aliud.

Quibus expletis et nullo exaduerso comparente, dictus Johannes impetrantis procurator, cum nichil exaduerso proponitur aut proponi videtur, instanter petiit tempus sibi ad producendum et articulandum in huiusmodi causa in quantum de iure artatur et non aliter assignari. Nos autem eius petitionem fore iuri consonam videntes pro clariori nostra et cause instruccione XXV^{tu}m diem eiusdem mensis in ecclesia Sancti Patricii in suburbiis Waterford' parti impetranti ad ponendum et articulandum ponique articularique videndum et percipiendum prefiximus et assignauimus, ad quos diem et locum partes peremptorie citauimus.

Cuius termini exitu adueniente et nobis vt moris est in loco assignato pro tribunali sedentibus, partibus preconisatis, dictus Johannes impetrantis procurator comparens dictorum Theodrici c. et c. de A. et aliorum in h. p. i. habencium contumaciam accusauit, petens instanter quatenus repetite dictorum c. et c. ac a. interesse habencium contumacie decreto infrascriptos suos posiciones et articulos admitti dignaremur, cuius (?) petitionem iuri consonam percipientes repetite eorundem Theodrici c. et c. contumacie decreto . . . lato (?) infrascriptos posiciones et articulos nobis in iudicio in hunc qui sequitur modum admisimus.

In Dei nomine amen. Coram vobis magistro Henrico Walch canonico ecclesie cathedralis Waterford', ac in litteris apostolicis cause rectorie de Clomell in forma sua vobis ad instanciam Petri White vicarii parochialis ecclesie de Clomell contra et aduersus Theodricum episcopum L. ac c. et c. m. de A. C. diocesis impetrantis, delegatorum altero, pars predicti Petri vicarii et impetrantis

nomine dicte ecclesie et presbiterorum eiusdem ecclesie contra et aduersus dictum Theodricum e. L. et c. ac c. de A. et abbatem et conuentum de Donbrody monasteriorum Cassellensis et Fernensis diocesium infrascriptos posiciones et articulos coniunctim et diuisim dat ministrat et in iuris forma proponit. Item primo contra prefatos de quibus supra proponit et si necesse fuerit in articulis deducit, quod dominus Nicholaus Fithenry immediatus predecessor predicti Petri vicarii et impetrantis nuper super dissolutione et dimembracione illius rectorie a prefatis monasteriis seu ipsorum altero cui vnita fuerat, necnon et super vnione annexione et incorporacione predictae rectorie prefate vicarie de Clomell perpetuo faciendis, sentenciam auctoritate apostolica obtinuit diffinitiuam [*interlined* : que per appellacionem minime fuit suspensa, ponit coniunctim et diuisim et de quolibet]. Item proponit quod predictus Nicholaus tunc vicarius nomine dicte ecclesie ad sustentacionem trium seu quatuor presbiterorum quotidie in eadem ecclesia de Clomell Deo et Beate Marie eius genitrici deseruiencium illam rectoriam fructus ex eadem pacifice percipiendo per dies et annos illius sentencie pretextu possidebat, ponit ut supra. Item ut supra proponit et in articulum deducit, quod licet premissa sententia erat vera publica et notoria, tamen predictus Laonensis episcopus ut asseritur illius monasterii de Athassell commendatarius certis ex grauaminibus ipsius laicali potencia ipsi vicario et predictis presbiteris ac incollis ville de Clomell per ipsum episcopum et assertum commendatarium illatis, ipsos eadem rectoria nequiter et de facto spoliauit et priuari procurauit, ponit ut supra. Item ponit et in articulum deducit quod idem Nicholaus tunc vicarius ab illis grauaminibus et potencia et alia ipsius inordinata inquietacione et ad eius instanciam censuris et sentenciis illatis ad sedem apostolicam appellacionem (*sic*) quam infra tempus debitum licite impeditus non prosequeretur, ponit ut supra. Item similiter ponit et in articulum deducit quod predictus Petrus nunc vicarius illius ecclesie Beate Marie ville de Clomell vobis illius appellacionis cognicionem a sede apostolica ad discernendum quod iustum fuerit lapsu temporis predictae appellacionis sui predecessoris non obstante in fauorem dicte ecclesie et ad diuini cultus augmentacionem sic per tantum tempus lese (*sic*) obtinuit, ponit ut supra. Quibus posicionibus et articulis veris existentibus et in iure probatis, pars predicti Petri impetrantis implorat officium vestrum, quatenus pro

validate illius appellacionis, necnon et pro dissolucione seu dimembracione illius rectorie a prefatis monasteriis, pariter et super vnione annexione et incorporacione dicte rectorie prefate vicarie perpetuo faciendis [*MS. rubbed*] in statum pristinum dictum vicarium impetransem et presbiteros antedictos reducere faciatis, predictum c. et c. de A. ac abbatem et conuentum de Donbrody et alios quoscumque in hac parte interesse habentes seu habere putantes ex eadem rectoria amouendo et per sensuram ecclesiasticam auctoritate compescendo apostolica (?), non artans se nisi ad necessarias tantum probaciones, iure addendi mutandi corrigendi et in meliorem formam reducendi sibi semper saluo. Post quorum exhibicionem et lecturam ad dicti Johannis impetrantis procuratoris petitionem penultimum diem eiusdem mensis in eadem loco ad . . . producend' super [*MS. rubbed*] dictorum Theodrici c. et c. ac aliorum contumacia solita nobis luculenter apparuit assignari fecimus, ad quos diem et l. p. p. c.

Cuius quidem (termini exitu) adueniente et nobis in loco assignato pro tribunali sedentibus, partibus (citis et) preconizatis dictus Johannes impetrantis procurator accusata prius aduerse partis solita contumacia ad satisfaciendum diei desiderio non nulla rescripta apostolica litteras evidencias processus et sentencias iudicum . . . dimembracionem et dissolucionem dicte rectorie a monasteriis de Atthassell et Donbrody vel ab ill' . . . monasteriis . . . (in iudicio ?) ad probandum dictorum articulorum veritatem ministravit, et eis perlectis et inter acta huiusmodi cause per huius cause scribam registratis, ad illius Johannis procuratoris instanciam hec petentis octauum diem mensis Marcii parti impetranti ad . . . producendum in certo tunc expresse foro suburbiorum ciuitatis Waterford' assignauimus et causam continuauimus, ad quos diem et l. p. p. c.

In quorum terminorum exitu nobis simili modo pro tribunali sedentibus, partibus citatis ac dictis c. et c. in eorum solita contumacia perseuerantibus, dictus Johannes procurator impetrantis [*MS. rubbed*] quibus iuratis et in iuris forma examinatis ac eorum deposicionibus in audiencia lectis et publicatis vnacum aliis munimentis in antea ministratis, dictus Johannes procurator impetrantis nos petiit cum nil exaduerso contra sua iura et . . . allegatur aut proponitur et sua intencio . . . quia nobis liquet de causa, quatenus in hac causa concludentes sentenciam predicto Petro impetrante ferri dignaremur diffini-

tiam. Nos tamen gratiam dictis Theodrico c. et suo c. facere cupientes dicto c. et c. de A. et aliis in hac parte interesse habere pretendentes vndecimum diem eiusdem mensis in ecclesia Sancti Patricii in suburbiis Waterfordie ad proponendum omnes excepciones peremptorias quibus in hac causa vti valuissent prefiximus et assignauimus, ad quos diem et l. p. p. c.

Quo adueniente termino et nobis in loco assignato pro tribunali sedentibus, partibus citatis et preconizatis, et dicto Johanne impetrantis procuratore in iudicio comparente, et dictorum Theodrici c. et c. m. de A. ac omnium et singulorum aliorum in hac parte interesse habentium et per se uel per procuratorem legitimum minime comparentium contumaciam accusante, ac instanter petente . . . nobis de eadem causa premissis probacionibus munimentis ac iuribus et evidenciis nobis in iudicio ministratis liquet, sententiam pro se et contra dictos Theodricum c. et c. de A. et alios quoscumque proferre dignaremur. Nos vero facta in eadem causa conclusione ad dicti Johannis procuratoris petitionem [*MS rubbed*] coram nobis in iudicio allegatis et ad sententiam si aliud canonicum non obstat assignauimus, ad quos diem et l. p. p. c.

Quo appropinquante termino et nobis pro tribunali in loco assignato sedentibus, partibus citatis et preconizatis, et dicto Johanne impetrantis procuratore dictorum Theodrici c. et c. de A. ac aliorum in hac parte interesse habentium contumaciam accusante et pro se sententiam ferri postulante, premissis de iure premittendis et seruatis seruandis ad nostram diffinitiuam sententiam quam de iuris peritorum concilio nobis in hac parte assistencium ferimus in hunc qui sequitur modum processimus.

In Dei nomine amen. Quia visis et intellectis meritis et circumstanciis litterarum cause appellacionis seu appellacionum agrauantibus censuris et sentenciis iudicum eciam delegatorum in litteris ad instanciam domini Theodrici episcopi Laonensis et commendatarii et conuentus ut asseritur monasterii de Atthassell Cassellensis diocesis deputatorum latis per vicarium de Clomell dicte Lismorensis diocesis contra et aduersus dictum Theodricum episcopum et commendatarium suumque conuentum de Atthassell et alios in hac parte interesse habentes a sede apostolica cum clausula 'quod si non ambo' impetratis ad eandem sedem interposite seu interpositarum coram nobis aliquamdiu mote et ventilate, comperiens per plures litteras evidencias rescripta

eciam apostolica ac apostolici executoris processum et sententiam in eadem causa rite procedentis, (quod) dicte rectorie dissolucio et dimembracio a monasteriis de Atthassell et Donbrody Cassellensis et Fernensis diocesium seu eorum altero cui vnita existeret ac eciam eiusdem rectorie vnio et incorporacio rite et recte dicte vicarie de Clomell facte apostolica auctoritate fuerunt. Vnde Christi nomine primitus inuocato de cuius vultu recta procedunt iudicia, Nos dominus Henricus Walch canonicus ecclesie Waterfordensis, ac in litteris apostolicis in forma sua nobis de et super rectoria ecclesie ville de Clomell Lismorensis diocesis per Petrum Whit vicarium ecclesie parochialis ville predictae, contra et aduersus Theodricum e. L. et c. ac c. m. de A. predicti et quosdam alios a sede apostolica cum clausula 'quod si non ambo' impetratis, delegatorum alter, per hanc nostram diffinitiuam sententiam, quam pro tribunali sedentes in hiis scriptis de iurisperitorum consilio et deliberacione ex hiis et aliis animum nostrum mouentibus ferimus decernimus et declaramus per ea que vidimus et audiimus ac de presenti videmus prius omnia et singula innouata et post huiusmodi appellacionis seu appellacionum interposicionem attemptata fore restituenda et in statum pristinum redintegrandam esse et fore denunciante et declarante, sententiam et sentencias dissolucionis et dimembracionis dicte rectorie ab illis monasteriis de A. et D. seu eorum altero cui vnita fuerat seu fieri dicebatur, necnon et ipsius rectorie sic dissolute et auctoritate apostolica dimembrata vnionis et incorporacionis perpetue dicte vicarie de Clomell ad trium presbiterorum in dicta ecclesia cotidie celebrancium sustentacionem, rite legitime factas approbamus ratificamus et auctoritate apostolica confirmamus, sententiam et sentencias antedictas eciam delegati in litteris pro ipso monasterio de Atthassell et contra dictum vicarium et ecclesiam latis si que fuerunt cum exinde sentenciis et sensuris annullamus cassamus et irritamus et dictas litteras fore et esse [*MS. rubbed*] eadem auctoritate decernimus et declaramus, silencium perpetue abbati et commendatario predicto suisque conuentibus super molestacione dicti Petri vicarii quoad dictam rectoriam imponendo, dictumque commendatarium et suum conuentum, nedum ad omnes expensas quas dictus Petrus vicarius in prosecucionem dicte cause fecit, sed eciam ad omnes fructus et proventus dicte rectorie ad ipsum vicarium et ecclesiam de Clomell plenarie

in hiis scriptis soluendos dicto vicario et ecclesie condempnamus, contradictores quoscumque per censuram ecclesiasticam auctoritate apostolica compescendo. Lecta et lata est hec nostra diffinitiva sententia in ecclesia prebendali Sancti Patricii in suburbiis Waterford' in crastino Sancti Gregorii pape sub nostro sigillo anno domini millesimo quingentesimo vicesimo quarto indiccione duodecima pontificatus sanctissimi in Christo patris et domini nostri domini Clementis diuina prouidencia pape septimi anno secundo, presentibus ad tunc ibidem magistris Patricio Granth et Willelmo Walch notario et presbiteris, ac Nicolao Ricardo et Patricio Walch, Ricardo Flemyng, et Jacobo Whit ciuibus ciuitatis Waterford', ac aliis pluribus omnibus ad premissa vocatis specialiter et rogatis. Que omnia et singula premissa vobis omnibus et singulis supradictis quibus noster presens processus ostenditur intimamus insinuamus et notificamus per presentes, vosque magistrum dominum Nicholaum episcopum Lismorensensem et Waterfordensem vestraque capitula omnesque alios et singulos supradictos eadem auctoritate tenore presencium requirimus et monemus primo secundo tercio ac peremptorie vobis omnibus et vestrum cuilibet virtute sancte obediencie et sub infrascriptis penis et censuris districte precipientes mandamus, quatinus infra duodecem dies post publicacionem seu notificacionem presencium vobis alteriue vestrum factam, quorum duodecem dierum sex pro primo sex pro secundo et reliquos sex dies vobis omnibus et singulis supradictis pro tercio et peremptorio termino ac monicione canonica assignamus, dictum Petrum vicarium et impetransem ac dictos presbiteros uel pro eis procuratores suos eorum nominibus ad corporalem et actuaalem possessionem dicte rectorie de Clomell iuriumque et pertinentiarum prout ad vos et vestrum quemlibet spectat admittatis et ab aliis admitti et recipi faciatis, amotis exinde dicto Theodrico c. et c. m. de A. et quibuslibet aliis illicitis eciam eorum nominibus detentoribus, quem quos et nos tenore presencium amouemus et amotos esse et fuisse in hiis scriptis auctoritate apostolica denunciamus, ac ipsum Petrum vicarium et impetransem et dictos presbiteros uel pro eis suos procuratores predictos ad prefatam rectoriam ut moris est admittere non differratis, sibi que de illius fructibus iuribus et obuencionibus vniuersis integre respondeatis et ab aliis plenarie responderi faciatis.

Quod si forte premissa omnia et singula ut mandatur non

adimpleueritis nostrisque mandatis et monicionibus huiusmodi ymo verius apostolicis non parueritis cum effectu, nos in vos omnes et singulos supradictos qui in hiis culpabiles fueritis, et specialiter in dictum Theodricum c. ac c. m. de A. et generaliter in contradictores quoslibet et rebelles et alios impediētes dictum Petrum vicarium et dictos presbiteros uel suos procuratores in premissis uel eorum aliquem, aut contra ipsum Petrum impetrantem et dictos presbiteros auxilium concilium uel fauorem directe uel indirecte publice uel occulte per se uel alium quouis quesito colore prestantibus, cuiuscumque status gradus ordinis uel preeminencie extiterit, exnunc prout extunc et extunc prout exnunc singulariter in singulos, dicta canonica monicione duodecem dierum premissa, excommunicationis, in capitula uero dictarum ecclesiarum et alia quecumque capitula in hiis forsā delinquencia et presertim in dicta Lismorensia et Waterfordensia et singula alia monasteria ecclesias et capellas dictarum ciuitatum et diocesum, suspencionis et interdicti, sententiam in hiis scriptis ferimus et promulgamus, Vobis reuerendo in Christo patri Lismorensi et Waterfordensi episcopo supradicto, cum ob reuerenciam pontificalis dignitatis differimus in hac parte, si contra premissa uel aliquid premissorum feceritis per vos aut submissam personam, dicta duodecem dierum monicione premissa quod eciam ut supra distributiue assignamus, ingressum ecclesie in hiis scriptis interdiximus. Si uero huiusmodi interdictum per alios duodecem dies dictos duodecem dies immediate sequentes animo sustinueritis indurato, distributiue ut predicatur assignantes vos in hiis scriptis canonica monicione premissa suspendimus a diuinis. Verum si prefatas interdicti et suspencionis sententias per alios duodecem dies (similiter?) distributiue assignatos prefatos vigintiquatuor dies immediate sequentes animo sustinueritis indurato, vos in hiis scriptis eadem auctoritate apostolica exnunc prout extunc et extunc prout exnunc et viceuersa simili canonica monicione premissa excommunicationis sententia innodamus. Preterea . . . attendentes quod monicione non proficiente ecclesiastico (*sic*) temporalis gladius non immerito suffragetur, auxilium brachii seularis non immerito duximus invocandum, ut quos Dei timor a malo et illicitis non seuocat saltim punitas atque seueritas coherceat discipline, hinc est quod nos in visceribus Jesu Christi et in [*MS. rubbed*] excellentissimum dominum nostrum Henricum Dei gracia regem Anglie et Franciae

ac dominum Hibernie et ecclesie in Hibernia defensorem, ac nobiles et potentes viros ac dominos Geraldum Comitem Kildarie eiusdem domini regis in Hibernia deputatum et Concilium, ac Comites Ormonie et Desmonie eorumque fratres filios consanguineos, necnon Dublinie Waterfordie Corcagie Limeryke Dredarth maiores balliuos et conciliarios Kylkenye quoque et Clomelie superiores burgenses et communitates, in brachium seculare per nos in hac parte invocatos, requirimus et per vos requiri volumus et auctoritate apostolica qua fungimur mandamus, quatenus infra sex dierum spacium post . . . per vos eis et eorum cuilibet fact', et postquam pro parte dicti Petri vicarii et impetrantis uel dictorum presbiterorum fuerint requisiti, dictum Theodricum e. et c. ac c. m. de A. et quoscumque alios illicitos detentores fructuum et proventuum dicte rectorie per suorum corporum et bonorum captionem [*MS. rubbed*] et ibi vinculatos teneant, sine tamen graui lesione corporum eorundem, quousque et donec dicte rectorie le Clomell fructus et prouentus omnes eidem Petro vicario et dictis presbiteris aut suis procuratoribus integre et quiete percipere dimittant et dimittere per se et alios faciat et faciant . . . si quod absit . . . non curaueritis, in omnipotentis Dei et eius genitricis Marie et apostolorum eius Petri et Pauli auxilio, predictum dominum Regem pro illius ecclesie pauperrime defensione et auxilio adire non omittatis illius pauperrimi presbiterii quibus sanctissimus papa de eadem rectoria in augmentationem diuini cultus . . .

In quorum omnium et singulorum fidem et testimonium premissorum presentes litteras siue presens publicum instrumentum huiusmodi nostrum processum et sententiam in se continentes seu continens exinde fieri et per notarium publicum infrascriptum scribi et publicari mandauimus, sigillique nostri iussimus et fecimus appensione communiri (. . . sub anno domini indiccione) pontificatu die loco et mense quibus supra.

[*Alia manu*] Et ego Willelmus Walch clericus ciuitatis Waterfordensis publicus papali et imperiali auctoritatibus notarius et huius cause scriba, quia premissis omnibus et singulis dum sic vt recitantur fierent et coram dicto domino delegato agerentur vnacum prenominatis testibus presens personaliter interfui eaque omnia et singula sic fieri vidi et audiui, ideo hoc presens publicum instrumentum manu aliena me aliis negotiis

occupato ex meis notis et prothocollis manu alterius iussu dicti domini iudicis fideliter extractum et scriptum exinde confeci subscripsi publicauit et in hanc publicam formam redegei, singnoque et nominibus meis sollitis et consuetis vnacum appencione sigilli apostolici executoris signaui, rogatus et requisitus in fidem et testimonium omnium et singulorum premissorum, nec viciet interlineacio harum dictionum 'ad acquietandum et defendendum' inter XIII et XIIIII lines necnon et huius dictionis 'que per appellacionem minime fuit susspensa ponit coniunctim et diuisim et de quolibet' inter quadragesimum quartum et quadragesimum quintum lines a capite computando, quas ego idem notarius publicus hic approbo.

Notarial sign, with 'Notarius Willelmus Walch' at base.

[*Alia manu*] Et nos Nicholaus Dei et apostolice sedis gracia Lismorensis et Waterfordensis episcopus has supradictas executoris apostolici litteras et processum in eisdem contentum iuxta effectum mandati supradicti nobis iniuncti prout in eodem mandato continetur exequimur, ac omnibus et singulis nostris prelati rectoribus vicariis et curatis de quibus supra sub penis superius contentis mandamus, quatenus huiusmodi mandatum prefati executoris apostolici iuxta eiusdem formam vim et effectum plenius exequantur cum effectu. Dat' Waterford XXII die mensis Julii anno domini M^o.V^{ct}.XXV^o. sub nostri sigilli testimonio.

In dorso: Concerninge the Rectory of Clonmell and other lands there. The Definitive sentence of Henry Walch canon of the church of Waterford, and Delegate of Pope Clement the 7th at the suite of Peter White vicar of the church of Clomell, concerning the Rectorie thereof pretended to be appropriated to the Abbie of Athassell. An : Dom : 1525.

Seal of Canon Henry Walch gone from the tag; seal of the Bishop of Lismore and Waterford, a fine impression, though broken.

Parchment, 500 × 735 mm.

A number of words are illegible, the deed being stained, rubbed, and holed.

B15. [81].—Letter of Pope Clement VII to the Treasurer, and Henry Walch, canon, of Waterford, directing them to inquire into a complaint of Peter White as to interference by the Prior of Athassel and others with his rights in the rectory of Clonmel. 1 July, 1526.

Clemens episcopus seruus seruorum Dei dilectis filiis Thesaurario et Henrico Valis canonico ecclesie Waterfordensis Salutem et apostolicam benedictionem. Conquestus est nobis Petrus Whyte perpetuus vicarius parrochialis ecclesie ville de Clomellis Lismorensis diocesis, quod Edmundus Butyler prior seu commendatarius monasterii per priorem soliti gubernari sancti Edmundi martyris de Aschell (*sic*) ordinis sancti Augustini Cassellensis diocesis et quidam alii clerici et laici dictum Petrum quominus rectoriam dicte ecclesie perpetue vicarie eiusdem ecclesie perpetuo vnitam annexam et incorporatam pacifice assequi illiusque fructus redditus et prouentus cum integritate percipere possit contra iusticiam impedire et perturbare nixi sunt hactenus et nituntur: Cum autem idem Petrus sicut asserit eorundem Edmundi et aliorum clericorum et laicorum potentiam merito perhorrescens eos infra ciuitatem Lismorensem seu dictam diocesim nequeat conuenire secure, discretioni vestre per apostolica scripta mandamus quatenus vocatis qui fuerint euocandi et auditis hincinde propositis quod iustum fuerit appellatione remota decernatis, facientes quod decreueritis per censuram ecclesiasticam firmiter obseruari. Quod si non ambo hiis exequendis potueritis interesse alter vestrum ea nihilominus exequatur. Dat' Rome apud Sanctum Petrum anno incarnationis dominice millesimo quingentesimo uigesimo sexto kal. Julii pontificatus nostri anno tercio.

A note at top ending: Affixa Jo. Cor. *On flap*: Mar. Sieder.
In dorso: Viccar' of Clomell An: Dom: 1526. 1° Julii.

'Bulla' with cord.

Parchment, 320 × 225 mm.

B15a. [81a].—Dispensation granted by Cardinal Wolsey to Peter White with regard to the vicarage of Clonmel. 11 November, 1527.

Thomas miseratione diuina tituli sancte Cecilie sacrosancte Romane Ecclesie presbiter Cardinalis Eboracensis Archiepiscopus Anglie primas et apostolice sedis legatus ipsiusque Regni Anglie Cancellarius Dunelmensis Episcopus ac Monasterii exempti sancti Albani Comendatarius perpetuus Necnon sanctissimi in Christo patris et Domini nostri Domini Clementis diuina prouidentia huius nominis pape septimi moderni dicteque sedis apostolice ad serenissimum et potentissimum principem Henricum octauum dei gratia Anglie et Francie Regem fidei defensorem et dominum Hibernie vniuersumque eius Anglie Regnum et Hibernie dominium ac omnes et singulas ipsorum Regni et domini prouincias ciuitates terras atque loca illis subiecta et alia eisdem adiacentia etiam de latere legatus ad nostri vitam deputatus, Dilecto filio Petro White Canonico Lismorensi salutem. Vite ac morum honestas aliaque laudabilia probitatis et virtutum merita nos inducunt ut te specialibus fauoribus et gratiis prosequamur, Dudum siquidem per sanctissimum in Christo patrem Dominum nostrum dominum Clementem diuina prouidentia papam septimum accepto, quod perpetua vicaria parochialis Ecclesie de Clomell Lismorensis diocesis que de iure patronatus laicorum existit, ex eo quod tu illam tunc certo modo [*etc., 22 lines of the original omitted*]. Et nichilominus tibi quod tam dicte vicarie quam quorumcumque aliorum beneficiorum ecclesiasticorum per te pro tempore obtentorum tam de iure consuetudine ecclesiarum quibus extiterint aut fundatione omnes sacros etiam presbiteratus ordines requirentium ad biennium a fine anni a iure concessi computandum ad aliquem ex dictis ordinibus te promoveri facere minime tenearis nec ad id a quoquam inuitus possis et valeas coarctari de specialis dono gratie indulgemus. Quocirca dilectis filiis Cantori Waterffordensi et Thesaurario Lismorensi ac Johanni Hanrychan Canonico Lismorensi auctoritate nostra prefata committimus et mandamus, quatenus ipse vel duo aut vnus eorum per se vel alium seu alios te vel procuratorem tuum predictum vigore tui tituli in possessione dicte vicarie in qua pacificus existis manuteneant et defendant, aut si malueris vigore presentium te vel eundem procuratorem tuum in corporalem realem et actuaalem possessionem eiusdem vicarie et erectionis eiusdem iuriumque et pertinenciarum omnium ad eandem spectantium vocatis qui fuerint evocandi de nouo inducant ac defendant inductum, non permittentes te desuper

per quempiam indebite molestari, necnon faciant te illius fructibus redditibus et prouentibus ac indulto predicto de non promouendo ad biennium a fine anni a iure concessi pacifice frui vti et gaudere, Contradictores quoslibet et rebelles per censuras ecclesiasticas appellatione postposita compescendo. Nulli ergo omnino hominum liceat hanc paginam nostre absolutionis abolitionis indulti concessionis et mandati infringere vel ausu temerario ei contraire. Si quis autem hoc attemptare presumpserit indignationem prelibati domini nostri pape eiusque sancte sedis apostolice se nouerit ipso facto incursum. Dat' in edibus nostris prope Westmonasterium vndecimo die mensis Nouembris Anno domini Millesimo quingentesimo vicesimo septimo Pontificatus sanctissimi in Christo patris et domini nostri domini Clementis diuina prouidentia pape septimi anno eius quarto.

In dorso : Cardinall Wolsey his Dispensation to Peter White concerning the Vicarage of Clomell. Dat : An : Dom : 1527.

Metal core of seal remaining, on green and white cord.

Parchment, 595 × 425 mm.

Note : This document being in much the same terms as the Papal Letters and other deeds on the same subject, only a portion of the text has been transcribed.

Br6. [82].—Letter of Pope Clement VII to Peter White, with reference to previous apostolic letters, confirming his position as vicar and rector of Clonmel and canon of Lismore. 14 June, 1529.

Clemens episcopus seruus seruorum Dei dilecto filio Petro Whit canonico Lismorensi Salutem et apostolicam benedictionem. Vite ac morum honestas aliaque laudabilia probitatis et uirtutum merita super quibus apud nos fidedigno commendaris testimonio nos inducunt ut te specialibus fauoribus et gratiis prosequamur. Dudum siquidem per nos accepto quod perpetua vicaria parroch-

ialis ecclesie ville de Clonmel Lismorensis diocesis que de iure patronatus laicorum existit, Ex eo quod in illam tunc certo modo vacantem et canonice tibi collatam per annum et amplius pacifice possidens te non feceras impedimento cessante legitimo et nulla per te desuper dispensatione obtenta ad sacerdotium promoueri, vacabat tunc et tanto tempore vacauerat quod eius collatio iuxta Lateranensis statuta Concilii erat ad sedem apostolicam legitime deuoluta, Ac pro parte tua nobis exposito quod in vicariam eandem post vacationem huiusmodi nullo tibi de nouo in ea quesito titulo per certum tempus detinueras prout tunc etiam detinebas fructus non tamen vltra tres marchas sterlingorum percipiens ex eadem quamuis de facto inhabilitatem contrahendo, Nos omnem inhabilitatis et infamie maculam siue notam per te premissorum occasione contractam a te penitus abolentes, Vicariam predictam cui rectoria eiusdem ecclesie perpetuo vnita existebat in simplicem prebendam ecclesie Lismorensis quamdiu illam obtineres dumtaxat erigi et institui, Ac deinde prebendam eandem necnon canonicatum eiusdem ecclesie Lismorensis tibi conferri et assignari sub certis modo et forma tunc expressis mandauimus per quasdam [litteras], In quibus quod vicarie et rectorie predictarum fructus redditus et prouentus octo marcharum similium secundum communem extimationem valorem annum non excedebant expressum fuit, Et deinde pro eadem parte tua nobis exposito quod fructus redditus et prouentus vicarie et rectorie huiusmodi tempore date dictarum litterarum dictum valorem excedebant licet vigintiquatuor marcharum similium secundum extimationem predictam valorem annum non excederent, Nos quod abolitio et litere predictae ac illarum vigore facte erectio institutio collatio et assignatio predictae ac processus habiti per easdem litteras et indesequata quecumque valerent plenamque roboris firmitatem obtinerent et tibi suffragarentur in omnibus et per omnia perinde ac si in eisdem litteris quod fructus redditus et prouentus vicarie et rectorie huiusmodi vigintiquatuor marcharum similium secundum extimationem predictam valorem annum non excedebant expressum fuisset, voluimus et concessimus per alias nostras litteras prout in singulis eisdem litteris plenius continetur. Cum autem sicut exhibita nobis nuper pro parte tua petitio continebat fructus redditus et prouentus per te indebite percepti huiusmodi ad quatuor libras sterlingorum ascendunt, vicarie uero et rectorie

predictarum insimul etiam tempore date secundo dictarum literarum valorem annuum vigintiquatuor marcharum huiusmodi excedebant, Licet vigintiquatuor librarum similium secundum extimationem predictam non excederent, Tuque propterea dubites literas predictas de surreptionis vitio notari ac tibi minus vtilis existere, Teque desuper molestari posse tempore procedente, Nos tibi ne literarum earundem frustreris effectu providere, Teque premissorum meritorum tuorum intuitu gratioso fauere prosequi volentes, Ac a quibusuis excommunicationis suspensionis et interdicti aliisque ecclesiasticis sententiis censuris et penis a iure vel ab homine quauis occasione uel causa latis si quibus quomodolibet innodatus existis ad effectum presentium dumtaxat consequendum harum serie absoluentes et absolutum fore censentes, Necnon omnia et singula beneficia ecclesiastica cum cura et sine cura que etiam ex quibusuis apostolicis dispensationibus obtines et expectas ac in quibus et ad que ius tibi quomodolibet competit quecumque quotcumque et qualiacumque sint, Eorumque fructuum reddituum et prouentuum veros annuos valores ac huiusmodi dispensationum tenores presentibus pro expressis habentes, tuis in hac parte supplicationibus inclinati uolumus et apostolica tibi auctoritate concedimus, Quod abolitio erectio institutio collatio assignatio et singule litere ac processus huiusmodi et indeseuta quecumque a data presentium valeant plenamque roboris firmitatem obtineant et tibi suffragentur in omnibus et per omnia perinde ac si in eisdem literis, Quod tu fructus redditus et prouentus ex dicta vicaria usque ad quatuor libras similes indebite perceperas, Et quod fructus redditus et prouentus vicarie et rectorie huiusmodi vigintiquatuor librarum similium secundum communem extimationem valorem annuum non excedebant, expressum fuisset, Non obstantibus premissis et constitutionibus et ordinationibus apostolicis ac dicte ecclesie Lismorensis etiam iuramento confirmatione apostolica uel quauis firmitate alia roboratis statutis et consuetudinibus necnon omnibus illis que in singulis dictis literis uolumus non obstare ceterisque contrariis quibuscumque. Nulli ergo omnino hominum liceat hanc paginam nostre abolitionis absolutionis voluntatis et concessionis infringere uel ei ausu temerario contraire. Siquis autem hoc attemptare presumpserit indignationem omnipotentis Dei ac beatorum Petri et Pauli apostolorum eius se nouerit incursum. Dat' Rome apud Sanctum Petrum anno Incar-

nationis dominice millesimo quingentesimo uigesimo nono decimo-octauo Kal. Iulii pontificatus nostri anno sexto.

'Bulla' on yellow cord.

On top : Ad Cam'. *Signed on flap* : Jo. Boraer.

In dorso : Viccaradge of Clonmell Anno Dom : 1529 (*and some signatures*).

Parchment, 500 × 370 mm.

Br7. [83].—Commission of Pope Clement VII to Peter White and John Hanreghan, canons of Lismore, to investigate a complaint of the community of Clonmel in relation to certain statutes of a Provincial Council of Cashel. 12 January, 1529-30.

Clemens episcopus seruus seruorum Dei dilectis filiis Petro Whit et Johanni Hanreghan canonicis ecclesie Lismorensis Salutem et apostolicam benedictionem. Sua nobis dilecti filii vniuersitas hominum oppidi de Clonmell Lismorensis diocesis petitione monstrarunt, quod alias ipsi postquam venerabilis frater noster Edmundus Archiepiscopus Cassellensis et sui suffraganei episcopi in Concilio Prouinciali per eos in ciuitate Lumricensi que infra prouinciam Cassellensem consistit tunc per eos celebrato, quod omnes et singuli domini in temporalibus locorum infra dictam prouinciam consistentium qui immunitatem et libertatem ecclesiasticam uiolauerant ac statuta constitutiones et ordinationes in Conciliis prouincialibus edita non obseruauerant et illorum transgressores fuerant et a suis subditis obseruari non permiserant siue eis ut illa non seruarent mandauerant, nisi infra certum tunc expressum diem extunc immediate sequentem certas cautiones sufficientes pignoratitias quod imposterum premissa emendarent et statuta ordinationes et constitutiones sic edita obseruarent et a suis subditis seruari permetterent et facerent eidem Archiepiscopo uel per eum ad id deputando commissario prestarent, excommunicationis et aliis sententiis censuris et penis ecclesiasticis innodari ac predictorum dominorum in temporalibus loca et dominia in quibus eos et eis subditos interdicto subiici ac interdictum huiusmodi obseruari deberent inter alia statuerant constituerant et ordinauerunt,

prefati vniuersitas, uerentes eos sub statutis ordinationibus et constitutionibus synodalibus huiusmodi comprehensos fore, ad eundem Archiepiscopum petendo inter alia statuta ordinationes et constitutiones predictas, quas propter illorum nimiam obscuritatem seu confusionem ab eis clare intelligi et interpretari non poterant, tam ab eodem Archiepiscopo quam tunc Lismorensi et Waterfordensi Episcopo eorum ordinario eis declarari ac interpretari et eos illa edoceri recursum habuerunt, sed Archiepiscopus et Episcopus prefati statuta constitutiones et ordinationes predicta prout tenebantur eis declarare et interpretari ac eos illa edocere indebite recusarunt super hoc legitime requisiti: Vnde pro parte dictorum vniuersitatis sentientium exinde inter alia indebite se grauari fuit ad sedem apostolicam appellatum. Quocirca discretioni vestre per apostolica scripta mandamus quatenus uocatis qui fuerint euocandi et auditis hincinde propositis quod iustum fuerit appellatione remota decernatis facientes quod decreueritis per censuram ecclesiasticam firmiter obseruari, Testes autem qui fuerint nominati si se gratia odio uel timore subtraxerint censura simili appellatione cessante compellatis veritati testimonium perhibere: Quod si non ambo hiis exequendis potueritis interesse alter vestrum ea nichilominus exequatur. Dat' Rome apud Sanctum Petrum anno incarnationis dominice millesimo quingentesimo trigesimo pridie Id' Januar' pontificatus nostri anno octauo.

Signed on the flap: O: de Rubeis.

'Bulla' on cord.

Parchment, 440 × 330 mm.

B18. [84].—Copy of an Order by the Lord Deputy and Council of Ireland on a dispute between the Prior of Athassel and the citizens of Clonmel, regarding the parish church. 24 May, 1536.

Memorandum that where the moost reuerende fadre in god Edmonde archebisshop of Casshell commendatory of the priory of Athasshell complayned vnto vs howe that he and his predecessors priors and commendatories of the same priorie of Athasshell haue beene lawfully seaisid of the parsonage of Clonmell as appropriat to the said priorie, till that aboute a V. yere past the Suffreyn portreffs of Clonmell with oon sir Piers Whit Thomas

Whit Richard Whit James Whit and the comens of Clonmell entrid enforcibly into the said parsonage, and the same yet contynueth, taking the hole dysmes tetes oblacions lands and tenements and all other maner of proficts aswele spirituall as temporall apperteynyng to the said parsonage, vpon whiche complaynt accordyng our comaundement to them directed, the said Thomas Whit, now Suffrein, for hym, the portreffs, and commens, with the said Richard Whit and James Whit and Tybbot Whit William Fagan Sir William Whit and Richard Whit Fitz Thomas, apperid, and we according our duetie, meanyng true and indifferent iustice to be mynystrid to euery of the kings true subiects, by thaduice of our said soueraine lords counsaile did remit hyring and examinacion of the said wrongs and mysdemeanors, and of the right title and possession of the same, to the right honorable sir John Barnewall knyght lord of Trymlettiston and Chaunceller of Irlande, Thomas Luttrell chief Justice of the commen place, Patrick Finglas chief Baron of the kings Eschecker, Thomas seint Laurence secundarie Justice of the kings Benche, or any two of them. And they according the same duely and deliberately hyring examynyng and percewyng the titles prowes and allegacions of the said Archbisshop, And of the partie of the said Edmonde Archebisshop, did see and reed the deade of one William de Burgo of the foundation of the said priorie and monasterie of Athasshell, By which deade apperith, that the said parsonage of Clonmell amonge others was geven to the said priorie, the confirmacion of the moost famost prince John late king of England vpon the said foundation, And also the assent of Alanus late Bisshop of Lismore and the dean and chapitre of the same for the appropriacion of the said parsonage to the said priorie accordinglie, And that of the parte of the said Thomas Whit, now suffrain, Richard Whit James Whit Tybbot Whit William Fagan Sir William Whit ne Richard Fitz Thomas, no dedes evidences ne none other writing was shewid to prove the right title or possession of the said parsonage to be of right belongyng to them or any of them, ne yet claymid none other title to the same, But for aunswere said that they did not with force entre into the said parsonage ne yet toke no maner proficts of the same, And the said lord Chaunceller and the Judges afornamid making relation vnto vs of the premissys, and we right wele perceiuing none other, But that the right title and

possession of the said parsonage to be of right belonging to the said Edmond Archebisshop as in the right of the said priorie, We therefore for the said Lord Deputie and Counsaill, do ordre adiudge and decree, that the said Archebisshop and his successors for euer, priors of the howse and monasterie of Athassell aforesaid, shall hensforward haue holde possesse and enioye the said parsonage of Clonmell, with all maner of dismes tethes oblacions lands tenements and all other proficts as well spirituall as temporall belonging or in any wise apperteyning to the same parsonage, without any let vexation disturbaunce or inquieting of the said suffrayne portreffs commens and inhabitaunts of the said towne of Clonmell and their successors and euery of them, And further we the said Lord Deputie and Counsaill ordre adiudge and decree that the said Thomas Whit James Whit Richard White fitz John Richard Whit fitz Thomas and Sir William Whit chaplayn, and euery of them, shall content and pay or cause to be contentid and payed vnto the said Archbisshop and his successors, pryors of the said monasterie of Athassell, all suche tethes and other proficts of the said parsonage or the valor of the same, as the saide archbisshop or his said successors shall duellie and lafully prowre befor the Bisshop of Waterforde and Deane of Waterford, that they or any of them haue taken, or that by the meanes of any of them any other person or persons haue taken, not conuerted to the vse commoditie or profett of the said church of Clonmell, or the maytenaunce of devyne seruice ther, and the same to be contentid and payed vnto the said Edmonde archbisshop within XXⁱⁱ dayes next after the said prooffe, Willing and commaunding you the right honorable Piers Erle of Ossorie lorde of the libertie of Tipperary, your senescall, and euery of your officers within the same libertie, not onlie to be ayding assisting and maynteynyng to the said Edmond archebisshop and his successors aforesaid in the enioying of the said parsonage according theeffect of this our decree, But also to se the due execucion of the same, And that you the suffrayne portreffs commens and inhabitaunts of the said towne of Clonmell and your successors and euery of you do kepe performe obserue and obey the due execucion of this our decree yeven at Dublin vnder our signet and signe manuell the XXIIII day of May in the XXVIII yere of the reigne of our soueraine lord king Henry the eight. Providid that this forsaid decree and

ordre stande and be in full strenght and vertue vnto suche tyme as sufficient title be showid affermed and approvid be fore the lord deputie and Counsaill of this land of Irland for the tyme being; for thadnulling avoiding and disaproving of the right and title of the said Edmond archebisshop or his said successors to the said parsonage of Clonmell, or otherwis vnto suche tyme as the right and title therof be determyned by the due ordre of the comen lawe against the said Edmond archbisshop or his successors.

In dorso : The copie of the decysion of the lord Deputie and lordes of the Counsaill. Interest of the viccar of Clonmell.

Parchment, 370 × 290 mm.

Br9. [85].—Inspeximus by Nicholas, Bishop of Lismore and Waterford, at the request of Thomas Clere, vicar of Clonmel, of a Letter of Pope Alexander VI, and other instruments relating to the rectory of Clonmel. 3 July, 1536.

Vniuersis sancte matris ecclesie filiis presentes litteras nostras visuris vel audituris Nicholaus permissione diuina Lismorensis et Waterfordensis episcopus salutem in Domino eternam. Inspeximus litteras seu rescriptum domini Alexandri Romani pontificis sigillo suo plumbeo pendente sigillatas in hec verba. Alexander episcopus seruus seruorum Dei dilecto filio abbati monasterii Sancte Crucis de Wotharlawd Cassellensis diocesis salutem et apostolicam benedictionem. Apostolice sedis prouidencia circumspecta ad ea libenter intendit per que indemnitati quarumlibet ecclesiarum presertim parrochialium diuinique cultus in illis augmento ac personarum ecclesiasticarum commoditatibus et utilitati consuli possit: exhibita siquidem nobis nuper pro parte dilecti filii Nicholai Fizharry perpetui vicarii parochialis ecclesie ville de Clonmell Lismorensis diocesis peticio continebat, quod cum olim dilecti filii abbas Beate Marie de Portu ac prior per priorem soliti gubernari de Atassell monasteriorum Cisterciensis et Sancti Augustini ordinum Fernensis et Cassellensis diocesium illorumque conuentus quilibet eorum assererent rectoriam dicte ecclesie mense dictorum monasteriorum perpetuo

vnitam annexam et incorporatam esse et ad se de iure spectare, et propterea inter eos coram diuersis iudicibus ecclesiasticis in partibus illis lis super dicta rectoria exorta fuisset, et exinde maximum dampnum et detrimentum dilectis filiis incolis et parochianis dicte ville, que in partibus illis satis insignis et populosa existit, et ipsi ecclesie illiusque edificiis diuinoque cultui in illa euenissent, ac demum ad certam concordiam super diuisione fructuum reddituum et prouentuum dicte rectorie deuenissent, tandem inter se de nouo ad certam litem et controuersiam super dicta rectoria seu fructibus redditibus et prouentibus illius deuenerunt, que ut veresimiliter creditur tarde uel nunquam finitur, ex quo dicta ecclesia ac parochiani illius diuinusque cultus in eadem maximum paciuntur detrimentum, ac abbati priori et canonicis dictorum monasteriorum qui in illis conuentualiter non uiuant et in illis non resident cum litibus huiusmodi maior occasio uagandi tribuitur, Christianique fideles similia uidentes in partibus illis a fundatione siue edificatione ecclesiarum retrahuntur: cum autem, sicut eadem petitio subiungebat, fructus redditus et prouentus dictorum monasteriorum et cuiuslibet eorum adeo pingues fore noscuntur, ut abbas et prior ac conuentus illorum sine fructibus redditibus et prouentibus dicte rectorie se sustentare et onera eis incumbencia perferre commode possint, ac fructus redditus et prouentus perpetue vicarie dicte ecclesie, quam ipse Nicolaus inter cetera obtinet, adeo tenues et exiles existant, ut ex eis tam prefatus Nicolaus quam dictam vicariam pro tempore obtinens se sustentare et onera ei incumbencia ratione vicarie, in qua qualibet die tres uel quatuor missas celebrare et totidem capellanos pro diuini cultus in illa augumento idem Nicolaus et parochiani dicte ecclesie inibi habere et necessaria eis ministrare consueuerunt, commode non possint, ipsique abbas prior et conuentus fructus redditus et prouentus dicte rectorie in suos prauos et dampnabiles usus conuertant et dillapident, et si dicta rectoria ab illo ex monasteriis predictis cui forsan unita existat dimembraretur et separaretur dictaque vnio dissolueretur, prefatus vicarius se commodius cum dictis tribus uel quatuor presbiteris qui in dicta ecclesia quotidie celebrarent sustentare ac structuram et edificia dicte ecclesie instaurare et reparare, necnon alia onera huiusmodi facilius perferre ualeret: Quare pro parte eiusdem Nicolai, asserentis rectorie quindecim et vicarie predictarum octo librarum

sterlingorum fructus redditus et prouentus secundum communem extimacionem ualorem annuum non excedere, nobis fuit humiliter supplicatum ut dictam rectoriam ab illo ex monasteriis predictis cui forsā vnita fuerat ut preferitur separare et dimembrare ac vnionem huiusmodi dissoluere dictamque rectoriam eidem vicarie perpetuo vnire annectere et incorporare aliasque in premissis oportune prouidere de benignitate apostolica dignaremur. Nos igitur qui de predictis certam noticiam non habemus, prefatum Nicolaum a quibuscumque [*etc. as in no. 73 . . .*] absolutum fore censentes, venerabilis fratris nostri episcopi Lismorensis ac parrochianorum predictorum, necnon dilectorum filiorum vniuersorum incolarum dicte ville etiam nobis super hec humiliter supplicantium, ac huiusmodi supplicacionibus inclinati, discretioni tue per apostolica scripta mandamus, quatinus vocatis abbate et priore et conuentu prefatis et aliis qui fuerint euocandi, auditisque hincinde propositis, quod iustum fuerit appellatione remota decernas, faciens quod decreueris per censuram ecclesiasticam firmiter obseruari, Testes autem qui fuerint nominati si se gracia odio vel timore subtraxerint censura simili appellatione cessante compellas veritati testimonium perhibere, Et nichilominus, si per eventum litis huiusmodi contigerit rectoriam predictam ab illo ex monasteriis predictis cui forsā vnita fuerit ut preferitur separari et dimembrari ac vnionem predictam dissolui et quoad vnionem huiusmodi uocatis quorum interest premissa vera fore reppereris, rectoriam predictam siue per dissolutionem et dimembracionem huiusmodi tunc siue alias quouis modo aut ex cuiuscumque persona seu per liberam resignationem alicuius de illa extra Romanam curiam etiam coram notario publico et testibus sponte factam aut constitutionem felicis recordacionis Johannis pape XXII predecessoris nostri que incipit ' execrabilis ' uel assecutionem alterius beneficii ecclesiastici ordinaria auctoritate collati uacet, etiam si tanto tempore uacauerit quod eius collatio iuxta Lateranensis statuta Concilii ad sedem predictam legitime deuoluta ipsaque rectoria dispositioni apostolice specialiter reseruata existit, et super ea inter aliquos lis [*etc. as in no. 73 . . .*]; pertinenciis suis eidem vicarie perpetuo vnire annectere et incorporare auctoritate nostra procures, ita quod liceat extunc prefato Nicolao et pro tempore existenti dicte ecclesie vicario [*MS. vicarie*] per se uel alium seu alios corporalem rectorie iuriumque et pertinentiarum predict-

orum possessionem propria auctoritate libere apprehendere ac perpetuo retinere, illiusque fructus redditus et prouentus in suos ac vicarie et ecclesie predictarum usus vtilitatemque conuertere, diocesani loci et cuiusvis alterius licentia super hoc minime requisita, non obstantibus pie memorie Bonifacii pape [*etc. as in no. 73 . . .*] Concilio generali edita ac aliis apostolicis constitutionibus contrariis quibuscumque aut si aliqui super prouisionibus sibi faciendis de huiusmodi uel de aliis beneficiis ecclesiasticis in illis partibus speciales uel generales dicte sedis [*etc. as in no. 73 . . .*] sit processum, quasquidem litteras ac processus habitos per easdem et inde secuta, quecumque ad dictam rectoriam uolumus non extendi, sed nullum per hoc eis quoad assecutionem beneficiorum aliorum preiudicium generari, et quibuslibet aliis priuilegiis indulgentiis et litteris apostolicis generalibus uel specialibus quorumcunque tenorum existant per que presentibus non expressa uel totaliter non inserta affectus earum impediri ualeat quomodolibet uel differri, et de quibus quorumque totis tenoribus habenda sit in nostris litteris mentio specialis, prouiso quod propter vnionem annexionem et incorporacionem predictas, si ille uigore presentium fiant et effectum sortiantur, dicta rectoria debitis non fraudetur obsequiis, et animarum cura in ea nullatenus negligatur, sed eius congrue supportentur onera consueta. Nos enim exnunc irritum [*etc. as in no. 73 . . .*] attemptari. Datum Rome apud Sanctum Petrum anno incarnationis dominice millesimo quadringentesimo nonagesimo quarto, octauo Idus Iulii pontificatus nostri anno secundo.

Inspeximus insuper processum subdeligati super rescripto predicto rite factum ac dicti subdelegati sigillo necnon notarii publici signo et subscriptione munitum, vbi inter cetera prefati subdelegati sententia continetur in hec verba.

In Dei nomine amen. Quia visis cognitis et discussis ac rimatis meritis et circumstanciis cause dimembracionis seu separacionis dissolutionis et vnionis rectorie ecclesie parochialis ville de Clonmell Lismorensis diocesis a monasteriis Beate Marie de Portu et Sancti Edmundi Regis et Martiris de Atassell ordinum Cisterciensis et Sancti Augustini Cassellensis et Fernensis diocesum et a monasterio cui ex illis vnita existit, inuenimus per sufficientia documenta confessiones veras et interpretatos testes et munimenta contra que nihil dictum doctum exceptum aut allegatum erat,

premissis ad hoc premittendis lite videlicet atestata et iuramento de calumpnia euitanda et de veritate dicenda ceteroque iuris ordine in hac re necessario sufficienter obseruato, relata et allegata in rescripto super dicta dimembracione dicte ecclesie de Clomell impetrato fuisse et esse sufficienter in substancialibus et necessariis probata et ad plenum iustificata, et de eis probatis et iustificatis dissolutionem seu dimembracionem ac vnionem de eadem ad dictam vicariam perpetuo ut est petitum fieri debere, presertim ex eo quod probatum est inter dicta monasteria super dicta rectoria lites multimodas oriri que ad finem verisimiliter non deducerentur, Incolasque ac parochianos dicte ville de Clomell grauia pati dampna exinde, abbates priores dictorum monasteriorum et eorum conuentus minus regulariter seu collegialiter viuere ac fructus et prouentus dicte rectorie in prauos et illicitos vsus conuertere, ac sufficientes citra illius rectorie fructus pro eorum sustentacione habere, fructusque dicte vicarie adeo tenues et exiles quod ex eis presidens et pro tempore existens vicarius supportatis oneribus debitis congrue sustentare non potest, Ideo Christi nomine inuocato per hanc nostram diffinitiuam sententiam quam solum Deum habentes pre oculis de iuris peritorum consilio ferrimus, nos frater Thomas abbas monasterii Beate Marie de Surio ordinis Cisterciensis Lismorensis diocesis venerabilis viri fratris Willelmi Dei paciencia abbatis monasterii Sancte Crucis de Wotherlan dicti ordinis Cassellensis diocesis principalis in ipsis apostolicis litteris delegate (*sic*) subdelegatus plenarie deputatus, ex premissis et aliis causis animum nostrum iuste mouentibus, dictam rectoriam ecclesie Beate Marie de Clonmell a monasterio de Attassel cui ex illis vnita existit dimembramus et separamus dimembratam et separatam ostendimus, et ipsam rectoriam sic dimembratam et separatam siue illo siue alio quouismodo vacauerit et si eius collacio sit ad sedem apostolicam deuoluta, eidem vicarie eiusdem ecclesie de Clomell ex causis in rescripto designatis auctoritate apostolica subdelegata qua in hac parte fungimur perpetuo vnimus annectimus et incorporamus, vnitam annexam et incorporatam decernimus et declaramus, dictis abbati et priori et conuentibus silentium imponimus, administracionem fructuum reddituum et prouentuum dicte rectorie vicario ac dictis duobus uel tribus capellanis pro tempore existentibus committimus, contradictores et rebelles per omnem ecclesiasticam censuram compescendo,

condampnationem expensarum nobis reseruantes. Lecta et lata est hec nostra diffinitiva sententia in ecclesia parochiali de Clomell Lismorensis diocesis in vigilia Pentecostes anno domini millesimo quadringentesimo nonagesimo quinto. In quorum fidem et testimonium omnium et singulorum premissorum presentes litteras siue presens publicum instrumentum huiusmodi sententiam diffinitiuam in se continentes siue continens exinde confici et per Willelmum Duede huiusmodi cause scribam infrascriptum subscribi et publicari mandamus nostrique sigilli appositione fecimus communiri. Acta sunt hec anno quo supra indictione decima tertia pontificatus sanctissimi in Christo patris et domini nostri domini Alexandri diuina prouidencia pape sexti anno tercio die vero mensis Junii octavo, presentibus ad tunc honestis viris Thomas Fagan tunc superiore ville de Clomell, Patricio et Johanne White, Thoma Douche, Henrico White, Ricardo Baron, domino Roberto White vicario de Kylgranth, Willelmo Body et Thoma Hyky capellanis, ac testibus aliis multus ad premissa vocatis et rogatis. Et ego Willelmus Duede clericus Lismorensis diocesis publicus imperiali auctoritate notarius venerabili (*sic*) quoque ac religiosi fratris Thome abbatis monasterii Beate Marie de Surio ordinis Cisterciensis Lismorensis diocesis iudicis in hac parte ut prefertur competentis in huiusmodi causa coram eo scriba, quia premissis omnibus et singulis superius enarratis dum sic ut premittitur coram me agerentur et fierent sub anno indictione pontificatu mense diebus et locis prenominatis vnacum premencionatis testibus presens interfui, eaque omnia et singula dum sic ut premittitur coram me agerentur et fierent sic fieri vidi et audiui, ideo presens publicum instrumentum de mandato dicti venerabilis iudicis exinde confeci scripsi publicauit et in hanc publicam formam reddigi, signoque et nomine meis solitis et consuetis signauit, vna cum appensione sigilli dicti domini iudicis, rogatus et requisitus in fidem omnium et singulorum premissorum.

Inspeximus etiam litteras bone memorie Thome olim Lismorensis et Waterfordensis episcopi, predecessoris nostri sigillo suo vnacum sigillo decani et capituli Lismorensis in cera rubea sigillatas in hec verba.

Thomas permissione diuina et apostolice sedis gracia Lismorensis et Waterfordensis episcopus dilecto nobis in Christo Petro White vicario ecclesie Beate Marie ville de Clomell nostre

Lismorensis diocesis salutem in Domino eternam. Inde est quod tu non contentarum iure predecessoris tui in rectoria ecclesie dicte ville de Clomell nuper ad instanciam trium uel quatuor presbiterorum in eadem ecclesia Deo deseruentium alias vicarie dicte ecclesie perpetuo vnita, ad tuam sollicitam petitionem, habito [*MS.* habitu] ad hoc longo tractatu cum decano et capitulo ecclesie nostre Lismorensis et aliis iuris peritis, pro euidenti vtilitate dicte ecclesie de Clomell et ipsius diuini cultus augmentatione, dictam rectoriam, de cuius dissolutione et dimembracione a monasterio de Atthassell Cassellensis diocesis pluribus ex causis alias animum nostrum mouentibus constabat atque constat, necnon etiam et diuini cultus in eodem monasterio diminutione et ipsius prioris et procuratoris eius contumacia in solucione onerum ordinariorum eidem rectorie incumbentium, propter quod dicta ecclesia de Clomell pluries per ordinarios suspendebatur et occasione illius suspensionis et censurarum diuinis caruit obsequiis, dicte vicarie de Clomell ad dictorum trium vel quatuor presbiterorum sustentacionem in eadem ecclesia cotidie deseruentium cum omnibus suis iuribus obuencionibus et pertinenciis vniuersis, de consensu et assensu decani et capituli ecclesie nostre Lismorensis, perpetuo, premissis de iure premittendis et seruatis in hac parte seruandis, vniuimus annectimus et auctoritate nostra ordinaria incorporauimus, prout per presentes vnimus annectimus et incorporamus, et te domine Petre vicarie in dictorum presbiterorum nominibus in dicte rectorie realem et corporalem possessionem cum omnibus suis iuribus et pertinenciis vniuersis inducimus, prouiso tamen quod omnia onera ordinaria et extra ordinaria dicte vicarie et rectorie incumbencia et nobis hactenus solui consueta debitis a iure temporibus persoluantur, ac diuinus cultus et animarum cura in eisdem nullatenus negligantur. In cuius rei testimonium presentibus sigillum nostrum quo in talibus vtimur apponi fecimus. Dat' Clomell duodecimo die mensis Februarii anno domini millesimo quingentesimo decimoseptimo. Et nos Jacobus decanus et capitulum ecclesie Lismorensis, prehabita in domo nostra capitulari premissorum matura deliberacione sicut ac bene cognoscentes causas premissas nobis oculatim expositas fore et esse veras, premissis vnioni annectiioni et incorporacioni nostrum consensum et assensum per presentes prebemus et eisdem annuimus. In cuius rei testimonium presenti

nostrò scripto nostrum commune sigillum apponi fecimus. Dat' apud Lismoriam vicesimo die mensis supradicti anno quo supra.

Nos vero Nicolaus episcopus antedictus prefatas litteras omnes ad specialem rogatum et requisicionem magistri Thome Clere vicarii ecclesie parochialis de Clonmell exemplificamus per presentes. In cuius rei testimonium sigillum nostrum presentibus apponi fecimus. Dat' Clonmelie IIII die mensis Julii anno domini 1536, regni vero illustrissimi domini nostri regis Henrici octavi XXVIII^o.

[Signed] per me Nicholaum Waterfordensem et Lismorensem episcopum.

In dorso : Rectorie of Clonmell.

Seal gone from tag.

Parchment, 555 × 665 mm.

Bzo. [87].—Notarial instrument recording evidence produced before Milo, Bishop of Ossory, by Piers Butler, Earl of Ossory, concerning the inheritance of Rowyr. 24 October, 1530.

Uniuersis alme matris ecclesie filiis presentes litteras siue hoc presens publicum instrumentum visuris vel auditoris seu illi vel illis quem siue quos subscriptum tangit negocium vel tangere poterit quomodolibet infuturum, Milo diuina miseracione et apostolice sedis gracia Ossoriensis episcopus salutem et presentibus fidem adhibere indubiam. Et quia ea que in iudiciis vel extra peraguntur obliuionis vicio abolentur ac omittantur, nisi scripture per memoriam que contrahencium pariter et contendencium vota in evum conseruat roboris acceperint firmitatem, Ad vestre vniuersitatis noticiam deduci volumus et deducimus per presentes, qualiter nobis constitutis in ecclesia nostra cathedrali Sancti Kanicii Kilkenie die et loco infrascriptis circumspectus et prepotens vir dominus Petrus Butteller Comes Ossorie coram nobis comparens quosdam testes, quorum dicta sibi et suis credebat necessaria ad perpetuam rei memoriam in medium produxit, nostrum cum ea qua decebat [reuerencia?] officium implorans, quatinus eosdem testes recipere et ad rei perpetuam memoriam vt predicatur in forma iuris examinare dignaremur huiusmodi super articulis, videlicet quod generosi viri Mauricius Arturus et Dermicius Nagalle filii Karuli Kewanac' qui nuncupabatur M^cinny-

nawyty necnon et Karulus filius Geraldii filii predicti Karuli ac alius Karulus filius Donaldii filii Donaldii filii et prefati Karuli vendiderunt dederunt concesserunt ac de se et successoribus suis imperpetuum dimisserunt domino predicto Petro Butteller Comiti Ossorie omnes et singulas terras et possessiones ad ipsos et eorum quemlibet in dominio de Rowyr pertinentes heredibus et asingnatis eius, videlicet antiquam villam de Kylkonellac' cum pertinenciis necnon et villam nuncupatam Antiquam Curiam et sic usque ad Strocan a portthird et sic per riolum usque ad Berrow deinde vero ad portum de Theac'molyng' et a portu ipso per viam regiam usque ad aliam viam que ducit ad prefatam Antiquam Curiam, in siluis aquis piscariis turbariis muris pasturis et ceteris suis comoditatibus, habendum et tenendum sibi heredibus et asingnatis suis pacifice imperpetuum provt lacius antiquorum relacione metas ipsas perambulari valent et possint, et prelibati Mauricius Arturus Dermicius Nagalle ac Karulus et Karulus alter Kewanac' antedictas villas cum pertinenciis sepedicto Petro Butteller heredibus suis varantizabunt et in quantum potuerint defendant in eternum. Alius articulus est, quod prefati venditores constituerunt et ordinaverunt Odonem et David filios Donati McRusstyng' coniunctim et diuim eorum veros procuratores attornatos et baliuos ad plenam et effectuallem possessionem predictarum villarum cum pertinenciis eidem domino Petro Butteller Comiti vel suo attornato ad hoc per ipsum deputato sicut moris est et terrarum consuetudinis effectualiter tradendam et cetera. Dominus Johannes Tobyn rector de Callan primus testis super veritate articulorum premissorum iuratus et in forma iuris diligenter examinatus dicit et in animam suam deponit articulos continere veritatem, requisitus quomodo sit (*sic*), dicit quod ipse erat presens cum fierint (*sic*) premissa sic et agerentur, de tempore requisitus dicit quod X die subscriptorum mensis et anni, locum asingnacionis quod in castro eiusdem domini Comitis in villa de Callan, requisitus de asstantibus affirmat quod dominus Jacobus Clerý vicarius eiusdem ville, dominus Thomas Creffe canonicus Ossoriensis ac prebendarius de Theacstoffyn, dominus Walterus Cardyn vicarius de Geriponte, presente publico notario ad hoc specialiter requisito, et aliis diuersis ad premissa vocatis et in speciali rogatis, requisitus de solucione debitorum ipsis a domino predicto Comite pro dictis terris facta, respondit quod ipsi tunc publice

coram astantibus de solucione plena contenti fuerunt et varentizare semper tam a se quam a suis successoribus contra omnes de sua nacione predictos dominum Comitem heredes et asingnatos suos mediante eius iusticia se obligant, addit hiis peractis quod premissi suam domino predicto Comiti et suis relinquerunt benedicionem et suorum, non deponit precio nec prece et cetera. Dominus Jacobus Cleri vicarius de Callan, dominus Thomas Creffe canonicus Ossoriensis, dominus similiter Walterus Cardyn vicarius de Geriponte supradicti, iurati vt supra et examinati, omnes et singuli in omnibus et per omnia nil addentes vel omittentes in omnibus et per omnia concordant cum precontesste in causis sciencie et ceteris die loco solucione et astantibus in nullo a dicto tesste deuiantes. Quibus quidem tesstibus sic rite receptis et per nos vt supra examinatis, idem dominus Comes nos vt prius rogauit requisiiuitque, quatinus eorundem tesstium dicta publicare forma quoque in publica per subscriptum publicum notarium redigere dingnaremur. Nos vero ipsius domini comitis rogatum iuridicum et racioni consonum esse considerantes, seruatis in hac parte seruandis, tesstium eorundem depossiciones pro publicatis haberi decreuimus et in publicam et perpetuam rei memoriam formam per infrascriptum notarium denunciamus reddigendas et demandamus. In quorum omnium et singulorum premissorum presentes litteras per infrascriptum notarium fidem fideliter scribere fieri fecimus. Datum in ecclesia nostra cathedrali Sancti Kanicii Kylkenie XXIIII die mensis Octobris anno salutis millessimo quingentesimo XXX^o sub nostri maioris sigilli tesstimonio.

Et me domino Jacobo Magwyr presbitero Ossoriensis diocesis sacris papali et imperiali auctoritatibus publico notario, quia predictorum tesstium produccioni iuramentorum prestacioni examinacioni publicacioni et decreto omnibusque aliis et singulis eciam tempore concessionis predictae simul cum dictis tesstibus dum agerentur et fierint (*sic*) vna cum predictis tesstibus presens interfui personaliter, eaque sic fieri vidi et [audiui], ideoque presentes litteras siue hoc publicum instrumentum ad perpetuam rei memoriam fideliter scripsi subscripsi publicauimus et in hanc publicam formam redigi, singnoque et nomine meis solitis et consuetis singnaui, vna cum appensione sigilli supradicti domini episcopi prime

caude presencium, et sigilli domini Karruli Keuanac' abbatis de Duyssyg secunde caude, in fidem et testimonium omnium et singulorum premissorum rogatus et requisitus.

[*Notarial sign, enclosing at base I.M.N.P.*]

In dorso: Instrumentum de Rower before the busshop of Ossory ad perpetuam rei memoriam. Rowre.

Seal of the Bishop gone from tag ; seal of the Abbot of Duiske in good condition.

Parchment, 260 × 500 mm.

B21. [89].—Sentence by Milo, Bishop of Ossory, of deposition of Elicia Butler, Abbess of Kilculliheen, pronounced in St. Canice's Cathedral, Kilkenny. 4 October, 1532.

Vniuersis alme matris ecclesie filiis presentes litteras processum et sentenciam in se continentes visuris auditoris vel lecturis quos infrascriptum tangit negocium seu tangere poterit quomodolibet in futurum, et presertim reuerendissimo in Christo patri ac domino Johanni permissione diuina et apostolice sedis gracia Dublinensi archiepiscopo Hibernie primati, Omnibus eciam et singulis episcopis abbatibus decanis prioribus ecclesiarum quoque cathedralium capitulis plebanis prepositis rectoribus vicariis capellanis ceterisque ecclesiarum ministris ad quorum cognicionem vel noticiam hec presentes pervenerint littere, Milo permissione diuina Ossoriensis episcopus salutem in Domino sempiternam.

Noueritis quod nedum publica fama et clamosa insinuacione precedente ad nos referentibus de diuersis criminibus culpis et excessibus Elicie Buthler abbatisse de Kilkylyhyn alias de Belliportu Ossoriensis diocesis, ex lamentabili querela tocuis conventus monialium eiusdem monasterii ad audienciam nostram pervenit, quod predicta Elicia abbatissa diuersa bona fructus res redditus et proventus ac ecclesiastica beneficia eiusdem monasterii irrequisito concensu ipsius conventus monialium dilapidare consumere dissipare et in suos prophanos vsus et nepharios conuertere non expauit, monasterium ipsum eciam in suis parietibus structuris fenestris portis tecto aulis domibus et

edificiis enormiter in ruinam quasi irrecuperabilem abire permisit, porcionem quoque eidem conventui ex sentenciis decretis compositionibus ordinariorum aliorumque bonorum virorum consensu expresso eiusdem abbatisse ad hoc intercedente de facto miserie et impie ab eis subtraxit, propter quod easdem moniales extra claustrum et monasterium per curias dominorum potentum et aliorum amicorum exire contra regularem earundem obseruanciam, aut in penuria et paupertate sine victu vestitu ibidem permanere coegit, aliaque diuersa enormia crimina vicia et defectus perpetravit, propter que merito regimini et administrationi dicti monasterii se reddit indignam, vnde nobis dicte moniales supplicauerunt instanter quatenus de optimo remedio eisdem monialibus et monasterii calamitatibus celeriter providere dignemur.

Nos [*parchment holed*] volentes defendere et videre diligenter vtrum clamorem qui ad nos pervenit opere compleuerat dicta abbatissa, decreuimus dictum monasterium tam in capite quam in membris fore visitandum et reformandum, et predictam abbatissam ac eiusdem monasterii totum conventum monialium ad certos diem et locum videlicet ad XVIII diem mensis Septembris instantis anni domini videlicet millesimi CCCC XXXII in supradicto monasterio, transmissis nostris citatoriis litteris certi et soliti tenoris cum nostro publico preconio, citauimus et iussimus in iudicium evocari, cuius quidem citacionis tenor sub nostro sigillo autentico clare constat inter acta.

Termino namque dicto adueniente ac nobis in antefatis loco et tempore assignacionis protribunali sedentibus, partibus predictis videlicet abbatissa et conventu de Belliportu preconisatis et personaliter comparentibus, advocatus predictarum monialium promovencium inquisitionem contra eandem abbatissam assurrexit in medium et quandam petitionem descripti serie contra predictam abbatissam ad eiusdem abbatisse amouicionem et priuacionem propter infrascriptas causas nobis porrexit, ex qua quidem petitione illico certas posiciones descripti et serie extraxit et perlegit, postulans idem advocatus instanter quatenus prestito prius iuramento de veritate dicenda et premissis premittendis deberemus precipere et iubere eidem abbatisse respondere ad easdem posiciones per verbum 'credo' vel 'non credo,' quarum posicionum tenor [MS. tenore] sequitur in hec verba.

Primo tibi supradicte Elicie asserte abbatisse de Kilklyhyn

alias de Belliportu in virtute tui iuramenti pars tocius conventus monialium monasterii eiusdem ponit et si negaueris probare intendit quod notorie et incestuose fornicata es et cum quodam professo cuiusdam religionis ¹apropatem prolem palam ex eo procreando : ponit tibi coniunctim et diuisim et de quolibet.

Item ponit tibi eadem pars que supra et si negaueris probare intendit quod diuersa bona beneficia fructus proventus eiusdem monasterii dilapidando inuutiliter consumpsisti : ponit coniunctim et diuisim et de quolibet.

Item ponit tibi domine Elicie predicte pars predictarum monialium et si negaueris probare intendit quod discurrebas per curias potentum et dominorum secularium vagando : ponit vt supra coniunctim et diuisim et de quolibet.

Item ponit tibi pars que supra quod hoc fecisti in dampnum monasterii supradicti nulla licencia ab aliquo tuo superiore petita vel optenta : ponit vt supra.

Item ponit tibi pars que supra et si negaueris probare intendit quod, te maioris excommunicacionis vinculo innodata per patentes litteras reuerendi in Christo patris Oliueri Ossoriensis quondam episcopi propter certas et rationabiles causas, diuina officia actiue et passiuue sicut prius celebrasti in irregularitatis laqueum dampnabiliter te inuoluendo : ponit coniunctim et diuisim vt supra.

Item ponit tibi Elicie Buthler asserte abbatisse de Kylkylyhyn quod es maioris excommunicacionis vinculo innodata pro et ex eo, quod manus violentas vsque ad sanguinis effusionem suadente diabolo (in personas) quarundam monialium professorum dicti monasterii, videlicet Anne Cleri, Elicie Gall, et Katerine Mothyng, iniecisti, et diuina officia demum celebrasti, in laqueum irregularitatis te inuoluendo.

(Item) ponit tibi dicte pretense abbatisse et si (negaueris) probare intendit pars que supra, quod predictum monasterium de Belliportu alias de Kilkylyhyn ob defectum evidentem debite reparacionis in parietibus portis fenestris tectis cameris domibus aulis edificiis in enormem ruinam quasi irrecuperabilem, nisi de celeri remedio eidem succurratur, abire permisisti : ponit coniunctim et diuisim et de quolibet.

Item ponit tibi et si negaueris probare intendit pars que supra, quod quendam adolescentem, videlicet Johannem M^oOdo famulum cuiusdam Magoni Fusci, membro iniuriose mutulasti, laqueum

¹Sic MS: Sense would be obtained by reading *apparentem*.

irregularitatis eo ipso exinde incurrendo, a qua citra sedem apostolicam nequis absolui: ponit coniunctim et diuisim et de quolibet.

Item ponit tibi Elicie Buthler pars predictarum monialium quod viciosum ingressum ad habitum et religionem et ad ipsum monasterium in quo es a principio habuisti sicut ad huc habes, quod extra monasterium ab alieno episcopo extra diocesim sine licencia abbatisse tunc illius monasterii et omnium monialium eiusdem monasterii et episcopi Ossoriensis habitum religionis illicite suscepisti ab episcopo Waterffordensi: ponit coniunctim et diuisim et de quolibet.

Item ponit tibi pars que supra, quod postquam talis qualis pretensa electio de te ad illam abbaciam de Kilkillyhyn facta erat, antequam confirmata erat illa pretensa electio, intrusiue fructus et redditus et proventus eiusdem monasterii per dies et annos nomine eiusdem dignitatis percepisti: ponit tibi pars que supra coniunctim et diuisim et de quolibet.

Item ponit tibi et si negaueris probare intendit, quod de premissis omnibus laborat publica vox et fama.

Quibus quidem posicionibus in iudicio perlectis, dictus advocatus instanter peciit quatenus deberemus iubere dicte Elicie abbatisse asserte respondere dictis posicionibus mediante suo iuramento per verbum 'credo' vel 'non credo' secundum iuris exigenciam, et si negaret contumaciter eis respondere ad iussum nostrum, quod ipse posiciones premissis tunc prius premittendis deberent haberi eo ipso pro confessatis.

Tandem vero cum nos prehabita sufficienti atque matura deliberacione ipsi abbatisse respondere posicionibus iussimus, ipsa manifeste renuit spreto nostro iussu eis respondere, et contumaciter recessit a nostra presencia. Nos autem crastinum diem in eodem loco nobis ad deliberandum super propositis assignauimus, ad quos diem et locum tam moniales quam ipsam abbatissam peremptorie citauimus et causam continuauimus.

Prefata quoque die adueniente nobisque ibidem videlicet in loco assignacionis protribunali sedentibus, partibus preconizatis, monialibus tam per se personaliter quam per suum advocatum comparentibus, pars abbatisse contumaciter comparere licet expresse monita citata et requisita noluit, tunc advocatus monialium instanter diuersis iuribus pro voto allegatis peciit nedum posiciones propter contumaciam abbatisse haberi pro confessatis sed eciam peciit omnes et singulos fructus res redditus

et proventus et decimas dicte abbacialis dignitatis propter contumaciam partis abbatisse et propter imminens (*sic*) de presenti ipsorum fructuum dilapidacionem sequestrari. Nos vero, pensatis pensandis ac prehabita matura deliberacione cum iuris peritis tunc nobis asistentibus, decreuimus omnes et singulos fructus et decimas eiusdem monasterii, propter contumaciam manifestam abbatisse et propter metum dilapidacionis verisimiliter imminens, de proximo in manibus nostris duximus sequestrandos et sequestrauimus, custodes nostri sequestri dominos Denicium Huyggyn et Denicium Leghre capellanos et Jacobum Brenaghe deputantes, decreuimus pariter omnes posiciones monialium propter contumaciam abbatisse iussu nostro precedente eo ipso haberi pro confessatis.

Tandem vero antedictus advocatus easdem posiciones confessatas licet ex superabundanti conuertebat in articulos, et peccit se admitti ad eos probandos, licet iam iuris interpretracione (*sic*) erant probati. Nos eius petitioni ad maiorem cause declaracionem annuentes, ipsum ad easdem posiciones in articulos conuersas probandos admisimus, vnde tunc notoritatem facti permanentis, scilicet ruina monasterii et dilapidacione fructuum, fornicacione incestu et prolis procreacione, et porcionis monialium pro victu et vestitu eis debitorum et debendorum notoria subtraxione, in vi [*sic*, ? via] deduxit probatiua, et super notoritate omnium et singulorum premissorum nominauit et examinari procurauit nos et officialem Ossoriensem et dominum precentorem ecclesie Ossoriensis, qui deposuerunt iurati omnia premissa prout melius sciunt continere veritatem, causam sciencie reddentes quod omnia premissa sciuerunt viderunt et nouerunt quia presentes erant prout (*word obscure*) cum (?) omnia premissa erant gesta et acta et cetera vt nunc palam se exhibent, denique eciam idem advocatus peccit terminum competentem sibi ad secundo producendum testes super aliis articulis exposicionibus deductis probandis, videlicet super articulis diuersarum excommunicacionis irregularitatis intrusionis et membri mutilacionis congruis loco et tempore assignari, nos tunc feriam secundam tunc proximo futuram ad secundo producendum testes super predictis articulis in ecclesia parochiali de Dunfart Ossoriensis diocesis assignauimus, ad quos diem et locum partes preemtorie citauimus et causam continuauimus et cetera.

Quo die adveniente nobisque ibidem protribunali sedentibus, parte monialium tam per se quam per advocatum comparente, pars abbatisse in sua solita permansit contumacia, nos tunc auditis quibusdam allegacionibus partis monialium ad convincendam abbatisse maliciam et graciose eius adventum expectantes et sub eodem desiderio feriam quartam proximam tunc futuram post festum Sancti Michaelis Archangeli instantis anni in ecclesia cathedrali Sancti Kanici Kilkennie prefiximus et assignauimus, ad quos diem et locum partes peremptorie citauimus et causam continuauimus et cetera.

Inaccitato quoque termino adveniente nobisque in loco assignacionis protribunali sedentibus, partibus preconizatis, parte monialium tam per se quam per suum advocatum comparente, pars abbatisse in sua solita permansit contumacia, demum advocatus predictus contumaciam abbatisse accusans produxit certos testes ad probandum quod predicta abbatissa erat pluries maioris excommunicacionis vinculo innodata, quorum testimonium secuntur sic.

Willelmus Quemerford decanus Ossoriensis primus testis productus et in forma iuris diligenter examinatus in animam suam deponit quod vidit et perlegit litteras bone memoire reuerendi patris Oliueri quondam Ossoriensis episcopi suo sigillo sigillatas directas contra Eliciam Buthler abbatissam de quibus in articulis et posicionibus propter non solucionem cuiusdam annue pencionis debite ab eius monasterio ecclesie cathedrali Sancti Kanici, et dixit quod nunquam soluebat ipsa abbatissa pencionem illam abhinc, et dixit quod est abhinc ut melius scit et intelligit excommunicata, et quod est notorium quod celebrat et celebrari coram se facit diuina officia irregularitatis maculam exinde incurrendo. Dominus Willelmus Vale, dominus Dionisius Huyggyn, capellani, similiter examinati et iurati concordant in omnibus et per omnia cum proximo teste. Anastacia Cantwell, Elicia Gall, Katerina Mothing, Anna Cleri, moniales professe eiusdem monasterii, examine in forma iuris deposuerunt quod predicta abbatissa iniecit manus violentas cum sanguinis effusione in personas illarum monialium, videlicet Elicie Gall et Anne Cleri, et sine sanguinis effusione in personam Katerine Mothyng, requisite vtrum per viam correccionis hoc fecit, dixerunt quod non, set per rixam et iniuriam, dicunt quod sepius abhinc celebrauit et celebrari procurauit et cetera.

Quibus quidem testibus sic rite receptis ipsorumque attestacionibus publicatis ad petitionem monialium propter animarum et diutine vacacionis dicti monasterii periculum crastinam tunc diem prehabita provida atque matura deliberacione in eodem loco ad sentenciam diffinitivam in causa prescripta proferendam prefiximus et assignauimus, ad quos diem et locum et cetera.

Quo die adveniente nobisque in loco assignacionis protribunali sedentibus, parte monialium comparente, parteque abbatisse in sua solita semper permanente contumacia, Nos ad sentenciam diffinitivam proferendam in negotio processimus predictis (*sic*), cuius sentencie tenor sequitur sic.

Nos Milo permissione diuina Ossoriensis episcopus ac in quadam causa cuiusdam inquisicionis mote contra Eliciam Buthler abbatissam de Kilkyllyhyn ad instanciam tocius conventus monialium eiusdem monasterii monialibus eiusdem monasterii eandem causam prosequentibus ordinaria auctoritate rite procedens, Quia visis et intellectis meritis prefate cause invenimus omnes articulos propositos et ministratos per easdem moniales promoventes eandem inquisicionem contra sepefatam abbatissam fore veros eosque legitime fuisse coram nobis probatos, videlicet quod ipsa abbatissa commisit crimen fornicacionis dilapidacionis incestus, Invenimus eciam ipsam omnibus viciis culpis criminibus excessibus aliisque defectibus suprascriptis de quibus erat articulatum esse irretitam, Igitur Christi nomine invocato per hanc nostram sentenciam diffinitivam quam in hiis scriptis ferimus et promulgamus, predictam abbatissam propter supradicta crimina et defectus coram nobis sufficienter probata predicta abbassia de Kilkyllyhyn priuamus et amouemus ipsamque priuatam et amotam ab illa dignitate exigentibus suis quam plurimis criminibus culpis et excessibus esse ostendimus discernimus et declaramus. Lecte (*sic*) et lata est hec sententia anno loco mense et die quibus supra, Hiis testibus presentibus, domino Nicholao Mothing cancellario ecclesie Ossoriensis, Tatheo Oheneassa iurisperito, Donato M^cCathmell clerico, Johanne Dowlye, Patricio Juueni, et multis aliis. Supra quibus omnibus et singulis et toto processu nos antefatus reuerendus pater episcopus officium magistri Donati Cathmyll notarii publici tunc et per totum processum presentem (*sic*) instanter rogauimus, quatenus premissa in publicam deberet redigere formam et cetera. Acta sunt hec prout supra scribuntur et recitantur sub

anno domini indiccione quinta pontificatu locis et diebus quibus supra sub sigilli nostri testimonio.

In dorso: An Instrument concerning Ellice Butler abbates of Kilkilyhyn.

Seal gone; remains of tag.

Parchment, 475 × 560 mm.

The deed is much damaged, being creased, torn, and holed.

B22. [96].—Admission by Milo, Bishop of Ossory, of Nicholas Wyth to the vicarage of Eirke, on the presentation of the Earl of Ormond, with mandate to the Archdeacon for induction, and the latter's certificate. 21 March, 1533-4.

Milo permissione diuina Ossoriensis episcopus dilecto nobis in Christo domino Nicholao Wyth cappellano salutem, Cumque ad vicariam perpetuam ecclesie parrochialis (*sic*) Sancti Michaelis de Eyghirk nostre Ossoriensis diocesis per circumspectum virum dominum Jacobum Cleri presentorem ecclesie Ossoriensis, ac procuratorem illustris viri domini Petri Bullter Comitis Ossorie ipso in remotis agente ad hec et alia specialiter et legitime deputatum, nobis presentatus existeras: Igitur te antefatum dominum Nicholaum sic nobis presentatum ad prefatam vicariam de iure et de facto nuper vacantem per obitum bone memorie domini Philippi Gras virtutum ac meritorum tuorum intuitu admittimus, teque in et de eadem cum omnibus eius iuribus et pertinenciis et cum plenitudine iuris canonici auctorizabiliter instituimus et investimus: Mandantes reuerendissimo in Christo patri ac domino domino Edmundo permissione diuina Cassellensi archiepiscopo nostro Ossoriensi archidiacono, quatenus te prefatum dominum Nicholaum sic presentatum et admissum in actualem et realem possessionem vel quasi prefate vicarie cum eius omnibus iuribus et pertinenciis inducat inductumque defendat, ceteraque in hac parte faciat que iuris fuerint et rationis, contradictores eciam si opus erit per censuram ecclesiasticam compescendo. In cuius rei fidem sigillum nostrum hiis aponi iussimus. Dat' ex nostra curia iuxta Kylkenniam anno incarnationis dominice M^oCCCCXXXIII mensis uero Martii luce XXI^o.

[*Alia manu*] Et nos Edmundus Cassellensis archiepiscopus necnon Ossoriensis archidiaconus supradictas litteras nostri in hac parte episcopi iuxta earum vim formam et effectum exequimur, eundem dominum Nicholaum vt predicatur presentatum et admissum in realem actualem et corporalem possessionem dicte vicarie iuriumque et pertinenciarum eius inducendo prout tenore presencium inducimus. In cuius rei fidem robur et testimonium sigillum nostrum quo in talibus vtimur presentibus apponi fecimus. Datum in ecclesia Sancti Kanici anno domini M°CCCC°XXXIII die et mense quibus supra.

In dorso: The Bissshop of Ossoryes comission vpon therle of Ormonds presentacion to the vicarage of Eyrke in Com. Kilkeneye.

Pieces (mere lumps of red wax) of the two seals.

Parchment, 327 × 222 mm.

B23. [III].—Lands belonging to St. Mary's Church, Callan. [Mid. cent. 16].

Jhs.

The tylling landis longig to oure Lady Church of Callane as hit appereth her after euery parcell by hitself.

In primis by the este bother anaker ande on stange betwex the bother in the north and Recharde Huryné in the south the which . . . (*erasure*) m° Dauid Ofogerte m° Isbell Whytt occupieth *iiiiid. ob.*

Item the blake acker in the same in the est sydde *iiiiid. m°* Richard Walch William Trody.

Item anakyr callyd akere hotwke m° John Bugyn *iiiiid. m°* Richard Flemyn.

Item mor in the este bovtoun anaker betwex the lordis gronde in the este and Rois Calf in the weste ande vpon Gower is diche the whiche (*three words crossed out*) Wylliam M°Edmond *iiiiid. m°* John Herford *iiiiid.* Philip Trody and John Swettman.

Item in the same felde by Gower is diche anaker and astange betwex Nicholas (*above this m° . . .*) Smeth in the este ande (the treinte gronde *crossed out*) John Dwyskyr in the weste the which (Davy Milode occupieth *crossed out*) m° . . . Vater Mylott

vid. Item the said Nycholas Smyth ys acre is our lady ground whyche John Brenan (*above* William Walshe) occupieth *iiiiid.*

Item kyleman' anaker and half betwex Thomas Ocarhill in the este ande [the] treinte in the weste the [which] Dermote M^cHug ooccupieth *iiiiid.* ob. m^o Tomas Walche m^o Philip Trody.

Item in the same felde anaker and half betwex Phelipe Milode in the south and the treinte in the northe *iiiiid.* ob. m^o Denicius Hertyle.

Item in the same ffelde half anaker and the ende vppon the bothere *iiiiid.* Tomas Clery m^o More Brytt.

Item at Pasheide anaker the which Tek Ohedyane occupieth *iiiiid.* m^o (*erasure*) James Mylott.

Item in dame Ellynouris hill anakere betwex the treinte in the este and the path wey the which goth to the long more *iiiiid.* Tek Ohedian occupieth m^o Astes . . . m^o Rychard Dwiskyr.

Item by the same path wey in the weste Rossine Fynnell anaker the which William M^cEdmond holteth *iiiiid.* m^o Rychard Haruey (?) & sir James (?) Horfort (?) m^o Pylip Rothe.

Item anaker ande (*sic*) the on end vppon Gower is Dich ande that other vppon Hobbirchoun is Keppagh the [which] Roberte Quonan occupiete *iiiiid.* m^o Astes Brytt.

Item at the gorttimis (*sic*) ii ackeris and the ende vppon John Ferter is medde the which Piers Nott and William M^cEdmond occupieth *vid.* m^o Conekwr' Rothe.

Item in Kemersffelde half anaker betwex John Duske in the est, ande Water Archer in the weste, the which Davy Mylode occupieth *vid.* ob. . . . m^o John Kyryn . . . at vii . . . Valter Dusky.

Item in the same ffelde ii akeris Seinte Katerin is gronde in eache side the whiche James Cheppete occupieth *vid.* m^o John Kyryn & sir Nychlas Clery.

Item in the brode ffelde anaker betwex John Ferter in the este and John Brown in [the] weste the which James Cheppote occupieth *iiiiid.* m^o Tomas Gorman.

Item iii stangs in the said ffelde betwex the treinte in the este and James Avnell in the weste John Horford occupieth *iiiiid.* m^o Thomas Kenedy sir Nychlas Clery Fouke Quemerfortt.

Item by the redde medde in the west side anaker and halfe the which James Cheppete occupieth *iiiiid.* m^o Rory Kegan m^o John Felan.

Item in the ende of the same in the northe anakere bytwex John Ferter (*erasure*) *iiiiid.* ob. m° Niclas Mylys m° Katryn Douy.

Item anaker be weste the vii ackeris the which James Cheppete occupieth *iiiiid.* Phylip Trody.

Item by the redemore in the north sidde anaker the which John Motyng occupieth *iid.* m° William Felan.

Item at the Rederath anakere by William Bretnagh weste the which James Flemyng occupieth *iiiiid.* John Motyng. m° Malaglyn . . . Felan m° William Felan Thomas Casse.

Item at the Swolloesis anaker betwex Water Kenny in the este the which sir John Cantwell occupieth *iiiiid.* m° John Motyng Philip Trody.

Item at the slad anaker and halff betwex Dauit Scary in y° este and Jamys Kormyl' in y° west *vid.* John Felan.

Item at the rederath anaker and half the treinte gronde ouer euerie side, the which Nicholas Milis occupieth *viiid.* sir William Sleger William Lorcan.

Item at the rederath anaker half betwex the treinte in the este and Fenyll Clerke in the weste the which William Milis occupieth *iid.* m° John Motyng m° Derby Fagan Richard Fanyng.

Item at cattis bushe anaker and half the which m¹⁰ Thomas Mothing occupieth *vid.* m° Philip Trody.

Item in Westebovtoun ii ackeris and half betwex the treinte in the este and the wekery in the weste *xd.* m° Water Mylott.

Item by the same in the south ende anaker the which is callite hungrybelt the which iii ackeris and half Johan Keste occupieth *iiiiid.* m° Dauit Dogan. John Felan.

Item in the brode more *iiii* ackeris and astance Astus Duf' anaker William Gorman ii ackeris William Fynvgan half anaker Conhour Kevan half anaker *iiiiid.* anaker m° Denys Hertile and Dauit Dogan. Tomass . . . ess William Sim . . . n.

Item in the same ffield anaker and half the which (*erasure*) occupieth (*iiiiid. crossed out*).

Item in the Walasshis ii ackeris the which Patrike Follan occupieth *viiid.* m° Water Mylott.

Item in the same ffelde iii ackeris wonyn vpon the same southward to the bother the which Johan Keste occupieth *xiiid.*

Item anaker and half the which Nicholas Milis occupieth *iiiiid.* ob. m° Margret Motyng William Trody m° Rycharde Whyte.

Item in the saide ffelde, by the Horestoun in the weste, anaker the which James Kenedy occupieth iiiid. m° James Whit m° Walter Croke.

Item in the same ffelde anaker and half the which Thomas Fenegan occupieth iiiid. ob m° William Lorcan.

Item in the littill (?) clom' (?) ii ackeris the [which] Johan Keste occupieth viiid. m° Richard Fanyyn.

Item in the brode more anaker and half the which Pers Nott occupieth iiiid. ob. m° (*erasure*) sir Nychlas Motyng otorne (?) Derby Fagan.

Item mor ii akeris in the vii Thomas Mottinge in the south syde the treinte in the north the which John White and T. Fenegan occupieth m° Thomas . . . yr.

Item [in] the wey is end anaker and half John White in the north side and the frery in the southe as ye goth causy Kerdowe (?) iiiid. . . .

Henery (?) Gall.

[This last name may be a signature to the original statement, which appears to end here, the remaining entries being in a different hand].

Item in the brodemore iii acres the whiche Donyll Duf Okarwll occupieth ii acres and William M°Philip i acre sir John Cormyk iiiid. ob.

Wylliam Carrake Flemyng is growe.

Item in the blakrathe anakyr and astang whiche William Mychan occupieth iiiid. m° Tomas Ohediyen.

Item at the lang' ryge iii stangis John Ferter ys growe in euery side iiiid. Patrik Brenan (*above line* m°) William Walche.

Item a stang in the Westbowtwn betwex Niclas Mylys in the west and John Ferter in the est. id. Niclas Dwly m° Phyllip Trody.

Item in the slad dim. acre to by Seynt Kateryn ys grownd in the west the whiche John fi Archer occupieth iid. m° James Nas.

Item in the brod feld dim. acre betwex Seynt Kateryngis in the west and Philipp Mylis in the est iid. m° . . . (? Englyshe Water Mylot.

Summa xviii. id. ob.

Old endorsements in various hands, such as :—

Sum' of the . . . mesuages xviii. *xd.*

. . . the aut (?) lands xviii. *vid.* . . .

. . . the howssys rent xviii. . . . *d.*

besyd the chewyr is . . . xxviii. *iiiiid.*

viii. *iiiiid.* the holl xxxiii. *ixd.* *ob.*

Niclas Dwly rest cler' of iiiii galys xxxiii. *xid.*

Later endorsement : Church lands in Callan.

Parchment, 300 × 500 mm.

Note : The document is mainly in one hand, but there are many additions substitutions and interlineations, some in (perhaps) the same hand at another time, the others in various other hands. The additions are the names of newer tenants succeeding older ones ; these names have generally prefixed *m^o* (*i.e.*, modo, at present). The document is much soiled, and some words it is now difficult or impossible to read.

Sir Nicholas Clery is no doubt the person who was Chaplain of St. Catherine's Chapel, Callan, from 1563. We know from deed no. 128 in the present volume that his successor was in office on 4 March, 1569-70. Sir Nicholas Motyng may be the Chancellor of St. Canice's, Kilkenny, who died in 1568. Both these names belong to the additions. Phillip Trody, burgess, died in 1563. It would appear that after being drawn up the document was kept in use and revised from time to time during a period (of perhaps ten or twenty years ?) ending between 1563 and 1568.

B24. [115].—Letters of administration granted by Milo, Bishop of Ossory, to James Butler, Earl of Ormond, and his brother Richard, of the goods of the late Countess Margaret. 12 August, 1542.

Milo permissione diuina Ossoriensis episcopus honorabili ac circumspecto viro domino Jacobo Butler Comiti Ormondie et Ossorie, ac discreto viro magistro Ricardo Butler eiusdem Comitibus fratri, salutem in Domino sempiternam, et presentibus debitam impendere executionem. Et quia de antiqua et rationabili ordinatione ac consuetudine ecclesie nostre Ossoriensis et predecessorum nostrorum episcoporum Ossoriensium retroactis

diutinis temporibus, quorum contrarium in hominis cadere non potest memoria, vsitatum ordinatum statum et obseruatum est, quod episcopus Ossoriensis pro tempore existens habeat vel comittat alicui discrete persone vel aliquibus discretis personis secundum Deum et conscientiam exequi et executioni debite demandare voluntates decedentium abintestato, de vestris igitur industria legalitate ac circumspectione in rebus agendis sicut efficax rerum magistra experientia edocet in Domino Jesu Christo multum confici, administrationem omnium et singularum rerum et bonorum bone memorie domine Margarete FitzGerald matris vestre (abintestato decesse) ac relicte domini Petri Butler Comitis Ormondie et Ossorie, cum potestate ea apprehendendi et in vsus debitos distribuendi et convertendi, vobis, recepto a vobis prius iuramento de fideli administratione facienda, et de compoto desuper nobis cum requisiti fueritis redendo, ac foro ecclesiastico non declinando, conferre et assignare noveritis, sicut presentium auctoritate conferimus et assignamus, Ratum et gratum habentes et habituri quicquid et totum quod in premissis et ea quoquo modo tangentibus rationabiliter duxeritis statuendum. Dat' Kilkennie XII die Augusti anno domini milesimo quingentesimo quadragesimo secundo, Et anno regni invictissimi principis et domini Henrici octavi Anglie Francie et Hibernie regis fidei defensoris ac in terra ecclesie Anglicane et Hibernicane supremi capitis XXXIII^o, presentibus tunc domino Edmundo miseratione diuina Cassellensi archiepiscopo, domino Jacobo Clere decano, et Nicholao Moting cancellario, Ossoriensibus, magistro Jacobo White recordatore ciuitatis Waterfordensis, magistro Waltero Cowley solicatoris domini regis in Hibernia, magistro Adam Walshe officiali Ossoriensi, et multis aliis testibus ad premissa vocatis et rogatis.

In dorso: the dede of mynistracioun of my Ladie Margareteis goods to my Lo: James.

(*Alia manu*) a letter of administracion to James Erle of Ormond and his brother Richard of the goods and chatels of dame Margaret Countes of Ormond.

A fragment (mere lump) of the Bishop's seal remains.

Parchment, 305 × 177 mm.

B25. [1117].—Lease by the Vicars Choral of St. Canice's, Kilkenny, to James Grace, of the vill of Corrystown. 23 September, 1543.

Hec indentura facta vicesimo tercio die mensis Septembris anno domini millesimo quingentesimo quadragesimo tercio, Inter probos atque discretos viros vicarios chorales communis aule ecclesie cathedralis Sancti Kannici Kilkennie parte ex vna, et Jacobum Grace parte ex altera, Testatur quod predicti vicarii de eorum vnanimi assensu et concensu, pariterque eorum ac dicte aule evidenti vtilitate pensata, necnon et diligenti tractatu matura atque deliberacione et sufficiente cause cognicione et adhoc collegialiter congregati, decani licencia prehabita, dederunt concesserunt et ad firmam tradiderunt pro se et eorum successoribus prefato Jacobo heredibus et assignatis suis, villam vulgariter nuncupatam Corryston' in comitatu Kilkennie, habendam et tenendam predictam villam cum omnibus suis pertinenciis et vtilitatibus in pratis moris pascuis pasturis (silua siue nemore excepto) prefato Jacobo heredibus et assignatis suis ad terminum quinque annorum, et sic de termino in terminum vsque ad finem sexaginta vnus annorum plenarie complendorum post datam confeccionis presencium, Termino incipiente in festo Sancti Michaelis archangeli immediate sequente, Reddendo inde annuatim predictus Jacobus heredes et assignati sui prefatis vicariis et eorum successoribus viginti solidos bone et vsualis monete Hibernie ad duos anni terminos, videlicet dimidietatem ad festum Pasche et aliam dimidietatem ad festum Sancti Michaelis archangeli, cum omnibus aliis customagiis tollagiis bondagiis et subsidiis ac omnibus aliis oneribus eandem villam ex parte patrie et aliorum quorumcunque concernentibus et sic de anno in annum et de termino in terminum durante firma predicta cum capitali redditu si petatur qui est denarius singulis annis. Et antedicti vicarii concedunt pro se et eorum successoribus quod dictus Jacobus heredes et assignati sui habebunt liberam licenciam ad virgas virgulta et palas scindendum ex dicta silua siue nemore et abinde portandum tantummodo ad vsum siue ad reparacionem dicte ville quociens necesse fuerit firma predicta durante. Et dictus Jacobus obligat se heredes et assignatos suos soluere predictum annualem redditum infra lapsum sex ebdomadarum post quotlibet festum festorum predictorum prefatis vicariis et eorum successoribus sub pena duplicacionis prenominati

redditus tociens quociens neglectus fuerit. Atque idem Jacobus heredes et assignati sui reparabunt antiquam domum lapideam in eadem villa tam in opere lapideo quam ligneo atque in tectu et reparatam ac sic edificatam .s. [*meaning sustinebunt?*] styfe strong & stanche firma predicta durante et in fine firme sursum reddent cum singulis aliis edificiis que in dicta villa edificare fecerint omni excusacione et impedimento post positis. Et predictus Jacobus heredes et assignati non vendent nec in mortuum vadium conferent antedictam firmam vel aliquam eius particulam alicui homini neque aliquibus, nisi de speciali licencia predictorum vicariorum aut eorum successorum pro tempore existentium, et si dicti vicarii aut eorum successores soluent aut dabunt prefato Jacobo heredibus aut assignatis suis tantam summam pro firma predicta sicut aliquis alius soluet et dabit, tunc predicti vicarii et eorum successores habebunt dictam firmam et quamlibet eius particulam ante omnes alios, hoc dico fraude et dolo ex vtraque parte abiente, sub pena anichilacionis firme. Et antedicti [*etc., clause of warranty*]. In cuius rei testimonium huic parti indenture penes prefatos vicarios remanenti predictus Jacobus sigillum suum apponi fecit. Dat' die mense et anno quibus supra anno regni regis Henrici octavi XXXV°. Insuper idem Jacobus obligat se heredes et assignatos suos soluere prefatis vicariis et eorum successoribus bonam ovem et par auarum in quolibet festo Sancti Michaelis archangeli firma predicta durante. In cuius rei testimonium ut supra et cetera.

In dorso: Indentura Jacobi Grace super Corryston. Correston leased by the vicars corralls expired dat. 1543.

Seal (not armorial) of James Grace, perfect.

Parchment, 340 × 220 mm.

B26. [120].—Statement certified by Edmund, Archbishop of Cashel, and the Sovereign and Council of Clonmel, of evidence tendered on behalf of the Earl of Ormond to show that the patronage of the church of Kilconnel is appendant to the manor of Kilcash. 26 June, 1545.

Vniuersis et singulis vtriusque sexus Christi fidelibus has

nostras presentes litteras testimoniales visuris audituris et lecturis, et presertim illi vel illis quem seu quos infrascriptum tangit negocium seu tangere poterit in futurum, Nos Edmundus miseracione diuina Cassellensis archiepiscopus, necnon et Superior ac concilium ville de Clonmell quorum nomina subscribuntur, salutem et presentibus fidem adhibere indubiam. Nouerit vniuersitas vestra quod cum nos quandam examinacionem certorum testium coram nobis super veritate infrascriptorum articulorum ministratorum nobis in villa de Cassell decimosexto die Februarii anno regni regis Henrici octauī XXXVI productorum audiuissemus, quorum dicta saluti in papiro manibus nostris subscripto scribi fecimus, quia tamen dominus Patricius Couresye cantor siue precentor ecclesie cathedralis Cassellensis, procurator seu attornatus prehonorabilis domini Comitum Ormondie ad infrascripta expedienda specialiter deputatus, nos instanter rogauit quatenus huiusmodi dicta et attestaciones predictorum testium in pergamento quod longius perdurasset, ut sic eidem tanquam magis autentice scripture maior plenaquē fides in futurum adhiberetur in iudicio et extra, si casus accidisset necessitatis, vbi veritas per defectum probacionis a falsitate forte opprimeretur, conscribi et redigi faceremus, vnde nos eius precibus rationi consonis inclinati huiusmodi dicta et attestaciones de verbo ad verbum nil addito vel diminuto quod rei substanciam mutaret in hoc pergamento redigi et scribi fecimus in hunc qui sequitur modum. Articulus est talis, quod dominus manerii de Killcaishe in comitatu Tipperarie fuit erat et est verus patronus parochialis ecclesie de Killconyll Cassellensis diocesis iure et titulo dicti manerii per tantum tempus de cuius inicio memoria hominum non existit. Secundus articulus est, quod dominus dicti manerii presentauit quendam Adam Hiffirnan suum clericum vltimum rectorie eiusdem ecclesie incumbentem ad eandem rectoriam iure dicti manerii. Tercius articulus est, quod idem Adam vigore illius presentacionis et admissionis ordinarii ad eandem erat in pacifica possessione dicte rectorie durante vita sua. Quartus articulus est, quod de hiis omnibus est publica vox et fama. Johannes Henese, vicarius de Killmyloge Cassellensis diocesis, primus testis super veritate dictorum articulorum productus iuratus et in forma iuris diligenter examinatus, deponit omnes articulos continere veritatem, causam sciencie reddens in omnibus quod ipse est in etate sexaginta

annorum, et vidit Tatheum filium Johannis clericum ad articulatum rectoriam per dominum de Killcaishe presentatum et per ordinarium admissum in pacifica possessione vigore illius presentacionis eiusdem rectorie fore durante vita sua, et post eius obitum vidit Edmundum Mores clericum per dominum de Killcaishe similiter presentatum ad eandem rectoriam in pacifica illius possessione pretextu illius presentacionis continuasse diebus vite sue, et post eius obitum vidit Edmundum filium Tathei Meaghir clericum ad eandem rectoriam per dominum eiusdem manerii de Killcaishe presentatum illius presentacionis intuitu in pacifica possessione eiusdem rectorie diebus suis, et post eius obitum vidit Nicholaum Dullyghynty clericum eadem auctoritate in pacifica possessione eiusdem rectorie diebus suis, et post eum vidit articulatum Adam Hiffirnan clericum auctoritate presentacionis domini de Killcaishe in pacifica possessione eiusdem rectorie durante vita sua, qui quidem Adam erat vltimus incumbens, et dicit quod hec omnia pro publicis habentur in tota patria, non deponit prece nec precio odio nec amore. Thomas Hiffirnan, vicarius de Tullaghmeayn, etatis sexaginta annorum et amplius, secundus testis similiter productus et diligenter examinatus, post suum iuramentum deponit omnes articulos continere veritatem, causam sciencie reddens, videlicet, quod vidit quendam clericum vocatum Rectorem fuscum in pacifica possessione rectorie de Killconyll auctoritate presentacionis domini de Killcaishe, requisitus quomodo hoc scit, dicit quod filius eiusdem rectoris fuscii indicavit sibi presentacionem per dominum de Killcaishe eidem rectorie factam et concessam sigillatam sigillo eiusdem domini et admissionem ordinarii ad eandem rectoriam, et deinde vidit Tatheum filium Johannis Edmundum filium Tathei Meaghir et Nicholaum Dullyghynty clericos successiue in pacifica possessione eiusdem rectorie, et illi omnes, ut communiter dicebatur, et ut ipse testis audiuit, erant presentati, et quilibet eorum erat presentatus, per dominum de Killcaishe, et post eorum tempus dictus Adam vltimus rector, prout pater eiusdem Ade testi referebat, erat per dominum de Killcaishe ad illam rectoriam presentatus, cuius pretextu erat tempore vite sue in pacifica possessione, et dicit quod premissa omnia pro publicis habentur in tota patria, non deponit et cetera. Willelmus Hennese, colonus, etatis septuaginta

annorum, tercius testis, simili modo productus iuratus et examinatus, deponit omnes articulos continere veritatem, requisitus quomodo scit, respondit quod vidit Tatheum filium Johannis habere presentacionem a domino de Killcaishe ad eandem rectoriam, causam sciencie huius dicti reddens quod ipse soluit certam summam pecunie pro illa presentacione optinenda a domino de Killcaishe pro illo Tatheo clerico suo collactaneo, et certa annata eciam ordinario persoluit, et huius vigore idem Tatheus permansit in pacifica eiusdem possessione diebus suis, et post eius obitum Edmundus Mores, et post istius obitum Nicholaus Dullyghynty nomine Edmundi filii Tatheo Meaghir et post Edmundi obitum nomine proprio, et post eum Adam Hiffirnan clericus, erant ibi successiue rectores, et quilibet eorum erat presentatus per dominum de Killcaishe continuauitque in pacifica rectorie possessione durante vita sua, et hec omnia ipse in facto vidit et de eis erat publica fama in tota patria, non deponit ut supra. Richardus Hennese, colonus, etatis L annorum, quartus testis, similiter productus et iuratus, deponit omnes articulos continere veritatem, causam sciencie reddens, videlicet, quod bene nouit Tatheum filium Johannis clericum eandem rectoriam auctoritate presentacionis domini de Killcaishe tempore vite sue pacifice possedissee, ac quod Willelmus suus frater precontestis patrono pro presentacione satisfecit, et post eius obitum Edmundus Mores, et post eum Nicholaus Dullyghynty nomine Edmundi filii Tatheo Meaghir et post Edmundi obitum nomine proprio, illam rectoriam vigore presentacionis domini de Killcaishe pacifice possidebant tempore vite eorum, et postea articulatus Adam erat per dominum de Killcaishe ad eandem rectoriam presentatus, requisitus quomodo hoc scit, respondit quod ipse fuit cum patre dicti Ade quum ipse et seruus Jacobi baronis de Donebone soluerunt domino de Killcaishe XII marcas et vnam tunicam vestis Anglicane pro presentacione ipsius Ade, et vidit eundem Adam in pacifica eiusdem rectorie [possessione] auctoritate illius domini de Killcaishe durante vita sua, et de hiis omnibus laborant publica vox et fama in patria, non deponit et cetera. Thomas Butlere, rector de Cnockgraffan, etatis XL annorum, eodem modo productus et iuratus, deponit omnes articulos continere veritatem, causam sciencie primi et secundi reddens articulorum, videlicet, quod sic a suis compatriotis audiuit, causam sciencie tercii quod vidit articulatum Adam in

possessione tempore vite sue, causam sciencie quarti quod sic communiter reputabatur in patria et narrabatur sibi dum eam pro se impetrare voluit, non deponit et cetera. Petrus Keally capellanus etatis L. annorum similiter iuratus deponit omnes articulos continere veritatem, causam sciencie reddens primi quod sic a compatriotis audiuit, causam sciencie secundi quod sic ab eodem Ada et eius patre audiuit, causam sciencie tercii quod nouit quod Adam fuit in pacifica possessione per totam vitam suam in eadem, causam sciencie quarti quod sic communiter habebatur et pro publico tenebatur, non deponit prece nec precio odio nec amore. Vt autem maior fides et credulitas presentibus adhibeatur, nos tam dictus archiepiscopus quam etiam superior suprascriptus sigilla officii nostri apponi fecimus, nosque ceteri supranominati tam nomina nostra quam etiam sigilla presentibus apposuimus. Dat' XXVI Junii anno regni regis invictissimi Henrici octaui Anglie Francie et Hibernie XXXVII.

[Signed] Edmundus Cassellensis archiepiscopus
Edmond Bray suffreain
Teobald Whyte
James Whyte
Thomas Bathe

In dorso: A testimonial of the advouson of the parsonage of Kilconyll to be appendant to Kilcayshe. The Patronage of Killconnell.

Seal of the Archbishop of Cashel in very fair condition; the second seal gone; impression of the third seal obliterated; half of the fourth broken off; the fifth gone.

Parchment, 425 × 265 mm.

B27. [122].—Absolution and dispensation for schism and irregularity granted to John Archdekin, priest of Ossory diocese, by Thomas, Bishop of Leighlin, under authority of a Letter (recited) from Cardinal Pole, Papal Legate. 25 July, 1558.

In Dei nomine amen. Vniuersis alme matris ecclesie filiis et presertim illi vel illis cuius aut quorum interest seu interesse poterit, ad quem seu quos presens negocium tangit tangere valeat quomodolibet in futurum, Pateat ex amussim nos reuerendum in Christo patrem ac dominum dominum Thomam permissione divina Leghlinensem episcopum litteras reuerendissimi in Christo patris ac domini domini Reginaldi miseracione divina tituli Sancte Marie in Cosmedin sancte Romane ecclesie presbiter cardinalis Poulus nuncupati ac archiepiscopi Cantuariensis sanctissimi domini pape et sedis apostolice ad serenissimos Philippum et Mariam Anglie et Hibernie reges et vniuersa Anglie et Hibernie regna de latere legati, cum ea qua decuit reuerencia recepisse, quarum tenor sequitur et dinoscitur esse talis. Reginaldus miseracione divina [*etc. as above . . .*] cardinalis Poulus archiepiscopus Cantuariensis sanctissimi [*etc. as above . . .*] latere legatus venerabili fratri episcopo Leghlinensi seu eius in spiritualibus officiali generali salutem in Domino sempiternam. Ex parte dilecti nobis in Christo Johannis Archdekin presbiteri Ossoriensis diocesis nuper nobis expositum fuit, quod ipse postquam secus vt non obstante defectu natalium, quem de soluto et soluta incestuosis videlicet quarto consanguinitatis gradu invicem coniunctis genitus patitur, ad omnes etiam sacros et presbiteratus ordines promoveri ac vnum beneficium ecclesiasticum cum cura vel sine cura habere et retinere posset, autoritate appostolica sufficienter dispensatus extiterat, et ipse vigore dispensacionis huiusmodi rectoriam ecclesie parochialis Sanct . . . [*obliteration*] Clonmore eiusdem diocesis [*hole in MS.*] . . . erat, postmodum viginti tunc in hoc et illo regnis perniciosissimo schismati consentiens, aliam ecclesie parochialis Sancte Marie loci de Balitarsine eiusdem diocesis rectoriam rectorie de Clonmore prefate per episcopum schismaticum, quamdiu ipse Johannes eandem rectoriam de Clonmore obtineret, vniri anecti et incorporari procurauit, et dictas rectorias sic vnitas et incorporatas de facto obtinuit, earumque fructus redditus et proventus per aliquot annos illicite percepit, schismatis reatum necnon sentencias censuras et penas contra tales latas damnabiliter incurrendo. Cum autem prout eadem subungebat peticio ipse Johannes de premissis per eum commissis plurimum doluerit et doleat, dictoque schismati et omnibus per eum illicite obtentis penitus et omnino renunciauerit et renunciet, cupiatque

a premissis per eum commissis absolui et ecclesie vnitati restitui ac alias statui suo provideri, nobis propterea humiliter supplicari fecit quatenus sibi de opportuno super premissis absolucionis et dispensacionis remedio de benignitate apostolica providere dignaremur: Nos igitur, considerantes quod ad se redeuntibus gremium non claudit ecclesia, circumspectioni vestre de qua in hiis et aliis plurimum confidimus auctoritate apostolica nobis hac in nostra legacione concessa et qua fungimur in hac parte tenore presencium comittimus quatenus, si est ita, eadem auctoritate apostolica dictum Johannem cognita in eo vera et cinsera penitencia a quibusvis excommunicacionis suspensionis et interdicti aliisque ecclesiasticis sentenciis censuris et penis a iure vel ab homine latis, et si eas per plures annos sustinuerit et in eis insorduerit, etiam racione ind . . . (? indebite) detencionis ecclesiarum prefatarum illarumque fructuum reddituum et proventuum illicite perceptionis, et forsitan contra Papatum Romanum iuramenti prestacionis, et quavis alia occasione vel causa propter schisma et excessus prefatos per eum quomodolibet incursis, necnon schismatis reatu et excessibus huiusmodi, iniuncta inde sibi pro modo culpe penitencia salutari in forma ecclesie consueta in vtroque conscientie scilicet et contencioso foro plenarie absoluatis et liberetis, eumque ecclesie vnitati restituatis et aliorum Christi fidelium consortio agregetis, necnon, cum eodem Johanne, dummodo alioqui vite ac morum honestas litterarum sciencia aliaque laudabilia probitatis et virtutum merita sibi eatenus suffragentur, vt eum hac dispensatione dignum iudicetis super quo conscientiam vestram oneramus, super irregularitate per eum quavis premissorum occasione, etiam quia censuris ligatus missas et alia divina officia celebraverit aut illis alias se inmiscuerit, contracta, quodque illa et premissis ac defectu natalium prefato non obstantibus, omnibus etiam sacris et presbiteratus rite tamen et recte per eum susceptis ordinibus etiam in altaris ministerio vti, necnon rectorias de Clonmore et de Ballytarsine prefatas sic vt prefertur vnitas, dummodo tamen alias vnio huiusmodi de iustis et racionabilibus causis facta fuerit, et in dictis rectoriis alteri ius quesitum non sit, aliudque ipsi Johanni canonicum non obstat, non ea temeritate qua prius sed auctoritate apostolica retinere libere et licite possit et valeat, iuridice in Domino, dispensetis, ac omnem inhabilitatem et infamie maculam siue notam ex premissis circa

eum quomodolibet insurgentem ab eo penitus et omnino aboleatis, ipsumque in pristinum et eum in quo ante premissa quomodolibet erat statum plenarie restituatis reponatis et reintegretis, sibi que fructus redditus et proventus ex dictis beneficiis illicite perceptos, aliquo tamen prius per eum quod in ecclesiarum ipsarum vtilitatem seu aliud pium opus convertatur arbitrio vero errogato, remittatis et donetis, premissis ac regula de insordescentibus aliisque apostolicis ac tam provincialibus quam sinodalibus constitutionibus et ordinacionibus ceterisque contrariis non obstantibus quibuscumque. Proviso quod ecclesie huiusmodi debitis propterea non fraudentur obsequiis et animarum cura in eisdem nullatenus negligatur earum onera congrue supportentur consueta. Datum Lambethe prope Londinium Wintonensis diocesis anno a natiuitate Domini millesimo quingentesimo quinquagesimo septimo decimosexto Calen. Junii pontificatus sanctissimi in Christo patris et domini nostri domini Pauli divina providencia pape quarti anno secundo. Reg. Cardinalis Polus Legatus. Post quarum quidem litterarum exhibicionem presentacionem lectionemque nobis respectiue et per nos factas, per prefatum Johannem impetrantem debita cum instantia fuimus (requisiti) quatenus ad execucionem dictarum litterarum et in eis contentorum iuxta traditam nobis formam procedere iuridice dignaremur. Nos vero prefatus Thomas piis precibus . . . [MS. *holed*] supplicacionibus . . . [MS. *holed*] Johannis inclinati necnon et obedientem ac obediencie filium existere cupientes et arriolandi peccatum et mandatis apostolicis seu preceptis (non) obtemperando incurrere nolentes, decretoque primitus competentie iurisdictionis auctoritate dictarum litterarum per nos primitus (*sic*) emisso, visisque etiam fide oculata aliis litteris alias per eundem Johannem dispensacionis in prima forma super defectu natalium quondam impetratis ac per nos de verbo ad verbum perlectis, ad execucionem istarum litterarum secundo loco et in secunda forma impetratarum iuxta earum vim formam et tenorem diligenter processimus, et in earum execucione premissa sufficienti cause cognitione presentes nostras interponere ut nobis ex eisdem litteris incumbibat non omisimus, sed debite execucioni demandavimus cum eodem Johanne super omnibus effectibus (aliisque ?) inhabilitatibus de quibus in eisdem litteris plenius continetur secundum formam et stilum in eis traditum, imposita sibi prius penitencia iuxta nostre discrecionis arbitrium competenti, dis-

pensantes necnon dispensatum esse et fuisse harum scerie declarantes. In cuius rei testimonium presentibus sigillum nostrum quo ad maiora vtimur apponi fecimus. Dat' in edibus nostribus (*sic*) apud Leghlyn anno domini millesimo quingentesimo quinquagesimo octauo die vero mensis Julii vicesimoquinto.

Signature on the flap: Jo. Jordanus.

In dorso: John Astekin priest his dispensacion.

A portion remains of the Bishop of Leighlin's seal (figure of bishop with mitre and crozier).

Parchment, 485 × 450 mm.

B28. [123].—Lease by the Dean and Chapter of the Cathedral of the Holy Trinity, Waterford, to Patrick Walshe, Bishop of Waterford and Lismore, of a tenement in Carrick. 29 September, 1558.

Hec indentura facta in festo Michaelis anno domini millesimo quingentesimo quinquagesimo octauo inter decanum et capitulum ecclesie cathedralis Sancte Trinitatis Waterford' parte ex vna, et reuerendum in Christo patrem Patricium Walshe Waterfordensem et Lismoreensem episcopum parte ex altera, Testatur quod dicti decanus et capitulum pro se et suis successoribus dederunt et ad firmam dimiserunt eidem Patricio vnum tenementum siue vacuam placeam et gardinum eidem annexum, quodquidem tenementum et gardinum iacent in longitudine a strata regia ex parte australi usque ad ortum Comitis Ormonie ex parte boriali et a terra Benedicti White de Clonmell ex parte orientali vsque ad terram Mathei Wise ex parte occidentali in Carrigmacgriffin, habenda et tenenda dictum tenementum et gardinum eidem Patricio episcopo heredibus et assignatis suis a data presentium vsque ad finem termini sexaginta annorum proxime sequentium plenarie complendorum: Reddendo inde annuatim iidem Patricius heredes et assignati sui dictis decano et capitulo et suis successoribus quinque solidos bone et vsualis monete currentis Hibernie ad duos anni terminos per equales porciones soluendos: et si contingat dictum redditum in parte

aut toto aretro infra duos menses proxime sequentes post aliquod festum consuete solucionis non esse solutum, extunc licitum fuerit dictis decano et capitulo et suis successoribus aut eorum hac parte certo atturnato in dictum tenementum et gardinum et in quamlibet parcellam eorundem intrare et distringere, districcionesque ibidem captas secum ducere effugare et penes se retinere, donec et quousque de dicto reddito vnacum inde arreragiis (si que fuerint) plenarie satisfacti fuerint et persoluti. Et predicti Patricius heredes et assignati sui dictum tenementum et fossas eiusdem gardini (vt debet) manutenebunt stife et stronge et sic eisdem decano et capitulo et suis successoribus relinquunt sumptibus suis propriis et expensis. Et predicti decanus [*etc., clause of warranty*]. In cuius rei testimonium dicte partes hiis indenturis sigilla sua alternatim apposuerunt. Dat' die et anno supradictis.

In dorso: The lease of the house in the Carrick granted to Patrick [Bishop] of Waterford.

Seal gone from tag (some traces of red wax).

Parchment, 315 × 220 mm.

Note: Deed no. 136 relates to the same tenement.

B29. [125].—Lease by Patrick, Bishop of Lismore and Waterford, to Thomas Butler, Earl of Ormond, of two eyries of hawks. 20 May, 1560.

Hec indentura facta apud Lismoriam anno domini millesimo quingentesimo sexagesimo et die mensis Maii XX^{mo} inter Patricium Dei gracia Lismorensem et Waterffordensem episcopum parte ex vna, et honorabilem dominum Thomam Buttler Ormondie comitem parte ex altera, Testatur quod idem dominus episcopus, ex consensu capituli sue chathedralis ecclesie Lismorensis predictae, Dedit concessit et ad firmam tradidit prout per presentes dat concedit et tradit eidem domino Thome, pro bono consilio et auxilio eiusdem Thome et suorum successorum eidem domino episcopo habito et habendo, vnum nidum accipitris vbicunq̄e inveniri potest in dominio de Lismore apud Cohilln^e (*sic*) ac alium nidum falconis in dominio de Ardmore

ac specialiter seu precipue in antiqua parochia: habendos et tenendos eosdem duos nidos eidem domino Thome comiti ac suis heredibus et assignatis a dato et die confeccionis presentium usque ad finem termini quadraginta annorum proxime sequentium plenarie complendorum: idem dominus comes heredes et assignati sui annuatim inde reddendo (durante dicto termino) predicto domino episcopo et suis successoribus octo denarios argenti vsualis ac currentis monete apud Lismoriam predictam ad quodlibet festum Sancti Michaelis Archangeli, ac idem dominus episcopus durante dicto termino et sui successores dictos duos nidos videlicet nidum accipitris ac nidum falconis ut predicatur pro consilio et auxilio dicti domini Comitis ac suorum heredum antedicto domino episcopo et suis successoribus habito ac habendo contra quoscumque de iure warrantizabunt acquietabunt et pro posse defendent. In cuius rei testimonium presentibus sigillum dicti domini episcopi, vna cum sigillo dicti capituli, huic parti indenturarum penes dictum dominum Comitem remanenti est appensum. Datum anno loco et die de quibus supra.

In dorso: An eyrie of hawkes granted by the Bpp. of Waterford.

Both seals missing (traces of red wax on each of the tags).

Parchment, 325 × 172 mm.

B30. [127].—Lease by Thomas Lathie, vicar of Kells, to James Archdeacon alias McCody, of the vicarage of Kells. 13 February, 1569-70.

This indenture made the 13 day of Februarye athousand fyvehundredreth threscore and nyne, betwyxt sir Thomas Lathie vicarr of Kenles of thone partie, and James Archdeacon alias M^cOda of Kenles afforsaid yeoman of thother partie, Witnesseth that the saide sir Thomas hath gyven graunted, demysed, sett and to ferme letten, lyke as by thies presents he do gyve, graunt demise set and to ferme letteth vnto the said James, the hole vicaradge of Kenles afforsaid, and all and singuler the mance glebeland, meses, gardines lands medowes pastures tyethes oblacions obvencions and other proficts commodyties and emoluments what so euer vnto the said vicaradge belonginge or in any wyse ap-

pertayninge, To haue and to hold all and singuler the premisses about specified and expressed with all and singuler their appertenances, in as lardge and ample manner as the said Sir Thomas haue or ought to haue the same, vnto the said James his executors and assigns to thend of the terme, and for the terme of twentie and one yeres, from the feast of Easter next insuinge the date herof fully to be completed and endid. The said James his executors and assigns yeldinge and painge therfore yerly vnto the said sir Thomas and his assigns twentie six pounds xiiis. iiid. current mony of Irland at the feasts of Saint Mychaell tharchangell and Easter by evin porcions duringe the said terme. And the said sir Thomas covenauenteth and graunteth to and with the said James his executors and assigns to mynister him self or find som other sufficient mynister to serve the cure of Kenles, And mynister all sacraments and sacramentals to the parishioners of the said vicaradge duringe the said terme, And thereof discharges the said James his executors and assigns. And also the said Sir Thomas his executors and assigns shall warrant acquite and deffend the said vicaradge and other the premisses vnto the said James his executors and assigns duringe the said terme. Provided alwayes that if the said Sir Thomas fortune to dye within the said terms, That then and from thence forth this present leas and demyse shall cease and be vtterly void and of none effecte. In witness wherof to thies presents interchandgably the parties afforsaid haue put ther Seales and subscribed theire names the day and yere above written.

In dorso: Vicaradge of Kells.

Seal gone from tag.

Parchment, 368 × 213 mm.

B31. [128].—Lease by Edmond Barry, chaplain of St. Catherine's, Callan, to Richard Holeghan alias Merry, of a messuage etc. in Callan. 4 March, 1569-70.

This indenture made the IIIIth day of Marche in the yere of our lorde god 1569, And the twelfth yere of the reigne of our moste drad soueraine (Lady) Quene Elizabethe by the grace of god quene of Englande Fraunce & Irlande defender of the faithe &c., Bytwixte Sir Edmond Barry chan(tery) preste or

chapplein of and in a chantery or Chapple in Callan within the com' of Kilkeny commenly called St. Katherins Chapple of the one partie, And Richarde Holeghan alias Merry of Callan aforsaid yeoman of the other partie, Witnesseth that the said Sir Edmound from him and his successours and in the name of the said chantery or chapple, with the assent will and consent of Mr. Arthour Kevanaghé soueraine of Callan and of the said soueraines brethren veray patrons of the said chapple, for and in consyderacion of a certain somme of monney to me the said Sir Edmound to the vse and byhouf of the sayde Chapple by the said Richarde Merry before the hande payed, and also for and in consideracion of other sundry causes and respects touching the contynuall profficte of the said chantery or chapple in successyon or contynuaunce of tyme, haue given and graunted and by thies presents do give grante demise and to fearme lett vnto the said Richarde Merry and to his assignes, one messuadge a thofte a garden or orcharde therto anexed and a celler with there appertenaunces within the saide towne of Callan, whiche messuadge thofte and garden or orcharde extende in leynghte from the Great bridge of that towne and the strete betwene both the bridges in the west parte vnto the water of the olde myll foote in the easte, and in breadthe from the waye leadinge from the saide olde myll towards the strete in the northe vnto the water of the Rye in the southe. And the said celler standeth vnder the Castle of Sainte Katherinis house in the ende nexte adioyninge vnto the house somtyme William Nangles, wheare nowe the said Richard dwelleth, To haue and to holde the said messuadge thofte garden or orcharde and celler with there appertenaunces vnto the said Richarde Holeghan alias Merry his heires executours and assignes from the ffeaste of Easter nexte ensuinge the date of this lease vnto the ende and tearme and for the tearme of threscore and one yeres from thens nexte ensuyng and fully to be completed and ended, Payng therefore yerely during the said tearme of threscore and one yeres to me and to my successours chantery prests or chapleyns of the said chapple vis. iij. vz. for the messuadge thofte garden or orcharde thre shillings eighte pence, And for the said celler two shillings and six pence lawfull monney of Irland at the feasts of Saincte Mighell tharchangle and Easter by evyn portions for all exactions suits seruices and demaunds. And the said Sir Edmounde Barry covenantethe and grantethe by this indenture

and in the name of the said chantery or chapple that he and his successours chantery prests or chappleyns of the said chapple the said messuadge thohte garden or orchard and the said celler with ther appertenaunces to the said Richarde Holeghan alias Merry to his executours and assignes for the yerely rent aforsaid againste all people shall warrante acquite and defende during the forsaid tearme. In witness wherof the said Richard Merry alias Holeghan haue hereunto put his hande and Seale the day and yere furste above written.

(Certificate in dorso)

Being present at thensealing and delyuery hereof as counterpane by the said Richarde to the within named Sir Edmonde those whose names hereafter ensueth.

[Signed] Symon Nugent
Adam Dulan
Donyll o Dorane
Sir Patryk Phelan

Seal (not armorial) of R. Holeghan, in good condition.

Parchment, 395 × 210 mm.

B32. [129].—Judgment of Patrick, Bishop of Lismore and Waterford, in a dispute as to tithes between the vicar of Lisronagh and the tithe-collectors of the rectory of the same. 5 August, 1570.

In Dei nomine amen. Nos Patricius Dei gracia Lismorensis et Waterfordensis episcopus, cognoscentes de quadam questione decimarum ortorum alteragiorum croftorum pratorum pasture novalium aliarumque rerum mota seu aliquamdiu coram nobis et nostris commissariis, inter dominum Petrum Howeth vicarium de Lishronagh, ac Jacobum Bray Cornelii de Clonmell, Johannem Fuscum alias Shain Rioghe, Willelmum et Thomam Slatery, de eadem villa de Clonmell, collectores decimarum rectorie predictae ville de Lishronagh nemoris Comitibus alias Girvan in nierly aliorumque locorum et villarum ad predictam rectoriam de Lishronaghe spectancium et pertinencium, ventilata hinc et inde

circa predictas decimas, predicto vicario allegante predictas decimas ad vicariam de Lishronaghe spectare et pertinere, ac vicarios de Lishronaghe pro tempore existentes predictas decimas recepisse quiete sine aliqua interrupcione et sic prescripsisse, a tempore cuius non extat hominum memoria a tempore et in tempore Canonicorum monasterii de Atthasshell et abhinc vsque ad presens tempus inconcusse, predictisque Jacobo Johanne Willelmo et Thoma in contrarium dicentibus nichil ad predictam vicariam pertinere nisi decimas antiquorum ortorum croftorum et aliarum terrarum vanga primitus ad culturam redactarum, Quia visis cognitis et ad plenum ascultatis meritis et circumstanciis predictae questionis Inuenimus, tam per testes fidedignos per dictos nostros commisarios examinatos, partibus predictis prius citatis et presentibus, tam eciam per statuta provincialia provincie Cassellensis, quod tales decime et iura debentur de iure vicariis residenciam facientibus infra suas parochias et curam animarum gerentibus, Ideo, Christi nomine primitus inuocato de cuius vultu recta procedunt iudicia, de consilio iurisperitorum nobis in hac parte assistencium et consultorum, Omnia predicta iura, scilicet decimas ortorum alteragiorum croftorum pratorum pasture noualium aliorumque locorum, a parco nominato parco prioris vsque ad viam regiam in parte boreali preter ortos qui sepes et fossas circa se habent in superiori parte de gort Howethe iuxta viam regalem in parte boreali segot' nominat' aque segot' segot' nigre fosse, decimas terrarum de Farods ex vtraque parte de Loghristard a sambuco in parte occidentali vsque ad arborem vocatam lyvan ex parte orientali, decimas terrarum ex vtraque parte antiqui orti in parte occidentali vsque ad viam regalem in parte orientali, decimas terre nuncupate Crossek in se continentis tria stangna, decimas terre parve collis vltra aquam de Moyle, ac eciam decimas exigui loci vbi olim erat coniculare in parte australi semite ducentis ad Donaghmor iuxta limitem inter Donaghmor et Lishronaghe, necnon et cetera alia iura et decimas hucusque prescripta per dictum vicarium suosque predecessores vicarios ibidem per diutina tempora, predicto domino Petro vicario qui nunc est et suis successoribus ibidem hac nostra sententia diffinitiva quam in hiis scriptis nobis pro tribunali sede sedentibus ferrimus et promulgamus decernimus et declaramus imperpetuum in villis et parochiis de Lishronaghe Girvan in nyerly et Kylmore. Lecta et lata est hec

nostra sententia in ecclesia parochiali de Clonmell Lismorensis diocesis quinto die mensis Augusti anno domini millesimo quingentesimo septuagesimo nostri sigilli testimonio, presentibus protunc magistro Thoma Clery vicario de Clonmell ac cancellario Lismorensi, David Prindergast thesaurario Lismorensi, Thadeo Conway clerico predictae Lismorensis diocesis, domino Jacobo Butler vicario de Rathronan ac curato de Clonmell, ac dictis partibus ad hoc prius citatis vocatis et preconizatis, cum pluribus aliis.

In dorso : An Instrument concerning an order for the vikeradge of Lissronagh.

Seal gone from tag.

Parchment, 260 × 290 mm.

B33. [130].—Indenture, in English, dated 21 January, 1570 [1571], between John Clere professor of phisick of the one part, and Patrick Quemerford and Alexander Briver of Waterford merchants of the other part. The rectory of Knockgraffan, co. Tipperary with all its emoluments (held by the former party on a lease of 61 years from James Morise parson of the same) is now leased by him to the latter party for 6 years at an annual rent of £50. The "mance lands and priest boke" are excepted from the lease and reserved for the priest, to the "finding" of whom the lessees are to contribute £4 10s *od.* p.a.

The deed is signed by Patrick Quemerford (whose seal remains, in poor condition), and Alexander Bryier, whose seal is missing. The certificate of sealing and delivery of the deed on the back is signed by John Hyky, William Baron al. Record, George Sherloke, and John Cuff.

Other endorsements : Indenture concerning the parsonadge of Knockgraffin sett to John Clere physicion by the Incumbent. The parsonadge of Knockgraffon and George Cruces band.

Parchment, 520 × 300 mm.

B34. [131].—Letters Patent of Queen Elizabeth, granting to John Archdeacon, Treasurer of Cashel, licence for plurality of benefices. 16 September, 1574.

Elizabeth Dei gracia Anglie Francie et Hibernie Regina fidei defensor et cetera Dilecto nobis in Christo Johanni Archdeacon alias M^cCoda capellano predilecti consanguinei nostri Thome Butler militis Comitis Ormondie et Ossorie Thesaurarii primarii regni nostri Hibernie, necnon thesaurario ecclesie metropolitice Cassellensis, rectori parochialium ecclesiarum de Clonmore et Ballytarsna Ossoriensis diocesis, et vicario ecclesie parochialis de Galbwolly Casselensis diocesis, salutem. Literarum scientia vite et morum integritas atque probitatis et virtutum merita super quibus comendaris promerentur vt te specialibus favoribus et graciis prosequamur, ac precipue pro eo quod predicta dignitas thesaurarie per se tam in spiritualibus quam in temporalibus adeo tenuis et exilis existit prout fide dignorum relatione accepimus, quod inde hospitalitatem congruam tenere ac servare (et) alia onera eidem incumbentia supportare minime possis, nisi aliter tibi de competente relevamine provideatur ac subveniatur : Hinc est quod nos ad (petitionem ?) predicti consanguinei nostri Comitis Ormondie et Ossorie volentes te qui vt asseris dictam thesaurariam rectorias et vicariam predictas rite et legittime . . . premissorum meritorum tuorum intuitu favore prosequi graciosum tecum et vnacum dicta thesauraria prefatas rectorias de Clonmore et Ballytarsna Ossoriensis . . . Galbwolly Cassellensis predict' dioces', necnon alia beneficia ecclesiastica curata vel non curata quecumque quotcumque et qualiacumque etiam si sint dignitates post pontificales maiores personatus ac ministraciones vel officia in cathedrali etiam metropolitana ecclesia etiam si ad ea consuevit quis per electionem assumi . . . valores annui eorum fructus res redditus et proventus extiterint et ad quemvis numerum se extendunt dummodo non excedant annum valorem . . . monete Hibernie secundum communem taxationem beneficiorum dictarum diocesum quovis legitimo modo tibi collat' de tempore in tempus sub vno vel (pluribus tectis) metropolitatarum vel collegiatarum seu parochialium aut aliarum ecclesiarum obtinere et accipere, ac eisdem thesaurarie rectoriis . . . aliis dignitatibus prebendis personatibus et aliis beneficiis imposterum obtinendis quoad vixeris gaudere eaque tenere et occupare . . . redditus proventus et emolumenta quecumque levare et percipere atque vel eorum aliquid simul vel successive . . . simpliciter que quoties et quando tibi placuerit dimittere et loco dimissi vel dimissorum aliud simile

vel dissimile aut ali ecclesiasticum aut ecclesiastica
 quecumque quotcumque et qualiacumque seu dignitates prebendas
 et personatus cuiuscumque quanti legitimo modo tibi
 conferrantur sub vno vel pluribus tectis quarumcunque ecclesiarum
 predictarum recipere et insimul quoad vixeris
 auctoritate nostra Regia ex assensu predilecti et fidelis consilarii
 nostri Willelmi Fitz William militis deputati nostri generalis
 regni (nostri Hibernie) . . . per presentes. Concedimus etiam
 de vberiori gracia nostra speciali ex assensu predicti quod
 in et super rectorias et vicariam predictas iam per . . .
 dignitate prebenda personatu aut aliquo alio beneficio
 ecclesiastico per te imposterum obtinendo personalem residenciam
 facere nullo modo tenearis . . . eisdem et ecclesiis eorum
 de tempore in tempus debito modo observetur curis eorum
 deservientur et congrue sustententur et persolventur . . . quod
 expressa mencio de vero valore aut certitudine premissorum
 aut aliquo statuo actu ordinatione provisione seu aliqua alia
 re . . . in contrarium edit' aut fact' in aliquo non obstant'. In
 cuius rei testimonium has literas nostras fieri fecimus patentes.
 Teste prefato deputato nostro generali apud Dublin decimosexto
 die Septembris anno regni nostri decimosexto. Ryan.

[*On seal-tag*] Ex' per Ja : Ryan.

In dorso : Registratur per me Rolandum Cowyck, ad facultates
 infra Regnum Hiberniae Registrarium. XIII^{to} Augusti, 1577.

[*Alia manu*] John Archdeacon alias M^cCoda (chaplin to Tho :
 Earle of Ormonde) his licene (*sic*) for Plurality of Benefices.
 16^o Elizabethae.

Great Seal of Ireland (Queen Elizabeth)
 (slightly broken).

Parchment, 335 × 265 mm.

The deed has a large hole in it, and other defects.

B35. [132].—Indenture, in English, dated 30 September,
 1574. Lease by Christopher Gafney, Bishop of Ossory, with
 the consent of his Chapter, to Thomas Butler, Earl of Ormond,

of the manors of Durrow, Gortclare, and Loiaghe, co. Kilkenny, with all their appertanances, for a term of 101 years, at a rent of £6. 13. 4 p.a. Signed "Christopher Oss.; William Johnson, Dean; Sir William Kogho chauntour; Sir John Toben of Kylamery; Sir John Nele chancellor; Robert Gafney thresurer; Robert Jose parson of Kilmanaghe."

Both seals broken, and the impressions obliterated.

Parchment, 575 × 160 mm.

B36. [133].—Lease by the Vicars Choral of St. Canice's, Kilkenny, to John Archer, of two islands. 4 March, 1574-5.

Sciant presentes et futuri quod nos vicarii chorales ac perpetui communis aule ecclesie cathedralis Sancti Kanici Kilkennie in comitatu Kilkenie evidenti vtilitat' predicte aule et ad hoc collegialiter congregati licentia decani prehabita de nostro vnanimi assensu et concensu dedimus concessimus et hac presenti carta nostra indentata confirmavimus Johanni Archer filio Willelmi Archer de Kilkennia predicta mercatori duas nostras insulas cum suis pertinentiis scituatas iuxta molendinum domini Comitum Ormonie vulgariter nuncupatum le 'tone milles' infra franchises dicte ville Kilkennie: habendas et tenendas predictas duas insulas cum omnibus suis pertinentiis prefato Johanni heredibus et assignatis suis de Capitalibus dominis per servitia inde debita et de iure consueta in feodi firma imperpetuum. Solvendo et reddendo inde annuatim idem Johannes heredes et assignati sui nobis prefatis vicariis successoribus et assignatis nostris duos solidos currentis monete Hibernie ad festa Pasche et Sancti Michaelis per equales porciones. Et quod predicti Johannes heredes et assignati sui faciant in predicta communi aula vnum bonum ignem in die carnis privii singulis annis imperpetuum pro omni alio servicio et demanda. Et si contingat predictum redditum siue ignem aut aliquam eius redditus partem fore aretro in aliquo festo festorum predictorum in quo vt preferetur solui debet, quod tunc bene licebit nobis prefatis vicariis successoribus et assignatis nostris in predictis insulis intrare et distringere et districciones ibi inventas penes nos asportare et retinere donec de predicto redditu igne et de arreragiis eiusdem

si que fuerint aretro erimus satisfacti et persoluti per presentes. Et nos predicti [*etc., clause of warranty*]. Et ulterius sciant nos predictos vicarios fecisse constituisse deputasse et in loco nostro posuisse dilectos nobis in Christo Johannem alias Jenkin Roth de Kilkennia predicta mercatorem et Robertum Mothell yeoman coniunctim et divisim nostros veros et legitimos attornatos seu balivos vice et nominibus nostris ad intrandum et possessionem capiendam de et in predictis insulis cum suis pertinentiis, Et post huiusmodi possessionem sic inde captam et habitam deinde pro nobis vice et nominibus nostris plenam possessionem et seisinam prefato Johanni Archer secundum vim formam et effectum huius carte nostre indentate deliberandum. Ratum et gratum habentes et habituros totum et quicquid predicti attornati nostri fecerint seu alter illorum fecerit in premissis. In cuius rei testimonium huic parti huius carte nostre indentate penes predictum Johannem remanenti nos predicti vicarii Sigillum nostrum commune apposuimus. Dat' quarto die mensis Marcii anno domini millesimo quingentesimo septuagesimo quarto.

[*Signed*] per me dominum Thomam Dinen' [Diuē' ?]
 per me dominum Robertum Kavanaghe
 per me dominum Jacobum Nagle
 per me dominum Thomam Vale
 per me dominum Jacobum Bolger
 per me dominum Willelmum Fleming

In dorso certificate of livery and seisin signed :

Jhēke Rothe bale or attorne
 Robert Mothell bale or attorne
 John Mothell wytnes
 (? Johne) fitz William Kavaneghe wytnes
 William Barklie wytnes
 Edmond Neill wytnes

Also in dorso: The Viccars Chorralls of Kilkenny grt' of 2
 Ilands to John Archer dat' 1574.

Seal of the Vicars Choral (in very good
 condition).

Parchment, 270 × 220 mm.

B37. [134].—Inspeximus by Queen Elizabeth of charters and evidences relating to the property of the Bishops of Ossory in the manor of Durrow. 27 July, 1577.

Elizabeth Dei gracia Anglie Francie et Hibernie Regina defensor et cetera Omnibus ad quos presentes littere pervenerint salutem. Inspeximus irrotualamentum cuiusdam carte burgensibus de Dernagh confecte cuius tenor sequitur in hec verba : Omnibus ad quos et cetera G : Dei gracia et cetera. Noverit vniuersitas vestra nos de consensu et assensu decani et capituli nostri Sancti Canici Kilkennie concessisse et hac presenti carta nostra confirmasse antiquis burgensibus nostris de Dernach presentibus et futuris octies viginti et tresdecim acras terre et dimidiam cum triginta quinque acris frondibus in tenemento nostro de Dernach, scilicet vltra aquam de Dernach versus Mayn quattuor viginti et dimidiam acras terre et quattuor viginti et duodecim acras terre extendentes se a parte orientali ville de Dernagh inter aquam de Tawell et quandam viam que ducit versus quoddam fossatum quod extendit se iuxta terram Willelmi fitz David versus vadum de Tassin, et quinquies viginti duas acras et dimidiam novis burgensibus nostris in eadem villa de Dernath sicut se extendunt [iuxta] magnam viam que ducit versus Aghboe vsque ad metas et bondas sibi assignatas versus nemus de Lawigh in longitudine et a terra predictorum veterum burgensium de Dernagh vsque ad terram de Maynscallan in latitudine cum frondibus dictis burgensibus novis tempore predecessorum nostrorum assignatis cum omni pastura eiusdem morie et turbarie vltra fontem de Clontipper versus Balastrone vna cum howsebot de mortuo bosco et pastura in nemore nostro de Lawath versus Balastrone, Ita quod quidem liceat nobis et successoribus nostris dictum boscum extirpare si ipsum aliquo tempore in culturam redigere voluerimus, Habenda et tenenda sibi et heredibus suis de nobis et successoribus nostris imperpetuum libere hereditarie cum omnibus libertatibus et liberis consuetudinibus ad liberam burgageriam pertinentibus. Reddendo inde annuatim nobis et successoribus nostris ipsi et heredes sui sex denarios argenti pro qualibet acra terre predicte, medietatem ad Pascha et aliam medietatem ad festum sancti Michaelis, Et ad luminaria ecclesie Sancti Canici Kilkennie quatuor libras cere annuatim ad Pentecostes festum, scilicet duas libras cere de antiquis burgensibus et duas libras cere de novis burgensibus, pro omni servicio nobis

et successoribus nostris pertinenti, salvis nobis et successoribus nostris sectis curie hundredorum et molendinorum, salvis etiam furnis priuatis tollentis et predictae ville amerciamentis, salvis insuper nobis et successoribus nostris semitis ad gurgites nostros constructos vel construendos super aquas de Yor et de Tawell. Concessimus etiam eisdem burgensibus quod habeant eandem legem et consuetudinem quam habeant burgenses nostri de Kilkenia in ceteris omnibus, Ita tamen quod habeant panem et seruitiam et alia quae pertinent ad legem suam et consuetudinem et quod burgagia sua competenter inhabitant et in eis maneant vel per fideles homines inhabitari faciant. Vt hec autem nostra concessio et presentis cartae confirmatio firmitatis robor imposterum optineat presentem cartam tam sigilli nostri quam capituli nostri sigilli impressione roboravimus et cetera. Inspeximus etiam irrotulamentum cuiusdam alie cartae quibusdam burgensibus de Dernach confectae cuius tenor sequitur in haec verba: Vniuersis et cetera G: Dei gracia et cetera. Sciatis nos et cetera dedisse concessisse et hac presenti carta nostra confirmasse Simoni ODufflani, Ricardo clerico, Willelmo Longo, David de Arghteir, Rogero Albo, Osberto de Nede, Willelmo Crispino, Willelmo Ruffo, Reginaldo Puncyn, Ricardo filio Seysil, Willelmo Fachy, Willelmo filio Ricardi, Gilkeran Ogarn, Michaeli carnifico, Ricardo molendinario, Waltero filio Johannis, Willelmo Burker, Philippo de Beysnyll, G. filio Ban, Philippo Puncyn, Sabine viduae, Thome filio Willelmi, Johanni gilb ruffo, Willelmo filio Reginaldi, burgensibus nostris de Dernach, pro homagiis et seruitiis suis, quinque viginti acras terre et duas et dimidiam sicut se extendunt iuxta magnam viam versus Aghbo vsque ad nemus de Lanath in longitudine et a terra veterum burgageriarum de Dernach vsque ad terram de Maynscallan in latitudine, videlicet ODufflani sex acras, Ricardo clerico tres acras, Willelmo filio Ricardi tres acras, Gilkeran Ogarn tres acras, Michaeli carnifico duas acras, Ricardo molendinario sex acras, Willelmo Longo novem acras, David de Achtier sex acras, Rogero Albo sex acras, Osberto de Nede sex acras, Willelmo Crispino sex acras, Willelmo Ruffo sex acras, Reginaldo Puncyn sex acras, Ricardo filio Seysill sex acras, Willelmo Fachy tres acras, Willelmo filio Johannis tres acras, Willelmo Bossell tres acras, Philippo de Boysmyll tres acras, G. filio Ban tres acras, Philippo Puncyn

tres acras, Sabine vidue vnam acram et dimidiam, Thome filio Willelmi tres acras, Johanni Gilb Ruffo tres acras, Willelmo filio Reginaldi tres acras, Tenenda et habenda et cetera de nobis et cetera libere quiete et plenarie et hereditarie, Reddendo inde annuatim ipsi et cetera nobis et cetera pro qualibet acra terre sex denarios argenti ad duos anni terminos, medietatem scilicet ad festum Sancti Michaelis, et aliam medietatem ad Pascha, et ad luminaria ecclesie nostre predictae duas libras cere annuatim scilicet ad Pascha pro omni servicio exactione et demanda, salvis tamen nobis et successoribus nostris sectis curie nostre et molendinorum nostrorum. Dedimus etiam et concessimus vniciuique eorum et heredibus suis vnum burgagium in villa nostra de Dernach de eadem latitudine quam tenuerunt tempore Willelmi episcopi predecessoris nostri, et quod habeant eandem legem et consuetudinem quam habent burgenses nostri de Kilkenia, Ita tamen quod habeant panem et cerviciam et alia que pertinent ad legem suam et consuetudinem, et quod burgagia sua competenter inhabitent et in eis maneant, Concessimus etiam eisdem pasturam ad tot animalia sua quot pertinent ad quinquies viginti acras et duas et dimidiam pascenda cum animalibus nostris et hominum nostrorum imperpetuum in mora nostra, sicut se extendit a novo fossato extra villam Hibernicorum nostrorum vsque Aghe de Cloncipur vsque ad terram Milonis de Humford, Concessimus etiam eisdem quod habeant de nostro bosco in predicto nemore nostro de Leudwagh ad focum suum, Et quod habeant pasturam cum animalibus nostris et hominum nostrorum in eodem nemore donec dictum nemus assertetur et excolatur per nos et successores nostros, Ita tamen quod nos et successores nostri et homines nostri dictum nemus et terram extirpare inhabitare et colere possimus quandocumque voluerimus et potuerimus sine aliqua contradictione eorum vel heredum suorum, Nos vero et successores nostri predictas quinquies viginti acras terre et duas et dimidiam cum burgagiis nominatis sicut predictum est pro predicto annuo reddito prenominatis hominibus nostris et heredibus suis warrantizare tenemur tantummodo pro nobis et successoribus nostris, Et hoc ratum et stabile et cetera. Inspeximus etiam irrotulamentum cuiusdam carte villam de Achebo ac alia diuersa loca concernentis, cuius tenor sequitur in hec verba: Willelmus Marescall Comes Pembrochie omnibus ad quos presens carta pervenerit salutem. Sciatis me recepisse ex donacione H.

Ossoriensis episcopi et ex concessione totius capituli sui villam de Achebo cum omnibus pertinentiis suis et cum omnibus clameis terrarum quas idem episcopus clamabat in cantredo de Achebo, habendam pro homagio et servicio meo et tenendam michi et heredibus meis de dicto episcopo et successoribus suis in feodo et hereditate libere et quiete integre et honorifice in bosco in plano et in omnibus aliis locis cum omnibus libertatibus et liberis consuetudinibus, sicut carta mea quam habeo de eodem episcopo testatur, Reddendo inde annuatim cathedrali ecclesie de Kilkenia ad festum Sancti Canici duos cereos sex librarum cere pro omni servicio et exactione, Et quamvis idem episcopus sicut premissum est predictam villam de Achebo cum pertinentiis michi donauerit pro homagio et servicio meo, tamen vt ego ei et successoribus eius plenius benefacerem dedi etiam et concessi assensu et concensu Comitisse Isabelle vxoris mee iam dicto episcopo et successoribus suis octo carucatas terre in locis ei vtilibus et competentibus, videlicet Balisly pro tribus carucatis, et Growing pro quatuor carucatis cum beneficio ecclesiastico eiusdem terre, et vnam carucatam terre ex altera parte pontis de Insnacke versus meridiem possidendas. Insuper dedi et concessi eidem episcopo perpetuo et suis successoribus ius patronatus ecclesiarum Beatę Marie de Kilkenia et Sancti Patricii de Donaghmore cum omnibus suis pertinentiis, habendum sibi in commutatione patronatus ecclesie Sancti Canici in villa de Aghbo et aliarum omnium ecclesiarum eiusdem loci cum omnibus ad easdem pertinentibus. Vt autem hec mea donatio rata et inconcussa permaneant eam sigillo meo et sigillo Comitisse Isabelle vxoris mee confirmavi, Hiiis testibus et cetera. Inspeximus etiam irrotulamentum cuiusdam carte villam de Dernach concernentis, cuius tenor sequitur in hec verba: Vniuersis et cetera G. Dei gracia et cetera. Noueritis vniuersitas vestra nos et cetera dedisse et concessisse Willelmo filio David pro homagio et servicio suo sexaginta et vndecim acras terre iacentes in tenemento nostro de Dernach, sicut extendunt se a quadam via que tendit versus vadum quod dicitur Cassyn vsque ad vadum quod dicitur Admokyn in longitudine, et a magna via qua itur inter Balysly et Dernach vsque et ad magnam aquam que dicitur le Yor, habendas et tenendas de nobis et successoribus nostris sibi et heredibus suis iure hereditario libere et quiete, Reddendo inde annuatim nobis et successoribus nostris ipse et heredes sui sexaginta et vndecim solidos argenti

medietatem ad Pascha et aliam medietatem ad festum Sancti Michaelis, Et [ad] luminaria altaris Beate Marie in ecclesia Sancti Canici Kilkennie vnam libram cere annuatim ad Pentecosten, faciendo insuper nobis et successoribus nostris sectam curie et molendini de Dernach. Concessimus etiam eidem Willelmo et heredibus suis quod construant sibi gurgitem in aqua del Yor super vadum de Cassyn si sibi viderit expedire, Ita quidem quod hoc fuerit per viam nostram et successorum nostrorum vel ballivorum nostrorum de Dernach. Nos vero successores nostri predictam terram cum pertinentiis vt dictum predicto Willelmo et heredibus suis imperpetuum warantzabimus. Et vt hec nostra donatio et cetera. Inspeximus etiam irrotulamentum cuiusdam carte villam de Achbo concernentis, cuius tenor sequitur in hec verba: Omnibus sancte matris ecclesie filiis ad quos presentes carte pervenerint P. Dei gracia Ossoriensis episcopus salutem in Domino. Sciatis nos consensu et assensu capituli nostri dedisse et concessisse Willelmo Marescallo comiti Pembrochie pro homagio et servicio suo villam de Achbo cum omnibus pertinentiis suis et cum omnibus clameis terr' quas exigebamus in cantredo de Athbo, habendam et tenendam sibi et heredibus suis de nobis et successoribus nostris in feodo et hereditate libere quiete integre et honorifice in bosco in planis in semitis in aquis in pratis in pasturis in moris in maressis in molendinis vivariis castris fortelliciis et in omnibus aliis locis cum omnibus libertatibus et liberis consuetudinibus, Reddendo inde annuatim cathedrali ecclesie de Kilkennia duos cereos sex librarum cere pro omni servicio et exaccione. Et quamvis predictam villam de Athbo predicto comiti pro homagio et servicio suo sicut predictum est dedimus, tamen [nobis] et successoribus nostris plenius et benefecerit (*sic*) dedit nobis et successoribus nostris idem comes octo carucatas terre perpetuo possidendas scilicet Balysly pro tribus carucatis et Groweyn pro quatuor carucatis ¹et beneficio ecclesiastico eiusdem terre et vnam carucatam terre ex altera parte pontis de Insnacke versus meridiem, insuper dedit nobis et successoribus nostris idem comes ius patronatus ecclesiarum Beate Marie de Kilkennia Sancti Patricii de Donnaghmore cum omnibus earum pertinentiis habendum in ²communitate advocacionis ecclesie Sancti Canicii de villa de Athbo et aliarum omnium ecclesiarum eiusdem loci cum omnibus ad easdem ecclesias pertinentibus.

¹*id.* cum.²*id.* commutacione.

Et vt hec mea donatio rata et incussa permaneat sigillo nostro et sigillo capituli nostri firmavimus et cetera. Inspeximus insuper irrotulamentum quorundam testimoniorum per dilectum et fidelem nostrum Willelmum Gerrard armigerum dominum cancellarium nostrum regni nostri Hibernie captorum ac premissa concernentium quorum tenores sequuntur in hec verba: John Bryuen clercke of thadge of fowrescore yeares or thear abowtes sworne and examyned vpon the holy evangelist to the questions demaunded of hym deposeth and saith that this examynate knewe one Olyver Carton (*sic*) busshopp of Ossory the next befor Miles Baron who gave this examine orders and after he this examinat was chaplen to Miles Baron the next succeeding busshopp and by tenor of his oeth deposeth that they by ther fermors and constables occupied the landes beyond the water of Vskie towards the Mayne without lett of any none resynging theym, and knoweth seven or eight constables that occupied landes on that side of the water, aswell with ther cattell as by plowing and eatyng (*sic*), and for cause of his knowledge saieth that in Miles Barons tyme Macgilpatricke the lord of Vpperossory his father cutt the busshoppes woddes vpp to the moore for defence of his contrie from Kilkenny theves and after made trenches in the water nere the Bridge, at whiche cutting of the busshoppes and trenching his ground the busshopp being offended came hymself thither, and this examine being then his chaplen they and all the tenaunts of Dorrowe cast downe all his trenches, and after the said Macgilpatricke made suyte to the busshopp that he myght buylde a castell vpon the busshoppes ground on the further side of the water for the defence of his country and had lycence of the busshoppe, being a symple folysh man, and by tenor of his oeth saieth that the parson of Dorrowe haith landes on the further side the water beyonde the busshoppes meares, and saieth that the busshoppes meares extendeth to a place called Colayn Mayne vppward and downward to Bellakingeth, And saieth that he knoweth the busshoppes euer vsed and had thes landes as thear owne, And remembreth that one Fynen Mc Gilpatricke brother to Macgilpatricke was slayne vpon parcell of the said landes beyonde the water, and the busshopp claymed a custome hertill called Callupfoide in substance a heriott due of euery person dyeng vpon any mans land in that country. Sir Patricke OLalyn parson of Raleartie of thadge of threscore nyne yeares examined

vpon his knoweledge touching the said landes agreeth in euery poynte with the former precontest, savyng that Miles Baron made this examinate preest, and that he was not his chapplen, nor dwelt in Durrowe, nor remembreth the death of Fynen Macgilpatricke, but touching the cuttyng of the wodde, the trenching of ditches, the castyng downe of the same, and the lycens to buyld the castell, and the meares of the busshoppes landes, he agreeth with the former examinate in all poyntes. Wylliam Doulany of Kilkenny of thadge of fowrescore yeares or thear abowtes sworne and examined to the first interrogatory saieth that the place wheare the castell is buylte is parcell and belonging to the manor of Dorrowe, rendering for cause of his knoweledge that he was tenaunt to the busshopp of the said manor of Dorrowe, and held the same as parcell thearof for the space of twenty fowre yeares befor the buylding of the castell, To the second he saieth he sawe the busshoppes tenauntes and constables of Dorrowe manure and occupie the said landes wheare the castell is buylte together with all the landes on that side the water vntill Macgilpatrickes meares, whiche is neare a mile dystant from the manor howse of Dorrowe, and helde the same as parcell of the said manor, To the thirde he saieth ther is asmouche as twoe plowes can tyll, but the certenty of acres thereof he knoweth not, To the fourth he saieth that he doeth not knowe or remember that he had or occupied yt befor the buylding of the said castell, And further he deposeth that he was hymself at the Dorrowe with Miles Baron busshopp of Ossorie after the buyldyng of the said castell, and sawe Macgilpatrickes messenger come and present the key of the castell vnto the busshopp, to whom the busshopp in the presence of this deponent said, yt was good reason that the key should be delyuered to hym, for that he was lord of that place, and that Macgilpatricke should be thear duryng his pleasure, And saieth that after the death of Miles Baron thear weare but weake busshoppes, and then the said Macgilpatricke buylt thearon and enyod yt as his owne. William Gerrard canc'. Sir William Kehhoe, archdeacon, of thadge of threescore yeares or thear abowtes, sworne and examyned, to the first interrogatory he can say nothing, To the second he can say nothing, To the thirde he saith he haith sene registryed in the busshoppes booke, that the busshopp should haue an hundred and odd acres on that side the water, but

wheather the busshopp had or occupied the same he knoweth not, To the fourth he saieth that abowtes thirty twoe yeares past he rode in company with Miles Baron then busshoppe of Ossory vnto the Dorrowe, and after they had staid a while in his howse on this side Dorrowe he sent his men to Macgilpatricke, willyng hym to send hym the key of his castell, sayng he would lye thear that nyght, And saith that a messenger came from Macgilpatricke and broght to the busshoppe the said key, declaryng from Macgilpatricke to the busshoppe that he had sent hym the key to vse the castell at his pleasure, saing that yf he would suffer hym to haue the keapyng of yt, yt should be ready at all tymes at his commaundment, and so left the key with the busshoppe, and further he cannot say. Sir William Keegho Archdeacon of Ossorye. William Gerrard canc'. Rory alias Thorpe of thadge of fyftie yeares or ther abowtes, sworne and examined, to the first interrogatory he saieth that he knewe the said parcell of ground befor the buyldyng of the said castell to be parcell of the manor of Dorrowe, and that after the buyldyng therof Macgilpatricke then lord of Vpperossory did agree and admytt the said land to be parcell therof, avowying for cause of his knowedge that vpon the death of Miles Baron busshopp of Ossory he was servaunt to one Richard Rooth, theasaurer of Saynct Kennes, whoe then with outhier his assotiates had chardge of the whole busshopricke as generall vicars, and the said Richard with his assocoyates goyng to Dorrowe to take a custome meate due to the busshopp, worde was broght to them that Macgilpatricke toke the meate from the miller of the said manor, and put yt into the newe erected castell, whervpon the said maister with the rest his assocoyates went to Macgilpatricke to knowe whie he withstode or deforced them, whoe of his owne free will in the next mornyng in token of yealdyng to them as the busshoppes tenant sent the key of the said newe erected castell to the said Richard, excusyng hymself that the stay of the key the nyght befor was fearyng least any of the county of Kilkenny should enter into his country to doe them hurte, at whiche tymes this examine was then present and herde and sawe the premysses, To the second he saieth he knoweth not wheather the tenauntes of this side the water did manure the landes when the said castell was buylte, but certayne he is that they pastured thear with ther cattell withoute the lett of any duryng his being ther,

To the third he knoweth nothing, To the fourth he knoweth not whether Macgilpatricke was tenaunt to the busshopp or not, but certayne he is he delyuered the key to the said Richard and his assocyates as in right of the busshoppe. William Gerrard canc'. Sir John Neyle, chauncellor of Saynt Kennyes, of thadge of threscore ten yeares or thear abowtes, sworne and examined, to the first interrogatory he saieth that he did knowe the place befor the castell was buylt and herd say the same did belonge to the busshoppe, To the second he can say no outhewise then he haith said, To the thirde he saith that the busshopps booke doeth contayne the quantitie of the landes and more he knoweth not, To the fourth he saith that one Richard Roeth archdeacon of Ossory, lyeing vpon his death bedd abowte twoe yeares past, being in talke with this examine touching the said castell, told this examine he had often tymes ben with the busshopp his maister, Miles Baron, at the said Dorrowe, and at ther being ther Macgilpatricke delyuered to the said busshopp the keis of the said castell as oft as he would call for them. Sir John Neyle Chauncellor. William Gerrard canc'. Nos autem tenores omnium et singulorum premissorum ad requisicionem precharissimi consanguinei nostri Thome Comitis Ormond' et Ossorie duximus exemplificandos per presentes. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste predilecto et fideli consiliario nostro Henrico Sydney, preclari ordinis nostri garterii milite, domino presidenti consilii nostri marchiarum nostrarum Wallie, vno de privato consilio nostro in regno nostro Anglie, Ac deputato nostro generali regni nostri Hibernie, Apud Dublin XXVII^o die Julii anno regni nostri decimonono. White.

In dorso: Exemplification of diuers evidences concerning the manor of Dorrowe.

Great Seal of Q. Elizabeth, somewhat rubbed, and a piece broken off.

Parchment, 2 sheets, each 565 × 400 mm.

B37a. [134a].—Inspeximus by the Sovereign and Council of Kilkenny, of a grant, dated 15 July, 1432, of two islands, made by James Butler, Earl of Ormond, to the Vicars of the Common Hall, St. Canice's, Kilkenny. 12 December, 1589.

Thomas Raghtor Superior ville Kilkennie et ceteri de concilio eiusdem ville quorum nomina presentibus subscribuntur Omnibus ad quos presens scriptum pervenerit Salutem. Inspeximus quandam cartam confirmationis ac relaxationis per dominum Jacobum Butler Comitem Ormonie vicariis collegii Communis Aule Ecclesiae Cathedralis Sancti Kanici Kilkennie et eorum successoribus factam in pergameno scriptam sigillo armorum eiusdem Comitis sigillatam non vitiatam nec rasatam cuius tenor sequitur in hec verba. Vniuersis has litteras visuris vel audituris Jacobus le Butler Comes Ormonie salutem in Domino. Noueritis me remisisse dedisse et omnino imperpetuum pro me heredibus et assignatis meis quietum clamasse vicariis Collegii communis aule ecclesie Cathedralis Sancti Kanici Kilkennie et eorum successoribus totum ius meum et clameum et omnem accionem que vel quam habeo vel habui seu amodo aliquo modo habere potero in duabus Insulis que vocatur Mertoun is Ilands que iacent in longitudine ex apposito molendinorum lapideorum domini quondam le Spenser ex vna parte vsque ad pratum Superioris et communitatis ville Kilkenie ex altera parte, in latitudine vero iacent inter pratum Margarete Bristoll ex vna parte et magnam aquam que vocatur le Noyre ex altera parte : Habendum et tenendum predictas insulas prefatis vicariis et eorum successoribus imperpetuum. Ita quod nec ego predictus Jacobus nec heredes mei vel assignati nec aliquis alius nomine nostro aliquod ius vel clameum seu accionem in predictis Insulis cum omnibus suis pertinentiis clamare exigere seu vindicare poterimus de cetero in futurum, sed ab omni accione nostra et clameo simus penitus exclusi per presentes. In cuius rei testimonium presentibus Sigillum meum apposui. Datum Kilkennie quintodecimo die mensis Julii anno regni regis Henrici sexti decimo, et anno domini millesimo quadringentesimo tricesimo secundo. Nos autem predicti Superior et alii de concilio predicto predictam cartam ad instantiam Johannis Archer filii Williellimi de Kilkenia predicta mercatoris ad perpetuam rei memoriam duximus exemplificandum. In cuius rei testimonium Sigillum officii Superioratus eiusdem ville presentibus apponi fecimus. Dat' apud Kilkeniam XII^{do} die mensis Decembris anno domini millesimo quingentesimo octogesimo nono.

[Signed] Thomas Raghtor Soueraigne. Edward Payton.
Thomas Archer. Geoffrey Rothe.

In dorso: Mortons Ilands granted to the Viccars Choralls of Kilkenny.

Seal of the Sovereign of Kilkenny, in good (not perfect) condition.

Parchment, 360 × 218 mm.

B38. [135].—Lease by Patrick Fitzgerald, chaplain of St. Catherine's, Callan, to Thomas Merry alias Holeghane of property in Callan. 10 April, 1595.

Sciant presentes et futuri quod ego Patricius fitz Geralde cantor siue capellanus capelle Sancte Katherine ville de Callan in comitatu Kilkennie, de concensu assensu et mera voluntate Superioris ville de Callan predicte ac eiusdem Superioris parium de eadem villa de Callan, habito prius solemnī tractatu et matura deliberacione, ac pro certa summa pecunie mihi prefato cantori siue capellano per Thomam Merry alias Hologhane de Callan predicti burgensem pre manibus soluta, et in vtilitatem capelle predicte conuersa, et pro aliis bonis honestis et legitimis considerationibus et causis pro evidenti vtilitate et vrgenti necessitate eiusdem capelle me moventibus, de concensu et assensu predicto, Dedi concessi et hac presenti carta mea indentata confirmaui predicto Thome Merry alias Holeghanē vnum thoftum siue mesuagium cum gardino sibi anexo in strata occidentali dicte ville de Callan, et vnam particulam curtulagiam cum gardino sibi anexo in Kenlestrete dicte ville Callan, quod quidem mesuagium sive thoftum cum gardino suo anexo iacent in longitudine a strata regia dicte ville in parte boriali vsque ad le parsons Ins in parte australi, et in latitudine a terra Petri Mylot in parte occidentali vsque ad terram Izabelle Anell et Henrico Forstall in parte orientali, et dictam particulam curtulagiam (*sic*) cum gardino sibi anexo iacent in longitudine a terra Gulielmi fitz Derby ex parte occidentali vsque ad communem fossam dicte ville in parte orientali, et in latitudine iacent a terra dicti Thome Merry in parte australi vsque ad communem fossam in parte boriali, Nec non reuercionem et reditus predictorum mesuagii et gardini et dictus curtulag' (*sic*) cum gardino et crofto et cuiuslibet inde parcella cum pertinenciis: Habendum et tenendum predictum thoftum siue mesuagium cum gardino sibi anexo et dictam particulam

curtulagiam cum gardino sibi annexo cum eorum pertinentiis ac reuercionem et reditus eorundem et cuiuslibet inde parcelle cum pertinentiis prefato Thoma Merry alias Holeghane heredibus et assignatis suis imperpetuum de capitalibus dominis feodi illius per seruicia inde debita et de iure consueta: Redendo inde annuatim idem Thomas heredes et assignati sui mihi prefato cantori siue capellano et successoribus meis cantoribus siue capellanis capelle predictæ sex solidos bone et legalis monete Hibernie ad festa Sancti Michaelis Archangeli et Pasche per equales portiones. Et si contingat reditum predictum aretro fore in parte vel in toto ad aliquod festum festorum predictorum in quibus vt prefertur solui debeat, tunc et tocies bene liceat mihi prefato [*etc. as before . . .*] predictæ in dictum thoftum siue messuagium cum gardino sibi annexo et in dictam particulam curtulag' cum gardino sibi annexo cum eorum pertinentiis intrare et ibidem distringere, distractionesque ibidem inventas nobiscum asportare ducere capere efugare et penes nos continere, donec de reditu predicto et de arreragiis eiusdem si que fuerint nobis plenarie satisfactum fuerit et persolutum. Et ego predictus [*etc., clause of warranty*]. Et vltcrius sciant me prefatum cantorem siue capellanum de consensu et assensu predicto fecisse ordinasse constituisse deputasse et in loco meo posuisse dilectum mihi in Christo Jacobum Heden de Callan predict' burgensem meum verum et legitimum atturnatum ad intrandum et possessionem capiendam pro me vice et nomine meo de et in predicto thofto siue messuagio cum gardino sibi annexo, et in dictam particulam curtulagiam et gardino sibi annexo cum eorum pertinentiis, et post huiusmodi possessionem sic inde captam et habitam, de inde pro me vice et nomine meo plenam et pacificam possessionem et seisinam inde prefato Thome Merry alias Holeghan deliberandam secundum vim formam et efectum huius presentis carte mee indentate inde ei confecte: Ratum et gratum habentem et habiturum totum et quicquid predictus atturnatus meus fecerit in premissis per presentes. In cuius rei testimonium huic parti huius presentis carte mee indentate penes predictum Thomam remanenti Sigillum meum aposui. Ac predicti superior et consilium predictæ ville de Callan Sigillum suum videlicet Sigillum commune superioris et burgensium ville de Callan predictæ aponi fecerunt. Dat' X^o Aprilis anno regni regine Elizabethæ XXXVII^o et anno domini 1595.

On the back of the deed are certificate of sealing and delivery, signed by Adam Douly, Thomas FitzGerild, John Barrett, Johne Kevane, and Moghour Hartegan; and certificate of giving of livery and seisin, signed by Richard Forstall Deputie Soueraigne, Edward Brenan, and Walter Touny.

[*Also in dorso*]: The chapplaine of St. Katherins and the Suffrane and his brethren gift of the howse garden in the west streat next Piers Milotis howse, and the dr' (?) mese and garden in kenles streate paing yerly six shillings Irishe to the chapplaine for the time being per gale 3s. Irish per gale.

Seal of Patrick FitzGerald gone (his signature on tag); seal of the Town of Callan (a large piece).

Parchment, 335 × 287 mm.

B39. [136].—Indenture, in Latin, dated 10 February, 1599 [1600]. Lease by David, Dean, and the Chapter of the Cathedral of Holy Trinity, Waterford, to John Quonan, *generosus*, of a tenement in Carrick [the same tenement as that leased to the Bishop of Waterford and Lismore on 29 September, 1558, cf. no. 123 above]. Term, a hundred years dating from the expiration of the Bishop's lease; rent, five shillings per annum.

Seal of the Dean and Chapter of Waterford, in fairly good condition.

Parchment, 440 × 245 mm.

SECTION C.

DEEDS RELATING TO RELIGIOUS HOUSES AND DIOCESES OTHER THAN THOSE APPEARING IN SECTIONS A AND B.

C1. [2].—Quitclaim by the Abbot (William) and Convent of Owney, in favour of Theobald Walter; to a moiety of the advowson of the church of Nenagh. [1217-1221].

Vniuersis presens scriptum visuris uel auditoris Willelmus abbas de Wethni et eiusdem loci conuentus salutem in Domino. Nouerit vniuersitas uestra quod cum placitum motum fuisset in curia domini regis Lemericie super aduocacione ecclesie de Nanaht inter dominum Theobaldum Walteri pincernam Hibernie aduocatum nostrum petentem ex vna parte, et nos tenentes ex altera parte, nos retinentes nobis vnam medietatem dicte ecclesie, ob honorem et reuerenciam dicti Theobaldi Walteri pincerne Hibernie aduocati nostri, et pro beneuolencia sua habenda, concessimus et quietam clamauimus ei et heredibus suis aduocacionem alterius medietatis dicte ecclesie, habendam et in perpetuum possidendam sibi et heredibus suis, ita scilicet quod clerici ad presentacionem suam uel heredum suorum ad medietatem predicte ecclesie admissi uel instituti de medietate omnium episcopalium sepedicte ecclesie de Nanaht respondebunt. Hiis testibus: R. Lanionensi episcopo, G. Prendelgast, Hugone Purcell, Milone de Chogan, H. Walteri, Willelmo filio Hugonis, Ricardo de Samlesburi, G. de Valoniis, Thoma Busell, et multis aliis.

In dorso: The advowson of the churche of Nanathe in dominio (?) de Limerick.

Seal gone from tag.

Parchment, 160 × 90 mm.

C2. [3].—Exemplification of a charter by Margaret de Cogan granting to St. Mary's Abbey, Dublin, land in Rosseletheri. [Grant made 1217-20].

Sciant presentes et futuri quod ego Margareta filia Mylonis de Cogan, pro salute anime mee et anime patris mei et omnium successorum et heredum meorum, dedi et concessi et hac presenti carta mea confirmavi Deo et Sancte Marie iuxta Dubliniam ordinis Cisterciensis, viginti carucatas terre in cantredo quod dicitur Rosseletheri cum omnibus pertinenciis suis ubi melius et competencius eis visum fuerit, tenendas et habendas in puram et perpetuam elemosinam de me et heredibus meis libere et quiete in ecclesiis et in ecclesiarum beneficiis in foris in boscis in planis in pratis et pascuis in moris et mariscis in viis in semitis in aquis et molendinis in piscariis et viuariis cum omnibus aliis esiammentis et libertatibus et liberis consuetudinibus qui computari solent in libera elemosina. Preterea dedi et concessi eisdem monachis omnes decimas dimidii predicti cantredi tam in ecclesiis quam in capellis cum omnibus pertinenciis earum in proprios usus possidendas. Preterea concessi et confirmavi sepedictis monachis totam terram quam pater meus Milo de Cogan dedit eis iuxta Corcaiam, scilicet Kealmohenoc cum omnibus pertinenciis suis, et quindecim carrucatas terre circa ipsam villam, et duo burgagia in Corcaia, scilicet unum infra muros et aliud extra, sicut carta patris mei testatur. Ut autem hec mea donacio et concessio stabilis et rata permaneat inperpetuum, presentem cartam sigilli mei impressione communivi. Hiis testibus: domino Henrico Dublinensi archiepiscopo tunc legato tocius Hibernie, Galfrido de Marisco tunc iusticiario, Thoma filio Ade, Rogero Huscard, Ada de Anna, Waltero de Ridelesford, Ada de Stantune, Patricio de Curcy filio meo, et multis aliis.

Seal missing.

C3. [5].—Bond of the Prior and Canons of St. John Baptist's, Nenagh, to observe the terms of a charter (recited) of Theobald Walter, Pincerna of Ireland. [1224-30].

Vniuersis sancte matris ecclesie filiis ad quos presens scriptum peruenerit Prior et Canonici Sancti Johannis Baptiste de Nanath salutem in Domino. Sciatis quod cum Theobaldus Walteri pincerna Hibernie primitus domum nostram fundauit Cartam suam nobis dedit in hec verba :

Vniuersis sancte matris ecclesie filiis ad quos presens

scriptum peruenerit Theobaldus Walteri pincerna Hibernie Salutem in Domino. Noueritis me diuini amoris intuitu et pro salute anime mee et pro animabus antecessorum et successorum meorum dedisse concessisse et hac presenti carta mea confirmasse Deo et Beate Marie et priori Sancti Johannis Baptiste de Nanath et canonicis et infirmis ibidem Deo seruientibus, sex carucatas et quadraginta acras terre in Karemach propinquiores de Lochmclach, et vnā carucatam terre et dimidiam in Lochmclach propinquiores de Karemach, et quatuor carucatas et quadraginta acras terre in Clonkury et Lesrony et Balach bel derg, cum omnibus pertinentiis suis, habenda et tenenda sibi et successoribus suis in puram et perpetuam elemosinam integre libere et quiete ab omni seculari exactione. Ita tamen quod in dicta domo Sancti Johannis sint in perpetuum tresdecim infirmi decumbentes ad minus, qui de bonis dicte domus commode sustententur, ita quod quilibet habeat singulis diebus panem integrum et potum de cellario et ferculum de coquina ad minus. Et cum facultas dicte domus permiserit, crescat numerus canonicorum, ita quod sit ibi conuentus. Concessi etiam dictis canonicis pro me et heredibus meis, quod decedentibus eorum prioribus in fata liberam habeant potestatem eligendi et constituendi sibi priorem sine aliqua contradiccione in perpetuum. Concessi etiam eisdem priori et canonicis quod habeant piscarias stagna et molendina in terris predictis sibi et hominibus suis. Hiis testibus et cetera.

Nos autem voluntati dicti Theobaldi adquiescentes de mera et spontanea uoluntate nostra concessimus et obligauimus nos et successores nostros ad obseruacionem forme in memorata carte (*sic, for carta*) contente, prout in ea melius et plenius continetur. Ita quod si vnquam aliquo tempore minus plene obseruata esset, liceat dictum Theobaldum et heredes suos nos et successores nostros distringere per possessiones nostras ad ipsius forme plenam obseruacionem. Vt autem hec nostra obligacio et concessio perpetue firmitatis robur optineant, presentem paginam sigilli nostri impressione roborauimus, hiis testibus; domino M. Cassellensi archiepiscopo, domino R. Laonensi episcopo, Mauricio filio Geroldi, Geroldo de Prendelgast, fratre Willelmo de Teford, Petro de Brimingeham, Ada de

Alneto, Jordano de Mariscis, Ricardo de Samelebury, Willelmo filio Hugonis, Johanne de Haksford clerico, et aliis.

In dorso : Carta domus monasterii S. Johannis iuxta le Nenath. (*Alia manu*) Notandum quod 13 infirmi debent ali et sustentari in dicta domo quotidie.

Seal gone from tag.

Parchment, 240 × 218 mm.

Note : Marian O'Brien was Archbishop of Cashel from 1224 to 1237, and Robert Travers Bishop of Killaloe from 1217 to 1231; this deed must have been issued between 1224 and 1230, in the time of Theobald II. It appears (without the names of witnesses) in the Red Book of Ormond (see page 85 of the printed edition).

C4. [7].—Roll of ameracements on parishes, etc., in Co. Tipperary. [1370-90].

De Abbate de Kilcoull quia sommonitus non venit cum ii hob' armatis non venit iis.

De Abbate de Oseney quia summonitus cum i hob' non venit *xiid.*

De Abbate de Inchelawnaght quia summonitus cum ii hob' armatis.

De Priore de Athisshell quia summonitus cum i hob' armato non venit iis.

De preposito et communitate de Bouelek quia summoniti prout assess' sunt *xxd.*

De preposito et communitate de Kilteu' pro eodem *vid.*

[*in left-hand margin arr' . . .*]

(Do.) Kilsellan pro eodem *xiid.*

(Do.) Carrick pro eodem *iis.*

(Do.) Lynan pro eodem *xiid.*

(Do.) Typeraght pro eodem *xiid.*

- (Do.) Athissell pro eodem *xxd.*
 (Do.) Ardmayll pro eodem *xxd.*
 (Do.) Typerar' pro eodem *dim. mr.*
 (Do.) Nouo Castro pro eodem *xxd.*
 De parochia de Tyllaghamelan pro eodem *vid.*
 (Do.) Loghken et Wythyeston' pro eodem *xiid.*
 (Do.) Tylaghamelan pro eodem *xiid.*
 (Do.) Rauyleston' pro eodem *iiid.*
 (Do.) Moygarban exsept' et cetera pro eodem *viii (d.).*
 (Do.) Rathgole pro eodem *xiid.*
 (Do.) Colagh pro eodem *xiid.*
 (Do.) Scadaneston' pro eodem *vid.*
 (Do.) Dronghan pro eodem *iis.*
 (Do.) Pyperton' pro eodem *vid.*
 (Do.) Clonynys pro eodem *xxd.*
 (Do.) Kiltu' pro eodem *xiid.*
 (Do.) Graunge pro eodem *vid.*
 (Do.) Balybrenan pro eodem *vid.*
 (Do.) Kilskegh pro eodem *vid.*
 (Do.) Kilma' pro eodem *xxd.*
 (Do.) Kilcasshe pro eodem *xiid.*
 (Do.) Kilsyllan pro eodem *xiid.*
 (Do.) Kilgraunte pro eodem *xiid.*
 (Do.) Rathronan pro eodem *iis.*
 (Do.) Kilmore Crussyn pro eodem *xiid.*
 (Do.) Kiltagan pro eodem *vid.*
 (Do.) Tybirpatrick pro eodem *vid.*
 (Do.) Inchelawnaghte pro eodem *xiid.*
 (Do.) Tampil Damian pro eodem *x . . .*
 (Do.) Garth pro eodem *xxd.*
 (Do.) Lysmolyng pro eodem *xiid.*
 (Do.) Crohan pro eodem *vid.*
 (Do.) Bouelek pro eodem *xxd.*
 (Do.) Lysnemok pro eodem *xxd.*
 (Do.) Rathelt pro eodem *xiid.*
 (Do.) Rathmanagh pro eodem *xiid.*
 (Do.) Sythan pro eodem *vid.*
 (Do.) Loghmy pro eodem *xxd.*
 (Do.) Drum.
 (Do.) Amoryeston' pro eodem *xiid.*

De Johanne filio Willelmi Brymgham pro eodem *xiiid.*
 De David Mulcot pro eodem pro eodem (*sic*) *xiiid.*
 De Willelmo Oneyll vicario de Carrick pro eodem *vid.*
 De Nicholas de Valle de Fyglasse pro eodem *xiiid.*
 De Johanne Maydewell pro eodem pro eodem (*sic*) *xiiid.*
 De Johanne Ocarely de . . . pro eodem . . .
 De . . . de Lisroragh quia summonitus cum iii hob' non venit .
 De Meilero de Burgo quia summonitus cum hob' arm' . . .
 . . . (summa ?) istius rotuli alias non (com ?)put' *vli.*
xviii. iiiid.

In dorso : A pannell.

Parchment roll, 136 × 420 mm., rubbed and illegible in places.

C5. [17].—Mandate of John, Archdeacon of Cloyne, for the sequestration of the profits of the vicarage of Youghal, on account of non-payment of procurations. 15 October, 1402.

Johannes archidiaconus Clonensis discretis viris dominis Ricardo Patrik capellano parochiali ecclesie parochialis de Yoghull Clonensis diocesis, et Ricardo Fraunceys diuina celebranti in eadem, salutem in auctore salutis. Vobis et alteri vestrum committimus et in virtute sancte obediencie sub omni pena canonica firmiter iniungendo mandamus, quatenus sequestretis et sub arto sequestro custodiri faciatis sequestret et custodiri faciat quilibet vestrum omnes et singulos fructus decimas et obuenciones maiores et minores vicarié dicte ecclesie de Yoghull cum capellis eidem annexis qualitercunque prouenientes seu spectantes, quos eciam in manibus vestris et cuiuslibet vestrum tenore presentium sequestramus, donec nobis de procuracionibus nostris racione vltime visitacionis domini episcopi Clonensis pro parte nostra inde nobis debitis plenarie fuerit satisfactum, inhibentes omnibus Christi fidelibus ne quis sub quouis colore fructus interim manus apponat alienatris (*sic*) sub pena maioris excommunicacionis (*word obscure*) manus huiusmodi apponenti (*word obscure*) sequestrum huiusmodi violantes quod absit ipso facto dampnabiliter incurrando, certificantes et quilibet vestrum

certificans nos presentibus remissis cum fueritis requisiti quid feceritis in premissis. Dat' sub sigillo (nostro?) quo vtimur XV^{mo} die mensis Octobris anno domini millesimo CCCC^{mo} secundo.

In dorso : Sequestracion of the viccaradge of Yoghill.

Parchment, 315 × 65 mm.

The deed is smudged, and the writing faint, and some of the words illegible or doubtful.

Seal (and tag) gone.

C6. [22].—Absolution for homicide granted by Nicholas, Abbot of Hore Abbey (de Rupe Cassel) to Peter Omorra. No date [apparently earlier part of fifteenth century].

Jhūs Nasarenus.

Pateat omnibus per presentes quod nos Nicolaus abbas monasterii Beate Marie de Rupe Casel Cisterciensis ordinis absoluimus Petrum Omorra a pena homisidi illius Donaldi filii Mauricii autoritate sedis appostolice siue indulgentiarum nostrarum concessarum per non nullos pontifices, istis racionibus tum quia non fuit clericus secundum relacionem prefati Petri nec non et alliorum plurimorum hominum tum quia fuit inuasor ecclesie siue ecclesiarum, ideo absoluimus eum et per presentes eum absolutum denunciamus racionibus prefatis saluo iure curie episcopi.

Two tags, but no seal remaining.

Parchment, 210 × 80 mm.

C7. [36].—Petition of the Abbot and Convent of Owney to James le Botler, Earl of Ormond, for the removal of an intruded abbot of the Irish nation. 31 May, 1436.

Nobili et excellenti domino domino Jacobo le Botler comiti Ormonie vestri humiles et deuoti oratores Abbas et conuentus Monasterii Beate Marie de Huonia Imelacensis diocesis Salutem et se ad deuota obsequia semper prestandum paratos. Nuper

siquidem dolendum est quod cum monasterium predictum dittissime et largiflue extitit fundatum et dotatum per vestros progenitores, Ita eciam quod nullus in monachum ibidem, et presertim ad dignitatem Abbacie predictae, nisi de Anglicana existat nacione procreatus recipiatur nec admittatur, in dilusionem et destructionem dittissime dotacionis et fundacionis predictorum vestrorum progenitorum quidam Dermicius Oglessoon monachus aliunde professus, qui de Hibernicana nacione procreatur, contra statuta et mandata Regia, potentia inordinata laicorum inimicorum domini nostri Regis, et virorum presertim capitalium Hibernicorum, videlicet Cornelii y Molreyan, se Abbatem dicti monasterij de facto pretendit, et per dictum Cornelium et filium eiusdem nos et monasterium huiusmodi sustentacionibus fructibus redditibus et obuencionibus vniuersis priuauit spoliauit et de die in dies priuat et spoliat, quod nullus extra castrum monasterij exire valeat, ita quod defectu sustentacionis quasi fame perimus, diuinus cultus negligitur et diminuitur, Vnde vos rogamus et requirimus lacrimosis suspiriis vt nunc ad gemitum nostri meroris aures vestras inclinare dignemini, quod monasterio predicto aliter prouideatis, ne ipsum in manibus inimicorum vestrorum Hibernicorum cum quibus nunquam gracia regnauit deducatur, et eidem alicui de nacione Anglicana prouideri disponatis aut de professis eiusdem monasterij disponi et prouideri procuretis, Acceptantes graciose si placet quid vobis per dompnum Ricardum Genowr' professum dicti monasterij ex parte nostra vobis in premissis duxerit exponenda, quem in hiis nostrum facimus procuratorem per presentes. In cuius rei testimonium sigillum nostrum commune presentibus apposuimus. Dat' in monasterio nostro vltimo die mensis May anno domini M^oCCCCXXX sexto.

In dorso: A petition from the Abbott & Convent of Owny to Ja. Erle of Ormond to remove an Abbott of Irish name.

Seal gone from tag.

Parchment, 325 × 165 mm.

The Latin text of this petition is printed (with some errors) in the *Proceedings of the Kilkenny Archaeological Society* [=R.S.A.I.] for 1855 (p. 222), and there is an English translation

of it in the article on the Abbey by Archdeacon St. J. Seymour in *Journal R.S.A.I.* for 1907 (p. 174).

C8. [37].—Grant by the Abbot (Robert Howly) and Convent of Mothel of a corrody to Edmund Blakeman Power. 28 July, 1440.

Vniuersis has litteras visuris vel auditoris Robertus Howly abbas monasterii Sanctorum Coani et Brogani ordinis Sancti Augustini de Mothalia Lismorensis diocesis et eiusdem monasterii conuentus salutem in Domino sempiternam. Nouerit vniuersitas vestra quod nos abbas et conuentus predicti de nostro vnanimi assensu concensu et expressa nostra voluntate capitulariter congregati dedimus et concessimus pro nobis et successoribus nostris et per presentes damus et concedimus imperpetuum et hac presenti carta nostra confirmamus Edmundo filio Walteri Blakeman Power heredibus suis et vxoribus eorum esculenta et poculenta ac cibaria in monasterio nostro predicto nobiscum secundum modum nostrum prout nos abbatem et successores nostros in eodem monasterio accipere contigerit, et vni famulo et vni ancille ipsorum quem et quam ipsi duxerint elegendum ac elegendam, et vnam cameram competentem et honestam infra monasterium nostrum predictum, ac stabulum et foragium et pabulum ceteraque cibaria pro duobus equis in eodem monasterio nostro. Et quod dictus Edmundus heredes et vxores ipsorum recipiantur et sedeant in mensa nostra et successorum nostrorum in prandio et in cena tempore sanitatis ipsorum, et si fuerint aliqua infirmitate aut senio detenti quod eis deseruiatur in camera sua in esculentis et poculentis sicut debet deseruiari nobis et successoribus nostris, et quod famulus et ancilla ipsorum sedeant in secunda mensa atque eis competenter in esculentis et poculentis deseruiatur. Ad que omnia et singula premissa fideliter facienda et tenenda atque plenarie adimplenda obligamus nos et successores nostros ac omnia bona nostra mobilia et immobilia cohercioni et districcioni cuiuscumque iudicis ecclesiastici et secularis per presentes. In cuius rei testimonium presentibus sigillum nostrum commune apposuimus. Dat' apud Mothalam Lismorensis diocesis die Jouis proximo post festum Sancti Jacobi apostoli anno domini millesimo CCCC^{mo}

quadragesimo, anno vero regni regis Henrici sexti post conquestum Anglie decimo octauo.

In dorso: Edmund fitzWalter Blackman Power de Illane Ivricke, a corody granted to him & his heires in y^e Abby of Motalia neer Lismore.

Traces of red wax of seal on tag.

Parchment, 300 × 160 mm.

C9. [44].—Certificate by Angelus, Abbot of St. Anastasius, Rome, of the admission of Edmund Butler and Egidia his wife into the Confraternity of Scala Celi. 24 October, 1460.

Angelus Dei paciencia abbas monasterii Sancti Anastasii extra muros vrbis Rome ordinis Cisterciensis salutem in auctore salutis cum peccatorum remissione plenaria. Cum monasterii nostri predicti situs roseo beati Pauli apostoli doctoris gentium cruore, innumeris eciam sanctorum martirum confessorum aut virginum reliquiis ibidem remanentibus, a Deo sanctificatus existit, quod vti Clementis Siluestri et Calisti beatorum ceterorum quoque Romanorum pontificum concessionibus ad perpetuam rei memoriam nobis ac fraternitati capelle de Scala Celi in ambitu monasterii nostri predicti sittuate factis luculencius apparet, omnibus et singulis vtriusque sexus Christi fidelibus qui diuino excitati instinctu ad fraternitatem Scale Celi predictam admissi fuerunt, pie sit indultum quod ipsi confessorem ydoneum secularem vel regularem eligere valeant, qui audita eorum confessione, et penitencia eis pro modo culpe iniuncta, plenariam remissionem omnium peccatorum suorum eis valeat impertiri, et ipsos ab ignis gehenna constituere immunes. Quocirca vniuersis Christi fidelibus innotescere volumus per presentes quod deuocione ac largicione immensis per Edmundum filium Ricardi Botiller et Egidiam vxorem suam predictae fraternitati impensis plenius consideratis, ipsos in confratrem et consororem fraternitatis predictae admisimus, necnon indultorum indulgenciarum beneficiorum disciplinarum et suffragiorum tam ordini nostro predicto quam fraternitati prescripte concessorum participes facimus constituimus pariter et ordinamus per presentes. Dat' in testimonium premissorum sub sigillo officii fraternitatis predictae

vicesimo quarto die Octobris anno domini millesimo quadringentesimo sexagesimo.

In dorso : Chapple of Scala Celi.

Seal (in very poor condition).

Parchment, 335 × 80 mm.

C10. [53].—Grant by Sir James Butler and Sabh his wife to the Friars Minor of Kilkenny of property in Donnobire and Troistoun. Three deeds : A. Grant, and B. Letter of Attorney, 14 April, 1479, and C. Quitclaim, 9 August, 1479.

Jhs

A. Sciant presentes et futuri quod Nos Jacobus Botler Filius Edmundi Botler, et Sabina vxor mea, dedimus concessimus et hac presenti carta nostra confirmauimus Richardo fize Gerrot baroni de Barnchurche, et Laurencio Walsche burgensi ville Kilkennie, procuratoribus Fratrum Minorum conuentus Kilkennie nomine Romane ecclesie, ad vsum et vtilitatem ipsorum Fratrum ac eiusdem loci reparacionem et manutenentiam inibi studii sacre theologie, iuxta disposicionem ministri et diffinitorum provincialis capituli eorundem Fratrum in Hibernia, pro nobis et heredibus nostris, pro animabus nostris et parentum nostrorum ac fratrum meorum atque filiorum aliorumque predecessorum et successorum nostrorum, in puram et perpetuam elemosinam, Omnia messuagia terras redditus et tenementa cum omnibus suis pertinenciis tam in aquis quam in gurgitibus et piscariis que habemus in Donnobire et Troistoun in tenemento de Dromdelgyn, iacent' in longitudine a terra que vocatur Farynbroke vsque ad terram de Talbotisynche, et in latitudine a terra de Ketyngestoun vsque ad aquam que vocatur le Noyre, excepta quarta parte silue ibidem siue fuerit ibidem plus siue minus, habenda et tenenda omnia predicta messuagia terras redditus et tenementa cum eorum pertinenciis tam in aquis quam in gurgitibus et piscariis prefatis Richardo et Laurencio procuratoribus supradictis prout supradictum est, de capitalibus dominis ffeodi illius per seruicia inde debita et de iure consueta imperpetuum. Et nos vero [*etc., clause of warranty*]. In cuius rei testimonium presentibus sigilla nostra alternatim apposuiamus. Dat' quarto-decimo die mensis Aprilis anno regni regis Edwardi quarti

decimo nono, hiis testibus presentibus : dominis Philippo Okeroke rectore Sancti Kannici, et Philippo Okahill vicario de Kilmannage capellano, Edmundo Croke, et Richardo Tobyn, cum multis aliis.

In dorso : Downobir. Conserving the fourth parte of Tweswoodd to belonge to my lord. Nere Kilkenny.

Two seals (one broken).

Parchment, 305 × 150 mm.

B. Deed of attorney, appointing James Quemerford to give seisin, in the same matter. Same date.

In dorso : Letter of baly de Donnobire.

Same seals (both in good condition).

Parchment, 290 × 80 mm.

C. Quitclaim by the same in the same matter. Dated 9 August an. 19 Edw. IV [1479].

In dorso : Relesse Jacobi Butler & Sabine vxoris eius de Donnobire et Troistoun, anno Edwardi 4^{ti} XIX^o.

Same seals (one broken).

Parchment, 280 × 100 mm.

CII. [61].—Certificate by Rory, Abbot of Mothel and general proctor in Ireland for the Hospital of the Holy Spirit in Saxia, Rome, of the admission of Sawe Kavanagh, widow of Sir James Butler, into the Confraternity of the Hospital. 1501.

Nos Frater Roricus Dei paciencia abbas monasterii Sanctorum Cuani et Brogani de Mothalia ordinis Sancti Augustini Lismorensis diocesis, ac generalis procurator hospitalis Sancti Spiritus in saxia de vrbe Romana in tota Hybernie insula legitime deputatus, notum facimus per presentes quod summi Romani pontifices concesserunt omnibus confratribus et benefactoribus eiusdem hospitalis, quod possint eligere idoneum confessorem secularem vel regularem curatum vel non curatum

qui eos absoluat ab omnibus criminibus excessibus et peccatis eorum contritis confessis et oblitis, et ab omni sententia excommunicacionis maioris vel minoris a iure vel ab homine si quam incurrant, et a quibuscumque aliis casibus eciam sedi apostolice reseruatis semel in vita dumtaxat de preteritis et in mortis articulo tociens quosciens a pena et a culpa. Item prefati pontifices voluerunt et concesserunt quod si forte confratres qui in dicta confraternitate descripti fuerint mori contingerit eisdem de presenti ecclesiastica tradatur sepultura eciam si locus fuerit interdictus nisi nominatim fuerint excommunicati ac publici vsarii. Quapropter in dicta confraternitate recepimus et in libro annotauimus Sauinam Kevanach derelictam potentis bone memorie viri Jacobi Butteller. In cuius rei testimonium usigillum nostrum duximus apponendum anno domini M^o quinccentesimo primo.

Forma absolucionis in vita. Misereatur tui et cetera. Dominus noster Jhesus Christus per suam piissimam misericordiam te absoluat et ego ipsius auctoritate et apostolorum Petri et Pauli te plenarie absoluo ab omnibus peccatis tuis criminibus et excessibus et ab omni sententia excommunicacionis maioris vel minoris a iure vel ab homine si quam incurristi et a quibuscumque aliis casibus et sedi apostolice reseruatis et restituo te ad vnitatem fidelium et sacramenta ecclesie in nomine Patris et Filii et Spiritus Sancti amen.

In dorso: Savina Kevanagh. 1501. Aby of Mothell. Mothill.

Seal in very good condition.

Parchment, 220 × 140 mm.

C12. [64].—Grant to the Prior and Convent of the Augustinian Eremite Friary of Callan, by Richard Trody, of a message in Callan. (Three deeds). 10 April, 1507.

A. Sciant presentes et futuri quod ego Ricardus Trody filius Thome Trody merchandus et burgensis ville de Callan dedi concessi et hac presenti carta mea confirmaui priori conuentui et monasterio Sancti Augustini in Callan, vnum messuagium cum orto adiacente cum pertinentiis in burgageria de Callan, iacens inter monasterium Sancti Augustini in longitudine vsque

ad aquam vocatam le Ry, in latitudine vero iacet a prato dicti monasterii ad terram commune (*sic*) aule Sancti Kanice parte ex altera, provt eidem priori conventui et monasterio assignatur et perambulatur per certas metas et bundas, habendum et tenendum prefatis priori conuentui et monasterio et suis successoribus in feodo et hereditate imperpetuum et in puram et perpetuam elemosinam de capitalibus dominis feodi illius per seruicia inde debita et de iure consueta. Et ego vero [*etc., clause of warranty*]. In cuius rei testimonium presentibus sigillum meum apposui. Dat' IIII° Idus Apprilis anno domini M^oCCCCC°VII° et anno regni Henrici VII post conquestum Anglie XX°II°.

In dorso: Evidences tuchinge a certayn messuadge & garding belonging to the frery of Callan.

Seal (in bad condition).

Parchment, 260 × 145 mm.

B. and C. Two deeds sewn together with A. B. is a Quitclaim; C is a Letter of Attorney, appointing dominus John Cantwell, capellanus, to give seisin. Same date as A. Each has seal, that of B in very bad condition, that of C not so bad.

Parchment, 241 × 159 mm.; 265 × 124 mm.

C13. [65].—Certificate by the Abbot (William) and Convent of Oseney, near Oxford, of the admission into their confraternity of Sir Piers Butler and Lady Margaret his wife. 29 March, 1509.

Honorabili reuerendoque viro Petro Buttler militi de comitatu Kylkennie in Hybernia, Et domine Margarete filie nobilis viri Comitiss Kyldarie vxori predicti Petri Buttler militis, Willelmus permissione diuina Abbas monasterii Beate Marie Virginis Oseneye et eiusdem loci Conuentus Oracionum suffragia et quicquid hauriri valet dulcius de latere Crucifixi: deuocionem quam ad monasterium nostrum ob Dei geritis reuerenciam vt accepimus affectu sincere charitatis acceptantes, Christoque acceptabile fore credentes, piis ipsam beneficiorum spiritualium vicissitudinibus compensari volentes, vos ad vniuersa et singula nostri monasterii tam in vita quam in morte recepimus suffragia,

plenam vobis tenore presencium participacionem omnium bonorum spiritualium concedendo, que per canonicos et confratres dicti monasterii nostri operari dignabitur nostri clemencia saluatoris, Videlicet in missis oracionibus vigiliis jeiuniis abstinenciis predicacionibus disciplinis elemosinis hospitalitatibus ac eciam in omnibus aliis regularibus obseruanciis solempniter et priuatim custoditis, vt multiplici suffragiorum fretus (*sic*) presidio, hostium vitatis insidiis et carnis spretis illecebris, eterna cuius (*sic*) gaudia consequi valeatis, Adicientes eciam de gracia speciali, vt cum obitus vester in nostro Capitulo fuerit nunciatus, id pro vobis deuote fiet quod pro fratribus nostris defunctis et amicis specialissimis fieri consuevit. In cuius rei testimonium sigillum nostrum commune presentibus apposuimus. Dat' in domo nostra capitulari Oseneye vicesimo IX^o die mensis Marcii anno domini millesimo quingentesimo nono.

In dorso : Forma confraternitatis. Abi of Osney.

Seal gone from tag.

Parchment, 335 × 185 mm.

C14. [66].—Lease by the Prior and Convent of Inistioge, to Walter Aeyenlys, chaplain, and David Baron of Bronysford, of the rectory of Aghtyr. 16 April, 1509.

Hec indentura facta apud Ynstyoke XVI die mensis Aprilis anno domini M^oV^oIX, inter priorem et conuentum monasterii Sancti Columbe de Ynstyoke Ossoriensis diocesis parte ex vna, et dominum Valterum Aeyenlys capellanum ac Davyt Baron de Bronysford parte ex altera, testatur quod predicti prior et conuentus ex vnanimi concensu et assensu dederunt et ad firmam tradiderunt prefatis domino Valtero Dauit heredibus et assignatis suis, Rectoriam ecclesie parochialis de Aughteyr cum omnibus suis fructibus obuencionibus emolumentis de dictis priore et conuentu et eorum successoribus eisdem domino Valtero Dauit heredibus et assignatis suis a tempore confeccionis presencium usque ad terminum XX annorum plenarie complendorum: Reddendo inde dictis priori et conuentui et suis successoribus tres marcas argenti per duos anni terminos, videlicet Pasce et Michaelis, per equales porciones in utroque festo, et sic de anno

in annum et termino in terminum durante termino viginti annorum: Et idem dominus Valterus et Dauit soluent omnia ordinaria et extera ordinaria durante termino predicto: In cuius rei testimonium partes predictae sigilla sua aposuerunt.

In dorso: The Advoyson of Aughteir.

Seal of Inistioge Priory in excellent condition (oval; bird, with wings displayed, filling the space; lettering round edge).

Parchment, 220 × 105 mm.

C15. [69].—Lease by the Prior (R. Skyrrett) and Convent of the Cathedral Church of the Holy Trinity, Dublin, to W. Hassard, canon of the same church, and others, of the church of Othorlere, and other property. 1 November, 1511.

Hec indentura facta inter priorem et conuentum Ecclesie Cathedralis Sancte Trinitatis Dublin' ex vna parte et Fratrem Willelmum Hasarte eiusdem canonicum ecclesie et Johannem English de Coranfer generosum et Jacobum filium eius ex parte altera. Testatur quod predicti prior et conuentus ex eorum vnanimi assensu et consensu dimiserunt et ad firmam tradiderunt prefatis Willelmo et Johanni et Jacobo ecclesiam Sancti Dauid de Othorlere in patria Thomalyn cum decimis oblacionibus alteragiis et aliis omnibus proficuis eidem ecclesie omnimodo pertinentia siue spectantia, insuper concesserunt prefatis Johanni Jacobo et Patricio Magno custodiam silue dictorum prioris et conuentus ibidem cum feodo de Ballybretnagh . . . carucatam terre, siue maius siue minus, cum suis pertinenciis, habenda et tenenda predictam ecclesiam cum decimis oblacionibus et alteragiis predictis prefatis Willelmo Johanni et Jacobo et suis assignatis a die confeccionis presencium vsque ad finem termini quinque annorum proximo sequencium plenarie complendorum, Reddendo inde annuatim idem Willelmus Johannes et Jacobus et assignati sui prefatis priori et conuentui eorumque successoribus xiiiiis. legalis monete ad duos anni terminos, videlicet, ad festa Pasche et Sancti Michaelis equis porcionibus dicto termino durante, habenda et tenenda pariformiter prescriptis Johanni

Jacobo et Patricio custodiam silue et terrarum predictarum pro eodem termino, Reddendo inde annuatim prefati Johannes Jacobus et Patricius eisdem priori et conuentui eorumque successoribus XXIIII ligna componenda et trahenda ad keyam de Arclowe in expensis dictorum Johannis Jacobi et Patricii, capiendo inde annuatim pro eorum laboribus et custodia antedictarum silue et terrarum XXIIII ligna eodem termino durante. Et si contingat prefatos firmarios in solucione premissorum deficere per sex septimanas post aliquem terminum terminorum predictorum, quod tunc licitum sit prenominatis priori et conuentui eorumque successoribus in dictis ecclesia feodo silua et carucata terre cum suis pertinenciis intrare et eas rehabere dimissione predicta non obstante. Insuper prefati Willelmus Johannes et Jacobus et assignati sui cancellum dicte ecclesie reparabunt sustentabunt et manutenebunt bene et computenter (*sic*) rigide et inaqueose, et omnia eius iura ad posse eorum defendent, ac omnia onera ordinaria et extra ordinaria eidem ecclesie incumbencia subportabunt sumptibus suis propriis et expensis dicto termino durante. In cuius rei testimonium tam sigillum commune dictorum prioris et conuentus penes prefatum Johannem remanens quam sigillum eiusdem Johannis penes predictos priorem et conuentum remanens presentibus indenturis alternatim sunt appensa. Data in domo capitulari in festo omnium sanctorum anno domini millesimo quingentesimo vndecimo.

[*Signatures on back*] :

Richardus Skyrrett prior
 Thomas Fyche supprior
 J. Hassard
 J. Kendyll
 W. Hassard
 Ric. Heyn
 J. Honylow
 Ric. Walsche
 Willelmus Loghnan
 Ryc. Ball
 Wyllelmus Lamkyn

Seal gone; slight remains of tag.

Parchment, 285 × 185 mm.

C16. [70].—Quittance by Robert Eure, Prior of the Hospitallers of Kilmainham, to Dame Margaret (Fitzgerald) Butler, for all payments due to him for the farm of Cottrellsboly. (Complete autograph). 26 January, 1511-12.

Be it knowen to euery man that I Robert Evre prior off Saint Johnes Jherusalem in Irlande haue recevide off my lady Dame Margaret Fitzgarrott oders wise Butler full contentacion and payment ffor the fferme off Cotterell ys Bowley at any timis dewe to be payd sethe the begynnyng off the worlde to thys present day In wytnes where off I haue writtin th(y)s(bi)ll off qwittance with myn owne hande and sealyde with my seale (off) (a)rmes the XXVI off January anno domini M^oV^tXI^o et regni regis Henrici octaui [tercio, *MS. holed*].

Robert Eure scripsi Manu propria.

In dorso: Concernynge Cottrellsbolly in com' Kilkeny.

Parchment, 255 × 100 mm.

Strip cut but no seal.

C17. [71].—Judgment of Nicholas, Bishop of Ferns, and other arbitrators, in a dispute between certain citizens of New Ross arising out of the will of Richard Benet. 15 and 18 March, 1511-12.

Nouerint vniuersi per presentes quod anno domini M^oV^ot^oXI^o et decimo quinto die Marcii in ecclesia Beate Marie de Rosponte Fernensis diocesis, ad sophiendas et debito fine determinandas omnimodas dissenciones brigas contenciones et demandas iudicialiter coram officiali Fernensi motas inter circumspectos viros Nicholaum Bryttone et Johannem Benet filium et executorem bone memorie Richardi Benet, burgenses dicte ville de Rosponte, racione quorundam debitorum in quibus antedictus Richardus Benet cum filio suo dicto Johanne obnoxius dicto Nicholao existebat, necnon et racione cuiusdam tenementi non superedificati cum alio loco vacuo pro opella, quod tenementum cum illo loco vacuo pro opella antedictus Johannes Benet pro illis debitis et aliis receptis per eundem per litteras suas Nicholao donauit protunc allegando quod per indebitum summam decem marcarum cum

dimedio cum vnus trium executorum patris sui premortui fuerat antedicto Nicholao Bryttone soluebat, de vnanimi eorum consensu pariter et assensu in hos sequentes compromiserunt, videlicet, in reuerendum in Christo patrem ac dominum dominum Nicholaum Dei gracia episcopum Fernensem, magistrum Robertum Lumbard officialem Fernensem, magistrum Thomam Caunclane superiorem dicte ville de Rosse, Heliam Archer, et Robertum Nevyll, burgenses, et tactis sanctis euangelii iurauerunt quod in alto et basso super omnibus eorum accionibus contrauerciis et demandis laudo et arbitrio illorum quinque proborum starent imperpetuum. Qui quinque antescripti receptis et examinatis earundem partium testibus et visis et perlectis evidenciis vna cum testamento prenominati Richardi Benet ac libro racionum dicti Nicholai Bryttone cum cartis indenturis et sigillatis munimentis donacionis facte de tenemento cum loco opelle per dictum Johannem Benet pro illis debitis Nicholao Bryttone ac auditis partium allegacionibus ac cunctis perspicaciter rimatis et ascultatis, convenientes super premissis omnibus in vnum secundum quod subsequitur arbitrati fuerunt et declarauerunt. Et primo decernebant quod inter eosdem Johannem Benet et Nicholaum Bryttone esset indissolubile fedus dileccionis deinceps et pacis, et eorum vnusquisque alteri dimitteret omnimodam dissplenciam et rancorem, et quod in suis peragendis vnus alteri benefaceret. Item ab inquietacione molestacione et perturbatione super omnibus accionibus et demandis antedicti Johannis Benet heredum assignatorum et executorum suorum super omnibus dictis debitis solutis per eundem ac super tenemento illo vacuo cum loco opelle et aliis quibuscumque contrauerciis seu demandis prenominatum Nicholaum Bryttone heredes assignatos et executores suos imperpetuum absoluerunt et absolutum fore et esse denunciauerunt, declarantes et adiudicantes quod predictus Johannes Benet pro se heredibus assignatis et executoribus suis consereret et daret vnam cartam relaxacionis et acquietancionis sigillo suo sigillatam super dicto tenemento et loco vacuo pro opella prefato Nicholao Bryttone, et pariter ipsum Johannem Benet heredes assignatos et executores suos ab omnibus accionibus et debitis in quibus ipse aut pater suus Richardus Benet dicto Nicholas Bryttone obnoxius ac obligatus fuerunt a molestacione perturbatione seu inquietacione dicti Nicholai heredum assign-

atorum aut executorum suorum imperpetuum absoluerunt et absolutum fore et esse denunciauerunt, decernentes (quod) predictus [Nicholaus] Bryttone litteras acquietantes sigillo suo munitas super omnibus debitis accionibus et demandis quas habuit versus dictum Johannem et patrem eius dicto Johanni Benet conederet et daret. Acta fuerunt hec prout supra recitantur anno loco et die quibus supra, presentibus protunc honestis viris et probis Johanne Hyde Johanne Taylor Nicholao Gregore Jacobo Benet burgensibus ville dicte de Rosse magistro Johanne Dugyne domino Johanne Walche vicario de Rosse domino Jacobo Brymgeame capellano cum multis aliis.

Et nos Nicholaus permissione diuina et apostolice sedis gracia episcopus Fernensis quia premissis omnibus et singulis prout supra recitantur et scribuntur vna cum prenomatis viris ac testibus inscriptis personaliter interfuimus et sic fieri audiuimus et vidimus ac consensum nostrum premissis posuimus, igitur cum (piorum primum?) est testimonium perhibere veritati sigillum nostrum ad rogatum et requisicionem dictorum Nicholai et Johannis presentibus duximus apponendum anno domini M^oV^{et}XI^o et XVIII die mensis Marcii.

A small fragment of the seal of the Bishop of Ferns.

Parchment, 300 × 170 mm.

Cr8. [77].—Notarial instrument recording the judgment of Nicholas, Bishop of Ferns, in a dispute between William McDowle and Nicholas White as to the prebend of Whitechurch. 10 June, 1519.

In Dei nomine amen: Nos Nicholaus permissione diuina et apostolice sedis gracia episcopus Fernensis, Quum ex pastoralis officio nobis iniuncto quantum cum Domino valemus commodis et quieti subditorum iugi sollicitius presertim in his per que animarum saluti consulitur intendere tenemur, atque amfractus litium penitus amputare, Sed quia inter Willelmum McDowle pretensum commendatarium dignitatis abbacialis de Fernia nostre Fernensis diocesis atque ferentem se prebendarium ecclesie albe de Slecult' et aliorum beneficiorum detentorem ex vna parte, et dominum

Nicholaum White canonicum ecclesie Fernensis prebendarium dicte ecclesie albe parte ex altera, de et super dictis canonicatu et prebenda per dies et annos diucius litigantes, et iura sibi competere vltrocitroque in dictis canonicatu et prebenda respectiue pretendentes, diuersis terminis et assignacionibus ac temporum intersticiis eidem Willelmo pro exhibicione sui iuris super tot et tantis beneficiis per eum retentis que de iure per quenquam simul teneri non possunt assignatis, In quorum aliquo nec ius nec iuris adminiculum per quod talia multiformia beneficia retinere posset et presertim super dictis canonicatu et prebenda per nos ex officio multipliciter requisitus exhibere curauit, Sed audacter et contumaciter in presenciarum recusat, domino vero Nicholao predicto sua iura et munimenta precipue dispensacionis defectus residencie ad manus nostras humili subieccione ostendente : Christi igitur primitus invocato nomine a quo recta procedunt iudicia per ea que vidimus et cognouimus cognoscimus et videmus per hanc sentenciam diffinitiuam quam de iurisperitorum consilio nobis in hac parte assistencium ferrimus et promulgamus decernimus et declaramus nullum ius prefato Willelmo in dictis canonicatu et prebenda competisse potissime ex pluralitate beneficiorum que de iure communi in persona vnus stare non potest. Quare prefatum dominum Nicholaum ab impeticione dicti Willelmi super dictis canonicatu et prebenda absoluius et absolutum esse denunciamus, prenominato Willelmo super dictis canonicatu et prebenda perpetuum silencium imponentes, Ipsumque Willelmum eciam in expensis huius litis a primo vsque ad vltimum condempnantes.

LECTA ET LATA FUIT HEC NOSTRA SENTENCIA DIFFINITIUA IN ECCLESIA BEATE MARIE DE ROSSE X DIE MENSIS JUNII ANNO DOMINI MILLESIMO QUINGENTESIMO DECIMO NONO, HIIS TESTIBUS AD TUNC PRESENTIBUS : magistro Jacobo Cantewell officiali Ossoriensi, domino Willelmo Cotton officiali Fernensi, domino Thadeo capellano, domino Geraldo capellano, Osberto Cod, Ricardo Broun, et multis aliis.

In dorso : Prebendary of Sleculture.

Seal of the Bishop of Ferns (rubbed and broken).

Parchment, 232 × 167 mm.

C19. [92].—Notarial instrument recording evidence given on behalf of Piers Butler, Earl of Ossory, before Prior Thady Omeary, official of the Bishop of Killaloe in the deanery of Ormond, relating to the Earl's claim to the lordship of Ormond. 18 September, 1533.

In Dei nomine amen. Tenore presentis publici instrumenti cunctis euidenter apparat quod anno ab incarnatione domini M^oCCCCC tricesimo tercio indicione vero sexta pontificatus sanctissimi in Christo patris et domini domini Clementis digna Dei prouidencia pape septimi anno decimo anno vero regni regis Henrici octaui post conquestum Anglie vicessimo quinto mensis vero Septembris decimo octauo die, In monasterio fratrum minorum de communi vita in villa de Nenath Ormond Laonensis diocesis in mei notarii publici testiumque infrascriptorum ad hoc rogatorum et vocatorum presencia, personaliter constitutus discretus vir dominus Cornelius O Lathnan capellanus nobilis viri Petri Bulter Comitis Osorie et ad infrascripta exequenda dicti Petri legitimus procurator quandam papiri sedulam in suis manibus gerrens articulos infrascriptos in se continentem publice perlegit et sunt tales. Articulus est talis quod dominus Nicholaus Wyt decanus Waterfordensis et Willelmus Wyt recordator Waterfordensis balliui illustris viri domini Thome Comitis Ormonie ad inducendum Petrum filium Jacobi Bulter militem in realem actualem et corporalem sesinam et possessionem dominii et patrie de Ormonia iuriumque et pertinenciarum eius pro se et heredibus eius masculis de corpore suo legitime natis et nascendis, prout in littera ipsa balliuata desuper confecta plenius continetur, dictum Petrum militem in sesinam et possessionem dicte patrie de Ormonia iuriumque et pertinenciarum eius induxerunt anno tunc domini MCCCCC septimo duodecimo die mensis Maii, et plenam sesinam eidem Petro tunc ibidem tradiderunt, et postea claues et cartas dicte patrie in signum tradite sesine et possessionis eidem Petro assignauerunt. Alius articulus est quod abhinc continue redditus proficua et emolumenta illius patrie de Ormonia temporibus congruentibus per se et suos attornatos idem Petrus recepit. Post quorum articulorum presentacionem et lecturam idem procurator dominum Thatheum Omeary priorem domus Sancti Johannis Babbaste de Nenath Ormond Laonensis diocesis et Laonensis episcopi de decanatu de Ormonia officialem humiliter requisiiuit, quatenus

ad adperpetuam rei memoriam, ne cursu temporis probacionis copia perire possit et valeat, infrascriptos testes super premissis articulis recipere et examinare deberet, eorumque attestaciones in publicam reddigi iuberet formam. Vnde idem dominus Thatheus officialis, considerans huiusmodi requisicionem forre iuri et rationi consonam, testes infrascriptos in iuris forma super eiusdem (*sic*) articulis recepit et examinavit, quorum attestaciones sequuntur in hac forma. Inprimis dominus Okynnedý dicte patrie mediatus dominus etatis LXX annorum, Grania inikearuyll domina superioris partis Ormonie etatis LX annorum, item Dermicius Okynnedý, ac Willelmus filius Thathei ikynnedý, Mauricius Okurhit canonicus regularis domus Sancti Johannis Babtiste iuxta le Nenath Ormond, Eginius Omwrici poeta, Malacias Ohogayn clericus Laonensis diocesis, Karolus Thathei ikynnedý, Mauricius Donati igleassan clericus eiusdem diocesis, dominus Maurus Donaldi igleasayn presbiter, Henricus Rorici Fusci, Thomas Flauus Ocallynayn medicus, Grania Donalldi ibrieyn vxor domini iKynnedý, Thatheus m^ogowand frater ordinis minorum, necnon Willelmus Thathei frater eiusdem ordinis, quorum omnium quilibet est etatis adminus sexaginta annorum, iurati et in iuris forma diligenter examinati singulatim per eundem dominum Thatheum officialem astantibus sibi infrascriptis prelatís deposuerunt articulos continere veritatem, et eorum quilibet singulatim et secrete examinatus, et requisiti de causa sciencie dixerunt se omnes presentes esse cum predicti balliui sesinam et possessionem dicte patrie de Ormonia iuriumque et pertinenciarum eidem Petro tradiderunt et assignauerunt, de loco et tempore similiter concordantes, nec non abhinc solucionem iurium sensuum et tributorum illius patrie temporibus adhoc congruentibus et ordinatis ipsi Petro et attornatis eius fieri viderunt, et istorum dicta atque attestaciones idem Thatheus officialis iussit mihi infrascripto notario ad rogatum antedicti procuratoris in publicam redigi formam vnum siue plura publicum seu publica instrumentum siue instrumenta pro salario competentí consistendo, atque infrascriptos prelatos presenti instrumento in fidem robur et testimonium premissorum sua sigilla alternatim apponere fecit. Acta sunt hec prout supra scribuntur et recitantur anno die mense loco et indicione atque pontificatu quibus supra, presentibus tunc domino Thoma Imilacensi episcopo, necnon dominis Willelmo Johanne atque

Patricio diuina pasciencia monasteriorum Sancte Crucis de Wochtyrland atque Beate Marie Virginis de Wothnia et de Ruppe Cassell Cisterciensis ordinis Cassellensis et Imilacensis respectiue diocesium abbatibus, et aliis diuersis ad premissa vocatis et requisitis clericis et laiciis.

Et quia ego magister Dermicius Ryayn publicus apostolica auctoritate notarius premissorum articulorum presentacioni et lecture testiumque suprascriptorum iuramento recepcioni examinacioni et deposicioni infraappositorum sigillorum supradictorum prelatorum apposicioni vna cum prenomatis testibus presens personaliter interfui omniaque et singula supradicta sic fieri vidi audiui, ideoque hoc presens publicum instrumentum manu mea propria fideliter scriptum subscripsi et in hanc publicam formam reddegi signoque et nomine meis solitis et consuetis signaui rogatus et requisitus in fidem robur et testimonium omnium et singulorum premissorum. Non viciat in linea septima rasura in verbo 'septimo' quam hic eadem manu approbo.

[*Notarial sign ; at base ' et ego magister Dermicius notarius '.*]

[*Signatures over the seals*]:

per me Thomam Imelacensem episcopum
 per me Johannem abbatem de Wothnia
 per me Thatheum priorem Sancti Johannis
 per me Willelmum abbatem de Sancta Cruce
 per me Patricium abbatem de Ruppe Cassell.

In dorso: Certain deposicions of luyery and seisin taken and delyuered in Ormond.

Deposicions under the notary publick his hand concerning the possession of Ormond.

Five seals: 1) Bishop of Emly (fragment);
 2) Abbot of Owney (missing from tag);
 3) Prior of St. John's, Nenagh;
 4) Abbot of Holy Cross; and 5) Abbot of Hore Abbey, last three in very fair condition.

Parchment, 470 × 300 mm.

C20. [95].—Admission by Matthew, Bishop of Leighlin, of William Occurcyn alias Thankart to the rectory of Balycarroke, with mandate to the Archdeacon for induction, and the latter's certificate. 8 March, 1533-4.

Jhūs.

Matheus permissione diuina et apostolice sedis gracia Episcopus Leghlinensis dilecto nostro ffilio domino Willelmo Occurcyn alias Thankart nostre dicte diocesis presbittero: salutem graciam et benedicionem. Ad rectoriam perpetuam Ecclesie parochialis de Balycarroke nostre diocesis de iure et de facto vacantem ad quam per nobilem virum Geraldum Lewayll scenaschallum verum eiusdem ecclesie patronum nobis presentatus existas: Te admittimus Teque in et de eadem rectoria cum omnibus suis iuribus et pertinenciis vniuersis instituimus ac per pili nostri capiti tuo impositionem auctorizabiliter investimus, decernentes te in realem actuaalem corporalem et effectuaalem possessionem seu quasi eiusdem rectorie cum omnibus suis iuribus et pertinenciis per Magistrum Thomam Watyrffelde archidiaconum Leghlinensis diocesis fore inducendum per presentes. Et hoc omnibus quorum interest vel interesse poterit in futurum innotescimus per presentes. In cuius rei testimonium sigillum nostrum quo ad maiora vtimur presentibus apponi iussimus. Saluis in omnibus iuribus nostris episcopalibus et ecclesie nostre Leghlinensis ac eciam dignitate. Datum in ecclesia nostra Cath' octauo die Marcii anno domini millesimo quingentesimo tricesimo tercio Et nostre consecracionis anno 4°.

Et nos Thomas archidiaconus Leghlinensis diocesis dicti auctoritate Mandati reuerendi patris domini ac domini (*sic*) Mathei episcopi Leghlinensis predictum dominum Willelmum in dicte rectorie de Balycarroke corporalem possessionem effectualiter induximus: Ideoque presentibus litteris sigillum quo in nostro archidiaconali vtimur officio apposuimus anno die et loco ac mense supradictis.

Thomas Archidiaconus Leghlinensis.

In dorso: The Rectory of Ballycarrok presented.

Left-hand seal gone from tag; right-hand
(the Bishop's?) in poor condition.

Parchment, 280 × 195 mm.

Diocese of Leighlin.

NOTE: The originals (two deeds) of the grant of Thomas, Bishop of Leighlin, to James Butler Earl of Ormond dated 27 February, 1441-2 of a tenement in Killurry are extant among the Ormond deeds. These were copied into the Red Book of Ormond, and will be found printed on pp. 142-44 of the edition of that Book published by the Irish Manuscripts Commission in 1932. The Deed of Grant is a parchment measuring 268 × 110 mm. *In dorso*: De Kylluri. A fragment remains of the Bishop's seal, and that of the Dean and Chapter of Leighlin is in very fair condition. The Letter of Attorney is a parchment measuring 300 × 102 mm. *In dorso*: Kyllurry iuxta Castlekealy. The Bishop's seal is gone; that of the Dean and Chapter is in similar condition to that on the other deed.

C21. [100].—Lease by the Prior (T. Everard) and Convent of the Hospital of St. John Baptist, Newgate, Dublin, to Piers Butler, Earl of Ossory, and the Countess Margaret, of a portion of the profits of the parsonages of Rathkoll and Clonynge, co. Tipperary. 10 June, 1536.

This indenture made the Xth day of June in the XXVIII yere of the Reigne of king Henry the VIIIth, Betwyxt sir Thomas Euerard priour of the howse or hospitall of seint John Baptiste without Nywgate of the citie of Dublin and his convent of the same of the oon partie, And the righte honourable Petyr Erle of Ossorie and dame Margaret his wife of the othir partie, Witnissith that in consideracion of XLVIII marks Irishe by the said Erle and his wife paied to the said priour befor the hand, being hooly convertid to the necessarie vse and behoufe of the said howse or hospitall, the said priour and convent by ther awne fre assents and consents have lettin and sett to ferme for theym and ther successours vnto the said Erle and his wife the moite or halfdele of all the tethis of cheis and corne of the hoolle parsonadge of Rathkoll in the countie of Tiperarie, and the othir moite or halfdele of the aulteradges of the hole parsonadge of Clonynge in the said countie of Tiperarie, not lettid all redy by aformer pair of indenture made betwyxt the said parties bering date the seconde day of June in the yere aforsaid: To have and

to holde all and euery the premyssis with ther appertenaunces vnto the said Erle and dame Margaret his wife ther heirs executours and assignes from the feast of the Natyuite of seint John Baptiste next comyng after the date herof vnto the ende and terme of IX yeres then next insuyng : Paing therfor the said Erle and his wife ther heirs executours and assignes vnto the said priour and his successours thre cornes of whete yerly at the feast of all seints during the furst VI yeres of the said IX yeres : And after the said VI yeres exspirid the said Erle and his wife ther heirs executours and assignes shall paie to the said priour and his successours for the premyssis VIII marks Irishe at the feasts of Myghalmas and Estyr yerly during the last III yeres of the said IX yeris : And the said priour and convent and ther successours shall stand chargid with all reparacions procrasies and all othir charges ordynarie and extraordynarie of the church and parsonage of the said Rathkoll, and the said priour and convent shall haue clerly towards the said charges the hole aulteradges and othir proffits of the said church not herin alredy grauntid yerly during the said IX yeris : And the said Erle and his wife ther heirs executours and assignes shall stand chargid with all reparacions procrasies and all othir charges ordynarie and extra ordynarie of the said moite of the church and parsonage of Clonyng yerly during the said IX yeres : And the said priour and convent and ther successours shall warrant acquite and defend all and euery the premyssis with ther appertenaunces in maner and forme aforsaid vnto the said Erle and his wife ther heirs executours and assignes yerly during the said terme of IX yeres by thies presents. In witnis wherof to this parte of the indenture remayning in the custodie of the said Erle and dame Margaret his wife the said priour and convent haue laied ther convent Seale the day and yere aboue writtin.

[Signed] per me Thomam Euerard priorem predictum
per me fratrem Walterum Cartan
per me fratrem Robertum Fox.

In dorso : Rathkoll and Clonyng' in countie Tipp.

Seal gone from tag.

Parchment, 265 × 140 mm.

C22. [106].—Bond of Odo Okernle, Prior of Inishlounaght (de Surio), to Piers Butler, Earl of Ormond, for his compliance (in regard to certain Papal letters) with the Earl's wishes, particularly as to the priorate of Nenagh. Dated 29 March (no year: 1515-28?)

Nouerint vniuersi per presentes me Odonem Okernle priorem de Syre obligari et firmiter teneri domino Petro Butler comiti Ormonie et heredibus et assignatis suis in centum libris argenti bone et legalis monete Ibernice pro puro et indubitato debito, Soluendo eidem comiti ad eius voluntatem, ad quamquidem summam me obligatum fore et esse confiteor per presentes. In cuius rei testimonium sigillum meum quo ad presens vsus sum apponi feci. Datum Kylkennie XXIX die Marcii [anno *crossed out, and the commencement of the next word erased*], presentibus pro tunc honestis viris, magistris Jacobo Cantwell, Jacobo Clere infrascripto stewardo, Johanne Rothe, Johanne Doly, et Patricio Oge, cum multis aliis.

[*In dorso*]: Condicio huius infra scripte obligacionis est talis, quod si infrascriptus Odo prior de et super litteris per eum a sede apostolica impetratis, et per eundem priorem de manibus magistrorum Jacobi Cantwell et Jacobi Clere stywardi dicti Comitibus ipsius Comitibus nomine receptis, adhereat voluntati consilio et avisacioni memorati Comitibus, et in nullo contra ipsius Comitibus voluntatem de contentis in eisdem litteris procedat aut procedi faciat, et specialiter ut nullatenus aliquid de et super prioratu Sancti Johannis Baptiste iuxta le Nenagh Laonensis diocesis procedat aut procedi faciat, tunc infrascripta obligacio nulla nulliusque sit roboris firmitatis, alioquin in pleno suo robore et firmitate cum effectu permanet et stet.

Also in dorso: an obligacion vpon the priour of Syre. Abbay of Nenagh.

Parchment, 340 × 100 mm.

No seal.

Note: As regards the date, Piers Butler resigned at the beginning of 1528 the title of Earl of Ormond, which he had held since 1515, and early in 1538 he became Earl of Ormond by a new creation; he died in August, 1539. James Cleere was precentor of St. Canice's in 1534.

C23. [108].—Quitclaim by the Prior (W. Burdon) and Convent of the Augustinian Eremite Friars of Fethard, in favour of Edmund Butler of Ballynard, to a mortgage on Bane McShean, co. Tipperary. 31 January, 1538-9.

Nouerint vniuersi per presentes nos Willelmus Burdon priorem monasterii Sancti Augustini de Fythard, cum consensu et asensu conventus dicti monasterii, nec non et procuratoris dicti monasterii, remisisse relaxasse et omnimodo pro nobis et successoribus nostris quietum clamasse Edmundo filio Tome le Butyllere de Ballynard, et Elynorye Freyny vxori eius, totum ius nostrum et iuris clameum titulum accionem seu demandam, quod vnquam habemus habuimus seu in posterum habere potuerimus in vno campo nominato Bayn myksayn, qui quidem campus pignoratus fuit per Thomam Butlere patrem dicti Edmundi nobis et monasterio nostro ad pignus trium librarum et sexdecem solidorum et octo denariorum, ad quem quidem pignus fatemur nos esse integre soluti per manus dicti Edmundi et Elynorie, et ideo acquietamus dictum Edmundum et Elynoriam in dicto pignore inperpetuum. In cuius rei testimonium sigillum monasterii nostri aponi fecimus. Dat' apud Fythard vltimo die mensis Januarii anno regni regis Henrici octauī XXX.

In dorso : Bane M^e Shean in com' Tiperarie.

Seal of the monastery (a large fragment in very poor condition).

Parchment, 200 × 120 mm.

C24. [110].—Lease by the Abbot (James Butler) and Convent of Inishlounaght (de Surio) to Lady Joan Fitzgerald, wife of James Butler (9th Earl of Ormond), and their son Edmund, of certain lands. 30 June, 1539.

Hec indentura facta vltimo die Junii anno domini millesimo quingentesimo tricesimo nono et regni regis Henrici octauī tricesimo primo, inter dominum Jacobum Butler abbatem domus monasterii seu abbacie Beate Marie de Surio Cisterciensis ordinis Lismorensis diocesis et eius conventum parte ex vna, ac dominam Johannam de Geraldinis vxorem domini Jacobi Butler filii Comitiss

Ossorie eiusque filium Edmundum Butler parte ex altera, testatur quod predicti abbas et conventus, habito prius super hoc in domo capitulari et in mensa communi diligenti tractatu et premissis in hac parte de iure premittendis, pro certa summa seu quantitate pecunie in vsum et vtilitatem dicte domus uel monasterii seu abbacie conuersa, de vnanimi eorumdem concensu et assensu dimiserunt dederunt et ad firmam tradiderunt prefatis domine Johanne et Edmundo grangiam seu villam vulgariter nuncupatam Kyell ne make, et Kyervan, ac gurgitem de Glyanbane integram, necnon terras Murisculi, Coragh ne monagh, et Grynane, ac Insemor, et Kilmoghone, ac Moyke, et Dromcurrye, et Kenayn, ac Knoke ne Cahirragh, omnesque alias terras et dominia inter limites castelli de Kilmahynyn ab occidente et limites burgagie ville de Clomell ab oriente in longitudine iacencia, Ac campum molendini, campum decani, campum altum, et campum de Clonmell, ac molendinum de Tyburhony et Lemlismolerane cum pertinenciis, cum eorum planis pascuis nemoribus siluis ac montibus et aquis eciam suriscentibus (*sic*) earumque gurgitibus et piscaturis, et cum omnibus decimis predialibus personalibus et mixtis ad dictam domum monasterium seu abbaciam iure proprietatis in spiritualibus et temporalibus spectancia, Habenda et tenenda dictam grangiam seu villam de Kynemake, et Kyervan, gurgitem de Glyanbane, terras Murisculi, Corragh nemonagh, Grynane, Insemor, Kylmoghone, Muke, Dromcurrye, Kenane, Knoke ne Cahirragh, ac terras dominia decimas gurgites aquas campos et pertinencia predicta in spiritualibus et temporalibus cum aliis omnibus iuribus et pertinenciis, sine tamen preiudicio aliorum firmariorum abbatis et conventus in premissis, pre-nominatis domine Johanne et Edmundo heredibus et assignatis usque ad finem sexaginta annorum post dictam diem mensis Junii immediate sequencium et de quinquennio in quinquennium plenarie complendorum, Reddendo et soluendo inde annuatim predictis abbati et conventui et eorum successoribus durantibus viginti primis annis a dicta die mensis Junii immediate sequentibus vnum granum frumenti ad festum Michaelis si petatur uel demandetur, et extunc aut post dictos viginti annos durante residuo dictorum sexaginta annorum prefati domina Johanna et Edmundus eorumque heredes et assignati reddent et soluent annuatim prefatis abbati et conventui eorumque successoribus quatuor libras bone et legalis monete terre Hibernie ad duos

anni terminos videlicet Pasche et Michaelis equis porcionibus. Et predicti [*etc., clause of warranty*]. In cuius rei testimonium predicti abbas et conventus huic parti indenturarum penes dictos dominam Johannam et Edmundum manenti Sigillum suum conventuale apponi fecerunt. Dat' in domo seu monasterio predicto anno die et mense supradictis.

Seal gone from tag.

Parchment, 310 × 250 mm.

C25. [118].—Certificate by Andrew Creagh, Dean of Limerick, of his decree (issued by him twenty years earlier as guardian of the spiritualities and vicar-general of Limerick) for the restitution of conjugal rights to Amy O'Brien, wife of James Earl of Desmond. 25 September, 1543.

Vniuersis Christi fidelibus ad quos presens scriptum peruenerit Andreas Creagh in decretis baccallaureus ecclesie cathedralis Lymericensis decanus, salutem in domino sempiternam. Quoniam pium sit testimonium veritati perhibere ne probationis copia periret, Nouerit vniuersitas vestra quod iam circiter viginti annos elapsos, quedam causa matrimonialis seu diuorcii mota erat coram me, tanquam custode spiritualitatis et spiritualis iurisdictionis ac vicario generali diocesis Limiricensis (sede episcopali tunc vacante), ad instanciam nobilis mulieris Anie Innybrene filie episcopi Laonensis (vulgariter nuncupati episcopi Obreyn) Comitisse Desmonie, Allegans et iuridice proponens, quod licet nobilis et prepotens vir dominus Jacobus Comes Desmonie secum matrimonium per verba de presenti contraxit, illudque in facie ecclesie solemniter fecit, Carnalique copula consummauit, insimul vt vir et vxor per dies et annos cohabitantes, Idem tamen dominus Jacobus spiritu diabolico ductus eam repudiauit, et quendam (*sic*) Elenam Fitz Geralde viduam in domum suam recepit atque eam amplexibus adulterinis tenuit, Humiliter petens vt auctoritate mea ordinaria (qua tunc fungebatur) ipsam dicto domino Comiti tanquam suo marito adiungerem vt mutuo obsequia coniungalia impenderent, prout in processu inde coram me habito magis constat, At ego premissa examinare et reformare intendens (prout ex debito michi iniuncto tenebar) citari feci tam dictum dominum Comitem quam Elenam Fitz Geralde ad comparendum coram me certis die et loco certis

articulis anime sue salutem concernentibus responsuros, Et postmodum processi iuridice in hac causa, et inter alia ex parte ipsius Comitis et Elene allegatum erat, quod dictus Comes et Anya adeo se invicem in gradibus a iure prohibitis attingebant, quod matrimonium inter eos absque dispensacione sedis apostolice ratum esse non deberet, Et superinde dictus dominus episcopus Laonensis pater ipsius Anie exhibuit dispensacionem auctenticam qua super huiusmodi impedimentis inter ipsum Comitem et dictam Aniam sic allegatis fuerit dispensatum, vt hiis non obstantibus se inuicem potuissent matrimonialiter copulari, Et sic demum in ecclesia parochiali de Kylfyntan Limericensis diocesis sedens pro tribunali sententiam pro parte dicte Anie, videlicet, pro matrimonio inter ipsam et dictum comitem alias contracto et publice solempnisato promulgauit diffinitiuam, ipsam Aniam in legitimam vxorem ipsius Comitis adiudicans prout in dicto processu, quem sub meo sigillo et manu Willelmi Nangle presbiteri notarii publici michi in huiusmodi processu et omnibus et singulis actis eiusdem assumpti et assistentis consignato dicte Anie ad tunc tradidi, Vigore cuius sententie dictus Comes Desmonie ipsam Aniam (altera repudiata) tanquam suam legitimam vxorem recepit, atque cum ea postmodum vt vir cum vxore cohabitauit, Et hec omnia et singula vobis omnibus et singulis supradictis coniunctim et diuisim notifico et intimo et ad vestrum cuiuslibet notitiam deduco et deduci volo per presentes, presentibus tempore dicte mee sententie prolate domino Willelmo Nangle, domino Willelmo Johannis, ac domino Sebastiano Harrolde, presbiteris Limericensibus, et aliis ad premissa vocatis. In quorum omnium et singulorum fidem robor et testimonium sigillum meum presentibus duxi apponendum. Datum Lymericie XXV^o die Septembris, anno domini millesimo quingentesimo quadragesimo tercio, et anno regni regis Henrici Octauai dei gratia Anglie Francie et Hibernie regis tricesimo quinto.

[*Signed*] per me m̄ Andream Creagh decanum Limericensem.

In dorso: The deworse betwixt James of Desmond and Anny inybrien doghter vnto the busshup obrien.

Large oval seal of the Dean of Limerick
(broken and rubbed).

Parchment, 330 × 240 mm.

C26. [119].—Bill of receipt by John Colton, late monk of Kilcooly, from the Earl of Ormond of his pension for a half-year. 24 November, 1544.

This bill made the XXIII^t day of November in the XXXVIth yere of the Reigne of our souerain lord kinge Henry the VIIIth Witnessethat I Sir John Coulton one of the monks of the late abbay of Kilcoule haue recevide of the right honorable James Erle of Ormond fermour of the possessions of the same the some of twentie shillings Irishe in full payment of my pencion for one half yere due at the feast of saint mychell tharchaungell last past In witnes wherof I haue subscribid this bill and putte my Seale the day & yere aboue writtin.

[Signed] per me dn' Johenm colton.

In dorso: acquittance of one of y^e monks of Kilcowle of his pencion.

Seal (imperfect) bearing letters I C.

Parchment, 218 × 70 mm.

APPENDIX I.

NOTES, EXTRACTS, AND TRANSCRIPTS FROM MISCELLANEOUS DOCUMENTS RELATING TO MONASTIC PROPERTY GRANTED TO OR ACQUIRED BY THE BUTLER-ORMONDE FAMILY.

I.—Priory of Inistioge.

Paper copy (11 sheets) of Inquisition taken at Kilkenny, 30 March, 1540, before the Commissioners (John Allen, Chancellor, and others) into the possessions of the dissolved abbey of Inistioge.

'Copia vera ex' per Will. Sandes.'

Cf. Archdall, *Monasticon Hibernicum* (1786), p. 360.

II.—Franciscan Friary of Clonmel.

Similar paper copy (7 sheets) of Inquisition taken before the Commissioners at Clonmel, 5 April, 1540, into the possessions of the late Franciscan house of Clonmel.

'Ex' per Wa. Haw . . .'

Cf. Archdall, *op. cit.*, p. 653.

III.—Priory of Kells. 1541.

Letters Patent of King Henry VIII granting the site etc. of Kells Priory to James, Earl of Ormond. 4 January, 1541.

Contemporary draft (certain initial letters in the first line of the document have not been filled in). There is no seal.

Parchment, 480 × 360 mm.

Cf. Archdall, *op. cit.*, p. 365.

IV.—Copy of an Extent made on 6 January, 1541, relating to property of Kells Priory.

Possessiones ad nuper monasterium de Kelles pertinentes.

Com' Kilkenny. Extenta omnium et singulorum dominiorum maneriorum terrarum et tenementorum ac aliorum possessionum

quarumcunque tam spiritualium quam temporalium . . . facta apud Kelles vi^o die January anno Regni predicti domini Regis nunc xxxii^{do} coram . . . [the Royal Commissioners of Henry viii] . . . per sacramentum . . . [names of jurors] qui iurati dicunt . . . Com' Limeric'. Villata de Clonelirch . . . Et sunt ibidem quinque feoda militum in temporalibus, que nuper valebant xiiii^{li}. vis. viii^d. sed modo causa rebellionis inhabitantium ibidem iacent vastata. Rectoria de Tollelythe. Et eadem rectoria appropriata fuit dicto nuper monasterio ac ad manus domini Regis deveniebat propter dissolutionem eiusdem monasterii que valebat per annum in decimis granorum xli. sed modo Coorbe de Tollythe easdem iniuste detinet.

Rectoria de Greneogonaght. Et eadem rectoria appropriata fuit predicto monasterio ac similiter ad manus domini Regis deveniebat propter dissolutionem eiusdem que valet per annum xiiii^{li}. Et modo dimittitur Jacobo Comiti Ormond soluendo per annum quinque vaccas appreciatas ad precium xxvs.

[The above is an extract from a copy from official records, on a single sheet of paper, signed 'W. Parsons.' He was Surveyor General for a considerable number of years from 1602].

In dorso : Parcels of Kells by Inquisition.

Paper, 305 × 400 mm.

V.—Jerpoint and Kells.

Extracts from official records, signed 'Ri Chapell Dep^t Aud^{tor}'.

A.—Jerpoint.

Partes possessionum nuper monasterii de Jeriponte in com' Kilkennii

Redditus resoluti
pro procurationibus

Summa denariorum solutorum Episcopo
pro procurationibus exeuntibus de premissis ad xxs. per annum videlicet in allocacione huiusmodi per tempus huius computi xxs.

This for soe much agreeth with the accompts of the executors of James late Earle of Ormond farmer of the possessions aforesaid

for one year ending at Michaelmas in the second yeare of the raigne of King Edward the Sixth.

Paper, 200 × 315 mm.

B.—Kells.

Terre et possessiones ad nuper monasterium de Kells in Com' Kilkenny pertinentes.

This paper contains a reference to the Letters Patent of 4 January, 1541, by which the possessions of the Priory were granted to James Earl of Ormond, and by which the Earl was obliged to pay procurations as follow:—£6 8s. 4d. to the Bishop of Ossory, £2 5s. 0d. to the Archbishop of Cashel, and every third year £2 5s. 0d. to the Archbishop of Dublin; and an annual rent of 3s. 4d. to the Bishop of Ossory. The extent is stated to agree "for so much" with the account of the possessions of the Priory for the same period as that mentioned in A above.

Paper, 305 × 403 mm.

Copies made late in the seventeenth century.

VI.—Holy Cross Abbey. 1549.

Indenture, in Latin, dated 25 July, 1549. Mention of Philip Purcell 'prepositus domus Sancte Crucis de Hwoghterlaund,' as seized, with another, of Dromnamehane in Lower Ormond, for the use of Thomas, Earl of Ormond.

VII.—Priory of Athassel.

Com' Tipperarie.

The extent of the late monasterie abbey or priory of Ahasshell in the countie of Tipperarie.

The scite of the said monasterie.

There is a churche in decay wherof the chauncell standethe and couerede with stlat a stepill couerede with strawe a hall a chambir couered with stlat, the place where the dortour was wherein are two chambres a kitchen a chambir by the water of

the Schowere two bernes couered with strawe a backhouse three sillers an olde clauster oncouered and in decaie a litle old orcharde a gardein a gate house in decaie, and the said scite standeth in the water or river of the Schowre and the said river comethe about the said scite where ar diuerse wallis and wast places within the said scite nowe in gret decaie and wast necessarie for the vse of the fermours, whiche scite ouer the chardges of the reparacions is worthe nothing and conteyneth by estimacione two acres.

There is also a water mill within the said scite per ann. xls.

The demeane lands } There is cxx acres arrable and lx acres
of the said late } pasture per ann. xls.
monasterie }

The towne of the } There are xii messuages cclx acres arrable
monasterie of Ath- } c acres pasture l acres vnderwod per
assell } ann. viii.

The towne of } There are viii messuages clxxx acres arrable
Rellyckmore } xl acres pasture per ann. vii. xiiis. iiid.
} There is also a water myllne per ann. xxs.

Ballyhassell alias } There are cl acres arrable xxx acres pasture
the old towne of } iii acres callid Raewarshille and iii acres
Athasshell } callid Gorttecogill per ann. iiiii vis. viiid.

Sum the demeane lands of the monastery or priory of Athasshell
aforsaid xxli.

Com' Tipperar.

The spiritualties belonging to the said late monasterie.

The parsonadge of the towne and parishe of the said late monasterie per ann. viii.

The parsonadge of Rellickmore and the olde towne of Athassell per ann. viii.

The parsonadge of Dagyn Dargyn per ann. xxxiiis. iiid.

The parsonadge of Killtile per ann. iiiii. vis. viiid.

The parsonadge of Ballegriffyn per ann. iiiii.

The parsonadge of Brickendowne and Moygarbane per ann. xxxiiis. iiid.

The parsonadge of Raebritte and Tollaghvian per ann. xxvis. viiid.

The parsonadge of Issertkeran per ann. xxs.

The parsonadge of Clonmell per ann. xviii*li*.

[*Note*: In margin, against this, and the next 4 entries, 'for my self,' in a later hand].

The parsonadge of Kylshelan the furst iii yeres iii*li*. xiii*s*. iii*id*. and from thence forthe per ann. ix*li*.

The parsonadge of Killnoren on the furst iii yeres vi*li*. xiii*s*. iii*id*. and from thens forth per ann. ix*li*.

The parsonadge of Tobberaghne for the furst iii yeres yerly liii*s*. iii*id*. and from thens forthe per ann. iii*li*.

The parsonadge of Lisronaghe and Killmore the furst iii yeres yerly iii*li*. vis. viii*id*. and from thenceforthe per ann. viii*li*.

The parsonadge of Kilmykliknegarwe per ann. xxx*s*.

The parsonadge of Kilvelan per ann. xxx*s*.

The parsonadge of Kilnerae per ann. xxvi*s*. viii*id*.

The parsonadge of Kylmykstolle per ann. xxvi*s*. viii*id*.

The parsonadge of Kylcomnaght per ann. xxvi*s*. viii*id*.

The parsonadge of Killoskolle per ann. xxx*s*.

The parsonadge of Raleynyn per ann. xxx*s*.

The parsonadge of the churche of Kalle per ann. x*ls*.

The parsonadge of Clonbolge per ann. x*ls*.

The parsonadge of Tampillyneyre per ann. xxx*s*.

The parsonadge of Killekkille per ann. vi*li*.

The parsonadge of Tipperarie and (Kilwore) in Ionaghe per ann. vi*li*.

The parsonadge of Sronylte per ann. iii*li*.

The parsonadge of Solghote per ann. x*ls*.

The parsonadge of Krewdowne per ann. iii*li*.

The parsonadge of Balletample per ann. x*ls*.

The parsonadge of Killeoghterbege per ann. x*ls*.

The parsonadge of Myallide per ann. x*ls*.

The parsonadge of Downegore per ann. xxvi*s*. viii*id*.

Com' Limericke.

The parsonadge of Kilmorremagdalenn per ann. iii*li*.

The parsonadge of Stradbally per ann. iii*li*.

The parsonadge of Loddyn per ann. x*ls*.

The parsonadge of Killekydd per ann. iii*li*.

The parsonadge of Glynogger per ann. iii*li*.

The parsonadge of Kilwraderan per ann. x*ls*.

The parsonadge of Kilcolman per ann. x*ls*.

In patria de Thomond

The parsonadge of Annaghmore per ann. *iiii li*.

Com. Kerrye.

The parsonadge of Kilehyne per ann. *xxs*.

The parsonadge of Kilcowle per ann. *xxs*.

The parsonadge of Aghewalin per ann. *xxs*.

Sum of the spiritualties *vii^{xx}* and *li*. *xvis. viiiid*.

Sum total *viii^{xx}* and *li*. *xvis. viiiid*.

Wherof yerely during the furst thre yeres for that the Erle of Ormondes executours hath certayne parcellls therof in lease or lasser rents as apperith by the surveye *vii^{xx}ix li. iiis. iiiid*.

W. Cowley, generall surveyour

In dorso: The surveye of Athashell. A extent and surveye of the possessions of Athasshell.

Parchment, 305 × 630 mm.

This document may be dated about 1550. Compare *Fiants of Edward VI*, no. 744 (1551).

VIII.—Abbeyleix.

Paper copies of Inquisitions taken before the Commissioners (Patrick Barnawell, Master of the Rolls, and others), into the possessions of the dissolved religious house of Abbeyleix.

- I. (7 sheets). At Athy, 23 November, 1551.
- II. (5 sheets). At Carlow, 25 November, 1551.
- III. (two copies) (5 sheets). At Leighlin Bridge, 16 December, 1551.

All marked 'Copia vera ex' per W. Sandes.'

Also on a single sheet of paper,

"Extenta patrie siue domini de Leyse iam in manibus domini Regis',
taken (10 ?) December, 1550.

'Copia vera pro tanto Ex' per Chr. (Sascett ?)' etc.

IX.—Athassel. 1555.

Indenture in English, dated 12 February, 1555, between Thomas Earl of Ormond, Lewis Briane, and Oliver Grace, of the one part, and Christopher Barnewall of Gracediewe, of the other part. Grants by the latter party to the former include the whole of his portion of the late monastery of Athassel.

X.—Tullow.

Augustinian Friary of Tullow, co. Carlow.

Survey of property. [Not dated, c. 1550-60].

Extenta omnium et singulorum terrarum et tenementorum ac omnium aliarum possessionum quarumcunque ad nuper domum fratrum de Tulloghfelam pertinentium siue spectantium.

Sex cotagia ⁱⁱⁱⁱ^{or} acre terre arrabilis maioris mesure quarum quelibet acra continet xv acras minoris mesure que valent per annum videlicet xxvis. viii*d*. lx acre terre arrabilis annui valoris xxvis. viii*d*. quando locantur sed modo iacent vastate et inoccupate in villata de Malartiston cum pertinenciis nil.

Summa totalis extente terrarum et tenementorum predictorum ad predictam nuper domum fratrum pertinentium vltra vastata xxvis. viii*d*.

Ex' per Henricum Draycott

In dorso: The Survey of the late house of freres in Tullagh-fellym.

Parchment, 253 × 200 mm.

XI.—Athassel. 1558.

Grant by K. Philip and Q. Mary to Thomas Butler, Earl of Ormond, of the possessions of the Abbey of Athassel. 13 September, 1558.

Great Seal of K. Edward VI, a fine impression.

Parchment, 590 × 510 mm.

Cf. Morrin, *Calendar of Patent Rolls* (1861), pp. 384-6.

XII.—Holy Cross. 1562-3.

(A.) Letter from Q. Elizabeth to the Earl of Sussex, Lieutenant of Ireland, confirming the Letters Patent of K. Philip and Q. Mary of 13 September, 1558, and directing Letters Patent to be made for the grant of the lands of Holy Cross to the Earl of Ormond. Dated from house next Stroud [*not* the Strand], 20 November, 1562.

Paper copy, 'ex^{tt} per Chr. (Sascett?)'.

Cf. *Morrin, op. cit.*, p. 481.

(B.) Grant by Q. Elizabeth to Thomas Butler, Earl of Ormond, of the site and lands of Holy Cross Abbey. 3 October, 1563.

Great Seal of Ireland, in very good condition.

Parchment, 475 × 340 mm.

Cf. *Fiants of Elizabeth*, no. 563.

XIII.—Various property. 1563.

Grant by Q. Elizabeth to Thomas Butler, Earl of Ormond, of monastic property. 8 March, 1562-3.

Great Seal of Q. Elizabeth, a fine impression.

Parchment, 605 × 560 mm.

Cf. *Fiants of Elizabeth*, no. 504.

XIV.—Inistioge.

Indenture, in English, dated 23 November an. 6 Eliz. (1563). Lease by John Cuffe, of the city of Waterford, gentleman, to John Walshe, of Callan, gentleman, of the whole parsonage or rectory of St. Michael, co. Tipperary, part of the possessions of the late monastery of Enesteock, for a term of 14 years, at an annual rent of £7. The lessee to keep in repair the parson's part of the chancel of the said church.

Signature of John Cuffe, with a small portion of his Seal remaining.

Parchment, 395 × 235 mm.

XV.—Priory of Connal. 1567.

Letters Patent (Latin) of Q. Elizabeth, tested at Dublin by Sir Henry Sidney, Lord Deputy, 27 September an. Eliz. 9 (1567). Inspeximus and exemplification, on the request of Sir Edmund Butler, of a Warrant granted by Sir James Crofte, Lord Deputy, on 11 February an. Edw. vi 6 (1552). The Warrant recited (in English). It refers to Letters of the English Privy Council, dated 20 August, 1551, to the Lord Deputy and Council of Ireland, signifying the King's pleasure that a lease in reversion should be made to Edward Randolf of the late abbey of Connall and all its possessions (which are specified at length), for a term of 21 years, at a rent of £112 p.a.; and directs that Indentures to this effect should be made out between the King and E. Randolf.

Great Seal (broken).

Parchment, 645 × 350 mm.

XVI.—Inistioge.

Three paper copies, made at different dates, of the Fiant of Q. Elizabeth of 24 May, 1568 for the grant of the property of the dissolved house of Inistioge to Sir Edmund Butler.

- A. Marked 'Ex' per Jacob Newman'.
- B. A later copy. 21 sheets, incomplete.
- C. Two sheets and a piece of a still later copy.

There is also, on a single sheet of paper, a note of the terms of the Letters Patent of 24 May, 1568.

Cf. Archdall, *op. cit.*, p. 360-1 (where '4 May' is a mistake for '24 May')

XVII.—Feoffment of property of the Earl of Ormond. 4 May, 1571.

A deed of feoffment, in Latin, dated 4 May in the 13th year of the Queen, A.D. 1571. Thomas Butler Earl of Ormond grants to William Johnson Dean of St. Canice, John Archdeacon Treasurer of St. Patrick's, Cashel, Richard Sheethe of Kilkenny, and Edmund Butler FitzTheobald of Callan gent., all the lands and

possessions of the late monasteries of Holy Cross, Geripont, Kilcowle, Kelles, Athasshill, Leix, and the friaries of Tully-offelym, Carrickbeig, Thurles, and Callan, and any other religious houses belonging to him.

A clause in English adds that the intent of the deed is that the lands are to be held for the profit of the Earl during his life and for the purposes of his will. Signature "Thomas Ormond et Oss." On the back two certificates each signed by witnesses; the first, of signing and delivery; the second, of delivery of seisin by Henry Shethe of Kilkenny (the attorney nominated in the deed) to John Archdeacon on behalf of the feoffees, at the friary of Thurles, at Carrick, at Jerpoint, and at Tullow, of lands in the counties of Tipperary, Waterford, Kilkenny, and Carlow, respectively.

Seal.

Parchment, 530 × 320 mm.

XVIII.—Holy Cross. 1572.

Indenture in English, dated 5 March, 1572, by which Thomas Earl of Ormond leases the Grange of the Holy Cross to Shane M^cDonyll Omolryan, otherwise called John monk of the Holy Cross. Signature 'Jhō Rian'.

XIX.—Athassel. 1572.

Indenture in English, dated 28 July, 1572, between Thomas, Earl of Ormond, and James Sherlok FitzThomas of the city of Waterford alderman. The Earl, for various considerations, including a loan by Sherlok of £330, leases to him all the spiritualities, rectories, parsonages, tithes, and all manner of spiritual possessions of the late dissolved religious house of Athassel, with reservation to the Earl of the precinct of the house and all temporalities and advowsons appertaining to the Abbey. Rent, £100 p.a.; period, 10 years.

Signature of James Sherlok FitzThomas,
with his seal in good condition.

Parchment, 460 × 230 mm.

App. XX.—Holy Cross. 1573.

Lease by Richard Shee, agent to the Earl of Ormond, to John Cantwell, of the abbey and town of Holy Cross. 12 March, 1572-3.

This indenture made the xiith day of Marche in the yere of our Lord God athousand fyve hundred threscore & twelve Betwext Rychard Shethe of Kilkeny gent' agent & attorney to the right honorable Thomas Erle of Ormond & Ossory of thone party, & John Cantwell fitsPers of the Kyllynes in the conty of Tipperary of thother party, Witnessith that the forsaid Rychard haue dymised grauntid settyd & to ferme lettyd lyke as by thies presents he do dymyse grant sett & to ferme lett vnto the forsaid John the abay & towne of the holy crosse with all the spiritualtyes & appertenaunces thereof (exceptyng & alwayes reservinge the reservations reservyd out of all such parcells as Thomas Archer dyd sett & lett by the sayd Erlis appointment The alteradge of the holy crosse & the crosse it self, the Seneschiallship, the appointing & putting in of merchaunt men there, & pasture for my. L. kyne as often as they come there, with all games of conyes pheasaunt parthriche & dere that is or hereafter shalbe in & vppon the said lands,) To haue and to hold the forsaid towne & abay of the holy crosse & spiritualtyes there of with ther appertenaunces (except the before exceptid) vnto the forsaid John his executours & assignes from the feast of Easter next ensuyng the dat hereof & duryng the terme of alevyn yeres fully to be completid & endid. The forsaid John his executours & assignes yelding & payng yerely vnto the forsaid Erle his heirs & assignes two hondred busshells good seasoned corne videlicet half wheat & the other half malt payhable at the Carryck of Kilkeny measure. The moyty or halfyndle of all the sayd Erlis porcion of heriots, pondages, straves, & proficts of courts savinge to the said Erle wholly the great kaynids exceding xls. Provydyd alway that this lease shall not extend to hinder the said Erle his heirs or assignes in receaving (ouer & abowe the reservacions premisid) foure ponds reservyd out of the myll there, forty shillings for the Clohanaghe, xls. for Tibryd Oryn, iiiiii*l*. for the litle grainge, iiiiii*l*. for the Kyllyne besides the spiryтуalties, xx*s*. for Ballykally, iiiii marks for suche parcells as Olyuer Mores hath of arrable land & the rent of Ballaghaghill. Providyd also that if the sayd Erle do myslyke of the setting &

letting of the premissis at any tyme during the said terme of xi yeres that then at thende of thre monethes next after warnyng gyven to the said John his executours or assignes by the said Erle his heirs or assignes this present lease to be voyd & of none effect. Providid further that it shalbe lawfull for the said Erle his heirs or assignes from tyme to tyme to make & appoint aseriant in the said towne & lands who shall haue agood acre arrable land two meses one garding & vi kyne fre of all chardges. And the forsaid John Cantwell covauntheithe & byndithe him his executours & assignes to & withe the said Rycharde for & in the behalf of the said Erle to buyld repayer & vpholde the hall there & all other edefices nowe buyldid within the scit & close of the said abay & hereafter to be buyldid (which are not in lease) stiffe strong stanche & tenauntehable during the said terme, & at thend thereof them so to leave & vp yelde by thies presents. In witnes whereof to this parte of the indenture remayning in custody with the said Erle, the forsaid John haue layd his seale the day & yere abowe writtin.

[Signed] By me Jhone Cantwell fitz Piers.

In dorso : Being present at the sealinge and delyuery hereof those persons whose names esuyth

[Signed] By me Sir Willyam Conall
By me Sir Piers Quemerford
By me Pers Ragged

Also in dorso : John Cantwellis lease of the holy crosse

Seal of John Cantwell (signet : a head).

Parchment, 460 × 200 mm.

XXI.—Abbey of Nenagh. 1575.

Indenture, in English, dated 20 January in the 17th year of the Queen (1575), by which Thomas Butler, Earl of Ormond, leases to John Butler FitzEdmond of the Graunge in Ormond, gentleman, and Johanna FitzHiwgh his wife, the site and all the buildings of the abbye of the Nenoigh in Ormond. Term, 21 years; rent, £4, with a "somer sheape and pondage hogge."

It is provided that this grant is not to be prejudicial to any customs or services due from the manor of the Nenayg, and that if the Earl should desire to unite the manor to the abbey, then this lease may be cancelled at a year's notice. (A note on the dorso states that this lease was surrendered at the Earl's request, and the contents granted to one FitzPiers).

Two Seals in poor condition.

Parchment, 310 × 250 mm.

XXII.—Various property. 1578.

Grant by Queen Elizabeth to Thomas Butler, Earl of Ormond of monastic property. 10 December, 1578.

A large piece of the Great Seal.

Parchment, 590 × 485 mm.

Deed rather badly damaged (stained and holed).

Cf. *Fiants of Elizabeth*, no. 3513.

XXIII.—Abbey of Duiske. 1580.

Indenture, in English, dated 2 November, 1580. Lease by Thomas Butler, Earl of Ormond to his natural son Peter Butler fitzThomas of the whole site, circuit, etc. of the late dissolved religious house of Dwyske, otherwise called the Graig, in co. Kilkenny, and also the lands of Ballikieffe and Ballinbanog in the same county. A hawk to be delivered annually as rent, and the grantee to pay the rent due to the Queen.

Parchment, 460 × 185 mm.

Signature of 'P. Butler', with a seal (not heraldic). On back is a certificate of sealing and delivery, signed by Thomas Wadding, P. Shee, Sir John Archdeacon Dean of Casshell, Sir Thomas Browne.

One of the notes of contents on the back gives 'LoweGrange' as an alternative title for the 'Abby of Dowske'.

Note: In the *Charters of Duiske*, edited by Bernard and Butler in *Proc. R.I.A.* 1918 *Sect. C.* p. 164, a conveyance of the Abbey lands by the same to the same in 1597 is mentioned, but not this grant.

XXIV.—Holy Cross. 1581.

Indenture, in English, dated 12 September, 1581 (an. 23 Eliz.), between Thomas, Earl of Ormond and Ossory, and John Cantwell FitzPeres of Byalachomiske, co. Tipperary, gentleman. Lease by the former to the latter of the altarages of Holy Cross with all appertaining casualties tithes oblations profits and commodities, in as ample manner as John O Rian lately possessed the same as tenant to the Earl; also the altarages etc. belonging to the same abbey which Philip O Kerny of Ballydwoghe, gentleman, enjoyed as tenant. Period, 12 years; rent, £50. Conditions, that the lessee shall keep in repair the parish church of the said abbey, and the chancel or quire thereof (except such portion of the chancel as James Purcell FitzWilliam possesses), in like manner as the said Philip O Kerny and John O Ryan were bound to repair them; that the lessee shall find a sufficient and lawful curate (in the said parish church) to serve the cure and minister all sacraments and sacramentals to the parishioners according to the Queen's Majesty's proceedings, and that the lessee shall not permit any service or ceremonies (contrary to Her Highness's proceedings) to be said or used in the said parish church.

Signed 'Thomas Ormode Oss'.

A note in dorso states that this lease was allowed to be surrendered on 17 May, 1585.

Butler Seal (broken).

Parchment, 420 × 260 mm.

XXV.—Athassel. 1583.

Indenture in English, dated 20 March, 1582 [1583]. Lease by Thomas Butler, Earl of Ormond, to John Cantwell FitzPiers of Geyll, co. Tipperary, gentleman, of "the scit circuit ambit and precinct" of the abbey of Athasshell, and the town and "demayne" lands, with all castles, etc., belonging to the same, in as large a manner as Sir Edmond Butler, knight, held the same. Term, 21 years; rent, £20 p.a., with certain dues.

Signature of J. Cantwell, with a piece of his seal remaining.

Parchment, 420 × 265 mm.

XXVI.—Inistioge. 1584.

Indenture in English, dated 20 August, 1584. Lease by Sir Edmond Butler, knight, inheritor of the monastery of Inistiog, to Robert Jose, prebendary or parson of Kilmannaghe, of a loft or void room with a garden, and an inche called John Coddys Inche within the town or franchise of the said Inisteog, for ever, at a rent of 4s. Edward Langton, burgess of Kilkenny, appointed attorney to give seisin.

Signature of "Robert Jose prebend' Kilmanagh", with his seal in good condition.

Parchment, 328 × 273 mm.

XXVII.—Ormond Rents. 1587. (Extract).

Declaracio computi prenobilis Thome Comitis Ormond et Ossorie tam tenen' et firmar' domine Regine nunc Elizabeth terr' et possess' infrascript' quam aliter.

[Statement on a single piece of parchment, measuring 560 × 820 mm. Headed 'Com. Regine Wexford Waterford Kilkennie et Tipperarie.' Signed at bottom by Tho. Jenyson, with date xviii Julii 1587. Endorsed: 'Acquittance and quietus est of the rents and debts of Thomas Erle of Ormond and Ossery.' The statement includes a copy of Letters Patent of Q. Elizabeth, 20 April, 1586, pardoning the Earl the arrears of his debts. The following short extract relates to ecclesiastical rents].

Libere tenen' nuper abbacie de Leix, £2 p.a.

Tenen' omnium terrarum temporalium et spiritualium ad nuper monasterium Sancte Crucis, £15 10s. 4d. p.a.

Tenen' scitus cum terris dominicalibus nuper monasterii de Kelles in comitatu Kilkennie, £3 p.a.

Recept' de Richardo Butler nuper domini Vicount Mountgaret nuper firmarii rectorie de Knocktoffer in comitatu Kilkennie, £32 for six years.

Firmar' spiritualium possessionum nuper monasterii de Athasshell in comitatu Tipperaria, £142 10s. od. p.a.

Firmar' rectorie de Kiltenan parcelle possessionum nuper abbacie de Osney in Anglia iacentis in comitatu Tipperaria tam

pro arreragiis inde aretro pro viii annis (£20) quam pro exitu eiusdem debit' pro octo annis (£40), £60.

Tenen' nuper abbatie de Duske in comitatu Kilkennia nuper concessa Jacobo Butler de Duske armigero defuncto at nunc in manu dicti Comitum Ormond, £41 p.a.

Tenen' nuper domus Fratrum de Carricke parva in comitatu Waterford, £46 13s. 4d. for 18 years.

Firmar' spiritualium possessionum nuper monasterii de Jeripointe in comitatu Kilkennia, £48 10s. od. p.a.

Tenen' medietatis nuper domus Fratrum de Clomell in Comitatu Tipperaria, 1s. p.a.

Firmar' nonnullarum possessionum spiritualium nuper monasterii de Kelles in comitatu Kilkennia, £112 4s. od. p.a.

Tenen' rector' de Donmore alias Donnaghmore et Kilmakere et aliarum parcellarum possessionum nuper monasterii de Thomas courte iusta Dublin iacentium in comitatu Kilkennia, £11 6s. 8d. p.a.

Tenen' nuper monasterii de Fertnegoraghe in comitatu Kilkennia, £12 13s. 4d. p.a.

Debit' pro quodam fine dimission' eidem Comiti in anno domini 1572 fact' super spirituales possessiones nuper abbatie de Athasshell in comitatu Tipperaria, £50.

XXVIII.—Inquisition as to property of the Friary of Callan.
November, 1590.

Apud Callan in Com' Kilkenn' [*hole in paper*] die Novembris anno regni regine Elizabeth XXXII° coram Petro Herford Superiori ville de Callan predictae Roberto Rothe armigero et Henrico Shee gen' Comiss . . .

George Comerford iuratus	James Heden iuratus
Jasper Rothe „	Phillip Cormicke „
Edward Brenane „	Robert Swetman „
Edmond Swetman „	Richard Meilot „
Adam Tywe „	Thomas Toben „
Richard Forstall „	Nicholas Toben „
Piers Meilot „	William Rothe „

Who being sworn etc. do finde that Sir William Offogerty late priour of the frery or late dissolved house of Callan comonly callid

the Austyn freres & the convent or confreres therof were seisd in their demesne as of fee at the tyme of suppression & surrender of the same howse of an old ruynous water mill within the burgadg and liberties of Callan aforsaid comonly callid the nywe mill & also of one smale parcell of pasture nere the same callid the Inch which mill & Inch are concealed & vniustly detayned from her ma^{ty} by the right honorable Thomas Erle of Ormond & Ossory & are of the yerly value above all chardges & reparacions of iis. *vid.* Ir.

Item we finde that the said priour & covent or confreres of the said howse were likewyse seised at the tyme of the said suppression of a parcell of arrable land within the said burgadg of Callan comonly callid Gorttnemraher containing by estymacion one stang or the 4th parte of an acre of the grete country measure in their demesne as of fee in right of the said Frery which is also concealed from her ma^{ty} by the said Erle and is of the yerly value of iiiid. Ir.

[On the back of the paper are the signatures of the 12 jurors and 3 Commissioners.]

Paper (slightly torn), 200 × 305 mm.

XXIX.—Abbeyleix. 1595.

Indenture in English, dated 20 May, 1595. Lease by Thomas, Earl of Ormond, to Walter Hoventon, esquire, of the abbey or late dissolved house of Leix, and the parsonage of Clonkyne, Queen's Co., and the parsonage of Lawchill, dioc. Ossory, with all castles, messuages, etc., belonging to the said abbey and parsonages, in as large and ample manner as the Earl enjoyed them by grants from Q. Elizabeth and Q. Mary, and in as large and ample manner as M^r. Piers Butler, brother to the said Earl, and other tenants enjoyed them. Term, 21 years; rent, £50 p.a., together with £10 10s. *od.* p.a. rent due to the Queen, and 12 barrels of oats yearly. Game to be reserved, and the Earl's purveyors to have entry for the purpose of taking accates.

Signature of Walter Hovenden; his seal gone from tag

Parchment, 655 × 285 mm.

XXX.—Athassel. 1596.

Indenture in English, dated 10 April, 1596. Lease by Thomas, Earl of Ormond, to Anthony Stoughton of Dublin merchant, of the rectory or parsonage of Kilconly, and the moiety of the rectories or parsonages of Aghabally and Kilheenen, all in co. Kerry, possessions of the dissolved religious house of Athassel, with all tithes and profits, for 15 years, at a rent of £5 p.a., the lessee to pay the dues of the rectories.

Signature of Anthony Stoughton, with his seal.

Parchment, 355 × 275 mm.

XXXI.—A deed relating to Jerpoint. 3 January, 1602-3.

William Shiref of New Ross, co. Wexford, 'nauta,' son and heir of Richard Shiref, son and heir of Catherine Hein, late of Jerpoint, co. Kilkenny, grants to John Roth, son of Peter Roth, of Kilkenny, merchant "vnum burgagium vnum gardinum sive hortum et pratam cum pertinenciis in platea Sancti Nicholai de Jerepont in dicto comitatu Kilkeniae situat' inter nigrum castrum sic vocatum ex parte orientali et terram Comitis Ormoniae ex parte orientali et terram Comitis Ormoniae ex parte occidentali tres stangnas terrae cum suis pertinenciis iuxta montem viridem et vnam acram terrae cum suis pertinenciis in Lackmaine et vnum parvum pomarium cum suis pertinenciis iuxta murum novum infra Jerepont predictum ac reversionem et reversiones premissorum. Habenda et tenenda predicta . . . prefato Johanni heredibus et assignatis suis . . . imperpetuum . . . per servicia inde debita."

Signature of William Shirif;
seal gone from tag.

Parchment, 333 × 200 mm.

XXXII.—Royal grants of monastic property to the Ormond family. 1603-7.

A. Original grant to the Earl of Ormond, December, 1603.
[See Patent Rolls, James I, p. 10, no. 41].

- B. Original grant to the same. 26 November, 1604. [See same, p. 52, no. 10].
- C. Draft of royal grants to Lord Tulleophelim. 1606-7. [See same, p. 94, nos. 72-74, and p. 108, no. 22].
- D. Draft of royal grant to Lord Tulleophelim of the lands granted to the Earl on 1 December, 1603.

With these an indenture between the Earl of Ormond and Lord Tulleophelim, dated 7 January, 1606-7, relating to monastic property.

XXXIII.—Inistioge. [c. 1606].

Anno xxxi^{mo} of King Henry the eight an office fownd of the possessions of the late dyssolved howse or priory of Inystioge in the contry of Kilkeny, otherwyse named the priory of Colvmkill in the forsayd contry. The temporall possessions whereof past vnto Sir Edmond Butler Knyght. The spiritualtyes vnto James and Edward Cuff sonnes to John Cuff, alias Captayne Cuff, by lettres patentes bearing date xix^o of Quene Elizabeth for tearme of xxi yeres, to take begynning from the sayd yere of xix^o. There is xxx acres of land in Rossinan and vii messuages, of the temporall possessions of the sayd priory of Inystioge, of right belonging vnto the Lo. Vicount of Tullye, in right of his father, whereof no grant past vnto eny by the said father, but the same concealed from hym, and intrudid vppon, by the said Cuffes, and others that now inioye the spiritualtyes of the sayd priory of Inystioge. There is due of arere of the sayd Cuffes, for the sayd messuages 30 acres of lands, xl.s per annum att leest for xxi yeres which mounteth to xlii. *li*. starling. The parsonadge of that towne of Rosnynan past about six yeres agoo by one Neweton for tearme of xxxiii yeres. Ther was no grant of the temporaltyes past from his maiestie for that it past before vnto Sir Ed: Butler Knyght as by the office and grant thereof more att large shall aperc. The Lo. Vicount that now is may dispose thereof as in his owne right and recover the arrears and profitts of the sayd temporaltyes of Rossinan, agaynst the sayd Cuffes and all others that received any parte or parcell thereof, for it shall aperc by the fiant of Henry viii remaynyng in the chancery, that no part of the temporaltyes past in the lettres patentes granted to them for one and xx^{ty} yeres of the

spiritualtyes emongest which the parsonadge of Rossynan was parcell. This towne or villadge of Rossinan is of Den is land.

[On another sheet.]

The viccaradge of the priory of Inystioge in the contry of Kilkeny being in the Lo. Butler is gyft, as patron thereof in respect of his grant from the prince of the temporaltyes of Inystioge aforsayd, the same being an advowson appendant of the sayd monastery, howbeit by negligence of the patron in nott presentinge in due tyme to the same is now by laps in the Kinges gyft. Neverthelesse if the sayd Lo. Butler doth now present and his clerk admytted and inducted accordingly by the ordinary of the diocese of Ossery it may slipp in that other away, and then his possession shalbe establishd from tyme to tyme vppon eny avoydance afterwards. The fermour of the spiritualltyes of the sayd monastery hath taken the profitts thereof wrongfully for want of an incumbent. The same being nott past in eny lettres patentes granted in that behalff, as may evydently apere in the fiant remaynyng in the chancery.

To prove it to be a dystinct viccaradge and severed from the parsonadge thes are the words of thoffice taken anno xxxi^o of the raigne of King Henry the viiith remaynyng of record in thexchequer: De ecclesia siue rectoria de Inistioge alias Collvmkill in com. Kilkenie vna cum advocacione eiusdem: which words doth manyfest that there is a viccaradge endowed and in the patron is grant, and is hetherto neglected by the sayd patron.

The first sheet endorsed: A note deliuered by James Sherlok touching Enesteoge.

Cf. *Fiants of Elizabeth* no. 6133 (for Captain John Newton).

XXXIV.—Lands of Walter Butler, 11th Earl of Ormond.

[c. 1620-30].

Statement on paper (covering several pages folio) made in the time of Walter Earl of Ormond (d. 1633). References to his 'submission' and to an order of the King relating to his lands. There is a list of manors etc. conveyed to feoffees for the use of Ellen Dowager Countess of Ormond (this includes the house and priory of Kells), and a list of manors etc. similarly conveyed

for the use of Ellan (present) Countess of Ormond as part of her jointure. Then follows a statement of lands contained in the King's Order, not conveyed in estate made by the late Earl Thomas to feoffees, and never in possession of the present Earl. This includes the following :—

The Freery of Rossbarcon in the countie of Kilkeny, and the myll thereof. This Freery is the land of one Luke Blake of Nywerosse in the Countie of Wexford whoe is nowe within age and the kings ward, out of which Freery the Earle of Ormond and his auncestors had some cheifery.

The Freery of Rosskrea in the Countie of Tipperary. This Freery of Rosskrea was past from His Ma^{tie} by letteres patents in fee fearme unto M^r. Crowe cheife preignotery of his Ma^{ties} courte of common pleas in Ireland for a certayne yearly Rent : And the Earle of Ormond hath no interest therein, but some fewe yeres remayning of a lease for terme of yeres past thereof by the late Queene unto Arldland Ussher late of Dublin gent', whose interest the said late Earle hath purchased.

The howse of St. Johnes of Kilkeny is incerted in his Ma^{ties} order, and ordered to the La : of Desmond and the heires of her boddie, as parte of the Earle of Ormonds lands. The said howse of St. Johnes was past from the Crowne unto the Corporacion of Kilkeny in fee fearme, paying a certayne yerely Rent, in which howse the said Earle nor any of his auncestors had noe interest saving a cheife Rent which cheife Rent (upon the suppression of the said howse) was found by office and paid accordingly by the said Corporacion from tyme to tyme to the late Earle and his auncestors.

(There follows an argument that the rectory of Knocktopher, co. Kilkenny, ought not to be regarded as included in Earl Walter's 'submission').

XXXV.—Report of a jury on tithes in Co. Kilkenny belonging to the Earl of Ormond. 1619-20.

We find that the said Earle hath noe movable goodes or chatles within this county of Kilkeny the vith day of July in the xviith yeare of His Ma^{ties} raigne nor at any time sithens

Edmondus Butler cum sociis

The tiethes of the Com' of Kilkenny supposed to belonge to the Earle of Ormond, and there vallue for this presente yeare

[Place]	[Tenants]	[Value]
Dangenbegg & Bathesrath.	William Howlinge & Michael Mor- gan of Kells.	<i>vili. ster.</i>
Growbegge.	James McCody.	<i>iiili. viiis.</i>
Maylerdstowne.	Thomas Comerford fitzGeorge.	<i>vili.</i>
Donemoggan.	Robert Walsh and others.	<i>xli.</i>
Bellaghetobine & Carlesko.	James Neales [and others].	<i>xiiiili. xiiis.</i>
Rossenarrowe.	Theobald Butler.	<i>iiiiili. xvis.</i>
Rogerstowne.	James Butler.	<i>xxviiiis.</i>
Lemonstowne.	Richard Quiddihie of Bolyflugh [and another].	<i>iiili. iiiis.</i>
Owningbegg.	Ellan Howling.	<i>xxxiiis.</i>
Kirrehill.	Gerrott fitzMorish of Garrynthal- lowe.	<i>iiili. viiis.</i>
Killiromoe.	John fitzTheobald.	<i>xxxiiis.</i>
Cottrellstowne & Killmodany.	Edmund Boy.	} <i>xxxiiis.</i>
Castlehoill.	Mrs. Ellies Walsh.	
Newchurch.	Richard Butler of Melaghmour [and another].	<i>xxxvis.</i>
Melaghmour.	Piers Walsh [and another].	<i>xxs.</i>
Clone.	William Randell.	<i>iiiiili.</i>
Dangenmour & Twestowne.	Richard Comerford.	<i>iiiiili.</i>
Shortallstowne.	Thomas Merry [and others].	<i>iiiiili. viiis.</i>
Ballylinch, Legan & Rathduffe.	Oliver Grace.	<i>vili.</i>
Donbill.	Teig McWilliam.	<i>vli.</i>
Woolengraindg.	Adam Walsh.	<i>xli.</i>
Kiltorkane.	James Purcell.	<i>vli. iiiis.</i>
Ballehale.	Redmond McCody.	<i>vili.</i>
Dirrenehensy.	Robert McCody.	<i>vili.</i>
Kilkneddy.	Richard Butler of Knocktoffer.	<i>iiiiili.</i>
Kilkirrell.	Jeffery Sprice.	<i>iiiiili. iiiis.</i>
Sheepstowne.	Gilbert Butler.	<i>iiiiili.</i>

[Place]	[Tenants]	[Value]
Kilbecan.	Phillipp Walsh.	ii <i>li</i> .
Lysmacteige.	Robert Serment [and others].	iii <i>li</i> . iiiis.
Tybraghney.	Harry Staines.	iii <i>li</i> .
The Rower.	James Bolger [and another].	xxxv <i>li</i> .
Coolenehagh Garrandarragh Glanepipy & Cooraghmour.	Gilbert Butler.	xls.
Killry.		
Redmour.	James Comerford of Garryrackin and John Tobin fitzRichard.	ii <i>li</i> .
Hagard.	John Kyvane of Kilkenny and James Graunt fitzPiers.	ii <i>li</i> . iiiis.
The alteradge of Killmodany & Tullehaght.	Harry Comerford.	x <i>li</i> .
The alteradge of Donemoggan & Killry.		
Two parts of the alteradge of Bellaghtobine.	David Tobin.	iii <i>li</i> .
Tiethes of Earles- towne & Worens- towne		
Castleife, Rathgulbine and Sprusesheies.	William Sweetman [and others].	viii <i>li</i> .
Two parts of the alteradge of Earlestowne.		
Disertbegg & Plebertstowne.	Richard Butler.	iii <i>li</i> .
Graindgmaccome & Ouldtowne Connehy & Garran.	Richard Purcell and James Shortall.	xxxiii <i>li</i>

[Place]	[Tenants]	[Value]
Garranemanagh.	Frances Marshall.	xvis.
Kilbrekane.	Thomas Comerford.	xvis.
Ardery & Ballenthurre (?) (<i>paper holed.</i>)	} Piers Walsh fitzJohn.	xli.

Note: The above is an abbreviated and tabular arrangement of the original. In the original the sections begin "the tiethes of . . . sett to . . ." The sums of money are almost all noted as ster' or st' (sterling). The statement concludes with a statement by the jury that on 7 September 1615 Walter Earl of Ormond and Ossory and others made a deed of feoffment to Sir Piers Butler of Lysmalinge, co. Tipperary, and Lucas Shee, Esquire, of Upperland, co. Kilkenny, of certain lands spiritual and temporal in co. Kilkenny, to the use of the said Earl and Dame Ellan his wife. The concluding words of the document are:—

"Dated the Xth of October, 160 (*sic*: 1620 ?)

Edmond Butler cum sociis"

Paper (6 pages), 205 × 310 mm.

XXXVI.—Athassel. 1634.

Indenture in English, dated 20 June, 1634, between James Earl of Ormond, Pierce Viscount Ikerrin, Robert Grace, and Thomas Comerford, of the one part, and Gerald Fenall Doctor in Phisick of the other part. Lease by the former to the latter, for a term of 31 years dating from the death of Ellen Countess Dowager of Ormond, at a rent of £100 p.a., of the whole quarter of the Abbey of Athassel commonly called the quarter of Rathglasse, being the moiety of the farm now in the occupation of Brian Kearney, videlicet, Rathglasse, Cloghliegh, Templeconane, the wood of Keilbogg, half of the wood commonly called Keilmore, half of the fair yearly held at Kilmcmurry and Goline Bridge, with half of the profits of the said fair, the weir commonly called the Blackweir. Certain rights and profits reserved to the Earl.

Signature of G. Fenell; seal gone from tag.

Parchment, 640 × 390 mm.

XXXVII.—Rosbercon and Clonmines.

Depositions. Rosbercon. The fryery there & the Aby of Clonmeene. Copia vera ex^r per Will. Branally. Paper (9 sheets).

This is a statement of interrogatories administered on 14th November, 1634, with the replies of witnesses, in a case at issue between James Earl of Ormond, plaintiff, and Anne Cottle, widow, defendant. The facts stated by the witnesses, Thomas Roche and John Blake, are, briefly, as follows.

The friary of Rosbercon and the abbey of Clonmyne, co. Wexford, passed by Letters Patent of Henry VIII to Captain Parker, who assigned his interest in the same to John Blake, of Ross, merchant. The latter transferred half his purchase to Thomas Earl of Ormond, and, in view of the fact that the Earl's half was 20s. p.a. less value than Blake's, it was agreed that the Earl should receive a yearly payment of 20s., which payment was received by the Earls Thomas and Walter in succession for forty years "until recently." Then the property was sold by John Blake, the above-mentioned witness (great-grandson of John Blake, the purchaser) to Walter Cottle. Apparently Cottle, or his representatives, have declined to continue the payment of 20s., and the Earl James now takes an action against Cottle's widow.

NOTE: The grant to John Parker is in *Fiants Henry VIII*, no. 370 (25 Aug., 1543), and license to alienate to John Blake (19 Feb., 1546) in no. 471, *ibid.*

XXXVIII.—Abbeyleix.

A Note of the Rents of the Abby: May, 1636.

The moyety of the Abby, £42 10s. *od.* The other moyety, £11. Clohog, £62 10s. *od.* Booly, £10. Ballytarsne, £33. Tomduff: if the lease wearith theare, £44. Rathmoyle, £24. Ballymullin, £85. Clonkin, £21. Ralish, £45. Sum' p' gale, £398 (*sic*).

Disburisd of the abouesaid Rents as ffoloweth. Acct' paid to M^r. Weames att michaellmas 1634 at Dublyn, £60. Alowed mee for one moyety of the Tithes of Ballymullyn & Rathmoyle, £12. Paid to M^r. Edmond Butler for the fower acres of the Abby, £10. To M^r. Beard for the Lease of Ralish, £10. For redeeming the Lease of Tomduff, £21. Paid for the Lease of

Booly, £100. Paid to M^r. Smith, £51. M^r. Caluill paid att hollentide to M^r. Weemes as may appeare by acquitaunces, £25. M^r. Sandland is paid to M^r. Smith & M^r. Kames, £14. Abated oute of the aboue namid sum of £24 of the Rent of Tomduffe to M^r. Beard, £24. To be alowed to M^r. Caluill this half yeare, 1636, £30.

Sum disbursed, £357 : remaynes due on M^r. Hill, £41.

The above is a slightly modified transcript of the original, which is on a folded sheet of paper, endorsed "William Hill accompt about the Abbay of Leix."

XXXIX.—Kells Priory. 1640.

Indenture, in English, dated 9 July, 1640. Lease by James Butler, Earl of Ormond, and the Countess Elizabeth, to James Butler of Dangespedoge, of all the castles, towns, lands, etc., belonging to the Priory of Kells, together with Rathduff, Poulroan, Licketstowne, and other places in co. Kilkenny, for a term of 21 years beginning from the death of the Dowager Countess Ellen, at an annual rent of £260.

Signature of James Butler, and his seal.

Parchment, 655 × 220 mm.

XL.—Crown rents of livings belonging to dissolved religious houses. [No date. After Easter, 1670].

The ensuing spirituall liuings parcells of y^e possession of y^e late monastery of Jerpoint in y^e County of Kilkenny leased to Theo. Viscount Tully for 61 years from y^e 1^o Dec^r, 1624 for w^{ch} y^e Duke of Ormonde hath payd Croun Rent from Eas^t 1660 though not enioyed by him, y^e Rent by his patent is in grose but y^e ensuing apportionment appears by y^e Auditors bookes viz^t

County Kilkenny	yearly Rent
Rects' of Ballilingh	03 05 00
Rect' Bawne als Bawlknow	00 10 00
Rects' Wolengrange	01 10 00
Grange Legan	02 02 06
Blackrath	01 10 00
Grange Killree	04 02 06
The greate Burdgadgery	00 10 00
The Alteradge of Jerpoint	02 05 00

	County Typërary	yearely Rent
Parcells of the possessions of the late monastery or priory of Kells in the County Kilkenny held as aforsayd.		
Dromniueran Rect'		02 00 00
County Lymricke		
Tulloleshy		11 05 00
Grenegownagh		15 15 00
County Wexford.		
Kilkerlex & Bealode		01 16 00
Bayle Rectory		06 00 00
County Kilkenny.		
Ardkilly Rectory		02 00 00
Rect' Killmony		05 15 00

The ensueing parcells of y^e possession of the late priory of Attashell alsoe payd for though not possessed by his Grace y^e Rents whereof wee cannot find apportioned but such of them as his Grace sould be Reserved y^e Rent to y^e particulars anexed

County Tipperary		
Rectory of Mogarban als Mogariban		
Tullaghviane		
Kilmarnan als Kilnegrenan		
Kilmikenegan		
Kiluralane		
Kilineragh als Kilnera	}	
Kilcominaghy als Kilconagh		04 00 00
Kiloscull als Killscoll		
Ecclia de Call		
Kilfeckill als Kilkill		01 00 00
Ratenane		
Templemoyn als Templemory		
Kilbare in Ieonaght		
Creadoun als Crendon		
Pagnuakill		
Dongowre		
Kiltemin als Killeely		

County Tipperary—*Contd.*

Tulla lesronagh
 Ballintemple
 Kiltample
 Owter liege

County Lymricke

Kilmore
 Magdalen
 Glanogery als Ellengore
 Kiluraderan als Kilwarderan
 Killcomon
 Luddowne Stradbally

County Clare

Anagh more

The ensueing lands are in Charge in y^e Croun Rents for w^{ch} his Grace payd from Eas^t 1660 to Eas^t 1670 then lesd out to bee collected.

County Tipperary	yearly Rent		
Tivarin	00	02	06
Lissine	00	00	04 $\frac{1}{2}$
Killmayergin	00	03	10 $\frac{1}{2}$
Curaghnevin	00	01	07 $\frac{3}{4}$
Crossally & Garranmore	00	01	01 $\frac{3}{4}$
Ballinorigh & Baliloghin	02	01	03 $\frac{1}{2}$

County Catherlogh

The Carmeler house of Loghlin Bridge	00	10	00
The scite & precinct of y ^e Castle of Loghlin Bridge	02	16	05
The Rectory of Cloydagh	03	05	00

County Kilkenny

With y^e Rectory of Dunmore there is granted
 Kilcomon als Kilcolman w^{ch} his Grace does not
 enioy

County Kiery

for the Chiefry of Beoires Corne Puffins &c.

Note on back: Spirituall liuings &c. not possessed for w^{ch} payd Croun Rents.

Paper, 4 pages sm. fol.

XLI.—Athassel.

A Letter from the Bishop of Killaloe [John Roane, Bishop from 1675 to 1693] to the Duke of Ormonde relating to the rectory of Kilmore Madalen.

May it please your Grace

Kilmore Madalen in Vpper Ormond is mentioned in the Lease graunted to Theobald L^d Visc^t Tully, but no rent ascertained to the Crowne; And in the Inquisition taken ano^r 1674 for the ascertaining all Rents of Impropropriations belonging to the Abbey of Attashell pr. this Kilmore rent is returned not found. The B^p of Killaloo for time immemoriall hath injoyed two thirds of that Rectory as Mensall, & your Grace one third as improprate though vicariall; my humble request is that I may know what rent is reserued to the Crowne (if any bee) for that third part w^{ch} is Improprate

Your Grace hath the daily prayers of

Your Graces most humble servant

Jo Laonensis

In dorso:

By the Inquisition of 1674 Kilmore is returned thus & the Crown Rent apportioned as followeth

Kilmore.

Two thirds. Valuation, £10. Apportioned rent, £2 5s. 1½d.

One third the Bishop of Killalow. Valuation, £5. Apportioned rent, £1 2s. 6¾d.

My Lords right sett to Col. Harvey at 18s. p.a. Kilmore Madalen in the county of Lymrick one upon the Comission returned not found.

Paper, 215 × 155 mm.

XLII.—Kells. 1680.

Indenture in English, dated 12 August, 1680. Lease by James, Duke of Ormonde, and the Duchess, to Michael Bryan of Kells, co. Kilkenny, gentleman, of all the tithes of the farm of "Kells Rathduffe Kellsgranges Burgessland the Priory of Kells Priors Land of Kells and Garrinstanna," with all appurtenances, obla-

tions, etc. (except the duties due to the clergy), for a term of three lives, at a rent of £10 p.a.

Signature of Michael Bryan, with his Seal.

Parchment, 660 × 300 mm.

XLIII.—Holy Cross. [c. 1711].

A statement of opinion of lawyers named Bernard and Whitshede on certain difficulties which had arisen regarding leases and settlements made by the second Duke of Ormonde, concerning Holy Cross, of which M^r Ivie is mentioned as the lessee. Reference is made to several Acts of Parliament, of which the latest is one of the ninth year of Queen Anne.

Paper, 4 leaves. No date.

APPENDIX IIA.

SUCCESSION LISTS.

Lists of Abbots, Priors, and other conventual persons, cathedral dignitaries and diocesan officials, and parochial incumbents, arranged by dioceses. No account has been taken in this list of the Register of Kells (Appendix III); the ecclesiastics mentioned in it will be found in the general index. The dates prefixed to the names are those that appear in the deeds. The deeds are referred to by their numbers in round brackets.

Diocese of Cashel.

- 1485. John O Hedyan, dean (55).
- 1580. John Archdeacon, dean (App. I, no. 23).
- 1545. Patrick Couresye, precentor (120).
- 1466. John Cantwell, chancellor (46).
- 1533. Richard Archdeacon, treasurer (93).

Diocese of Cashel—contd.

- 1571-74. John Archdeacon, treasurer (131; App. I, no. 17).
 1411. John O Hedyan, archdeacon (19).
 1429. Richard OHedyan, archdeacon (27).
 1452. Thomas Billian, archdeacon (41).
 1516. Gerald Fitzgerald, archdeacon (73).
 1516. Cornelius O Laghnan, canon (73).
 1466-67. Thady O Lauthnan, official (46, 47).
 1527. Walter Walch, provisor of the Common Hall (86).
 [For names, possibly, of 4 Vicars Choral in 1411, see no. 19].

Parish of Ballysheehan.

1467. Dermicius Otathyll, vicar (47).

Parish of Galbooley.

1574. John Archdeacon, vicar (131).

Parish of Kilconnel.

1545. 'Rector Fuscus'; Thady FitzJohn; Edmund Mores; Edmund Meaghir; Nicholas Dullyghynty; successive predecessors of Adam Hiffirnan, the 'last incumbent' in 1545 (120).

Parish of Killmyloge.

1545. John Henese, vicar (120).

Parish of Knockgraffon.

1545. Thomas Butler, rector (120).
 1571. James Morise, parson (130).

Parish of Tullamain.

1545. Thomas Hiffirnan, vicar (120).

Friary of Augustinian Eremites, Fethard.

1539. William Burdon, prior (108).

Holy Cross Abbey.

Abbots.

— T. [1263-85] (6).

1364. David (9).

1399. Philip (14).

- 1429-32. Fergall O Hiffernan (21, 28, 32).

1450. William (39).

- 1464-76. Matthew (46, 48, 51).

- 1495-99. William (60, 85).

- 1527-34. William O Dwyr (86, 92, 97).

*Diocese of Cashel—contd.*Holy Cross Abbey—Abbots—*contd.*

- 1533-61. Philip Purcell, abbot, then provost (93, 94, 97, 109, 121, 124, 126).
 1561-72. John Rian (Shane M^cDonyll Omolryan), late monk (126; App. I, 18).

Hore Abbey (de Rupe Cassell).

- Nicholas, abbot [earlier part of 15th cent. ?] (22).
 1467. Cornelius Ofovlov, prior (47).
 1533. Patrick, abbot (92).

Abbey of Kilcooly.

1544. John Colton, late monk (119).

Diocese of Cloyne.

1402. John, archdeacon (17).
 1514-15. Rory O Dwygyn, canon (73).

Diocese of Cork.

Abbey of Tracton (de Bello Portu).

1467. Thady O Lenaghan, monk (47).

Diocese of Dromore.

Abbey of Newry (de Viridi Ligno).

1536. John, abbot (103).

Diocese of Dublin.

Priory (Cathedral) of the Holy Trinity (Christ Church).

1511. Richard Skyrrett, prior; Thomas Fyche, sub-prior; and J. Hassard, J. Kendyll, W. Hassard, R. Heyn, J. Honylow, R. Walsch, W. Loghnan, R. Ball, and W. Lamkyn, canons (69).
 1522. William Hassard, prior (78).

Hospitallers of St. John of Jerusalem, Kilmainham.

- Maurice de Prendergast, prior [c. 1205] (63).
 1414. Thomas le Botiller, do. (20).
 1486. James Ketyng, do. (56).
 1506-12. Robert Eure, do. (63, 70).

Diocese of Dublin—contd.

1506. Patrick O Curryn, preceptor of Kyllerg (63).
 St. John's Hospital, Newgate.
1536. Thomas Everard, prior, and Walter Cartan and Robert
 Fox, brethren (100).

Diocese of Emly.

Abbey Owney (Wony, Abington).

- William, abbot [1217-21] (2).
1436. Dermicius Oglessoon, abbot (intruded) (36).
- 1533-43. John Ryan, abbot, then provost (p. 101 ; no. 92).
1436. Richard Genowr', monk (36).

Diocese of Ferns.

1519. Nicholas White, prebendary of Whitechurch (77).
1512. Robert Lumbard, official (71).
1519. William Cotton, official (77).
1512. John Walche, vicar of Ross (71).
1519. William M^oDowle, abbot of Ferns (77).
1468. John Yoynng, abbot of Tintern (48).

Diocese of Killaloe.

1399. Cornelius Odeayg, archdeacon (14).
- Thady Maccomnan, do. [c. 1435] (34).
1533. Thady Omeary, official in the deanery of Ormond (92).
1515. William O Duygyn, canon (73).

House of St. John Baptist, Nenagh.

1533. Thady O Meary, prior } (92).
 ,, Maurice Okurhit, canon }

Diocese of Leighlin.

1506. Cornelius O Curryn, dean (63).
1534. Thomas Watyrffelde, archdeacon (95).
1506. James O Curryn, canon (63).
1534. William Occurcyn al. Thankart, rector of Balycarroke
 (95).
1337. Hilary Brun, vicar of Kellistown in Forth, etc. (4).

Diocese of Limerick.

1543. Andrew Creagh, dean (118).
 1499. William, abbot; and William Omannenan, monk, of
 the abbey of Nenay (Magio, Monasteranenagh) (60).

Diocese of Lismore.

1517. James Butler, dean (85).
 1570. Thomas Clery, chancellor } (129).
 „ David Prindergast, treasurer }
 1525-30. John Hanreghan, canon (80, 83).
 1530. Peter White, canon (83).

Parishes.

Clonmel:—

- 1494-1517. Nicholas FitzHarry, vicar (80, 85).
 1517-36. Peter White, do. (79 to 81a, 85).
 1536-70. Thomas Clery, do. (85, 129).
 1570. James Butler, curate (129).

Killgrant:—

1495. Robert White, vicar (85).

Lisronagh:—

1570. Peter Howeth, vicar (129).

Rathronan:—

1570. James Butler, vicar (129).

Priory of Athassel.

1525. Turlough O'Brien, Bp. of Killaloe, abbot commendatory
 (80).
 1536. Edmund Butler, Abp. of Cashel, do. (84).

Abbey of Inishlounaght (de Surio).

1495. Thomas, abbot (85).
 1539. James Butler, abbot (110).
 [1515-28?]. Odo Okernle, prior (106).

Abbey of Mothel.

1440. Robert Howly, abbot (37).
 1501. Rory, abbot (61).

Diocese of Ossory.

Deans.

- Odo [1202-18] (1).
- William, [c. 1228] (4).
- 1509-32. William Comerford (67, 89).
- 1542. James Clery (115).
- 1571-74. William Johnson (132; App. I, no. 17).

Precentors.

- 1509. John Cantwell (67).
- 1534. James Clery (96).
- 1574. William Kegoeh (132).

Chancellors.

- 1509. William Fyan (67).
- 1532-42. Nicholas Mothing (89, 104, 105, 115).
- 1574-77. John Nele (132, 134).

Treasurers.

- 1509. Thomas Donyll (67).
- to 1574. Richard Roth (134).
- 1574. Robert Gafney (132).

Archdeacons.

- Gilbert [1200-18] (1).
- Almeric [c. 1228] (4).
- Robert Tonbrige [1361] (67).
- 1509-16. Robert O Hedyan (67, 73).
- 1516-34. Edmund Butler (Abp. of Cashel) (73, 96).
- 1574-5. Richard Roth (134).
- 1577. William Kegoeh (134).

Prebendaries and Canons.

- 1497. Nicholas Tuyt, canon (58).
- 1506. William Fyan, canon (63).
- 1513-16. Patrick Cantwell, canon (72, 73).
- 1516. William Macgilpadrik, canon (73).
- 1530. Thomas Creffe, prebendary of Tascoffin (87).
- 1574. John Toben, prebendary of Killamery (132).
- 1574-84. Robert Jose, prebendary of Kilmanagh (132; App. I, no. 26).

Diocese of Ossory—contd.

Officials.

- O. [1202-18] (1).
 1497. Nicholas Tuyt (58).
 1506-19. James Cantwell (63, 67, 77).
 1542. Adam Walshe (115).
 — Franciscus de Caponago, Vicar General [1386-96] (67).

Vicars Choral.

- | | | | | |
|-------|---|--|---|--------|
| 1575. | { | Thomas Dinen'
Robert Kavanaghe
James Nagle
Thomas Vale
James Bolger
William Fleming | } | (133). |
|-------|---|--|---|--------|

Parishes.

- Ballytarsney. *See* Clonmore.
 Ballytobin :—
 1432. William Lorcan, vicar (31).
 Bewley :—
 1517. Walter Englis, rector (74).
 Blanchvilstown :—
 1374. Richard Bras, rector (11).
 Callan :—
 1517-38. John Tobyn, rector (74, 87, 107).
 1530. James Clery, vicar (87).
 1570. Edmond Barry, chaplain of St. Catherine's (128).
 1595. Patrick Fitzgerald, do. (135).
 Clonmore (and Ballytarsney) :—
 1558-74. John Archdeacon, rector (122, 131).
 Durrow :—
 1516. Donatus M^cCostygyn, rector (73).
 Eirke :—
 1516-17. William Archidekyn, vicar (73, 74).
 to 1534. Philip Gras, do. (96).
 1534. Nicholas Wyth, do. (96).
 Jerpoint :—
 1530. Walter Cardyn, vicar (87).

Diocese of Ossory—contd.

Parishes—contd.

Kells :—

1570. Thomas Lathie, vicar (127).

Kilkenny, St. Canice's :—

1479. Philip Okeroke, rector (53).

Kilmanagh :—

1479. Philip Okahill, vicar (53).

Mallardstown :—

to 1432. Patrick, vicar (31).

Owning. *See* Bewley.

Raleartie :—

1577. Patrick O Lalyn, 'parson' (134).

[*Note* : This last parish has not been identified ; it may be in some diocese other than Ossory].

Augustinian Friary of Callan.

— William Offogerty, prior at the dissolution (App. I, no. 28).

Abbey of Duiske (Graigenemanagh).

1530. Charles Cavanagh, abbot (87).

Priory of Inistioge.

— Alured, prior [c. 1228] (4).

Abbey of Jerpoint.

Abbots.

1407. Thomas (18).

1432-56. David Mortymer (18, 40, 42).

1513. Nicholas Gras (72).

1532. Philip Lonogran (90).

1534-41. Oliver Grace (98, 99, 102, 104, 105, 114).

Prior.

1536. John Heyn (102).

Monks.

1536-42. { Patrick Brenan
Richard Croke } (102, 114, 116).
Thomas Croke }

1513-42. Nicholas Fyn (72, 102, 114, 116).

1536-42. James Grace (102, 112, 114, 116).

Diocese of Ossory—contd.

1513. { John Heyn
Denis Kewanath
Thomas Neil
Thomas Nordyn
Walter Tayllour } (72).

Priory of Kells.

Priors.

1427. John Lacy (25).
1458. Nicholas White (43).
1507. Thomas Lacy (63).
—, names of priors, 1427-1507, p. 58.
1536-38. Philip Holeghan (101, 107).

Monks.

1382. Walter Pembrok (12).
1506. Peter Glerne (63).
1536. { Nicholas Lacy
Edmund Loghnan } (101).
{ Nicholas Tobin }

Nunnery of Kilculliheen (de Bello Portu).

1532. Elicia Butler, abbess; and Anne Cleri, Elicia Gall, Katherine Motyng, and Anastasia Cantwell, nuns (89).

Priory or Hospital of St. John Evangelist, Kilkenny.

1427. William Stakboll, prior (25).
1509-19. James Shortals, prior (67, 74, 76).

Dominican Friary (Black Abbey), Kilkenny.

1509. David Gerratt, prior (67).

Franciscan Friary, Kilkenny.

1509. Rath Roth, guardian (67).
1519. Edmund Asteykyn al. M^oOde, guardian (76).

Diocese of Waterford.

1533. Nicholas Wyt, dean (92).
 1600. David Cleere, dean (136).
 1525-26. Henry Walch, canon (80, 81).
 1427. Thomas Wyt, prior of St. John Evangelist, near Waterford.
 (24).

APPENDIX II.B.

LIST OF SEALS.

Great Seal of the Kingdom :—

- K. Henry VIII, nos. 112 (1540) and 113 (1541).
- K. Edward VI, App. I, no. XI (1558) (on deed of Philip and Mary).
- Q. Elizabeth, App. I, no. XII (1563), App. I, no. XIII (1563), App. I, no. XV. (1567), no. 131 (1574), no. 134 (1577), and App. I, no. XXII (1578).

Seal of the Earl of Ormond, nos. 9 (1364), 20 (1414), and 26 (1429).

- Piers Butler, 8th Earl of Ormond, no. 109 (1539).
- Thomas Butler, 10th Earl of Ormond, App. I, no. XVII (1571) and App. I, no. XXIV (1581).

Priory of Aghmacart, no. 73 (1516).

Town of Callan, nos. 49 (cent. XV.), 52 (1479), and 135 (1595):

Archbishops of Cashel :—

- Richard O'Hedian, nos. 19 (1411) and 27 (1429).
- John Cantwell, no. 41 (1452).
- David Creagh, no. 55 (1485).
- Edmund Butler, no. 120 (1545).

Dean and Chapter of Cashel, no. 41 (1452).

The Common Hall, Cashel, no. 86 (1527).

Hugh Inge, Archbishop of Dublin, no. 78 (1524).

Charles Cavanagh, Abbot of Duiske, no. 87 (1530).

Abbot and Convent of Holy Cross, nos. 26 (1429), 39 (1450), 45 (1461), 97 (1534).

William O'Dwyr, abbot, no. 92 (1533).

- Philip Purcell, Provost of Holy Cross, no. 126 (1561) [armorial seal, not the Convent's].

List of Seals—*continued*.

- Patrick, Abbot of Hore Abbey, no. 92 (1533).
 Prior and Convent of Inistioge, no. 66 (1509).
 Abbot and Convent of Jerpoint, nos. 62 (1502), 72 (1513), 99
 (1535), 102 (1536).
 Prior and Convent of Kells, nos. 43 (1458), 56 (1486), 101
 (1536).
 Prior and Convent of St. John Evangelist, Kilkenny, no. 25
 (1427).
 Sovereign of Kilkenny, no. 35 (1435).
 Matthew Magrath, Bishop of Killaloe, no. 14 (1399).
 Priors of Kilmainham :—
 — Thomas le Botiller, no. 20 (1414).
 — James Ketyng, no. 56 (1486).
 Priory of Kilmainham, no. 56 (1486).
 Town of Knocktopher, no. 38 (1446).
 Bishops of Leighlin :—
 — Nicholas Maguire, no. 63 (1506).
 — Thomas O Fihelly, no. 122 (1558).
 Dean and Chapter of Leighlin, no. 95 (1442).
 Andrew Creagh, Dean of Limerick, no. 118 (1543).
 Nicholas Comyn, Bishop of Lismore and Waterford, no. 80 (1525).
 Dean and Chapter of Waterford, no. 136 (1600).
 William, Abbot of Monasteanenagh, no. 60 (1499).
 Rory, Abbot of Mothel, no. 61 (1501).
 Thady Omeary, Prior of St. John's, Nenagh, no. 92 (1533).
 Bishops of Ossory :—
 — Alexander Petit de Balscot, no. 11 (1374).
 — Thomas Barry, no. 31 (1432).
 — Oliver Cantwell, no. 67 (1509).
 Dean and Chapter of Ossory, no. 11 (1374).
 Vicar General of Ossory, no. 52 (1479).
 Vicars Choral of St. Canice's, Kilkenny, no. 133 (1575).
 Town of Thomastown, no. 38 (1446).
 Richard Archdeacon, treasurer of Cashel, no. 93 (1533).
 Richard Bras, rector of Blanchvilstown, no. 11 (1374).
 Adam Brenagh al. Walshe, no. 102 (1536).
 William Brenan, no. 72 (1513).
 Michael Bryan, of Kells, App. I, no. XLII (1680).

List of Seals—*continued*.

- James Butler, of Danginespedoge, App. I, no. XXXIX (1640).
 Piers Butler, son of Thomas Earl of Ormond, App. I, no. XXIII
 (1580).
 John Cantwell (fitz Pers), App. I, no. XX. (1573).
 Robert Cardyf, no. 35 (1435).
 James Chewyr }
 Paul Schewer } no. 59 (1498).
 James Cotterel, of Kilkenny }
 William Cotterell, of Kells } no. 52 (1479).
 Andrew Creagh. *See* Eimerick, Dean of.
 John Den, of Thomastown, no. 54 (1479).
 Geoffrey FitzRobert, no. 1 (1202-11).
 Robert Folyng, no. 40 (1451).
 Thomas Fossard, of Thomastown, no. 90 (1532).
 John Fyrter, of Callan, no. 49 (cent. XV).
 James Grace, no. 117 (1543).
 Richard Holeghan. *See* Merry.
 Robert Jose, prebendary of Kilmanagh, App. I, no. XXVI
 (1584).
 Richard Merry al. Holeghan, of Callan, no. 128 (1570).
 Walter Mothell, of Kilkenny, no. 93 (1533).
 Nicholas Motyng, chancellor of St. Canice's, Kilkenny, nos.
 104 and 105 (1537).
 Philip Purcell. *See* Holy Cross Abbey.
 John Sall, no. 28 (1430).
 Paul Schewer. *See* Chewyr.
 James Sherlok (fitz Thomas), alderman of Waterford, App. I,
 no. XIX (1572).
 Anthony Stoughton, of Dublin, App. I, no. XXX (1596).
 Adam Walsh. *See* Brenagh.
 Richard Walshe, no. 38 (1446).
 Nicholas White, no. 32 (1432).

Note : Only seals of which at least a fairly substantial portion remains have been included in this list.

APPENDIX III.

THE REGISTER OF KELLS.

Ex Registro Chartarum Monasterii Beate Marie de Kenlis in Ossoria : being extracts from the original (now no longer extant) made by Sir James Ware, now in the British Museum (Lansdowne MSS. Plut. LXXVI. E. 418, pp. 24-30), dated by him '20 Aug. 1628.'

This has been compared with a copy now in Trinity College Library, Dublin, among the Molyneux MSS., in a volume described as *Collectanea de Rebus Hiberniae* (F. 4.23). This is briefer than Ware's, but where it usefully supplements or corrects Ware, it is here referred to in round brackets as (Molyneux :)

The marginal numbers etc. are all from Ware, Pag. indicating the paging of the original Register. The original, as we see by Ware's copy, had at least 182 pages. Punctuation and capitals have been added here, to make the meaning clearer, and *filius* generally abbreviated to *fil.* and D. expanded to *Dominus* where obviously meant.

A translation of part of this Abstract will be found in Carrigan, *Diocese of Ossory*, vol. IV, pp. 56 ff.

Pag. 1a

Md. quod Gaufridus filius Roberti Baro et miles fundavit domum religiosam de Kenlis in Ossoria per chartam subscriptam. Sciant hii qui modo sunt et illi qui futuri sunt quod ego Gaufridus filius Roberti pro salute animae meae et antecessorum meorum et heredum fundavi quandam domum religionis in terra mea Hiberniae in pago Ossirie in villa quae vocatur Kenlis, ad honorem Dei et eius gloriosae matris Mariae. Et hanc concessionem (*sic*) feci per consilium et concessionem et propter salutem domini mei Gulielmi Marescalli qui est capitalis dominus prefate patrie et qui predictam domum et omnes meas donationes et concessionem eidem factas confirmatas habet per suam chartam. Feci autem hoc per voluntatem et concessionem sponse meae Evae quae prefatam domum confirmavit quoad se etc. Dedi etc. omnimoda beneficia ecclesiastica provenientia vel proventura de terra mea in Ofathi et nominatim capellam castelli mei de Kenlis etc. Praeterea dedi predictis Priori et Canonicis tres carucatas terre inter villam de Kenlis et villam de Kilry etc., omnia ecclesiastica beneficia de Pengran, Ballimcpistan, Ballin-

corcardha et Rathanielan etc. terram de Distermoholmoc cum ecclesiis etc. Hiis testibus *H. Ossor' Episcopo, G. Archidiacono, *Hug. O. Decano et officiali eiusdem Episcopi etc.

Charta predicti Gaufridi pro salute Willelmi Comitis et comitisse 3
Isabellae necnon pro salute anime sue et uxoris sue Eve de Bermingham 3 alias carucatas terrae ultra aquam de Righi circa villam quae dicitur Rathalwi versus aquilonem etc., villam de Kilfiny et ecclesiam eiusdem loci, ecclesiam de Grene etc. Volo etiam et constituo quod defuncto R. nunc eiusdem Loci priore vel suorum quolibet successorum habeant Canonici eiusdem loci liberam electionem Prioris, ita tamen ut de eodem claustro assumatur sive de claustro de Bomine. Concedo etiam et confirmo conventionem factam inter ecclesiam de Bomine et ecclesiam de Kenlis. Testibus ut supra.

Bodmin : in
Cornubia

Predictus Gaufridus genuit Willelmum filium Gaufridi et Johannem filium Gaufridi. Pag. 6.

Charta domini Willelmi.

Mortuo autem Willelmo filio Gaufridi in cello (*sic*) de Kildare et sepulto apud Thylyth cum fratribus Hospitalis ibidem et cum non haberet filium neque filiam Johannes filius Gaufridi frater eius minor successit ei in hereditatem. Pag. 7.
Tully

Charta Johannis fil. Gaufridi de 5 acris prati in mora de Kilry. Testibus Rob. fil. Ricardi, Thoma de Sancto Johanne et Willelmo Baritin militibus, etc.

Johannes filius Gaufridi genuit duos filios, nomen maioris Willelmus filius Johannis, nomen minoris Gaufridus fil. Johannis. Willelmus primogenitus qui obiit apud Dubliniam in custodia domini Johannis filii Gaufridi Justiciarii Hibernie relinquens hereditatem suam fratri suo minori Gaufrido fil. Johannis. Post multum vero temporis Gaufridus filius Johannis genuit Johannem filium Gaufridi qui confirmavit donationes patrum suorum et antecessorum suorum per litteram subscriptam. Universis, etc. Johannes fil. Gaufridi salutem, etc. data die Veneris proximo ante festum S. Johannis Baptiste 1286. Pag. 8.

Omnibus etc. H. dei gratia Ossoriensis ecclesie minister salutem 9.
in Domino. Sciatis pro certo quod interfui ubi Willelmus Mares-

callus comes de Pembroc concessit et confirmavit ecclesiae S. Mariae de Kenlis in Ossoria in puram et perpetuam eleemosynam duas carucatas terre in Ardelouth et unam carucatam terre cum pertinenciis quae est inter terram Andree Larchier et inter Kilkenny etc. Facta est haec concessio et confirmatio in Anglia apud Hamested anno incarnationis Domini 1203. Hiis testibus Renaldo de Dene, Odone Archidiacono etc.

1203

10.

Post haec frater Reginaldus Prior de Kenlis dedit predictam terram de Ardluth Simoni fil. Johannis Lagles pro 2 marcis annualis redditus etc. post multum vero temporis frater Germanus Prior 3 a predicto Reginaldo predictam terram redemit et dominio domus sue subiecit.

Littera Willelmi fil. Simonis de resignatione predictae terre de Ardluth. Data apud Kenlis die Sabbati in vigilia Natalis Domini 1267 et H. 3. 52.

1267

Pag. 11.

vnde
McOdo.

Charta Johannis de Sumorford de decimis de Corbaly in Odoch. Testibus O. Decano de Kilkenny, G. Archidiacono Ossoriensi, Willelmo Poer clerico, Odone Archidiacono, Willelmo Poer, milite, Hamone et multis aliis.

12

Confirmatio et collatio F. Ossoriensis Episcopi de Killinthy. F. dei gratia Ossoriensis Episcopus etc. Noverit universitas vestra quod nos ad presentationem Baldwini de Hamptonsford admisimus dilectum nostrum Hugonem priorem de Kenlis ad ecclesiam de Kilsinthy (*sic*) cum 10 acris terre sanctuarii adiacent'. Testibus G. Archidiacono, O. Decano de Kilkenny, S. Decano de Kilry etc.

13.

Charta Baldwini de Anteneford de ecclesia de Kilinthy cum 10 acris terre cum capella de Nova Villa quae nunc est matrix ecclesia. Testibus Galfrido filio Roberti, Willelmo de Sancto Albino, Mattheo filio Griffini, etc.

15.

Universis Christi fidelibus ad quos presentes littere pervenerint H. dei gratia Ossoriensis Episcopus salutem in domino sempiternam. Noveritis quod cum dilecti filii in Christo Decanus et Capitulum S. Canici Kilkennie ex parte una, Prior et conventus de Kenlis ex parte altera, quasdam haberent ecclesias viz. Decanus et

Capitulum predicti ecclesiam de Kilry ad communiam suam spectantem et Prior et conventus ecclesiam de Rathmedone ecclesiam de Kilkes, quarum permutationem ob commoda sua fieri desiderabant etc. Data die Lune in Septimana Pasche 1259. 1259

Charta Thome filii Anthonii. Testibus Willelmo Priore S. Katherine Waterford', A. Priore de Inistiock, O. Decano de Inistiock. 16.

Conventio inter R. Priorem de Kenlis et A. Priorem de Inistiock de terris et ecclesiis de Disert mense Novembris 1227. Testibus Roberto capellano tunc Decano, Johanne Capellano de Exon'. 17. 1227

Charta Baldwini de Hamtenesford de Ofethil in Cumsy viz. de Moydeshill et de Kilmenman. Testibus Willelmo de S. Albino etc. 18.

Charta Ade de S. Albino fil. Ade de S. Albino de premissis. Testibus Galfrido de S. Leodegario Episcopo Ossoriensi, Magistro Willelmo de Bakepuz tunc Decano cathedralis Kilkennie, Magistro Rogero de Leonibus tunc Archidiacono Ossoriensi. Data 1271. 20. 1271

Confirmatio D. Casselensis Archiepiscopi et Arthuri Decani totiusque dicte ecclesie capituli de ecclesia de Moydashell. Data Cassell' die Lune proximo ante festum B. Marie Virginis 1287. Pag. 21. 1287

Charta Willelmi de Luveth de decimis et beneficiis totius terre sue de Kildevenan et de Arbean et de Ballicossergan. Testibus Roberto decano de nova Villa, etc. 22.

Confirmatio G. Episcopi Lismorensis de predictis beneficiis. Testibus S. Waterfordensi Episcopo, Willelmo Decano, R. Archidiacono Lismorensi etc. 23.

Charta Matthei filii Griffini de ecclesia de Finmach.

Confirmatio G. Lismorensis Episcopi de dicta ecclesia. Testibus W. Leghlinensi Episcopo etc. 24.

R. Prior de Kenlis 25 Martii, 1229. 25. 1229

Md. quod Walterus de Cantvell fuit verus dominus de Drummacbarran (Molyneux : nabarran) in Hely, qui dedit duas 27.

carucatas terre in monastera (*sic*) et omnia beneficia ecclesiastica totius terre sue ibidem. Testibus H. Episcopo Ossor' etc.

29. Charta D. Philippi Hacket de capella de Kilcolm iuxta Brenan Hely.
30. Charta Terrici Croc de capella de Inchaule.
1272. Charta Mabilie de Champan quae fuit vera heres de Inchaulif. Testibus D. Archiepiscopo Cassel' Domino Jo. Purcell etc. 1272.
31. Charta Theobaldi Pincerne Hibernie de predicta capella. Testibus Galfrido Episcopo Ossoriensi, Nich. Episcopo Leighlinensi, Domino Hugone Purcell etc.
32. Confirmatio Morini (Molyneux : Marini) Archiepiscopi Cassel' de ecclesia de Dromacbarran et omnibus ecclesiasticis beneficiis de Rathdunan et Inchauleaf et Tronnelic. Testibus magistro Thoma Decano, D. Archidiacono, D. Thesaurario Cassel' etc.
34. Confirmatio Henrici Episcopi Imelicensis de ecclesia de Grene. Testibus magistro Johanne Cassel', S. Imilicensi Archidiacono etc.
36. J. Himelac' Episcopo 1227, N. Archidiacono, P. Decano Himelac'.
- 1227
37. Compositio facta de ecclesia de Grene per D. Archiepiscopum Cassel' et Mauricium Justiciarium Hibernie. Testibus Domino L. tunc Decano Cassel' 1244.
- 1244.
38. Md. quod Mattheus filius Griffini fuit verus dominus de Killalethan et de Tullachleis qui dedit ecclesias de Killaleth et Thulachles cum 5 feodis militum. Testibus Willelmo de S. Albino, Griffino fil. Griffini etc.
39. Confirmatio *D. Episcopi Clonensis de ecclesia de Tulachles. Testibus M. Decano Clonense etc. 1237 mense Martio (*sic*).
- *Davidis
1237
40. Charta Matthei fil. Griffini de duabus carucatis terre in Desmonia videlicet Tavelachte Twoem et Ardach. Testibus

Domino Reimondo fil. Griffini, Domino Alano fil. Matthei, Domino Davido Poer, Domino Willelmo Baret etc.

Charta Mathei fil. Griffin de Kenlis in Fothert cum capellis 41.
scil. cap. de Finover, Mothel, vill' Laur. Boscher, Balli-
bethill. Testibus A. Priore de Instioc, Willelmo Priore S. Fort o
Katherine Waterford', Magistro W. de Foresta, Magistro W. Nolan.
Decano S. Kanici, A. Archidiacono Ossoriensi, Magistro G. de
Walle etc.

Charta Reimundi fil. Griffini qui fuit heres predicti Mathei
de predicta ecclesia.

Confirmatio W. Episcopi Leighlinensis de predicta ecclesia. 42.
Testibus Magistro Joh. de Balligawran tunc officiale Leghlinensi,
Petro et Luca Capellanis, Joh. de Wall clerico etc.

* Md. ornamenta et Libri ecclesiae de Fotherd posita sunt in
custodia Decani Leghlinensis per Alex. Ithel canonicum, videlicet manu
2 libri missales 1 portifor(ium) 1 antifonarium 1 ordinale 3 casule recentiori.
4 albae 4 corpor(alia) 1 Psalterium 1 parva campana et 2 calices
in manu Galfridi Vale.

Post multum vero temporis Claricia filia Gilberti fil. Griffini 45.
cepit breve de morte antecessoris, super predictum Reimundum
fil. Griffini avunculum suum contra chirographum confectum
inter predictum Mattheum fil. Griffini et ipsam et evicit totum
tenementum de Fothert et Fenover. Post haec dicta Claricia
cepit breve de recto super Priorem et conventum de Kenlis in
comitatu de Catherlagh ita quod pax et finalis concordia in eadem
curia fuit facta.

Charta predictae Claricie de predicta ecclesia. Testibus Domino 46.
Willelmo Malherb senescallo Domini Rogeri le Bigot de
Catherlagh.

Charta Jo. filii Jo. (filii Dermittii) qui fuit heres domine Claricie 47.
de predicta ecclesia. Testibus Domino Willelmo Malherb senes-
callo Domini Rogeri le Bigot de Katherlach etc.

*The words 'antifonarium' and 'corpor' have dots underneath them.

48. Charta Richardi de Rupellis Justiciarii Hibernie de dicta ecclesia. Testibus Tho. Lechlinensi Episcopo, Domino Galfrido de S. Leodegario Ossoriensi Episcopo, From. le Brun Cancellario Hibernie, Willelmo de Bakepuz Escaetore Hibernie, Magistro
1264 Willelmo de Nas Archidiacono Ossoriensi, etc. 1264.

49. Confirmatio Thome Lechlinensis Episcopi et Capituli Lechlinensis de predicta ecclesia post collationem predictae Claricie.

51. Md. quod Radulphus de Borard aliquando fuit verus dominus de Rathgulby qui accedens ad exercitum de Kildare de precepto Ricardi Marescalli comitis in redeundo de predicto exercitu fuit interfectus. Sed tamen ante genuit duas filias quas sibi reliquit heredes, nomen maioris Christina Borard quam Willelmus Barithin miles duxit in uxorem et genuit ex ea filios et filias. Nomen primogeniti sui Radulphus Barityn. Nicholas Chevere miles duxit secundam filiam nomine Sibillam qui genuit ex ea filios et filias. Nomen primogeniti David Chever. Predictus Radulphus Borard contulit liberam capellam predictae ville de Rathgulby. Testibus H. Ossoriensi Episcopo, G. Archidiacono, O. Decano, Matheo filio Griffini etc.

Charta Radulphi Baretyn de predicta capella data die Sancte
1282 Crucis 1282.

52. Confirmatio * Galfridi quondam Episcopi Ossoriensis de predicta
*St. Leger capella.

53. Charta Reginaldi de Albamara de terra de Ballath. Testibus Willelmo de Foresta officiale, A. Archidiacono Ossorie, etc. Predictus Reginaldus reliquit filiam suam heredem quam Adam de S. Albino filius Th. de S. Albino accepit in uxorem et genuit ex ea Adamum de S. Albino militem.

54. Concordia facta n curia domini Richardi de Clare comitis Glocestrie et Herefordie (*sic*) apud Kilkenniam die Lune in crastino Epiphanie anno r.r. H.3. 42. coram Domino Willelmo de Dene tunc senescallo Kilkennie.

55. Charta Maurittii fil. Maurittii (Baronis et militis) de Kiltrame

et ecclesia ibidem. Testibus Domino H. Ossoriensi Episcopo, G. Archidiacono, O. Decano Ossoriensi, Matheo filio Griffini etc. Dictus Mauricius reliquit heredem Willelmum qui confirmavit donum patris sui.

Predictus Willelmus genuit Mauritium filium Willelmi et 57.
Mauritius genuit Mauritium filium Mauriti. *Mauritius filius manu
Mauritii genuit Willelmum, Willelmus genuit Mauritium, Mauri- recent'.*
tius genuit Willelmum, Ronaldus filius Willelmi genuit Richardum.

Charta Willelmi Mailard de ecclesia de Kilmacmintenan cum capella de villa Mailardi. Testibus H. Ossoriensi Episcopo, etc.

Md. quod Willelmus de S. Albino fuit verus dominus de villa 59.
de Stamacharty qui dedit ecclesiam eiusdem loci domui B. Marie de Kenlis in Ossoria per chartam. Hiis testibus. Felice Ossorie Episcopo, Gilberto Archidiacono, Odone Decano de Kilkenny, Gaufrido filio Roberti, Odone Archidiacono, etc.

Predictus Willelmus de S. Albino genuit Thomam de S. Albino militem. Is genuit Adamum. Adam genuit Dominum Adamum de S. Albino militem. *Adam vero genuit Davidum de S. Albino. David 60.
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98. Charta b(eate) memorie Roberti Laonen' Episcopi de insula quadam quae vocatur Inchbeg quae est Sancti Cronani. Testibus Domino G. de Marisco tunc temporis Justiciario, Matheo fil. Griffini tunc senescallo Momonie etc.

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*Mr. Liam Price thinks this Kilcrnee, or Glencrene, may be Templarainy
(v. J.R.S.A.J. LVII 114) but it is doubtful. It is called Glincrene in Abp. Alen's
Repertorium Viride.

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Pag. 175. Charta Galfridi fil. Roberti qua concessit Deo et Sancte Marie
et Sancto Johanni Baptiste et B. pauperibus Hospitalis Jerusalem
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Adlif . . . wer cum 3 carucatis terre, scil. 2 carucatas terre ex
parte aquilone (*sic*) aque et unam carucatam terre ex parte
australi aque etc. Hiis testibus Mailero filio H., Adamo de Rupe,
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Md. quod Dominus Galfridus filius Roberti, Baro de Kenlis, venit primo in Hiberniam cum Willelmo Mareschallo comite qui dicitur Strongbow (*sic*), et idem Galfridus acquisivit Baroniam de Kenlis in Ossoria et Baroniam de Esgren et Gren in Momonia. Et postea idem Galfridus fundavit domum de Kenlis in honore B. Mariae per consilium dicti comitis, quam foundationem dominus Felix o Duflan B.M. Episcopus tunc Ossoriensis confirmavit. Et quia tunc temporis non fuerunt canonici nec regulares Anglici in Hibernia dictus Galfridus 4 praesbyteros divina celebrantes in ecclesia S. Kevani de Kenlis loco canonicorum instituit, usque fuerit provisus de aliquibus religiosis viris et habuerunt habitacula eorum circa ecclesiam S. Kevani. Et postea idem Galfridus transfretavit mare versus Botmoniam in Cornubia, et duxit secum iterum in Hiberniam de domo Botmonie 4 canonicos viz. Reginaldum de Aclond, Hugonem le Rous, Aluredum et Algarum, et tunc dictus Reginaldus creatus fuit in Priorem per (26) annos, cui successit Hugo le Rous qui postea fuit primus Anglicus Episcopus Ossoriensis qui iacet apud Kenlis et predictus Galfridus filius R. feofavit dictam domum de Kenlis cum 7 carucatis terrae quarum 3 carucatae terrae sunt inter villam de Kenlis et villam de Kilry et aliae 3 carucatae terrae sunt ultra aquam de Righi circa villam quae dicitur Rathalwey, et illa carucata terrae quam prior Hospitalis Sancti Johannis nunc petit versus Priorem de Kenlis est 7^a carucata terrae et iacet infra metas dictarum 3 carucatarum terrae inter villam de Kenlis et de Kilry, quam carucatarum terrae predictus Galfridus filius Roberti fundator dicte domus de Kenlis simul cum multis aliis bonis prout in charta foundationis dicte domus continetur dedit, quam chartam et cetera omnia fidelium dona quae possident, Walterus Marescallus comes Penbrochiae per chartam suam confirmavit. Et est nomen illius carucate terre quam prior Hospitalis nunc implacitat villa de Ballyscallan cum terris et nativis prout continetur in charta foundationis. Et sunt a prima confectione dicte charte foundationis prout patet inferius per nomina Priorum et eorum tempus sexies viginti et decem anni. Post multum vero temporis Dominus Thomas filius Anthonii fundavit domum de Inistiock et rogavit Priorem de Kenlis ut frater Algarus et Aluredus essent in domo de Instioc ad reformandos et instruendos ceteros canonicos et sic creatus fuit Aluredus in Priorem apud Instioc, et Algarus pro communi utilitate

Script. manu
recentiori
* viz. circa
finem regni
Hen. 2.

Bodmin

*The marginal note about Henry II. refers, of course, to the coming into Ireland, not to the date of the handwriting.

utriusque domus ad eorum privilegia perquirenda missus fuit ad Curiam Romanam et morabatur ibidem per longum tempus et creatus fuit in Episcopum ex collatione domini Pape in Lombardia et sic per chronica invenitur quod nunquam fuit Prior de Kenlis sed haec sunt nomina Priorum de Kenlis a prima fundatione illius domus usque ad hunc diem :

in annali-
bus Lagenie

Primo, frater Reginaldus de Aclond fuit prior per (26) annos.
Frater Hugo Rous qui fuit primus Anglicus Episcopus Ossor' ei successit et fuit prior per 9 annos.

Frater Martinus ei successit et fuit prior per 12 annos.

Frater Germanus ei successit et fuit prior per 28 annos.

Frater Nicholas de Ros ei successit et fuit prior per 12 annos.

Frater Rogerus ei successit et fuit prior per 1 annum et dimidium.

Frater Nicholas de Ros alia vice fuit prior per 10 annos.

1297.

Thomas Peris ei successit fuit prior per 12 annos.

Nicholas de Ros 3^a vice fuit prior per 10 annos.

Elias de villa Shortalls per 1 annum et dimidium.

Elias de Thomaston per quatuor annos.

Adam per $\frac{4}{3}$ annos.

1316.

Elias Merrimont 2 annos.

obiit 1319:

Richardus Cotterell 12 annos.

Johannes Rowe alias Rauf (an. 1320) 1 anno (*sic*).

Simon Rede 1 anno (Molyneux : 9).

Theobaldus Fitz Hugh 10 annos.

Willelmus Daniell 2 annos.

Robertus Erley prima vice 6 annos (Molyneux : 35 E. 3. 1361)

Wm. Yong 1 annum et dimidium.

Sequentes

Priores

*adiecti sunt

ex instru-

mento

dato 1506.

Whytt.

Mothul.

Hedian.

Edmundus

Stapulton.

Nicholaus

White.

Johannes

Carne.

Thomas

Lathy

vixit 1506.

Robertus Erley alia vice (?) 11 annos (Molyneux : 10).

Stephanus Carlion 1 an.

Wm. Lang 1 anno:

Robertus Erley 3^a vice

Johannes de Layd 19 an' dim.

Willelmus Beg 33 an.'

Johannes Lacy (Molyneux : William Bryt prior eccl. de Kenlis 1402.1391.)

18 ann. 3 quarteria.

Nicholas White

Johannes Carne (? Carue)

fuit prior 17 an.

Thomas Lacy 16 vel 18.

* These names added in the margin by Ware were taken by him from the document printed above on pp. 55 ff.

Charta Nicholai Episcopi Leighlin' data apud vet. Leighlin. Pag. 181.
die Sab. prox. post festum S. Martini Episcopi. 1298.

Procuraciones Archiepiscopi Cassel' viz. in Elio . . . (*MS. torn*) manu
le Comsy Drommacbarran (Molyneux: Drumnabarran) XXIIII^s recēte.
Incheauly (Molyneux: 7^s) . . . Offey IIII^s Bernanely 8^s
Fimohan VIII^s Moydessel (*torn*: Molyneux: 2^s) Kilmenan
12^s. Summa 5 marc. 9s. 4d.

Prior et conventus de Kenlis concessit *magistro Willelmo
filio Johannis quoad vixerit omnes fructus decim (? *arum* or *ales*)
ecclesie de Ardeloick vnacum decimis in Corbally pro fideli
patrocinio in omnibus causis praestando. etc. Data apud Kenlis
die Mercurii proximo post festum Pentecostes 1298.

*Forte ille
qui postea
Episcopus
evasit Ossor'
et demum
Archiepis-
copus
Cassel'.

Frater Nicholaus Prior 1297 ibidem 26. E. 1.

*Md. quod dominus Galfridus filius Robert ifundator huius
domus vixit post foundationem per $\frac{18}{4}$ annos et genuit duos filios
qui postmodo fuerunt milites, nomen primogeniti Willelmus
filius Galfridi, nomen alterius Johannes. Willelmus occiditur
in bello de Kildare obiit dictus Galfridus anno 1211. Haec domus
fuit fundata anno 1183.

Pag. ultima.

*The concluding figure appears as 1183 in Ware, but as 1193 + 18 = 1211,
perhaps 1183 should be altered to 1193.

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The following abbreviations have been used:—

abp.=archbishop; al.=*alias*; App.=Appendix; bar.=barony; bp.=bishop; c.=about; cent.=century; cf.=compare; co.=county; C.O.D.=*Calendar of Ormond Deeds*; d.=daughter, or died; dioc.=diocese; ds=*dominus*; mgr.=*magister*; mid.=middle; n.=note; no.=number; nr.=near; p.=page; par.=parish; rd.=read; s.=son; w.=wife.

The names of counties and dioceses have generally been abbreviated in the form 'Kilk.', 'Oss.', etc. The expression 'propr. Jerpoint' (etc.) means that the religious house indicated had some property ('spiritual' or 'temporal') in the place in question. In the index of places, the fact that a place is in county Kilkenny or county Tipperary is usually indicated by the letter K. or T., respectively. The addition of 'f' to the number of a page means that the name or subject is repeated or continued on the following page ('ff', on the two or more pages following consecutively). When 'Sir' is the title of a cleric, and not of a knight, it is printed in the index with a small 's.' An asterick attached to 'monastery,' (etc.) in the index of places, indicates a reference to the list of religious houses at the end of the volume. The names of saints, popes, and kings and queens of England will be found under 'Saints,' 'Popes,' and 'England,' respectively.

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LIST OF RELIGIOUS HOUSES

(d. = daughter, in monastic affiliation).

1. ABBEYLEIX, co. Leix, (de Lege Dei), Cistercian, (d. of Mellifont)
2. AGHMART, co. Leix, priory of St. Tygernasus, O.S.A.
3. ATHASSEL, co. Tip., priory of St. Edmund k. and m., O.S.A.
4. BODMIN, Cornwall, priory O.S.A.
5. CALLAN, co. Kilk., friary of Augustinian eremites.
6. CARRICKBEG, co. Wat., Franciscan friary.
7. CASHEL, co. Tip., Franciscan friary.
8. CASTLEDERMOT, co. Kild., Franciscan friary.
9. CLONMEL, co. Tip., Franciscan friary.
10. CLONMINES, co. Wex., Dominican friary.
11. CONNAL, co. Kild., priory O.S.A.
12. DUBLIN, cathedral priory of the Holy Trinity (Christ Church), Araasian canons, O.S.A.
13. DUBLIN, abbey of St. Mary, Cistercian.
14. DUBLIN, abbey of St. Thomas, congregation of St. Victor, O.S.A.
15. DUBLIN, St. John's Hospital, Newgate, Crutched Friars.
16. DUBLIN, grand priory at Kilmainham of the Hospitallers of St. John of Jerusalem.
— preceptories. See Clonaul, Killerg, Tully.
17. DUISKE (Graiguenamanagh), co. Kilk., (de Valle S. Salvatoris), Cistercian, (d. of Stanley, England).
18. DUNBRODY, co. Wex. (de Portu S. Mariae), Cistercian, (d. of St. Mary's, Dublin).
19. FERNS, co. Wex., priory O.S.A.
20. FERTAGE, co. Kilk., priory O.S.A.
21. FETHARD, co. Tip., friary of Augustinian eremites.
22. HOLY CROSS, co. Tip., Cistercian, (d. of Nenay).
23. HORE ABBEY, co. Tip., (de Rupe Cassel), Cistercian, (d. of Mellifont).
24. INISLOUNAGHT, co. Tip., (de Surio), Cistercian, (d. of Nenay).
25. INISTIAGE, co. Kilk., priory O.S.A. of St. Columba (Columbkil), (d. of Kells).
26. JERPOINT, co. Kilk., Cistercian, (d. of Baltinglass).
27. KELLS, co. Kilk., priory O.S.A.
28. KILCOOLY, co. Tip., (de Arvicampo), Cistercian, (d. of Jerpoint).
29. KILCULLIHEEN, co. Kilk., (de Belliportu), nunnery O.S.A.
30. KILKENNY, hospital of St. John Evangelist, O.S.A.
31. KILKENNY, Dominican friary (Black Abbey).
32. KILKENNY, Franciscan friary.
33. LEIGHLINBRIDGE, co. Carlow, Carmelite friary.
34. MARGAM, Glamorganshire, Cistercian.
35. MELLIFONT, co. Louth, Cistercian, (d. of Clairvaux).
36. MONAHINCHA (*Insula Vivenitium*), co. Tip. on island in Lough Derg, afterwards moved to the banks of same, monastery of the Holy Cross, O.S.A., afterwards friary of Augustinian eremites.
37. MOTHEL, co. Wat., priory of SS. Coanus and Broganus, O.S.A.
38. NENAGH, co. Tip., priory of St. John Baptist, O.S.A.
39. NENAGH, co. Tip., Franciscan friary.
40. NENAY (Monasteranenagh), co. Lim., (de Magio), Cistercian, (d. of Mellifont).
41. NEWRY, co. Down, (de Viridi Ligno), Cistercian, (d. of Mellifont).
42. OSENEY, near Oxford, priory O.S.A.
43. OWNEY (Abington), co. Lim., Cistercian, (d. of Savigny).
44. ROME, monastery of St. Anas-tasius, Cistercian.

45. ROME, hospital of the Holy Spirit in Saxia.
46. ROSBERCON, co. Tip., Dominican friary.
47. ST. ALBAN'S, England, Benedictine abbey.
48. SAVIGNY, in dioc. of Avranches, Normandy, Cistercian.
49. SELSKAR, co. Wex., priory of SS. Peter and Paul, O.S.A.
50. THURLES, co. Tip., Carmelite friary.
52. TOOMEVARA, co. Tip., priory, O.S.A.
52. TOOMEVARA, co. Tip., priory, Cistercian, (d. of Tintern, Wales).
53. TRACTON, co. Cork, (de Albo Tractu). Cistercian, (d. of Alba Landa, England).
54. TULLOW, co. Carlow, friary of Augustinian eremites.
55. WATERFORD, priory of St. Catherine, congregation of St. Victor, O.S.A.
56. WATERFORD, Benedictine priory of St. John Evangelist (cell of Bath abbey, England).
57. CLONMEL, lazar-house.

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FINIS.

