

THE ACT BOOK
OF THE DIOCESE OF ARMAGH
1518–1522

PRONI, MS DIO/4/2/11

Edited by
JOHN McCABERTY



IRISH MANUSCRIPTS COMMISSION

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INTRODUCTION

In the midst of his conflict with Oliver Plunkett over the primacy of Ireland, the exasperated archbishop of Dublin, Peter Talbot, declared: 'The Armagh registers abound in manifest falsehoods and therefore no proof in support of that Primacy can be drawn from them.'¹ Just under three centuries later, whilst reviewing Aubrey Gwynn's *Medieval Province of Armagh*, G. O. Sayles struck a more positive note, remarking that the registers 'constitute the largest and most important single source of original material, still surviving in Ireland, for its medieval past.'²

The registers to which both writers referred now exist in seven volumes deposited in the Public Record Office of Northern Ireland named after each of the primates with whose episcopal reigns they are mainly concerned: Sweetman, Fleming, Swayne, Prene, Mey, Octavian and Cromer. The registers owe their present form to Archbishop James Ussher who, sometime between 1609 and 1630, sorted and bound what came to him in the form of twelve 'books' into the seven extant volumes. Alone of all the registers, the one known as Cromer does not have a seventeenth century index of contents attached. Ussher constructed his 'Cromer' volume from two 'books' of papers which he acquired separately.³ The first is the consistory and metropolitan court act book (hereafter referred to as the Act Book) which almost entirely predates Cromer's episcopal reign as it covers the years 1518 to 1521. The second is the 'register' proper, which mainly deals with the period 1522 to 1534.⁴

The Act Book is written on paper with a lone parchment page bound in at the start. Comparison with Bishop William Reeves' (1815–1892) nineteenth-century transcription of the text suggests that there has been some very slight deterioration of the volume since then which is mainly confined to the first three folios.⁵ The first two folios along with folios 12 and 13 have become detached from their binding. The volume as a whole has suffered at some point in the past from damp which has now been arrested. This makes reading those parts more difficult. Greasy patches and smears punctuate the manuscript also, again rendering areas, such as folio 20r and 20v illegible in the original. Parts of the manuscript show fading with the result that some parts — such as folios 23, 28–31 — would be almost completely impenetrable if it were not for the existence of the Bishop Reeves transcript.

1 W. G. H. Quigley and E. F. D. Roberts (eds), *Registrum Ionannis Mey. The Register of John Mey, Archbishop of Armagh, 1443–1456* (Belfast, 1972), p. xiv.

2 Quoted in *Registrum Ionannis Mey*, p. x.

3 *Registrum Ionannis Mey*, pp xv–xxi.

4 For Cromer, see *DIB*.

5 The transcript is TCD, MS 557, xii, pp 1–294. For Reeves' antiquarian career, see *DIB*.

THIS EDITION

In order to make the Act Book manageable for readers and researchers any edition needs to break the manuscript down into units which correspond as closely as possible to particular cases. Reeves began the task by piecing together suits which were spread over several folios. L. P. Murray further developed the idea by dividing the Act Book into 152 entries which made it possible for a researcher to cite cases and so handle the long text.⁶

When I came to work on the Act Book I decided that it would be useful to embark on a further refinement of Murray's scheme. For instance, his entry no. 22 covers the two records found on f. 8v: the start of a defamation suit and a case concerning illegal sequestration of goods. Murray made these no. 22 and 22A but here they are nos 24 and 25. This has been done with a view, where possible, to restoring a sense of the individual pieces of litigation. Murray also operated on the basis that if a decision in a suit occurred on the next folio to the rest of the acta it merited a separate number. So, the marriage suit *McKy v. Nywegorman* is entry 117 and 118 in the *Louth Archaeological Society Journal* edition whereas in this volume is simply no. 116. Murray's practise of separate numbering for sentences has only been preserved here when there is an appreciable manuscript gap between it and the proceedings.⁷ In the arrangement used here the majority of entries are discrete units. In some instances, such as entry no. 19, the aim has been to illustrate a particular point. Entry no. 19 gives the reader an impression of the variety of a single day's business. Entries no. 44 and no. 45 are actually the same case but have been left distinct because they give rare evidence of a preliminary draft followed by a more detailed account. Other such decisions — and there are only a few — should be easy to understand. This is not an exact science but it does make the text navigable. This edition has 145 entries. Hopefully these editorial choices will prove satisfactory to those who make use of the Act Book.

THE ACT BOOK

So what is the Act Book of an ecclesiastical court? Strictly speaking, it should contain the bare acta (acts) of the court: who presided, where the court sat, when it sat, who the plaintiff and defendant were, the type of the case and the deeds of each hearing. This was in part fulfilment of the stipulations of the Fourth Lateran Council.⁸ An ecclesiastical court usually heard a single stage of each case at each sitting. The scribe would then begin the account of the suit or action with perhaps five or six lines and then add to it, piecemeal, over the ensuing weeks or months. This lends many of the entries a terseness that makes for somewhat jerky reading. The compilers of this text have generally kept the various parts of each litigation on the same or consecutive

6 L. P. Murray and Aubrey Gwynn (eds), 'Archbishop Cromer's register' in *Louth Archaeological Society Journal* no. 7 (1929–32), pp 516–24; no. 8 (1933–36), pp 38–49, 169–88, 257–74, 322–51; no. 9 (1937–40), pp 36–41, 124–30; no. 10 (1941–44), pp 116–27, 165–79.

7 See entries 13 and 16.

8 R. H. Helmholz, *Marriage litigation in medieval England* (Cambridge, 1974), pp 7–8.

folios. A single hand is dominant throughout the Act Book. This can be identified as that of Willielmus Lukin, notary and scribe.⁹ Five other hands are apparent but as each makes only one or two appearances which suggests that Lukin had no deputy or regular replacement. This helps explain why the Act Book has such good internal coherence. Other references point to an accompanying deposition book. Three entries (all early in the text as it is now) suggest the scribe is pointing any future reader towards a deposition 'roll'. Entries 7 and 8 both speak of it being 'in the third quarter of this volume' while entry no. 26 says it is 'at the end of the book'. The text has many other lacunae and omissions. This should not be assumed to be the result of missing pages since the vast majority of cases which were initiated in the courts Christian never reached formal final judgement because of the strong emphasis on out of court settlement or reconciliation. The extant sentences give no grounds for the judge's decision. Accordingly, the use and application of canon law has to be deduced from what information is present. Some of the penances here are detailed but most are not. It is also clear that there were instances in which the judge retained the record of the sentence in his own possession.

THE ECCLESIASTICAL COURT AND THE ARMAGH DIOCESE

For today's reader the striking aspect of this court is, perhaps, its wide cognizance. It dealt with very many matters which have since become the business of civil jurisdiction.¹⁰ In the early sixteenth century the church courts were not marginal entities but central to an array of legal facts of life. Ecclesiastical courts had sole jurisdiction over marriage cases, defamation, legitimacy of persons, wills and testaments as well as all matters pertaining to the clergy and the church's extensive properties. The church regulated sexual, moral and religious discipline of all of the baptized.

Just as with the secular courts the structures of the ecclesiastical courts were the product of the twelfth and thirteenth centuries. Their jurisdiction was coterminous with that of the diocese. This had significant ramifications in the Armagh diocese since the divisions which affected all of late medieval Ireland were reflected in the ecclesiastical administrative system. Armagh was divided into two parts. The area *Inter Anglicos* (amongst the English) consisted of the three deaneries of Drogheda, Ardee and Dundalk corresponding roughly to the area of modern Co. Louth. *Inter Hibernicos* (amongst the Irish) was composed of the deaneries of Tullaghoge (centred on the traditional inauguration site of the O'Neills in Co. Tyrone), Erthir (O'Hanlon territory of Co. Armagh) and Armagh itself.

⁹ See entries 9 and 67, where he names himself.

¹⁰ A number of historians have used material from this Act Book for discussion of the Armagh diocese in the late middle ages: Art Cosgrove, 'The Armagh registers: an under-explored source for late medieval Ireland' in *Peritia* no. 6-7 (1987-8 for 1990), pp 307-2; Art Cosgrove, 'Consent, consummation and indissolubility: some evidence from mediaeval ecclesiastical courts' in *Downside Review* no. 109 (1994), pp 94-104; Henry A. Jefferies, *Priests and prelates of Armagh in the age of reformations, 1518-1558* (Dublin, 1997); Henry A. Jefferies, 'The Armagh registers and the re-interpretation of Irish church history on the eve of the reformation' in *Seanchas Ard Mhacha* no. 18 (1999), pp 81-99; John McCafferty, 'Defamation and the church courts in early sixteenth-century Armagh' in *Archivium Hibernicum* no. 48 (1994), pp 88-106.

The archbishop's court confined its attentions chiefly to the part of the diocese *Inter Anglicos* and so most of the cases presented here come from modern Co. Louth. This does not mean that the archbishop's writ did not run in other parts of his diocese. For example in May 1518, the dean of Armagh denounced Dominus Iohannes Oculean, the rector of Clonfegne (in south Co. Tyrone) to the court for slander.¹¹ Furthermore, two appeals come from the suffragan sees of Derry and Down (both *Inter Hibernicos*).

The two archbishops of Armagh whose reigns coincide with the Act Book are remote figures as far as these records are concerned. John Kite had been provided to the diocese in October of 1513 and was generally absent, leaving Ireland for the last time in 1516.¹² He disliked Armagh and Ireland, which made him bemoan his severance from 'the wealth of all the joys of England'.¹³ Kite resigned his see in July 1521, to become titular archbishop of Thebes and bishop of Carlisle. The first mention of the vacancy comes in a sentence given on 13 February 1521 and it persists until up to 3 April 1522.¹⁴ In the meantime, George Cromer had been provided to the diocese on 2 October 1521. Cromer's appointment and subsequent arrival in the country appears to have heralded the end for this Act Book.¹⁵ The ecclesiastical courts functioned well in the absence of the archbishop which shows that in Armagh, as in most other dioceses of Christendom, the involvement of bishops in secular affairs and royal services did not necessarily have a detrimental effect on the judicial system.

THE JUDGES

In any court litigants are fleeting figures often leaving in the record the sole surviving trace of their existence. This Act Book contains a wealth of previously unnoticed names. Administration and interpretation of the extensive ecclesiastical law demanded that a body of competent officers existed. These men have left more substantial clues to their activities and their backgrounds.

The name of the presiding judge heads many of the entries along with the date and sitting location. The judge set the date for hearings, made interim orders and, most crucially for the parties of course, decided on the merits of the case at the close.

Five named judges dominate this Act Book. They are Alexander Plunkett, Iacobus White, Ricardus Springan, Thomas Noter and Cormacus Roth. Three others appear on a single occasion each as presiding judge: Alexander Delpalatio,¹⁶ Michaelis Golding,¹⁷ and Walterus Cusake.¹⁸ It is with the first five that we are most concerned.

It was not an absolute requirement for those who served as judges to hold degrees

¹¹ Entry 15.

¹² For John Kite, see *DIB*.

¹³ Archbishop Kite to Cardinal Wolsey, 14 May 1514, quoted in Gwynn, *Medieval Armagh*, p 43.

¹⁴ Entries 105 and 122.

¹⁵ Entry 140 is dated 31 July 1522 and is the latest dated case in the Act Book.

¹⁶ Entry 20; see also Leslie, *Armagh clergy*, pp 195, 286, 333.

¹⁷ Entry 67, vicar of St Peter's, Drogheda: see Leslie, *Armagh clergy*, pp 236, 252.

¹⁸ Entry 67, vicar general of Meath.

1. Payment of a stipend

1518

This folio is badly damaged and the Reeves transcript contains more than is currently legible. The case appears to have been concerned with the payment of a stipend, possibly to a curate, in the parish of Tullyallen.

- f. 1r IN DEI NOMINE AMEN Anno incarnationis Domini 1518 ... die mensis Martii in ecclesia parochiali Sancti Petri de Drogheda Armachanae Diocesis in capella Sancti Patricii eiusdem coram Magistro Alexandro Plunkett vicaro generali Iohannis Archiepiscopi totius Hibernia Primatis ipso in remotis agente. Facta fide de citatione quadam contra parochianos de Tolaghalyne praedictae diocesis ... William Dike de stipendo suo sibi persolvendo citatione praedicto luculent ... Robertus Grome et Cayll Oconur Procuratores de Tolaghalyne cum aliis ad numerum 14 iuraverunt quod dictum stipendium ponerent in manibus Domini Nicholai ... curati ipsius ecclesiae infra festum Paschae proximum sequens eodem stipendio sic ... donec praedictus Vicarius Generalis deciderit ulterius super restitutione ... communicatione desuper ... Abbate Mellifontis circa interesse ... praetendit et quod praedictus Abbas notitiam in praemissis habeat erga ... proxime post festum Paschae. Quo die vizt. 15 die mensis aprilio adveniente dicto ... personaliter coram dicto Vicario Generali comparente. Iudex ad causam ad id usque sextum diem mensis Martii tam proxime sequentem in eodem loco continuavit.

2. Patricius Gernon, the rectory of Henninston

1 March 1519

Patricius Gernon swore that he will not interfere with Willielmus Mann or his procurators in the disposal of the tithes and fruits of the rectory of Henninston.

- f. 1r Memorandum quod primo die mensis Martii Anno Domini 1519¹ Patricius Gernon de Dunben iuravit tactis Sacrosanctis Evangeliiis quod durante instanti anno nullam molestam aut disputationem inferret aut inferri procuret domino Willielmo Mann rectori ecclesiae de Henninston suove procuratori vel assignato suo in eadem quominus dictus rector vel procurator aut assignatus suus in dicta rectoria omnes et singulos decima fructus et proventus eiusdem rectoriae disponere valeant.

3. Patricius Cunneghty v. Iohannes Syke

30 March 1518

Patricius Cunneghty sues Iohannes Syke alias Curtes because Iohannes defamed him by calling him a rogue and a thief, who deserved to be hanged. He also called his wife a whore. Syke first failed to appear, then contested the case. A settlement was made out of court.

- f. 1v Anno Domini 1518. Penultimo die mensis Martii coram magistro Alexandro Plunkett Vicario Generali &c. Patricius Cunneghty de Drogheda petit Iohannem Syke alias Curtes de eadem canonice puniri ex eo quod praedictus Iohannes diffamavit ipsum Patricium vocando eum publice furem falsum et quod per 7 annos elapsos suspendi meruit et quod vocavit uxorem ipsius Patricii probatum meretricem sic fama ipsorum

1 The entries in the register do not necessarily follow chronological order.

conjugium denigrando.

Facta fide de dicto Iohanne ad eosdem diem et locum in dicta causa responsuro coram iudice per Iohannem Savage apparitorem de Drogheda citato quo quidem Iohanne praeconizato et non comparente. Iudex decrevit ipsum Iohannem contumacem et in paena contumaciae fore suspendi ab ingressu ecclesiae et recitandu ad ecclesiam S. Petri de Drogheda.

15 die mensis Aprilis. Quo die adveniente dictus Iohannes negans judicialiter narrat prout narratur ... Iudex 6 diem mensis Maii in eodem loco ad primo producendum eidem Patricio.

Quibus die et loco coram iudice judicialiter sedente partibus personaliter comparentibus dictae partes promiserunt stare laudo domini Patricii Feorty et domini Stephani Roth ita quod dissiniant² infra 20 diem mensis Maii. Quibus die et loco partibus coram iudice judicialiter sedente comparentibus et assereantibus se ad invicem concordēs fuisse decernibus³ feodum curiae fore solvendum.

4. **Walterus Rotchord v. Iohannes Fachent** 30 March 1518

Rotchord sued Iohannes Fachent for breach of faith. The case lapsed due to the contumacy of both parties.

Anno Domini 1518 penultimo die mensis Martii Walterus Rotchord de Drogheda f. 2r petit Iohannem Fachent de eadem canonice puniri ex eo quod dictus Iohannes praestito iuramento suo corporali iuravit quod staret laudo &c. Nicholai Smyth et Petri Taylor de eadem cum imparitate Iacobi White in quibusdam licitis et honestis inter ipsos observandis. Dicto Iohanne citato et per Iohannem Savage apparitorem certificato et non comparente decernitur contumax et in paena contumaciae fore excommunicandum et recitandum ad Sanctum Petrum de Drogheda 15 die mensis Aprilis jam proxime sequente.

Quibus die et loco partibus judicialiter praeconizatis et non comparentibus decernuntur contumaces et in paena contumaciae fore ab ingressu ecclesiae suspendum.

5. **Letter of Thomas Bayth to Walter Galtrim** Undated

This is the first of two entries in English. It may be connected to entry no. 20.

Copia Litterae Thomas Bayth ad Walterum Galtrim

Cossing Walter y commend me unto you &c for as anente the mater that y spake with you in the ... to warne ... owyr ... y did send untill her Moder and y know her mind. 50 marcks there ys reddy in mony and 15 marks his wort in wayr y know the mayd herself hayse necessary Stuff to house hold. Y know wele the person ys good and able to gett 20 marks a yeir in any good town in Ireland. A good hosity ys gold wort for he that hays a good hosity iff he have any will he shall never lake in this world. Therefore

2 *Sic.*

3 This is a possible reading. The original is unclear as is the Reeves transcript.

look wele to your proffet for your lands are in hered y wold ye shold doe as wele as my broder. Send your mynd with the Berer to whom ye yew credens. Iesu be with you. Amen. Per me. T. Bayth.

6. *Ex officio* accusation of Iohannes Ocayin for assault Undated

Iohannes Ocayin was indicted for assault on Brother Cormacus Ogarway, having drawn blood. Ocayin contested and Ogarway produced one witness at the end of whose deposition the entry stops.

- f. 2r Articulatur Iohanni Ocayin parochiae de Dunler ex officio iudicis quod manus violentas in fratrem Cormacum Ogarway religiosum imposuit cum extractione sanguinis. Quo quidem Iohanni personaliter comparente negavit. Praemissus dictus frater in testimonium praemissorum nominavit Thomam Corkeram et Willielmum Mude qui Willielmus juratus et examinatus deposuit quod arrestato gerrano⁴ fratris in istum testem servientem ad mandatum praepositorum villae tradidit gerranum Iohanni Coyn ad tenendum eundem et dicto fratre non contento cum dicta tentione et altercante cum dicto Iohanne ad reistendum eidem Iohanni percussit ipsum cum baculo suo bis vel ter ...

Dictoque Iohanne extendente manum ad defendendum se per sublevationem capitis Gerrani vidit sanguinem cadentem ex naso dicti fratris et finaliter dixit praedictus Iohannes non percussit fratrem et dicit quod non potuit fugere nisi relinqueret gerranum.

7. Margeria Kelly v. Patricius Murghe 6 May 1518

Margeria Kelly sought a separation from her husband, Patricius Murghe on the grounds of cruelty. Patricius denied the charge. Depositions were taken by Brothers Cashell and Boys and are to be found in entry no. 95. The sentence is in entry no. 9.

- f. 2v Anno Domini 1518. Sixto die mensis maii⁵ Margeria Kelly de Athirde parochiae parochialis ecclesiae Beatae Mariae eiusdem petit divortiarum quo ad thorum a Patricio Murghe de eadem suo marito propter saevitiam et metum mortis. Dicto Patricio personaliter comparente consentiente divortio negative contestante. Vizt. se nunquam imaginisse mortem ipsius partis mulieris seu aliquam saevitiam intulisse. Unde iudex praefatae Margeriae 20 diem mensis Maii ad probandum suam in hac parte intentionem assignavit et partibus quod sibi invicem pendente huiusmodi causa indecisa adhaerant sub paena excommunicationis. Quibus die et loco partibus praekonizatis parte dictae Margeriae personaliter comparente et accusante contrariam ipsius Patricii non comparentis in contumaciae paena decernuntur testis fore examinandos ut in tertia quaterna apparet in rotula de examinationibus. Unde 4 diem Iulii ad secundo producendum eidem Margeriae iudex assignavit. Quibus die et loco partibus judicialiter coram iudice personaliter comparentibus dicta

4 A mule or a donkey.

5 April is crossed out in the text.

Margeria produxit quosdam testes in scripto examinatos per fratrem Iohannem Cashell et fratrem Iohannem Boys confratres domus sancti Iohannis Baptistae de Atrio Dei commissarios ad hoc constitutos producente et exhibente. Iudex eidem Margeriae ad testem producendum et Patricio ad producendum consilium suum et communicandum super actis 17 diem mensis instantis Iunii in ... assignavit et iussit eidem Patricio quod dictus Patricius producat fide jussores dicto die de pace observanda eidem Margeriae securitate sui corporis. Quibus die et loco partibus memoratis coram iudice memorato judicialiter sedente praeconizatis et personaliter comparentibus parte dictae Margeriae quasdam alias attestaciones in scriptis per dictos commissarios examinatos seu receptas producente et renunante ulteriori productione et dicto Patricio imiter.⁶ Iudex decrevit publicationem attestacionem fieri et publicavit dicto Patricio renunante ... partibus quoque renuniantibus exceptionibus et ulterioribus allegationibus in hac parte.

Iudex in causa conclusit et 8 diem Iulii apud Sanctum Petrum de Drogheda sententiandum si liqueat assignavit. Quibus die et loco partibus praeconizatis parte dictae Margeriae personaliter comparente parte dicti Patricii similiter comparente. Iudex decrevit procedendum ad sententiae publicationem et Georgius Dowdall fide media promisit solvere feodis infra festum ad vincula Sancti Petri et sol ... inde 3s 4d.

8. Anisia Nynekloy v. Iohannes McManus **20 May 1518**

Anisia Nynekloy sought a declaration of the validity of the marriage between her and Iohannes, alias Eugenius, McManus which had been contracted by words of the present tense followed by intercourse. She produced three witnesses whose depositions are described as being recorded 'in the third quarter of this volume'. The case lapsed due to the contumacy of both parties.

Anno Domini 1518. 20 die mensis Maii Anisia Nynekloy parochiae Beatae Mariae de Athirde petit Iohannem alias Eugenium McManus eiusdem parochiae sibi in legitimum maritum adjudicari ex eo quod ad invicem matrimonialiter per verba de praesenti contraxerunt carnali copula subsecuta. Qua porrecta ipsa Anisi nominavit et produxit in testes super praemissis deposuntur Patricium McKena, Iacobum Napton et Patricium McKomegy de Athirde praedicta. Quibus examinatis ut in rotula de attestacionibus sive examinationibus in tertia quaterna huius voluminis apparet. Iudex decrevit partes tunc non comparentes neque prosequentes causam contumaces et in paena huiusmodi contumacie fore excommunicandos et recitandos. f. 3r

9. Sentence in Margeria Kelly v. Patricius Murghe **8 July 1518**

This is the decree of separation of Margeria Kelly and Patricius Murghe. He is described as having beaten and wounded her with various implements to the extent that she feared for her life. All dowries and gifts are to be returned, but the bonds of marriage still hold. The sentence was read out in English. See also entries 7 and 95.

⁶ Text is very unclear here.

f. 3v In Dei Nomine Amen. Auditis visis et plenius intellectis meritis et circumstantiis causae matrimonialis sive divortii coram nobis motae et aliquando pendentis indecise inter Margeriam Kelly parochiae de Athirde divortium quo ad thorum propter metum et saevitiam Patricii Murghe sui mariti petentem parte ex una Patricium Murghe de eadem maritum ipsius partem ream parte ex altera et quia invenimus per confessiones partium testesque fidedignos aliaque iuris probabilia documenta quibus nihil canonicum fuerat objectum dictam Margeriam suam intentionem ad plenum in hoc parte fundasse vizt. quod dictus Patricius metum et saevitiam eidem Margeriae intulit per armorum ministrationem et vulnerationem et frequentum percussionem dicti Patricii super dictam Margeriam factam cum fustibus rastro ferreo longo cutello et aliis armis inde dicta Margeria merito mortem metuit. Nos igitur Alexander Punctet Vicarius generalis Iohannis Archiepiscopi Armachani totius Hiberniae primatis ipso in remotis agente Domine primitus invocato Deum prae oculis habentes praedictos Margeriam et Patricium ab invicem quo ad thorum divortiamus et seperamus ipsosque divortiatos et seperatos fuisse et esse decernentes vinculo matrimonii alias inter ipsos celebrati nihilominus consistendo et permanendo dotes et donationes propter injurias datas fore restituendas iustitia mediante decernimus sententialiter et diffinite in his scriptis partes in expensis curiae condemnantes. Lecta et promulgata in vulgari in capella Beatae Mariae de Drogheda Armachanae diocesis. Praesentibus ad tunc dominis Roberto Lagan et Iacobo Brun rectore de Bewly et vicario de Dunler ac Georgio Dowdall et Ricardo Corkeram apparitore cum diversis aliis et me Willielmo Lukyn notario.

10. Ricardus Lales v. Magonius Ocongan

20 May 1518

Magonis Ocongan was cited at the instance of Ricardus Lales to state whether he had a reason for impeding the marriage of Isabella Lales. Magonius originally contested but then confessed to having impeded the marriage for three years. The judge imposed a penance on him.

f. 3v Anno Domini 1518. Die die mensis Maii Magonius Ocongan parochiae de Drumsalan citatur ad instantiam Ricardi Lales parochiae eiusdem allegaturus causam siquam habet rationabilem quare impedit Isabellam Lales cum aliis viris sibi comparentibus matrimonialiter contrahere et quare non deberet canonicè puniri ex eo quod per suum huiusmodi impedimentum ipsam Isabellam scandalizari procuravit inhibendo publice ne aliquis praesumat contrahere cum dicta Isabella dicto Magonio comparente negat narrata ut supra et contractum inter ipsum et ipsam Isabellam fuisse. Unde ad primo procedendum 4 diem Iunii praedicto Ricardo in Termonfeghen iudex assignavit.

Quibus die et loco partibus praeconizatis judicialiter parte dicti Ricardi personaliter comparente dicto Magonio comparente et fatente se dixisse quod impediret per tres annos eam maritare in posterum eo jurato de stando mandatis ecclesiae. Iudex injunxit eidem Magonio quod coram imagine Beatae Mariae de Drumsalan die dominico proxime magnam durante missa teneat unam tabram cerae ponderis 1 librae et postmodum eam afferet imagini praedictae.

11. Suspension of Roricus Omolyne

20 May 1518

Dominus Willielmus Palmer, acting for the vicar general declared that Roricus Omolyne, priest and bishop-elect of Ardagh should be punished for contumacy. The vicar general suspended him and Roricus later submitted and received subcustody of the see from Alexander Plunkett.

In Dei Nomine Amen. Anno Domini 1518 20 die mensis Maii in ecclesia Sancti Petri de Drogheda dominus Willielmus Palmer rector ecclesiae parochialis de Drummyn Armachanae diocesis canonicus cathedralis ecclesiae metropolitanae Armachanae vice et nomine magistri Alexandri Plunket vicarii generalis Iohannis archiepiscopi Armachani totius Hiberniae Primatis ipso in remotis agente judicialiter sedens. Dominum Roricum Omoloyne assertum presbyterum Clonensis diocesis ecclesiae metropolitanae suffraganae praetensim electum episcopum Ardaghadem ad certos diem et locum allegatur causam si quam habet rationabilem quare canonice puniri non debeat ex eo quod sufficienter . . . de auctoritate qua dicta sede fungitur de episcopalibus ibi ministrandis decrevit contumacem paenam eidem Vicario Generali reseverata. Idem Vicarius Generalis praehibita deliberationem in paena contumaciae huiusmodi decrevit fore suspendendum ab ingressu capellae et postmodum vero dictus dominus Roricus rediens et reconciliationem subcustodiam dicti episcopatus a dicto Vicari Generali recepit et pro feodis curiae concordavit.

12. Iohannes Yvi v. Iohanna Nyerty

22 June 1518

Iohannes Yvi sued Iohanna Nyerty for a sum due to him from the will of Petrus Yvi which had come into her hands from the goods of Willielmus Yvi, the brother of Iohannes. The judge appointed Fergus Ohayny and the vicar of Dundalk to take depositions. Iohanna appointed Walterus Galtrim her procurator. Petrus Mulyk appeared for Iohannes after he had been decreed contumacious and alleged that he had been forced to leave Dundalk out of fear of Walterus Galtrim. There is no decision for the suit.

22 die Iunii Iohannes Yvi de Dundalk petit Iohannam Nyerty de eadem ... ad refundendum sibi portionem 20 debitam sibi ex testamento Petri Yvi quondam de Dundalk defuncti partis relictam quae quidem partio ad manus Iohannae Nyerty ex bonis Willielmi Yvi fratris memorati Iohannis ab intaesto devenit. Qua ponecta Walterus Galtrim procurator dictae Iohannae exposita prius lectura petitionis negat narrata prout petuntur fore vera. Unde Iudex diem mensis Iulii in ecclesia Sancti Petri de Drogheda eidem Iohanni Yvi ad primo prodecendum assignavit. Examinationes testium producendum in ea parte interim magistro Fergusio Ohayny et vicario de Dundalk iudex commisit. Quibus die et loco partibus praeconizatis parte dicti Iohannis personaliter et dictae Iohannae per procuratorem suum praedictum comparentibus praedicti Iohannis quasdam attestaciones pre ... intentione sua remissas ut supra porrigente. Quibus di... porrectis partibus renuntiantibus ulteriori productioni hisque publicatis iudex 23 die mensis Iulii ad eundem locum ad sententiandum assignavit.

Quibus die et loco partibus praeconizatis coram iudice judicialiter sedente parte actrice nullo modo comparente et quasdam attestationibus ut supra curiae remissas probantes quae bona habuit dictus Willielmus tempore mortis suae producente. Quibus attestationibus per iudicem perlectis iudex decrevit ipsum Iohannem non comparentem contumacem et in paena contumaciae huiusmodi fore ad suiande 17 die mensis instantis ad Termonfechin et dicta Iohanna constituit ut supra in procuratorem suum in hac parte Walterum praedictum Quibus die et loco partibus praeconizatis parte dicti Iohannis per Petrum Mulyk asserentem dictum Iohannem ... fuisse de villa propter timorem Walteri praedicti unde ad convincendum malitiam partis reae tunc non comparentis. 19 die Augusti tunc proxime sequentis ad idem in Sancti Petri de Pont assignavit. Quibus die et loco causa continuavit ad Sanctum Petrum de Drogheda primo die Octobris quo adveniente partibus non comparentibus continuatur ad idem usque 21 diem Octobris in eodem loco continuatur causa usque 29 Novembris.

13. Willielmus Drumgowle v. Johannes Meghin and Iacobina Sandell

4 June 1518

Willielmus Drumgowle sought that Iohannes Meghin and his wife, Iacobina Sandell be canonically punished. He claimed that the couple had publicly declared that he had concealed rent. Willielmus constituted the apparitor Richardus Corkeran, his procurator. Meghin attempted to prove the truth of his assertions by producing a letter sent by Thomas Fele. Sentence is contained in entry no. 16 below.

f. 4v Anno Domini 1518. 4 die mensis Iunii in ecclesia Sancti Feghini de Termonfechin coram magistro Alexandro Plunket Vicario Generali etc. Willelmus Drumgowle de Welshton parochiae de Rath petit Iohannem Meghin de Karek et Iacobinam Sandell uxorem ipsius canonice puniri ex eo quod diffamarunt ipsum Willielmum publice dicendo quod dolose celaverat redditum Thomae Fele apud Rath dicto ignorante iste Willielmus recepit eundem redditum et constituit in procuratorem suum consuetudine curiae Richardum Corkeran apparitorem dictis partibus praeconizatis parte dicti Willielmi per procuratorem et dictis Iohanne et Iacobina fatebantur dictum Willielmum concealasse dictum redditum ad dampnum istorum Iohannis et Iacobina. Unde iudex 17 diem mensis Iunii ad Sanctum Petrum de Drogheda praedictis Iohannis et Iacobinae ad probandum intentionem suam in praemissas assignavit. Quibus die et loco partibus praedictis ut supra comparentibus parte dictae Iohannis Meghin producente literam missivam Thomae Sele de Drumsallan pro probatione sua in ea parte et ulteriori productioni renuntiante. Unde tertius in proximo vizt. 23 die Iulii in eodem loco ad sententiandum assignatur. Quibus die et loco parte rea personaliter et parte actrice per procuratorem comparentibus. Iudex ad idem usque 28 diem mensis instantis ad Termonfechin causam continuavit. Quibus die et loco partibus praeconizatis et comparentibus ut supra parte dicti Iohannis nullam probationem producente. Iudex conclusit in causa et 23 diem eiusdem mensis ad Termonfechin ad sententiandum si liqueat assignavit. Continuatur usque 7 diem Octobris ad Sanctum Petrum de Drogheda et continuatur ad 21 diem Octobris et citantur partes personaliter ad refundendum expensas.

14. Declarations of contumacy

Undated

Bernardus Olugheran decanus de Tolagheran accusans Eugenium Oconurr rectorem de Ballycloyk non comparens decernitur contumax et in paena contumaciae condempnavit in expensis praedictae Eugenii ipsum Eugenium hac vice dimittendo an instantia iudicii. Iohannes Odyghan vicarius de Carnseyll praeconizatus et certificatus per Tadeum Oconalan decernitur contumax paena reservata usque ad synodum.

Hugo Flavus Ohoy de Milton excommunicatur pro contumacia. Willielmus Niger Fferty de Termonfehin, excommunicatur pro contumacia. Decernuntur Aggravatoriae. Therenthuis Osheaghan de Balitra, excommunicatur pro contumacia. Recit. ad sanctum Petrum de Drogheda de die 8 Iulii. Nicholaus Hadser parochiae de Dunler pro teste Thomas Hadser ... quo die decernunt aggravatoria contra eundem Hugonem. Robertus Lemmoy de Dundalk ad instantiam Tho. Lemmon..

15. Edmundus McKamole v. Iohannes Oculean

7 June 1518

Edmundus McKamole, dean of Armagh denounced Iohannes Oculean, rector of Clonfegne for having called him mean and base in the doorway of the cathedral. The dean sought that the rector be proceeded against by means of an inquisition. The case was referred to the synod of clergy Inter Anglicos.

In Dei Nomine Amen. 7 die mensis Iunii anno domini 1518 in ecclesia parochiali f. 5r
Sancti Feghini Termonfehin Armachanae diocesis. Coram magistro Alexandro Plunket utriusque iuris bacallario Vicario Generali Iohannis archiepiscopi Armachani totius Hiberniae Primatis ipso in remotis agente. Magister Edmundus McKamole decanus Armachanus denunciavit dominum Iohannem Oculean rectorem ecclesiae parochialis de Clonfegne scandalizasse ipsum magistrum Edmundum vocando eum vilem et turpem et alias iniurias sibi inferendo in scandalum non modicum ecclesiae et ipsius magistri Edmundi coram notabilibus personis in porta ecclesia cathedralis Armachanae in vere ultimo praeterito seu quadragesima et petit iudicem ex officio in hac causa per inquisitionem contra dictum dominum Iohannem procedere. Iudex eidem domino Iohanni ad deliberandum super praemissis diem synodi cleri Armachani inter anglicos proxime sequentem⁷ in ecclesia Sancti Petri de Drogheda iudex assignavit.

16. Sentence in Drumgowle v. Meghin and Sandell

23 July 1518

The defendants were to be excommunicated, to undergo public penance and pay the court costs in accordance with the provisions of the provincial statutes. See entry no. 13 above.

In Dei Nomine Amen. Auditis visis cognitis et intellectis meritis et circumstanciis f. 5r
causae diffamationis motae inter Willielmum Drumgowle et Iohannem et Iacobinam praedictos et quia invenimus per confessiones dictorum Iohannis et Iacobine eos ipsum Willielmum dolose scandalizasse et difamasse. Nos igitur Nomine Christi primitus invocato Deum prae oculis habentes ipsos Iohannem et Iacobinam propterea

⁷ 6 July, 1518: see no. 18.

juxta statuta provincialia Armachanae excommunicatos fuisse et esse et paenitentias publicas peragere decernimus et declaramus sententialiter et diffinite per praesentes partes in expensas curiae condemnantes. Lecta per memoratum Vicarium dictis die et loco et anno. Praesentibus ad tunc magistro Arturo McGyn archidiacone Dromorensis, Patricio Ardagh de Dunler generoso ac Iohanne Savage apparitore de Drogheda cum diversis aliis ac me Willielmo Lukin scriba.

17. **Petition of Walterus Galtrim against Iohannes White and his wife**⁸

23 July 1518

Petition of Walterus Galtrim that thirteen and one half marks due as dowry for his wife, daughter of Iohannes White, be paid to him.

f. 5v Coram Magistro Alexandro Plunket utriusque iuris bacallario ac Vicario Generali.

Ego Walterus Galtrim in iure propono quod Iohannes White et eius uxor tenentur mihi ad 13 marc cum dimidio quas promisit mihi eadem uxor cum sua filia in dotem. Unde dominationem vestram imploro ratione officii vestri quatenus citabitis eundem Iohannem et eius uxorem coram vestra dominatione allegatur causam seu causas quare dictam summam solvere non volunt et si aliqui decerent ex ignorantiam quod absit quod illa causa debet tractari coram iudice saeculari nequequam deberent audiri quia totus ecclesiasticus ordo confundretur si quia iurisdictio uni anferetur et ecclesiasticus iudex cognoscere debet de causa dotis ideoque supplicio ut supra salvo iure corrigendi hunc libellum loco ex tempore congruis et de iure opportunis ideoque addendo ad praemissa peto dictum Iohannem condemnari in praedicta summa pro Walt. Galtrim porrecto 23 die mensis Iulii anno domini 1518.

18. **Synod *inter anglicos* held at Drogheda**

6 July 1518

Alexander Plunkett, assisted by archdeacon Iacobus White, presided over the synod. The mass of the Holy Spirit was celebrated and followed by the customary procession, a sermon and singing of the Veni Creator. Four ordinances were made concerning benefices, wills and the promulgation of sentences and censures. These were read out in English.

f. 6r Sinodus cleri Armachani inter anglicos celebrato sexto die mensis Iulii Anno Domini 1518 in ecclesia Sancti Petri de Drogheda Armachanae diocesis coram Magistro Alexandro Plunket utriusque iuris bachalario reverendissimi in Christo patris et domini Iohannis archiepiscopi Armachani totius Hiberniae primatis ipso in remotis agente. Vicario generali assisante sibi Magistro Iacobo White Archidiacono Armachano Missa de Spiritu Sancto celebrata processioneque sollemni in solita et consueta forma unacum sermoniis peracta cum cantatione hymni *Veni Creator Spiritus*. Supradictus Vicarius Generalis synodum huiusmodi usque post nonas illius diei ad eundem locum ad pulsationem magnae campanae continuavit. Qua hora adveniente praeconizato clero ac communicatione inter Vicarium Generalem et clerum huiusmodi communiter pro utilitate ecclesiae habita. In praedicta sinodo

⁸ See no. 20.

ordinatum fuit quod nullus ad curam animarum infra diocesem praedictam inter Anglicos admittatur nisi per approbationem et institutionem ordinarii admittatur.

Item ordinatum fuit in eadem sinodo quod quilibet curatus diocesis antedictae insinuat et faciat testamenta et verum inventarium omnium bonorum infra parochiam propriam decedentium ordinario infra mensem immediate post mortem testatoris sub paena refusionis debiti valoris portionis Archiepiscopi de bonis ipsius curati hoc negligentis ordinario applicandae.

Item ordinatum fuit quod quilibet testamenta decedentium veraciter et formaliter concipiat annum diem mensem et locum conditi nomina testi executorum et legatorum ac debita quae debentur testatoris et quae debet ac legata in se continentia.

Item ordinatum fuit quod omnes et singuli curati quaslibet sententias censuras ecclesiasticas et alia mandata quae ordinarius ad ipsos direxerit debite exequantur et per literas suas signatas vel sigillatas aut subscriptas quid super eis directis mandatis fecerint sub paena solutionis refusionis contentorum pro quibus literae emanarant certificabunt.⁹

Quibus publicatis in vulgari praedictus Vicarius Generalis dissolvit sinodalia et quoad absentantes decrevit contumaces et in paena contumaciae fore excommunicandos vel ecclesias fore.

19. One day's business

8 July 1518

Jacobus Kelly sued Iohannes Flesky for defamation. Flesky had called Kelly a thief, saying that he had stolen a sheep. A term was fixed for Kelly to produce witnesses. The remainder of the entry deals with the payment of stipends and lists various citations.

Anno Domini 1518. 8 die mensis Iulii apud Sanctum Petrum de Drogheda. Iacobus Kelly de Termonfeghin petit Iohannem Plesky canonicè puniri ex eo quod diffamavit illum Iacobum vocando eum furem dicendo quod dictus Iacobus furabatur unam ovem. Dicto Iohanne personaliter comparente negante narrata ut supra. Unde terminus in proxime ad primo producendum dicto Ia ... assignate et ...

Petrus Fertett de Kilclogher aquae bajulus petit subscriptos canonicè compelli sibi satisfacere pro stipendio suo ad quod tenetur. In primis Thomas Dowdall parochiae praedictae monitus sub paena excommunicationis satisfacere infra sex dies. Item pro contumacia et non obedientia decernitur excommunicatus publice. Item Bernardum McKena et Hugonem Mckeahan 23 die mensis praedicti citantur ad Termonfeghin.

Henricus Breun et Iohannes Feling de Castlecony ad eundem diem per Ricardum Corkeram apparitorem citantur pro reparatione navis ecclesiae Sanctae Trinitatis in portione ipsos concernente.

Item Hugo Mackrener Willielmus MacCallin de Almanston pro anno paeterito.

9 Sic.

20. **Walterus Galtrim v. Iohannes White**

23 July 1518

This is the suit which proceeded from the libel recorded in entry no. 17. The defendants, White and Pipard claimed to have forbidden the marriage of their daughter Anisia to Galtrim on pain of disinheritance. Walterus deposed that he had not heard of the prohibition until after the marriage. Alexander Plunkett, Iacobus White, Alexander Delpalatio and Ricardus Springan presided at hearings. Walterus Galtrim produced three witnesses and the defendants one. Both parties also gave sureties for the costs. A sentence was given but it is not recorded here.

Anno supradicto. 23 die Mensis Iulii. In causa dotis Walter Galtrim de Dundalk partem attricem parte ex una et Iohannem White de Mologhcony partem ream parte ex altera. Partibus personaliter comparentibus parte dicti Iohannis Dowdall suum apud procuratorem excipiente in scriptis contra libellum memorati Walteri alias porecti et petente nullitatem ipsius decrevit iudex 27 diem eiusdem mensis in ecclesia parochialis Sancti Feghini de Termonfeghin ad deliberandum super libello praedicto emandato tunc quo emendatur. Ac parti reae ad excipiendum contra eundem in articulo quo emandatur assignavit. Quibus die et loco partibus ut supra judicialiter comparentibus parte dicti Iohannis per procuratorem praedictum comparente et omittente exceptionem contra libellum et proponente quasdam exceptiones spolii per viam dilatoriam in scriptis proponente. Iudex decrevit copiam exceptionum parti atrici et post nonas illius diei ad replicandum contra easdem. Qua hora adveniente coram domino Alexandro Delpalatio rectore de Killencowle commissario ad idem desiderium constituto.

f. 7r Parte dicto Walteri replicante contra exceptiones praedictas primoque in causa privilegia ut est causa dotis potest iudex procedere tempore messium et secundo quod replicatur quia non probatus spolium non spoliatur in majori ... substantia nec in tota et quod propter non protestationem excipientis de ulterius excipiendo posteriores exceptiones delat minime sunt admittendae. Unde iudex 12 diem mensis Augusti proximam sequentem in ecclesia Sancti Petri de Drogheda parti reae ad duplicandum et ad alia inde iuxta juris exigentiam faciendum assignavit copiam applicationem huiusmodi parti prosequendo eandem fore tradendam decernendo.

Quibus die et loco partibus judicialiter comparentibus iudex satisfaciendo exceptioni temporis haesium continuavit causam ad idem usque primum diem mensis Octoberis proxime sequentem in eodem loco. Quibus die et loco partibus praeconizatis parte dicti Walteri non comparente parte dicti Iohannis personaliter comparente iudex decrevit ipsum Walterum contumacem et in paena contumaciae fore canonice puniendum et recitandum ad eundem locum. 21 die mensis Octobris proxime tunc sequente in eodem loco.

Quibus die et loco partibus praeconizatis parte dicti Walteri non comparente parte dicti Iohannis personaliter comparente iudex decrevit ipsum Walterum contumacem et in paena contumaciae fore canonice puniendum ad recitandum fore ad eundem locum 21 die mensis Octobris proxime tunc sequentis. Quibus die et loco memoratis partibus praeconizatis et personaliter comparentibus parteque dicti Walteri purgante contumaciam huiusmodi et dante cautionem iuratoriam de prosequendo causam

iudex admisit ipsum Walterum prosequi materiam. Pars dicti Iohannis contentabatur quod pars dicti producat testes super contentis in libello in causa principali. Unde iudex ad primo producendum quartum diem mensis Novembris proxime sequentem memorato Waltero assignavit. Quibus die et loco partibus in iudicio personaliter comparentibus parte dicti Walteris petente uxorem dicti Iohannis tanquam partem principalem proxime die consistoriali personaliter coram iudice in causa comparere et facere in hac parte quae juris fuerit compelli et positionibus et articulis ipsius Walteri responsuram. Unde iudex decrevit ipsum ad 26 diem mensis eiusdem in eodem loco fore citandum positionibus ut supra responsuram.

Quibus die et loco partibus praedictorum Walteri et Cristina Pipard uxoris memorati Iohannis personaliter comparentibus pars dicti Walteri quosdam positiones et articulos in scriptis proposuit quibus dicta Cristiana jurata respondebat prout in illis articulis continetur unde iudex eidem Waltero ad secundo producendum 16 diem mensis decemberis in eodem loco assignavit. Quibus die et loco partibus praeconizatis et personaliter comparentibus parte dicti Walteri nominate Willielmum Stanley pro uno testium suorum asserente ipsum Willielmum infirmitatum fuisse, iudex assignavit 13 diem mensis Ianuarii eidem Waltero in eodem loco ad tertio producendum et dictus Walterus nominavit in teste inter alias Willielmum Stanley et Anisiam Fele et jur ... f. 7v
quod fecit diligentiam suam ad producendum illos et iudex commissit examinationem testium impedit magistro Fergusio Okoyn. Quibus die et loco partibus praeconizatis et personaliter comparentibus pars dicti Walteri dixit praedictum commissarium examinasse testes et promississe mittere attestaciones in scriptis curiae pars dicti Iohannis ministravit talem articulum quod Christiana cum marito suo praedicto inhiberit per fratrem Iohannem Gergam memorato Waltero ante contractum matrimonialem initum inter ipsum Walterum et filiam suam ne contraheret quod non darent eis bona sua. Quo quidem articulo ministrato attestaciones praedictae per commissarium praedictum curiae transmissae sunt in scriptis causae. Praedicto Waltero jurato et examinato super illo articulo deposuit quod inhibitio praedicta venit ad eum postquam contraxit cum dicta filia unde iudex decrevit praedictum Iohannem super articulo praedicto fore examinandum. Qui verbo sacerdotii deposuit quod apud Mulagheory in autumnno praeterito ad annum Christiana praedicta dixit isti fratri consulere filiae suae praedictae et dicere sibi si faceret contractum motu proprio quod non habuit sui bona. Item dixit quod venit cum nuntiatione huiusmodi et quando vellet introitu domus Thomae Baith loqui illae filiae filia festinavit ad domum illam dicens quod non potuit expectare cum eo et sic ea non expectata transivit ad Patricium Brian et nuntiavit eidem Patricio quod non expectavit cum nuntiatione. Interrogatus an hoc fuit ante contractum initum etc. vel ne dixit quod nescit. Item dixit quod circa festum Omnium Sanctorum ultimo praeteritum ad annum apud Kilclogher mendicando et ad eum venit Willielmus Halyward filius Thomae Bayth qui Willielmus ex parte Thomae praedicti dixit isti fratri ire ad Christianam praedictam et interrogare illam de intentione sua circa Walterum Galtrim et filiam praedictam. Idem frater ad illam Christianam direxit gressus¹⁰ et interrogavit eam juxta desiderium praedictum cui respondebat ipsa Christiana et dixit quod non fuit potestatis suae dare sibi aliquid et

10 *Sic.*

si esset in potestate quod daret non prece nec pretio.

Iudex crastinum in Termonfehin in ecclesia Sanctae Trinitatis ad publicandum dicta testium ex parte Walteri productorum si liqueat assignavit. Quibus die et loco partibus personaliter comparentibus iudex decrevit publicationem fieri ex utraque parte salva admissione Donaldi Ohamyll in testem producendum pro parte dicti Walteri pro informatione iudicis et publicari fecit pars dicti Iohannis ante publicationem praedicti fratris attestatum de contradicendo testi et ipsius dictis. Quibus sic publicatis quadam conclusiones seu instructiones in scriptis pro parte f. 8r dicti Walteri fuerunt ministratae parte Iohannis patente copiam attestatum et diem ad excipiendum contra easdem iudex decrevit copiam petent et prosequenti ac tertium diem Februarii in eodem loco ad faciendum quod iuris fuerit, parte dicti Walteri allegante quod non deberet pars dicti Iohannis excipere contra personas testium ex aequo quod non patiebatur de non contradicendo ante publicationem testium et dictus Walterus constituit apud acta magistrum Arturum McGyn suum in hac parte procuratorem omnibus modo jure et forma quibus meli et efficacius facere potuit ratum et gratum habitur. Quicquid idem procurator in praemissis fecerit et cautionem exposuit et praedictus Iohannes in eadem forma constituit Georgium Dowdall suum procuratorem.

Quo die adveniente in ecclesia Sancti Feghini de Termonfehin coram magistro Iacobo White Armachano Commissario Vicarii Generalis in hac parte vice eo absente partibus praeconizatis parte dicti Iohannis personaliter et parte dicti Walteri non comparente iudex ad supplicationem partis reae decrevit eum contumacem et in paena huiusmodi contumacie ad desiderium diei fore producendum reservata Vicari Generali allegatione praedicti Walteri in gratum dixit quod non deberet excipere pars rea post publicationem etc. ut supra parte dicti Iohannis pro satisfactione desiderii diei quasdam exceptiones in scripto contradicendo testium praedictorum porrigente unacum certis instructionibus pro informatione animi iudicis. Iudex 25 diem eiusdem mensis in eodem loco ad ulteriora procedendum juxta discretionem Vicarii Generalis assignavit copiam exceptionum huiusmodi parti praedicti Walteri fore tradendam immediate vera post hoc coram iudice antequam de cathreda movebat magistro Arturo McGin procurator dicti Walteri comparente et contumaciam huiusmodi purgante et perlegente exceptione et instructiones. Praedictus iudex 25 diem Februarii in eodem loco parti dicti Walteri ad replicandum contra dictas exceptiones et instructiones assignavit et ad aliafacienda quae de iuro fuerint facienda. Item praedictus Walterus produxit pro informatione animi iudicis in testem Donaldum Ohamyle de Molaghcory husbandus aetatis 40 annorum, qui jurat deposuit quod quondam die tempore tractatus matrimonii fieri inter Walterum et Anisiam isto teste cum Christiana venientibus de Ballintoy in via Molaghcory iste interrogavit ipsam Christianam quomodo fuit inter ipsam et Walterum circa Anisiam praedictam eidem maritandum cui respondebat et dixit quod promisit eidem Waltero cum Anisia 30 marcas unacum diligentia sua si ad hoc consentiret Iohannes Whit. Item dicit quod postmodum ipsa Christiana causavit istum testem ire ad pontanum praefatae Anisiae ad inhibendum sibi ne tangeret quovismodo Walterum praedictum qui accessit cum nuntiatione illa et eandem declaravit eidem Anisiae quae respondendo

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