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## HAILES CASTLE

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By W. DOUGLAS SIMPSON, M.A., D.Litt., F.S.A., F.S.A.(Scot.).

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HAILES CASTLE, on the south bank of the river Tyne about  $1\frac{1}{2}$  miles above East Linton, is one of the three baronial ruins in East Lothian—Dirleton, Hailes, and Yester—which retain masonry works assignable to a period earlier than, or during, the War of Independence. It is also of special importance because here the original building has been, not a castle with a towered curtain wall like Dirleton, but a fortified manor-house which must have closely resembled the well-known Aydon Castle in Northumberland.

The site of the castle is one of great strength. It stands on the edge of a line of basalt cliffs overhanging the south bank of the river Tyne, while at the western end the position is defined by a deep ravine in which a little burn hurries down to join the river. To the south, at a short distance from the castle, the ground rises steeply, so that the visitor is almost there before he catches sight of the ruins. This rise in the ground is continued until it culminates, a mile distant, in the trachytic boss of Traprain Law—one of the most famous prehistoric sites in the whole of Europe, now being quarried away for road metal. Around Hailes Castle, the banks of the Tyne are well wooded, and the ruins add greatly to the picturesqueness of the scene.

The original castle (see plan, Fig. 1) formed the central and eastern portions of the existing ruins. Courtyard walls only, much altered in later times, comprised the eastern portion. The central portion consisted of an H-shaped arrangement of a hall between a kitchen at the lower or eastern end and a solar at the upper or western end. From the kitchen, a structure projected northward, on to the slope above the river, and ended in a three-sided termination containing a rock-cut well, reached by a stair down from the kitchen. The well is at present about 25 feet deep, reckoned from the stair-foot. Of the kitchen itself, next to nothing remains, but its presence

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at the lower end of the hall may be inferred from normal medieval arrangement, and is confirmed by the existence of the well. At present, the site of the hall is occupied by a secondary and narrower vaulted cellar; but, fortunately, at the south-west angle of the original building a fragment of its foundation survives, enabling us to recover the width of the hall, which was 24 feet, while its length was 31 feet. The solar block, at right angles to the hall, measures internally 33 feet by 13 feet, within walls varying between 4 feet 6 inches and 7 feet in thickness. The north wall of the hall is over 6 feet in thickness, but the exact measurement cannot be obtained owing to the vault later built against it. The hall was lit by two windows on the north side, of which the eastern one is so far preserved as to show that it had stone side-benches, splayed off underneath.

All the original masonry is of well-coursed, square-faced ashlar. A heavy doubly-splayed base-course is carried along the north front of the solar block, and at the first floor level is a string-course, returned on the west face, where it is thrice stepped up southward to suit the level of the ground. When later buildings were extended on this front, the string-course was cloured away. Its presence shows that on this side the solar block was at first free-standing, and this is confirmed by the absence of early ashlar in the buildings to the west.

Thus we see that the original castle consisted of a central hall between kitchen and solar, the whole forming a T-shaped or H-shaped lay-out, with a walled base-court attached to its eastern side. This is a common arrangement in English manor-houses of the period, and is well illustrated, just across the Border, at Aydon Castle,<sup>1</sup> which closely resembles the original scheme of Hailes. It is to be noted that at Aydon the hall measures 31 feet by 25 feet, almost precisely the dimensions of its Scottish counterpart. As at Aydon, our hall at Hailes will have been on the first floor, and as at Aydon it was doubtless reached by an external stone forestair: the large foundation still extant may be the remains of this forestair. The screen passage of the hall would occupy the space above the stair to the well, and quite likely the well shaft was continued up to the hall level. At Aydon the solar measures 47 feet by 18 feet, which is larger than that at Hailes, but the proportions are practically the same. And, as at Hailes, the solar at Aydon was originally divided into two by a cross-wall.

In Scotland, where we have very few secular buildings dating from before or during the War of Independence, most of our castles, when they were

<sup>1</sup> See full description in *Hist. Northumberland*, vol. X, pp. 350-66.

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not of earthwork, consisted of walls of enceinte enclosing domestic buildings. Accordingly it is of special value to find at Hailes these important remains, not so much of a castle as of a fortified manor-house. Its English affinities are obvious, and the square-faced, close-jointed ashlar work of large red free-stone in 10-14 inch courses, resembles that which came into fashion in Northumberland during the reign of Edward I. The stones are diagonally tooled, and all the dressed work has been polished. Mason's marks are frequent. Such architectural details as survive are of high quality. The stair to the well is covered by a drop-centred, pointed vault, descending in sections, and strengthened in each section by massive chamfered ribs. On the north wall of the solar block at ground level is a very charming little trefoiled lancet window, within a splayed recess. The basement here is divided by a thick cross-wall, and its northern half contains a pit, 11 feet by 8 feet 9 inches with a pointed and ribbed vault all in ashlar. The ribs are broadly chamfered. In the north wall is a garderobe set in a tall recess under a pointed arch with straight instead of curving sides. There is also a high ventilation shaft, opening upwards in the north wall. This pit reminds one of the pit in the gatehouse at Dunstanburgh Castle in Northumberland, dating from 1313; and the masonry at Hailes is very similar to that at Dunstanburgh, and rather less like that at Aydon, where the stones tend to be somewhat longer in the course, though the new style of square-faced stones may also be seen coming in.<sup>1</sup> The north room is entered by two pointed arched doors in the cross wall, one apparently leading to the room on this floor and the other to a passage of access to the hatch of the pit. All the internal walling up to this level is in the fine early ashlar.

Towards the end of the fourteenth century, considerable additions were made on the west side of these original domestic buildings. In the angle where the little burn falls into the Tyne a massive donjon or tower-house was built, and this was connected with the earlier structure by a curtain wall 6 feet thick, carried eastward along the river bank, while another wall, 8 feet 6 inches thick, because it faces the quarter from which attack was most to be feared, swept round to the south and west so as to link up with the primary base-court. Thus the fortified manor-house was converted into a castle large and strong, with a total length of 239 feet and a maximum breadth of 88 feet. The great western tower measures 39 feet in length by 33 feet in breadth, and its walls, which still in places stand to a height of fully 50 feet, are, at ground level, 9 feet thick. The tower has contained at least

<sup>1</sup> In Scotland, late thirteenth-century ashlar are usually long and low.

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four storeys. In the basement is a high vaulted cellar, which was lofted, and to the north of this is a pit, also vaulted, entered from above by a hatch and containing a garderobe at the north-east corner, as well as a narrow ascending slit in the western wall for ventilation. At a later date a floor was inserted at a higher level in this pit, and the walls all round, including the garderobe, were cut back above this floor in order to gain extra space. The lower walls of the pit have been built in large squared rubble, while the vault is turned in small narrow stones, carefully coursed. At the north-east angle of the tower was a newel stair in an ashlar lining, the outer wall of which, towards the river, is pierced by three loopholes, short and with broad horizontal heads and tails: it is a type characteristic of the latter part of the fourteenth century, and may be seen in David's Tower, Edinburgh Castle, built between 1367 and 1379. The jambs of these loopholes have quirked bull-nosed arrises. A good deal of alteration has taken place in the tower; fireplaces have been pushed up to suit raised floor levels, and so forth. The existing fireplaces, in the south wall, have had elliptic arches, with joggled voussoirs under relieving arches, and quirked roll and hollow mouldings. They belong to the sixteenth century. Near the top of the south wall a round-arched loophole, with chamfered margins, remains in complete preservation.

In the north curtain, close beside the tower, is a round arched postern, with a heavy chamfer. The arch is in three large voussoirs, and has a relieving arch of small voussoirs concentric with it. There were two doors, the outer one furnished with a drawbar. From this postern, a pathway leads down to the river.

It appears that, soon after the extended castle was formed, a new hall was built against the east wall of the original base court. Contrary to the usual Scottish practice, this hall seems to have been on the ground floor. Its scanty remains indicate an internal width of 24 feet, and the dais, which was 11 feet broad, was at the north end, with a shallow basement owing to the fall of the ground. Behind the dais a passage led to a lintelled postern at the north end of the east wall. Moulded detail, found when this hall was excavated, shows that it underwent alterations in the sixteenth century. These fragments (now preserved in the bakehouse) include portions of large caps with rounded and square-edged mouldings; also pieces of a cornice of chequer-pattern corbels.

After the new hall was built, the old one seems to have been abandoned—perhaps it was already a ruin. Subsequently, its southern wall was taken



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down and a vaulted cellar, of less breadth, with living rooms above, was built on its site. The solar was heightened, in rubble work with dressed quoins, so that it now became a mid-tower on the new north wall of enceinte. This heightening took place at a date later than that of the building of the west tower and the lower part of the north curtain, the masonry of which differs markedly from that of the heightened mid-tower, while the latter is different again from the masonry of the upper part of the curtain, which is of one construction with the chapel building afterwards erected against it. In the outer face of this curtain, a row of putlog holes, level with the heads of the first-floor windows, and a second row below the wall-head, indicate the former presence of a *bretasche* or oversailing timber construction of some kind.

The internal arrangements of the mid-tower are much destroyed. In its north wall, on the first floor (see plan, Fig. 2) is a lancet window opening from a rectangular bay with stone side-benches, covered by a drop-centred pointed arch having a chamfered scoinion rib. In either cheek of the window bay is a small square aumbry. On the floor above, in this wall, a second lancet window opens from a plain recess, at the east corner, and beside it, westward, is a garderobe chamber. In the west wall, at first floor level, is the open flue of a fireplace, and also a garderobe, reached by a narrow mural stair in a cross-wall carried up in continuation of the early wall below. The garderobe has a loophole and a small aumbry. On the floor above, this wall contains a window similar to that at first floor level.

A door on the eastern side of the basement, south of the cross wall, admits by a passage and steps down to the long cellar abutting eastward.

Still later, the lower part of the mid-tower was converted into a dovecot. The nests are hewn out of the early ashlar below, and have been set into the later rubble above—the facing of which appears to have been peeled for the purpose. The nests are even carried across the bay of the ground floor loophole. In the west tower, also, a number of crudely formed recesses in the interior walls suggest a half-hearted attempt to make a dovecot.

Early in the sixteenth century a chapel (see plan, Fig. 2), with a vaulted bakehouse below, was built between the west tower and the mid-tower. Its erection involved the heightening, or rebuilding, of the north curtain, into the lower part of which the vault was benched. The bakehouse oven, domed in rubble and 11 feet in diameter, projects at the south-east corner, and the rock foundation and wall of the mid-tower were partly dug away to admit it. North of this, a second excavation in rock and masonry marks

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the position of a smaller oven. The bakehouse is entered by a door in its western wall. This door is 4 feet 9 inches wide, so as to admit-barrels. In the north wall are two good windows, two floor drains, and a ventilation shaft near the west end. The south wall has three windows. In the floor, which is living rock, is a shallow stone sink.

The chapel measures 47 feet by 17 feet—the length being taken along the north wall, which is 3 feet shorter than the southern. It was entered by a door midway in the south front, reached by an outside stair or gallery of which the wasted corbel-stubs still remain. Later, this doorway was converted into a smaller window, itself subsequently blocked but now open once more. The chapel has also two windows in the north wall and a third one in the south wall west of the door. As this window is little more than a loophole, it seems likely that the west end of the chapel had been screened off—perhaps with a loft above, as in the chapel of Linlithgow Palace. The northern windows have arched ingoings and stone side-benches: they are, in fact, ordinary domestic windows of their time, and it is probable that the chapel, like that at Dirleton, was used also for secular purposes. In the south wall, near the east end, is a very large, drop-centred, circled-headed altar window, with a double-chamfer continuous on arch and jambs, and a hood moulding now clouded away. This window, which is carried out in freestone of a deep red colour, is an insertion. Doubtless it contained tracery. Later, it was filled up and a door inserted in the blocking—no doubt when the original door, further to the west, was made into a window. East of the large window is a piscina, now greatly damaged. It has an ogival head, cut in a single stone. After the chapel had been desecrated, the bowl was cut away and its recess was then converted into an aumbry. The recess for a benatura still remains to the east of the old door, and an aumbry or sacrament house on the north side of the altar. Above the chapel was an upper storey, well lit, with a garret over all. The great arch of the chapel window cuts into the upper floor, and internally there is evidence that the floor levels have been altered. Much hard white plaster still adheres to the upper parts of the walls.

The main entrance to the castle was on the south side, where a ragged hole in the curtain, spanned by an elliptic relieving arch, still shows on its eastern side the remains of two bar-holes, indicating the usual outer wooden door and inner iron yett. Internally, the rear arch is in good preservation. Beyond this curtain was a deep and wide rock-cut ditch, now filled in; and on the counterscarp the foundations of a massive chemise wall were exposed during the excavations carried out by H.M. Office of Works.

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At some period, a gable wall, in rough masonry, has been built against the angle of the curtain next the donjon.

The masonry of the west tower, the upper part of the mid-tower, and the curtain walls is close-textured rubble work, but the walling of the successive alterations shows interesting variations in *appareil*. In the west tower and the lower part of the north curtain, the stones of the outer facework are roughly squared and brought to course, sometimes with so much care (particularly in the lower portions) as almost to give the appearance of a rude ashlar. The south curtain is less carefully handled, and seems to have been much patched. In the upper part of the mid-tower, and of the north curtain eastward to the well tower, the stones are unshaped, for the most part mere undressed surface boulders of small dimensions and are closely packed on level beds. The chapel building, including the upper part of the north curtain forming part of it, is carried out in random rubble of poorer quality, mostly large stones, ill-coursed and lax in texture, with a very free use of pinnings. Its west gable has flat skews, formed with stones laid on level beds. In this building, traces of fire are still evident, particularly on the internal jambstones of the altar window, which have thus been almost entirely ravaged.

Grose's drawing, done in 1787,<sup>1</sup> shows the west tower more or less intact, with a corbelled garderobe jutty on its waterward front. The mid-tower is depicted with a parapet, inside which rises a ruined cap-house. Between them, the chapel building is roofed. At that time, the surroundings were bare of trees. In 1835 part of the castle, doubtless the roofed portion, was used as a granary.<sup>2</sup>

Early in the thirteenth century the barony of Hailes was held, in vassaldom from the Earldom of March, by the Anglo-Norman family of Frisel or Fraser.<sup>3</sup> Towards the end of the century it passed to Hugo de Gourlay,<sup>4</sup> a member of an important Northumberland family.<sup>5</sup> So the Northumbrian affinities of the oldest part of the castle are easily explained; and I have little doubt that it was erected under the de Gourlays, and by English masons, probably very little, if at all, before the year 1300. There seems to be no record of how Hailes Castle fared during the War of Independence: but in Hemingburgh's account of the siege of Dirleton in 1298, it is stated that two other castles in the neighbourhood were on that

1 F. Grose, *Antiquities of Scotland*, vol. I, p. 88.

2 *New Statistical Account, Haddingtonshire*, p. 21.

3 See G. Chalmers, *Caledonia*, ed. 1888, vol. III, pp. 240, 440, with authorities cited; also Sir William Fraser, *The Frasers of Philorth*, vol. I, pp. 15, 26-31; vol. II, p. 116.

4 Chalmers, *loc. cit.*; Fraser, *op. cit.*, vol. II, p. 116.

5 See *Hist. Northumberland*, vol. XII, p. 272.

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occasion captured and given to the flames, and these may have been Hailes and Yester.<sup>1</sup>

Edward de Gourlay was forfeited by King Robert Bruce, and in the next reign the barony of Hailes passed, through the forfeiture of Hugh Gourlay, to Sir Adam de Hepburn, likewise a member of an old Northumbrian family.<sup>2</sup> In February 1401, the castle was besieged by the quisling Earl of Dunbar, with whom was associated Henry Percy, the famous Hotspur. The assailants burnt the villages and barnyards of Hailes, Traprain and Markle, and twice essayed the castle, but were beaten off by a relieving force under the Master of Douglas.<sup>3</sup> With the forfeiture of the March Earldom in 1435, Sir Adam Hepburn of Hailes became tenant-in-chief. In 1446 his castle was stormed by the rebel Archibald Dunbar, who "slew them all that he fand thairin." Very soon, however, he was ejected by James Douglas.<sup>4</sup> From the Lord High Treasurer's Accounts we learn that on 19th October 1507 James IV visited the castle and distributed 14 shillings in drinksilver to the masons, so that evidently building was going on.<sup>5</sup> The chapel might well belong to this time, and we have seen that about the same period work was also done on the hall. The owners of Hailes advanced successively to the dignity of Lords Hailes and Earls of Bothwell; but in 1532 the third Earl, having been detected in treasonable dealings with England, was imprisoned, and his castle was burned by James V.<sup>6</sup> Perhaps it is the marks of that fire which we see on the chapel.

In the War of the Rough Wooing Hailes Castle was heavily involved. In 1547 John Lord Borthwick was appointed keeper of the Castle, and was bound to deliver it neither to the English nor to the Anglophil Earl of Bothwell, under a penalty of £10,000. In the event of its being attacked, he was to apply to the captain of Dunbar Castle, or to the captain of Edinburgh Castle, for a garrison of twenty-four horsemen.<sup>7</sup> Meantime the English were planning to place cavalry in the castle, where "they could do notable service."<sup>8</sup> On his march into Scotland in that year, the Protector Somerset

1 *Chronicon Walteri de Hemingburgh*, ed. H. C. Hamilton, vol. II, pp. 174-5; *Trans. East Lothian Antiq. and Field Naturalist's Soc.*, vol. III, pp. 3-4.

2 W. Robertson, *Index to the Missing Charters*, p. 5, No. 16; pp. 41-2, Nos. 12, 21; *Registrum Magni Sigilli*, 1306-1424, App. II, p. 569, Nos. 854-5.

3 Fordun, *Scotichronicon*, bk. XV, chap. X (ed. W. Goodal, vol. II, p. 429); *Liber Pluscardensis*, vol. I, p. 340.

4 Pitscottie, *Croniklis of Scotland*, ed. Æ. J. Mackay, vol. I, p. 56.

5 *Accounts of the Lord High Treasurer*, vol. IV, p. 80. The King was also at Hailes on Saturday, 8th May, 1490, *ibid.*, vol. I, p. 134.

6 *Op cit.*, vol. VI, p. 119.

7 *Reg. Privy Council*, vol. I, p. 81: cf. *Accounts of the Lord High Treasurer*, vol. IX, p. 207.

8 *Cal. Scottish Papers*, vol. I, p. 59.

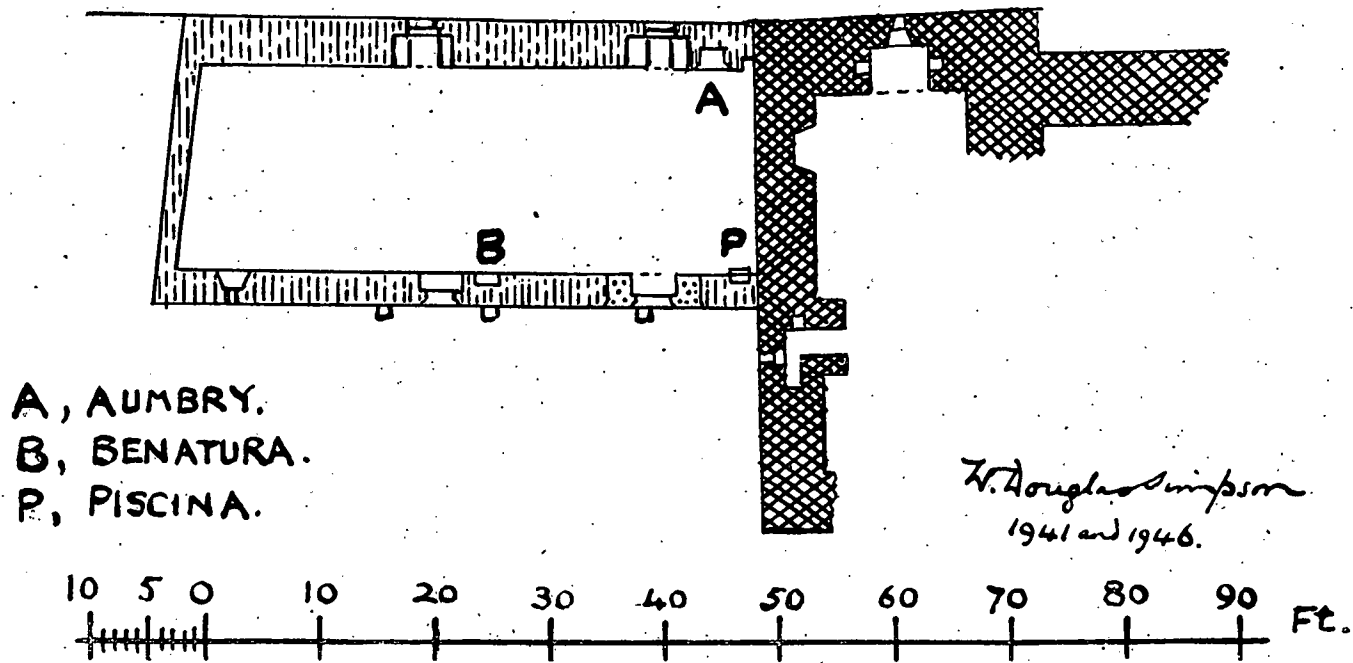


Fig. 2.—Hailes Castle: first floor plan of main building.

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by-passed the castle, coming under the fire of its guns as he rode in front of it. The place was described by a member of his staff as "a proper house and of sum strengthe bylyke."<sup>1</sup> Next year on 23rd February it was surrendered to Lord Grey de Wilton. "The house," he wrote to Somerset, "is for the bignes of such excellent bewtie within, as I have seldom sene any in Englande except the Kinges Majesties, and of verie good strengthe."<sup>2</sup> The English put in a garrison of fifty men, under Hugh Douglas of Longniddry.<sup>3</sup> Ere long, however, "Hallis was renderit to the Scottis agane; and thereafter the iron gates of the castle were removed by Arran's order, so that it should be untenable by the English. There was an intention to demolish the castle: "I fear (as by reaport of gentillmen here) the walles must followe the gates,"<sup>4</sup> In July of the same year, a French force was encamped at Hailes.<sup>5</sup>

In 1551 the French master mason, John Roytell, afterwards Principal Royal Master Mason in Scotland, petitioned the Lords of the Council for a payment due to him by Lord Borthwick, as factor for Patrick Earl of Bothwell, in respect of "ane fontan in the place of Halis" which the late Thomas Franche, the royal master mason, and he, the said John Roytell, had built to the order of Earl Patrick. The fountain cost £49, of which sum half (doubtless Roytell's share) was still outstanding.<sup>6</sup> This fountain may have been inspired by the beautiful one erected by James V in the courtyard of Linlithgow Palace, which also was probably designed by Thomas French.

The last Hepburn lord of Hailes was James, fourth Earl of Bothwell, Mary's lover. In 1591 Francis Stewart, the wild Earl Bothwell, was keeper of the castle, and on 25th June in that year was ordered to render it to the Crown.<sup>7</sup> In 1594 the castle and barony was granted to Sir Walter Scott of Branxholm.<sup>8</sup> In 1648 the castle was in the hands of George, eighth Lord Seton and third Earl of Winton.<sup>9</sup> After Cromwell's victory at Dunbar (3rd September 1650) its Scottish garrison evacuated Hailes Castle, which was then dismantled by the Roundheads.<sup>10</sup> About the year 1700 Alexander Seton second Viscount Kingston, sold the property to Sir David Dalrymple, afterwards baronet of Hailes, whose grandson was the celebrated Lord Hailes.

1 Narrative of William Patten, n J. G. Dalyell, *Fragments of Scottish History*, p. 38

2 *Cal. Scottish Papers*, vol. I, p. 81.

3 *Ibid.*, pp. 85, 93.

4 *Diurnall of Occurrents*, p. 46; *Hamilton Papers*, vol. II, p. 616.

5 *Cal. Scottish Papers*, vol. I, p. 151.

6 R. S. Mylne, *The Master Masons to the Crown of Scotland*, p. 44.

7 *Reg. Privy Council*, vol. iv, p. 645.

8 *Reg. Magni Sigilli*, 1593-1608, p. 57, No. 166.

9 *Reg. Magni Sigilli*, 1634-51, p. 722, No. 1941.

10 Chalmers, *op. cit.*, vol. III, p. 407.

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From the Dalrymples the property passed to the late Earl of Balfour, who in 1926 placed the custody of the castle in the hands of the Commissioners of His Majesty's Works, by whom the ruins were excavated and put into repair.

Hailes Castle is a very beautiful ruin. The colour contrasts of the different styles of masonry are most pleasing—purple igneous rock, green, yellow or warm grey sandstones, and the deep red freestone used for the dressed work of the chapel. The north front overhanging a picturesque reach of the river forms a scenic composition of high distinction; and no praise can be too great for the way in which the Ministry of Works have laid out the surroundings.

I am indebted to Mr J. Wilson Paterson, C.V.O., M.B.E., Senior Architect for Scotland in the Ministry of Works and Buildings, for access to the records of his Department's operations on the castle, and for permission to base the ground plan (Fig. 1) on the official survey.

## THE COLLEGIATE CHURCHES OF EAST LoTHIAN.

By the REV. D. E. EASSON, B.D., Ph.D.

THE most notable ecclesiastical foundations of the later Middle Ages in Scotland are the so-called collegiate churches of which about forty are on record, the earliest being St. Mary's-on-the-Rock, St. Andrews (c. 1250) and the latest Biggar (1545-6). In East Lothian, churches of this category were relatively numerous and can be listed in the order of their foundation as follows: Dunbar (1342); Bothans (1421); Dunglass (1443(?)); Dirleton (1444); Seton (1493); Haddington (1540-46). This group has many points of interest. Dunbar, for instance, supplies the earliest surviving Scottish example of a collegiate church's foundation-charter; and the buildings of Bothans, Dunglass, Seton and Haddington are extant, the last still used for worship. The outstanding feature of these East Lothian churches is, however, their variety: they illustrate in a remarkable way the different forms of collegiate organisation.

Collegiate churches were by no means distinctively Scottish; they are found in many parts of Western Europe. What is distinctive of the Scottish examples is that they began no earlier than the thirteenth century and became common in the fourteenth, fifteenth and sixteenth centuries. They were still being founded when the Reformation was imminent. This stretch of the Middle Ages was also a time when secular colleges greatly multiplied in England where, however, their origins go much further back. Collegiate churches occur in England before the Norman Conquest and at one time, it has been suggested, they were the normal kind of ecclesiastical foundation in that land. The general characteristic of these churches, as their name implies, is that they were served not by a single priest but by a staff of clergy who formed a *collegium*. The word "college" suggests to us an institution for the dissemination of learning, but it had a wider connotation in the Middle Ages. Like other ecclesiastical terms, it was inherited from the Roman Empire: its original meaning was simply an association or "friendly



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society,"<sup>1</sup> and it came to be applied, in medieval usage, to any incorporation of clergy (not less than three in number), e.g., those associated for the observance of a rule—the word is sometimes used of a monastic community—or for the maintenance of church services or for study. But it was more specifically applied to a body of secular clergy whose individual and corporate duty was the maintenance of prayers and masses with a special "intention"—the welfare of departed souls.

Such was the nature of these Scottish colleges: they were praying societies for the dead. There is no justification for the common notion that a collegiate church with its staff of priests was instituted to supply an intensified parochial ministry. From the founders' minds that motive was remote; moreover, many of the collegiate churches had no parish, and when a parish church became collegiate, to one and one only of its priests was assigned as part of his duty the parochial "cure of souls."

The function of these churches has a long development behind it. Suffice it to say here that the immediate antecedent of the Scottish collegiate church is the kind of foundation known as a "chantry." It was a long-standing custom for founders to secure by an endowment the maintenance of masses and prayers for the welfare of their souls and the souls of their kin. This duty of intercession, once regarded as the particular province of monks, came to be entrusted more and more, from the thirteenth century onwards, to secular clergy; and chantries served by secular chaplains, often at special altars in cathedrals, parish churches and chapels, became, in the following century, extremely common. A collegiate church was a reinforcement of the chantry system. Its foundation-charter created a group of chantry priests under a constitution the object of which was primarily to ensure the performance and continuance of the increased services that the college was endowed to maintain. Thus, all such constitutions stress—although the statute was apt to be more honoured in the breach than the observance—that the clergy attached to a church must be resident.

The staff of a collegiate church was sometimes designed after a "cathedral" model; there was, for example, a dean at Dunbar and the clergy were called canons; more commonly, the head of the college bore the title of provost and the clergy were called chaplains. As the larger collegiate

1 "Associations of all sorts for religious, social, industrial, beneficent, funerary and political purposes had existed from time immemorial in the Graeco-Roman world. . . . In the Christian era . . . such colleges became universal and immensely numerous. . . . Colleges . . . had usually as one of their tasks the provisions of funeral rites for their members. They were thus regarded as religious in character." (Raven, *The Gospel and the Church*, pp. 142-143. Cf. Dill, *Roman Society from Nero to Marcus Aurelius*, pp. 251-286).

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churches had choir-boys on their foundations, we find here and there grammar-schools and song-schools attached to them. Likewise, a hospital for the poor was often an integral part of a collegiate foundation; its inmates were the college's "bedesmen," under obligation to contribute by their prayers to the founder's weal. It should be added that the extent of collegiate endowments varied considerably, but some of these churches, following the unfortunate precedent of monasteries and cathedrals, had appropriated to them parish churches of which they drew the revenues and in which they employed vicars.

We discover in East Lothian collegiate churches of three well-marked Scottish types:

(1) *The parish church, generally rural, on which a college was grafted.*

In such a case, the founder was the local magnate—the baron or laird—in whose hands was the patronage of the rectory. Dunbar, Bothans and Seton provide instances; at the same time, they present some significant contrasts.

*Dunbar*, the first in order of erection, was one of the earliest as it was also one of the more ambitious collegiate foundations in Scotland. Patrick, Earl of March, obtained from William, bishop of St. Andrews, on 21st September 1342, a charter erecting it for a dean, archpriest and eight canons. To provide the necessary endowment, the revenues of the parish church of Dunbar and its affiliated chapels at Whittingehame, Spott, Stenton, Penshiel and Hedderwick were augmented by the revenues of the parish churches of Linton, Duns and Chirnside, which were appropriated to the new foundation; and from these resources prebends (i.e., benefices providing an income) were assigned to the various members of the collegiate body. Thus, the dean was to have the teinds and offerings of Whittingehame; and the archpriest (who was to perform the parochial duties) those, with certain exceptions, of Dunbar. Three canons were to be prebendaries of Linton, Duns and Chirnside, and for the remaining five were to be created prebends of Dunbar, Pinkerton, Spott, Belton and Pitcox. At a later date, it appears that the collegiate church had a grammar-school and a song-school as well as a hospital.<sup>1</sup> In Miller's *History of Dunbar*, there are interesting illustrations of this fine medieval structure as well as much too complacent reflections on its ruthless destruction by nineteenth century vandals.

*Bothans* was erected into a collegiate church by Henry, bishop of St. Andrews, on 22nd April 1421, in fulfilment of the petition made on 1st

<sup>1</sup> For further particulars of this church see *Scottish History Society Miscellany*, VI, p. 81 sqq., where the foundation-charter is printed.

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August of the previous year by Sir William Hay, sheriff of Peebles, Thomas Boyd, Eustace de Maxwell and Dougal McDowal, co-lords of the lordship of Yester and patrons in turn of the parish church of Bothans.<sup>1</sup> The rector in office, John Richardson, had, on 12th April 1421, signified his assent to the erection of the church to collegiate status on condition that a pension was paid him from it.<sup>2</sup> The original collegiate foundation was for a provost and four chaplains. The provost was to receive all the income of the church of Bothans and to pay from this source ten pounds to one chaplain, who was to exercise the cure of souls, with a manse; and thirteen merks to another, with a manse. The third chaplain was to be assigned the land of Kirkbank, with a manse and yard, and five husbandlands and five cotelands in augmentation of his portion. Further, the church of Morham was to be annexed to the college, and from its fruits the fourth chaplain was to be endowed. The joint patrons provided four altars for the several chaplains.<sup>3</sup> A petition of Stephen Ker, "rector called provost of Bothans," on 6 August 1440, declares not only that one of the patrons, Boyd, to whom the first nomination belonged, had opposed the erection of the collegiate church, but that by 1440 the endowment was insufficient. The Pope therefore took measures to have the patrons provide a sufficient endowment, failing which the erection would be cancelled.<sup>4</sup> This was probably the reason why, on 20 February 1442-3, the prebend of Morham was further endowed by Sir David Hay, lord of Lochorwart;<sup>5</sup> and on 30 July following, Alicia de Hay, widow of Sir William Hay of Lochorwart, granted an annualrent of six merks from her lands of Blans to a chaplain at the altar of the Blessed Virgin.<sup>6</sup> In 1449, a precept of the bishop of St. Andrews refers to the prebend of Blans "of new founded by Alice de Haya, lady of Yhestir.<sup>7</sup> The altar of St. Edmund, king and martyr, frequently mentioned in the Yester writs, had a grant in 1456 from William Ramsay of a piece of land in the Sidegate of Haddington;<sup>8</sup> and, in 1464, Dougal McDowal confirmed his father's gift of land in Gamilstoun to the chaplain of that altar.<sup>9</sup> The prebendary of Morham seems to have served St. Ninian's altar.<sup>10</sup> The altar of the Holy Rood had an endowment of land in Haddington from Nicholas

1 *Yester Writs*, 53.

2 *Ibid.*, 54.

3 *Ibid.*, 55.

4 *Vatican Reg. Supp.*, 368, 214r; 366 lxxvij.

5 *Yester Writs*, 79.

6 *Ibid.*, 85; *Reg. Mag. Sig.*, II, 322.

7 *Yester Writs*, 92.

8 *Ibid.*, 116A.

9 *Ibid.*, 125A.

10 *Ibid.*, 153.

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Haye in 1489,<sup>1</sup> likewise of a tenement in Haddington for an additional chaplain on 23 January 1535-6.<sup>2</sup>

*Seton*: The progress of this parish church to collegiate status can be traced over a considerable period. According to Maitland, the widow of William, first Lord Seton, founded a chantry-aisle on the south side of the church,<sup>3</sup> and John, second Lord Seton, was buried there.<sup>4</sup> On 13 April 1470, Pope Paul II, at the instance of George, Lord Seton, who declared that he, the lay patron, desired the parish church of Seton to be erected into a collegiate church, gave mandate to that effect, on its voidance by the present rector, the foundation to be for a provost and six canons, who may keep two choir boys and a clerk.<sup>5</sup> Maitland declares of Lord George, son of the preceding, that "he pendit the quier fra the rymbraces and foundit the colledge thair of."<sup>6</sup> It was not, however, till 22 December 1492, that Pope Alexander VI, declaring that George de Seton, yr., present lord of Seton, sought that the mandate given by Paul II (in 1470) should be carried out, commissioned the bishops of Candida Casa and Dunblane and the abbot of Newbattle to effect the erection,<sup>7</sup> Spottiswoode asserts that the foundation was finally made on 20 June 1493.<sup>8</sup>

### (2) *The chantry college with no parochial commitments.*

These were usually chapels which had been founded for one or more chantry priests, whose duty it was to maintain votive masses; and which, on the endowment of additional clergy, were given a collegiate form. The East Lothian examples are Dunglass and (more doubtfully) Dirleton.

*Dunglass* collegiate church was developed out of a chantry chapel, dedicated to the Blessed Virgin, and mentioned on 23 November 1423, when James II confirmed a charter of Alexander Home, granting to this chapel and the priests serving God there on behalf of the souls of the granter and others, three and a half husbandlands in Kello and an acre in Dunglass.<sup>9</sup> Now on 12 March 1443—if the date suggested in the Historical Manuscripts Commission's report is correct—Sir Alexander Home, son of the preceding, with the consent of James, bishop of St. Andrews, founded in this chapel three perpetual chaplainries, one chaplain to be provost and to be endowed from twelve merklands of Kello, while the second and third chaplains are

1 *Ibid.*, 229.

2 *Ibid.*, 522.

3 *Genealogie*, p. 24.

4 *Ibid.*, p. ix.

5 *Cal. Pap. Reg.*, XII, p. 346.

6 *Genealogie*, p. 30.

7 *Nat. Lib. MS.*, 15.1.19.

8 *Relig. Houses*, p. 472.

9 *Hist. MSS. Comm. Rep.* XII, App., Pt. VIII, p. 123.

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each to be endowed with twelve merklands and annualrents of Balwlsy and Gordounshal in Fife. Likewise, similar endowments from Hutoun, Hirssale, Colbranspeth and Pinkertoun are assigned for the maintenance of four boy-singers.<sup>1</sup> The erection of the church was confirmed on 2 January 1450-1 by Pope Nicholas V, who appropriated to the provost and chaplains the greater and lesser teinds, amounting to £5, of the town of Dunglass as the rector of the parish was sufficiently provided for.<sup>2</sup> The church was further endowed by Alexander Home, on 5 August 1450, with four husbandlands and other lands in Chirnside;<sup>3</sup> by Patrick Hepburn, lord of Hailes, on 7 August of the same year, with an annualrent of thirteen merks from Aldhamstocks;<sup>4</sup> by William, earl of Douglas, on 26th April 1451, with a husbandland of Hutton and the parish church and hospital there;<sup>5</sup> and by James II, on 11 January 1451-2, with the lands of Trefontanis;<sup>6</sup> while a bull of Pope Pius II united the vicarage of Edrom and its teinds to the provostry of the collegiate church.<sup>7</sup> In 1468, the vicarage of Innerwick was granted to the college on the petition of the provost and chapter;<sup>8</sup> and in 1480, papal bulls refer to the annexation of the parish church of Vesterupsed-lynton.<sup>9</sup> From the above endowments the prebends were determined. According to a charter of 13 June 1481, recording an agreement between Alexander, Lord Home, and the provost and prebendaries, they were fixed as follows: two prebends of Upsedillyngstone; two of Trefontanis, the eastern prebend involving the charge of that church; prebends of Kello, Chyrnsyde, Aldhamstocks and Aldcambais, each of twenty merks, and Redspetall, valued at £20. Two boys are to receive yearly six merks from Estnesbyt and Quhitsumlawis; while sums accruing from Threplande, Wederburn, Tynninghame, Blackburn, Aldyncraw, Pynkyrtone and Colbranspeth, amounting in all to forty-nine merks, are to be used for supplementing the prebends in time of war or deficiency and for the upkeep of the church and its services.<sup>10</sup> Other prebends mentioned are Dewingham,<sup>11</sup> Barnsyde<sup>12</sup> and "the prebend

1 *Ibid.*, p. 124 sqq.

2 *Ibid.*, p. 127; *Cal. Pap. Reg.*, X, p. 219. The reference must be to the rector of Oldhamstocks.

3 *Hist. MSS. Comm. Rep.* XII, App., Pt. VIII, p. 126.

4 *Ibid.*, p. 127.

5 *Ibid.*

6 *Ibid.*

7 *Ibid.*, p. 185; *Cal. Pap. Reg.*, X, p. 397.

8 Theiner, *Vetera Monumenta*, p. 457.

9 *Scottish Benefices*, p. 200.

10 *Gen. Reg. House Chs.*, 496.

11 *Hist. MSS. Comm. Rep.*, Milne Home MSS., p. 55.

12 *Ibid.*, p. 181.

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of the fishings of the west ford of Norham."<sup>1</sup> There was a hospital attached to this church.<sup>2</sup>

*Dirleton*: Information concerning this church is scanty and its career obscure. There is no documentary evidence of its foundation; but in lists of collegiate churches, e.g., those given by Spottiswoode, Goodall's edition of the *Scotichronicon* and Dempster's *Apparatus*, Sir Walter Haliburton of Dirleton figures as its founder. The first and second of these sources assign the foundation to the year 1444. Dempster describes Haliburton as "bello sacro redux (returned from a crusade);" while the list appended to the *Scotichronicon* has this note: "Hic constituit praepositum sed nihil factum ad propositum (Here he set up a provost but nothing was done for the project)." Macfarlane quotes "Hays's MSS." as declaring: "Michael de Dirleton was the first provost thereof *regnante Jacobo 2do*,"<sup>3</sup> i.e., 1436-1460; and a charter of 1464 is witnessed by James Bracale, provost of Dryltoun.<sup>4</sup> There is no further mention of it till 1561, when on 9 or 10 December,<sup>5</sup> Patrick, Lord Ruthven, grants to "Robert Hoistclair, priest, for his lifetime, the provostry of the chapel of Dryltoun situated near the castle of the same, now vacant by the death of the late Master Robert Hoppringill, last provost and possessor. . . ."<sup>6</sup> In 1600, an Act of Parliament speaks of "the patronage of the provostry of Dirltoun."<sup>7</sup> This collegiate church was evidently a small foundation.

### (3) *The burgh church given collegiate status.*

In the sixteenth century, some of the large parish churches in burghs became collegiate. By this period, the entire fabric of these churches had often been taken over by town councils and considerably enlarged. They housed many altars founded by individual burgesses and craft guilds and had frequently a body of priests serving in the choir; they were, in fact, virtually collegiate and sometimes proceeded formally to acquire that status.

*Haddington* is the East Lothian example. According to a charter of William, bishop of Libaria and vicar-general of Cardinal Beaton, granted at a date between 1540 and 1546, the bailies, councillors and community of Haddington had proposed to erect and have adorned with collegiate rank a college of priests-choristers in the parish church of St. Mary. There is as yet no provost but a president is appointed with power to frame statutes, impose

<sup>1</sup> *Ibid.*, p. 75.

<sup>2</sup> Theiner, *Vetera Monumenta*, p. 487.

<sup>3</sup> *Nat. Lib. MS.*, 31.6.6, p. 9.

<sup>4</sup> *Hutton's Collections*, V, p. 12.

<sup>5</sup> Boh dates appear in the printed record.

<sup>6</sup> *Carte Mon. de Northberwic*, p. 82.

<sup>7</sup> *Act. Parl. Scot.*, II, p. 215.

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finer and maintain discipline, according to the agreement between the community and the choristers.<sup>1</sup> This was apparently the recognition of a *fait accompli*, as the writ is addressed to the president of the choir and chapter of priests-choristers and singers in the parish church. The burgh records refer, in 1540, to "the priestis of the collegeis feis";<sup>2</sup> and there is a further mention of "the College kirk of Haddington" on 9 June 1545.<sup>3</sup>

Such were the collegiate churches of East Lothian; and it lies with local historians to amplify their story. One question, however, remains to be answered. It is apparent that the foundation of collegiate churches here and elsewhere in Scotland was a vogue which prevailed among the landed gentry and spread to the burgesses. How are we to account for this vogue? The answer must be that it is a symptom of the religious outlook of later medieval times. It was no new belief that masses and prayers offered by the living could profit the souls of the departed and help to free them from the pains of Purgatory; but it made an intensified appeal in a period when men were oppressed by the uncertainty of life. Thus the collegiate churches are the memorials to this day not of a tranquil piety but of the anxious, calculating "other-worldliness" by which the medieval man revealed his insecurity and assuaged his fears.

1 *St. Andrews Formulare*, 471.

2 *Proc. Soc. Antiq.*, II, p. 392.

3 *Ibid.*, I, p. 57.

## COLSTOUN: STORY OF A SCOTS BARONY.

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By EDITH C. BROUN LINDSAY.

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THE family of Broun has been in possession of the lands of Colstoun "since time immemorial." The tradition in the family is that they descend from one, Walter le Brun, who was a witness to an instrument of Inquisition made by David, Prince of Cumberland, (afterwards King of Scotland) of the possessions of the Church of Glasgow. He may be the predecessor of Philip le Brun mentioned in a charter by Roger Moubray to Moncrief in the reign of Alexander II, but of this there is no documentary proof.

The first proprietor of authentic title was David Broun, described as "miles dominus de Cumbercollstoun" who made, about 1270, a grant of land to the Church of the Holy Rood in Edinburgh, for the souls of Alexander II, and his son. This grant was confirmed by a charter of Alexander III, dated Haddington 25th January 1272.

The next authentic entry concerning Broun of Colstoun is contained in the Calendar of Documents relating to Scotland. It refers to an Inquisition taken at Edinburgh as to the value of lands etc., of certain Scottish enemies including Godefrey Broune, and reads: "That Godefrey Broune is an enemy and left in company with Sir Robert de Kethe and held the lands of Cumber Colstoun worth 20*£* in time of peace, and now 8 merks wherein his mother has her terce or dower. Mention is also made of a royal grant, dated York 22nd March 1312, of "lands of rebels, including those of Godefrey Broune in Cumber Colstoun," to Robert de Hastanges in compensation for lands granted to him by the late king. The list included the lands of Robert de Kethe in Lothian, Edmund de Ramsaye in Cokepen and Godefrey Broun in Cumber Colstoun. Subsequently the lands of Godefrey Broun were restored.

As to Godefrey's successor there is no record, but in 1358 David II



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granted a charter in favour of David Broun of the lands of Segaystoun (now Seggarsdean) which belonged to the King by reason of forfeiture. The next six proprietors during the following 150 years were named alternately John and William. One, William, was taken prisoner at the Battle of Homildon Hill and kept in the Tower of London until he was released by order of the king in 1413.

John the ninth Laird married Helen Hepburn, daughter of the laird of Waughton and succeeded to Colstoun in 1506. He followed his king to Flodden and saw Colstoun no more. His eldest son Patrick died within a year and his second son George, who had married Marion Hay, daughter of John, second Lord Hay of Yester, was infefted in Colstoun in 1514. After his death in 1519 his widow managed the estate during the long minority of her son George. That she had difficulties to contend with is evident from the following petition she brought about the year 1521 "againis ane honorable lady elene hepburne, elder lady of Colstoun." The dower house of Colstoun was usually Dalgowrie but Helen seems to have been living at Inchcarnock, now Eaglescarnie.

The dispute is somewhat complicated but the elder lady claimed part of her son's estate, whereas her claim should, and may have been, satisfied at her husband's death. The petition is addressed to the Dean of Restalrig, the parson of Edzell, and James Wishart of Pitarro, who was probably the lay judge or official of Lothian. The custom was to divide the moveable goods of the deceased, of which (after the payment of the debts) one part went to the wife—her terce—one part to the children, and one part, sometimes called "the dead man's part," was used by the executor for funeral expenses, masses for his soul and legacies. There was also a rate on this part for payment of the ordinary (an official) for his trouble, though the rate was usually levied on the whole of the moveable property. Adam, who was concerned with his mother in the petition, claimed to be the executor dative, but this was the executor of an intestate estate; where there was a will, as in this case, the executor was termed testamentary.

Marion Hay also claimed that "ye said Adam hes wranguslie and at his awne handis intromittit and spulzeit furtht of ye landis of Colstoun" various goods including:—

Ane gray naygue callit Gray Curso ye pce v mks.

Out of ye saidis maister Georgis chalmer of Edynr thre fedder beddis, thre bolstaris, thre covertorris, of worsatis, thre pair of sheitis, sax blankettis, tua coddis, a cheyre, a kist, a couching, ane towell, ane chandeller of brass, a counter burdis ye pce of all ye guddis xx mks alias lib.

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*Item* ane gown of brown begaret wyt wellinis and furrir xxx and ane doublet of blak veluus.

*Item* tua swordis ane lang and ane vyr short ye pce of tua xx mks.

*Item* ane sadill and curpell ane tee and boydill gyrthis sterep and sterep ledderis.

The petition is endorsed: "The process between Jhone, lordis hay of Yestir, for his sister lady Colstoun and adam broun for ye gere alanerlie tane furtht of ye landis wtin wtying."

Adam must have been a "pestilent fellow"; he was long remembered at Colstoun, for in an inventory of furniture, taken in 1703, there is an apartment still called "Mr Adam's Rume."

Marion Hay died in July 1563. Her will begins: "In the name of God, Amen. Since there is nothing more certain nor uncertain than death, hence it is the hour that Marion Hay, sick in body yet sound in mind make my will. First I give and bequeath my soul to Almighty God, my body to be buried in the choir of the church of St. Bothans." Then she proceeds in legal form to appoint her son, George Broun of Colstoun, her sole executor and assignee with full power to intromit with and dispone all her goods, contracts and whatsoever within and without the present will in compensation for his property dealt with by her during his minority, with power also to deal with anything that might come to her by the will of her brother, Thomas Hay, arch priest of Dunbar. Her legacies were a boll of wheat to Katherine Tweedie, a black tunic to Katherine Hay, a black gown to Isabel Hay, to John Broun a cow and a calf, and Janet Baird a cow. The rest of her clothes her executor was to distribute among her relations "as he should answer the Supreme Judge at the last day of Judgment."

George the twelfth laird was two or three years old when his father died, and was served heir to him in 1538. When only fourteen he fell under the displeasure of a witch. (Trial of Alex. Hamilton for witchcraft):—

*"Item* he being indytit forsamekill as he haifing consaivit ane deidlie malice agains george broun of Colstoun becaus he had banischet ye said Alex of his boundis as ane idle beggar and vagabond ye said Alex in revenge thairof raisit the devill his maistir at ane pairt callit the monkrig above Stobstane quhair he desyret power of the devill to do harme to the said Laird of Colstoun either in his persone or guidis. To the quhilk the devill made answer that he could nocht sua do becaus he had granted that gift to Wilsones wyf in Stobstane to harme the said laird of Colstoun Condemned "to be tain to the castill hill of the burg of edr and thair to be wirreit at ane staik quhill he be deid and thairafter his body to be brunt and consumit to ashes and his haill moveable gudeis gyf he ony hes to be confiscat and escheit to his maisteis use. Wlk was pronouncet and gevin out for Dome."

In 1541 George Broun brought an action against Patrick Hepburn,

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Master of Hailes, and Patrick his son for molesting and interrupting him in the occupation of certain lands. In laying his case before the Lords of Council he stated that he and his predecessors had held the lands and barony of Colstoun since a time beyond the memory of man; including a certain piece of land called "Gudeis hoill," lying to the west of Colstoun water, up to an old lade or wattergang to the east end of the same, which he, his tenants and servants, had enjoyed and cultivated, and on which they had pastured their sheep and cattle, and lopped and felled trees. From 1540 it had been in his possession, no trouble or molestation being expected. His complaint was that the Master of Hailes and his son with accomplices had sown oats on this ground, and that their servants had wantonly and unjustly threatened his servants while they were dealing with trees growing on a piece of ground called Garnarishaugh and were endeavouring to expel the said George Broun without process of law. Further, that the Master of Hailes and his son were Sheriffs Depute of the Constabulary of Haddington and therefore were judges as well as parties to the action. The King appointed seven commissioners to decide the question at issue. In the Accounts of the Lord High Treasurer for 1541 appears the following entry:—"Gevin to Ormond, pursewan to pas witht lettres to warne the Brounys to ryde witht the Kingis grace to the bordouris. xliiijjs." This probably alludes to the proposed conference between James V and Henry VIII on the Borders, but which never took place. George Broun was taken prisoner at the battle of Solway Moss, but was ransomed or exchanged a little later.

In the same Accounts, dated 7th August 1546, is entered:—"Item to Robert Heryot siklike mission to . . . Colstoun . . . togydder with lettres of proclamatioun to Edinburgh principall and Haddingtoun charging all manner of induellaris, baronis and gentillmen and substantious yoemen, baith to burghe and lande, to be in Sanct Androiss the 7 day of August etc under the pane of tynsall of lyf, landis and gudis, his wage xxvjs." This was to attend the siege of the Castle of St. Andrews, then held by the murderers of Cardinal Beaton.

On 20th March 1548, the Queen Regent granted a charter to George Broun of Colstoun and Janet Hoppringle, his wife, of the lands and barony of Colstoun, for good, faithful and gratuitous services rendered to her Majesty and her Governor, and incorporating all the lands into one entire and free barony with all baronial rights, including pit and gallows.

In the Calender of State Papers we find the following reference to the siege of Haddington. The town had been occupied by the English after

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the battle of Pinkie and was then being besieged by the Scots and French. Lord Grey of Wilton writes to Somerset on 9th June 1548:—

“As we left Muskelborough unburnt when Dalkeith was taken I sent thither Francis Aislaby on the 7th who burned the town and mills and all the fish villages near the sea leaving untouched only the church upon hill, driving also many beasts to the utter ruin of that country. It chanced the laird of Ormestoun suffered heavily which the more patiently he takes the more worthy he is of recompense. I must sue Your Grace for him. Also for Hugh Douglas great loss in corn, and for the laird of Colstoun whose wood we daily spoil, for twice a day we go to the wood with horse and foot and carriage bringing in daily 4000 or 5000 faggots, a marvellous help to raising the mounts in the bulwarks and a precedent for the Captain after our departure as well for fortification as for his fewell.”

Colstoun Wood must have been useful to both sides, for in the Accounts of the Lord High Treasurer appears under year 1548:—

“Item to David Dog and William Thekker and thair marrowes for the making of certane ledderes and gabyzannes, cutting of rys in Colstoun Wod and Lethingtoun allars wtht the expenss of a wrychtis being continuallie wtht thame be the space of xv dayes xxllLivs.”

In the Calender of State Papers under date of July 26, 1548, a letter of Brende to Somerset contains the following:—

“In this dreadful time only Ormistoun, Brynston and Langton have remained, the first showing more good will than service. Cesford, Ferniehierst, and Hundeleee constant in proffers of service, the rest either enemies or doubtful friends, for neither Levestoun, Colston, Hugh Douglas of Loŋniddry, Wytingham nor any other of the Lothian lairds have shewn either good will or service.”

George Broun's faithful service to Queen Mary is thus indicated in the Register of the Privy Council of Scotland under date 7th September 1567:—

“The quhilk day my lord Regent with avyise of the Lordis of Secreit Counsale for certaine ressonabill caiseis and considderationes moving thame tending to the good rewle and pacificatioun of the cuntre ordains lettres to be direct chargeing George Broun of Colstoun to pas and entir his persoun in ward within the Castle of Blakness thair to remane upoun his awin expennis ay and quhill he be relevit within four days nixt eftir he be chargeit thair to under pane of rebellious and putting of him to the horne and gif he failzies the saidis four dayis being bypast to put him to the horne and that the Secretare or his deputtis keparis of the signet pas lettres of ressait to the said George in competent and dew forme as efferis.”

George was dead by January 1568, and his son Patrick signed the bond of Queen Mary's adherents in May 1568 and was present at the battle of Langside. In August of the same year he surrendered to the Regent and obtained letters of Remission from James VI, of which the following is an abstract:—

James VI. declares that of his grace and favour, and with the advice and consent of his dearest cousin and Regent, the Earl of Morton, he has put away all anger against his beloved Patrick Broun of Colstoun and remitted all suit or action he might have against him for treason or participation with certain conspirators against himself and his

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authority, and for being engaged with them in public and deliberate war at the Camp of Langside on May 13, 1568. For the attack on himself, his regent and others of his faithful servants with fire and sword; also for being art and part in the slaying of James Vallange in Preston and others named, his father being then alive, and ordering him to accompany him to the Camp; for being in communication with rebels and for all crimes the said Patrick might have imputed to him, such as murder, theft, arson etc., and for being in any way concerned in the murder of his dearest Father and his regents.

On 30th June 1574 Patrick surrendered the lands of Colstoun into the hands of the Crown and was granted a charter of the same on July 20th of the same year.

It seems as if Henry Broun, brother of Patrick, was as much of a swashbuckler as his uncle Adam, for in the Register of the Privy Council, 1589-90, we find Patrick is caution in £1000 for Hary Broun, his brother, that he will not harm William Auchinleck in Lastoun, tenant to George, Earl Marischal. There is also a caution by James Heriot of Trabroun, as principal, and Samuel Cokburne of Tempillhall, as surety for him in £2000. There is noted another caution in 1000 merks, by Archibald Auchinleck in Cumlege, for William Auchinleck in Lastoun that he will not harm Hary Broun of Overkeith. A third brother, George, appears in the list of those who signed the secret bond in which the Raid of Ruthven originated.

Patrick Broun was Commissioner to Parliament for the baronies of Haddington in 1593 and was on the jury at the trial of Francis, Earl of Bothwell, for witchcraft in the same year. He married Elizabeth, daughter of Sir George Ramsay of Dalhousie in 1574, died in 1603, and was succeeded by his eldest son George the fourteenth laird, of whom nothing particular is known. He married Euphemia Hopppringle of that Ilk. The present baronet of Colstoun, now in Australia, traces his descent from his second son George. He resigned the lands and barony to his eldest son James in 1625, retaining the life rent. James married Anna Heriot, daughter of Robert Heriot, designated in the marriage contract as "sometime appairand of Trabroun." The following letter, found among the Colstoun papers, was probably brought by Anna Heriot, and is a specimen of a parental "telling off":—

This is to advertis zow as I send zow wourd of befor that zy stay at zor house qll ze be penitent for the offence ze haif done to God and qll ze mak amendis to my L. Torphuchen for the wrang ze haif done to him and all zor sistarres quhilk gif ze disobey and still continoth in zor arrogant stinkand pryde, assure zorselb quhat fatherlie pouer lysis in my possibilitie to censur zow accordng to Gods and manis law, I sall do it, for I will beir ne mair wt zor ungodlie doings. Zour bluid salbe upone yor awin heid and not myne. Wt Godise grace, God wourk humilitie and patience and gyf zow grace to sereue god in tymes cumming nor of before. Aldingstone yis tuisday 18 of february 1606, zor fathir as ze serue God, Trabroune.

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James was on the Committee of War, 1644-47, and the following is a discharge be James Hepburne of Barfoot to James Broun of Colstoun for four foot sojers weill armed with musket, pike and sword:—

"I james hepburn captiane grants me to have received from james broune, ritchard young, alex stewart, wm aikine, and james lawyer quho is away already and gine he be not put when I come to ye armie ye said james broune oblischis himself gine he cume to his baronie to send him back againe upoun his awin expenties wt musket pike and sword, subscribit wy my hand at Colstoun upoune ye saxt day of June 1644. james hepburne."

In June 1649, James Broun presided at the trial of five witches in Haddington—John Dickson, Marian Richisone, Agnes Hunter, Margaret Dickson, and Isobel Murray. They were condemned "to be tane this day, thair handis tied behind thair backs, conveyed be the lokman of Haddingtoun to the sands thairof and that day in the eftir noon about thrie hours to be strangled to the death and thairafter thair bodies to be burnt to ashes." In 1648 James resigned the estate to George, his heir, on the latter's marriage to Margaret, daughter of Sir David Murray of Stanhope. George Broun was a J.P. for Haddingtonshire, also a Commissioner. He died in 1657, aged 29, leaving two daughters, the elder of whom, Lilius, married James Bannatyne of Newhall. George's is the only tombstone remaining in the Broun burial place in St. Mary's Kirk.

Patrick the seventeenth laird obtained precept of the estate from Oliver Cromwell in 1658. He married in 1678 Alison, daughter of Sir John Sinclair of Stevenson. He was Sheriff-Depute, 1670-1681, and a Commissioner of Supply. He was created a baronet of Nova Scotia. In 1678 he signed a bond obliging heritors and life-renters in East Lothian to abstain from attending conventicles, etc. Patrick died in 1686 and was succeeded by his eldest son George, who had married Lady Elizabeth Mackenzie, daughter of George, first Earl of Cromartie.

This seems to be an appropriate place to relate the story of the Colstoun Pear. The story has been told in various ways, but the following is the version handed down and accepted by the family. About 1270 the then laird of Colstoun married a daughter of Hugo de Gifford, Lord of Yester, the wizard made famous by Sir Walter Scott in *Marmion*. As the bridal party were proceeding to the church for the ceremony, the wizard stopped under a pear tree and, picking a pear, gave it to his daughter, saying that he could not afford a dowry, but that as long as the Pear was kept safely, so long would Colstoun flourish, but should harm come to it, misfortunes would surely follow. The wizard was obeyed, and the Pear was kept in safety until Lady Elizabeth marrying into the family, she insisted on biting

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a piece out of the Pear, as is clearly seen at the present day. In accordance with the wizard's warning, misfortunes gathered. George took to gambling with his wife's uncle, Roderick Mackenzie of Prestonhall, and incurred heavy debts. He was forced to sell two farms, on one of which stood the dower house, Dalgowrie. But this was not enough, and his brother Robert had to come to the rescue.

Robert, who was born in 1667, first saw the Pear at the age of seven, when he wrote the following lines. He presented them to his father, and they have been kept with the Pear even since:—

Come hither my friends and heir yow shall sie  
A relique rare of old antiquitie.  
If fame be trew I'll say no more,  
It has endured these twelve score years and more.  
This truth I write my friend to thee  
being one of sevin in seventie thrie.

Robert studied at the University of Leyden. In 1688 he married his first cousin, Margaret Bannatyne, daughter of James Bannatyne and Lilius Broun, with whom he "got a great fortune." In 1689 he was captain of the Haddingtonshire Regiment. He was fond of books and bought a good number; many are still in the library at Colstoun. On 8th April 1699, when Sir George's affairs had become desperate, Robert wrote to him a letter, of which the following is an extract:—

"The earnest desire I have for your honour and credite, with the continuall wishes I have for the preservation of the old house we are both fond of, are two caires that hes verrie much affected me this half year by gone. I know your owne more seriouse thoughts have certainlie been lykewyse employed and grieved to know how to go about so great a work. For tho in our rumbleing fitts we may banish our more solide resolutions yet no doubt when these are over they returne as fresh and sure as before. Let us therefore Laying by all piques or former prejudices goe on hand in hand that by God's helping we may preserve in our time that qch he in his gratiouse providence hes been pleased to convey throw so manie generationes to your hands. Dr Bro. I nevyr doe nor Dare presume to carve out the wayes or methods by which your house or fortune may be preserved, nor can I answere all the specieuse nor guilded proposals that may be sett forth wt much flatterie at this occasione. But I will say this, for my wife's and my own vindicatione, that none breathing shall out doe my pouer to contribute what I can for your preservatione and being. She is now willing to quitt her paternall inheritance for the continowing of yours. I hope youll allowe me to desire you to have your owne thoughts on what I have proposed. I know it will not relish with everie pallat nor be defended with everie tongue. But the honour that layes at the bottom of your hart will overcome these mushroomes of Difficulties, nature having linked us so together that we are tayed to be brethren and yould find me such when others it may be will not. I am certaine that I am reall and has unfeinglie made an offer qch props your interest tho prejudiciall to my own . . . . However whether you be pleased to accept of my mite or not, you may deprive me and mine of the honour of succession . . . ."

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Robert's counsel prevailed. He and Margaret sold all Newhall estate with the exception of two farms, and bought Colstoun from Sir George in 1699 for 140,000 merks, practically all of which went to paying debts. Perhaps Margaret regretted parting with Newhall, but I am sure that Robert was glad to be back at Colstoun. After he came to live there, he presented to Bolton Kirk two beautiful silver communion cups that are still in use. He added a good deal to the house in the way of plenishing, and I hope that the next three years were happy ones, for the tale of misfortunes brought about by Lady Elizabeth's fatal bite was not over. The worst blow fell on 5th May 1703. On that day Robert and Margaret, with their two sons and eldest daughter, returned to Colstoun from attending the last Scots Parliament in Edinburgh. While fording the Colstoun Water (which must have been in spate) their coach overturned, Robert and his sons were drowned, but Margaret and her daughter Jean were "miraculously preserved." It is said that Margaret was wearing a green gown over a large hoop which served as a buoy. Among the papers are the accounts for the funeral:—

"Item to Robert Masson for the Laird's coffen	060.00.00.
Item for the young Laird's coffen	036.00.00.
Item for Georg. coffen	010.00.00.
Accompt for the Laird of Colstoun's funeralls the soume of fower pund sterling being for ane hers with 6 horses—also 5 dollars for a coach to the place with children."	

At Colstoun is kept the memorial slide worn on a ribbon by Margaret. This is a faceted crystal over twists of different coloured hair on which are initials in gold wire, together with a skull and cross-bones in white. On the back is engraved:—

R.B. aged 34.

P.B. aged 10.

G.B. aged 6.

All dyed 5th May 1703.

Jean, now representative of the family, was served heir to her father in August 1703. Her mother went to live in Edinburgh, taking her five daughters there for their education. She made a "Notte" of what furniture was left at Colstoun:—

"Imprimis in Green Roume two new feather beds with a boilster and a halfe dozen of cods of different degrees yt is to say greater and smaller. Item in ye said Roume a tweel sheit. Item five pair of trencher blankets. Item in ye said Roume four plush velvet scheirs wt a footstool covered also with plush velvet. Item in ye said Roume five sheirs covered with green white and red freingis. Item in ye said Roume a table standart and



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big Glass, a chimnie. Item in ye Blew Roume tuo feather beds tuo cods wt a single blanket listed with green to put above the feather beds. Item three pairs of trencher blankets red blew and green, wt three scheirs covered with the samen that the bed and hangis of ye roume is of and other tuo scheirs covered with blew with table standart and glass of olive wood. Item a chimnie. Item in Mr Adam Rume a feather bed, a boilster and pillow with three pair of blanketts listed in a lead colour with a covering wt five Rushie leather scheirs, a folding table ovell, and a square table, a standart, and a big trunke. Item in ye Ladys Chamber a cafe bed and feather bed, wt boilster and tuo pillows, wt a tweel scheit nixt ye feather bed wt thrie thaiked warked blanketts and listed with one orange and a blew. Item a wenchcoatt chist of drawers with a verrey fine Indented Cabinet. Item a Langsaddel bed with a old feather bed and a boilster into it; wt a tuo thicke wacked blankett and a covering in ye said Langsaddell; Item ane armed scheir covered with green wt a blacke and red freinge. Item halfe dozen of kane scheirs. Item halfe a dozen of silke cushens. Item a dressing table and dressing glass. Item tuo window courtains of stamped calligoe. Item in ye dining Roume nixt to ye Ladys Chamber, a finneired table and standarts wt a carpate and seven kane scheirs. Item in ye drowing Roume, nixt to ye said dining Roume, ane Indented Cabinet wt a large ovell wenchcoatt folding table, a litell ovell whenchcoatt folding table wt a carpatt. Item nine pear tree cheirs wt halfe a dozen of cushens with silver strips. Item twentie Litell Pictures hainging in ye roume."

Margaret was particular about her blankets, for in 1691 she paid 00.08.00 for "putting on ribans upon the blankets and silk to them." She also bought "4 ells of knittings" to put on them. I take the knittings to have been some kind of fringe. The "verrey fine Indented Cabinet" is still in the house. It is dated 1575.

In Edinburgh the girls had dancing and singing lessons and learnt lace making. They also attended the "Wheit seem school." They wore powdered hair with muslin head suits, sometimes striped and sometimes plain. The two eldest girls had plaids and the younger ones wore frocks of Musselburgh stuff. Jean wore a "tell border" and they all had "maskes." "Worsett" was bought to mend their "stoquens," and they seem to have been as hard on their shoes as present-day children, for "shooses" are a heavy item in the accounts.

In 1704 Margaret let the "yeard of Colstoun" and "littie park" to Alexander Borthwick, gardener in Pilmuir. He was to be allowed 20 threave of oat straw, 10 of bear straw and 10 of pease straw with "2 cartfull of dove dung furth of the dowecatt alleanerly yearly." But the next year he fell into disgrace for allowing Thomas Trotter, wright in Colstoun, to "cutt three thorn trees wtin the yeard of Colstoun without any warrand from the Lady Colstoun or anie other person."

In 1705 Jean married her cousin, Charles Broun of Gleghornie, and about the same time Margaret Bannatyne married the Rev. Matthew Reid, minister of North Berwick. She sold her remaining Newhall farms to provide

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for her four younger daughters. Margaret was at Colstoun in 1733, and it is probable she died there, for there are no later payments of her jointure, and her signature is almost illegible.

Charles Broun of Gleghornie was a Writer in Edinburgh. He took much pleasure managing and improving the estate. A great lover of trees, it is to him we owe some fine larch trees, brought to Scotland in 1725, a magnificent pair of copper beeches, and the beech avenue lying below Colstoun Mains, which he planted to commemorate the Union of the Parliaments. He and Jean had eleven children, the eldest of whom, George, was an advocate. He, in 1737, married Elizabeth, daughter of Hew Dalrymple, Lord Drummore. Barely 15 when she married, she died aged twenty, leaving a son and daughter. Her husband gave a factory to his brother Charles the same year, his intention being to go "furtht out of Scotland" for a time.

George Broun was one of the advocates who defended James Stewart in the famous case of the Appin murder. In 1756 he was raised to the bench under the title of Lord Coalstoun and was made a Lord of Justiciary in 1765. In 1758 he married Janet, daughter of Sir Francis Kinloch of Gilmerton, some of whose beautiful handspun linen is still in use at Colstoun. Lord Coalstoun died in 1776, and was succeeded by his son Charles as twenty-second Laird. Charles, also an advocate, was an authority on agriculture and the planting of hedges. He married Christian, daughter of John McDouall of Logan, and died in 1804 leaving an only daughter, Christian, who married George, ninth Earl of Dalhousie, a distinguished soldier. He commanded the 7th Division in the Peninsular War and shared in the crowning triumph of Vittoria. In 1816 he became Governor of Nova Scotia, and there founded the university called by his name, which is the pride and delight of all Nova Scotians. The Principal, writing in 1919, says: "Dalhousie's ideals and education were far in advance of his day and generation, and we to-day are reaping the benefit of his wisdom." In 1819 Lord Dalhousie became Governor General of Canada, and in 1829 Commander-in-Chief in India. Sir Walter Scott, a schoolfellow and lifelong friend, wrote in 1829: "In all incidents of life he has been the same steady, truehearted Lord Dalhousie that Lord Ramsay promised to be at the High School [of Edinburgh]."

Christian Broun, Lady Dalhousie, was an exceedingly remarkable woman, distinguished, according to Dean Ramsay, for a "fund of the most varied knowledge, for a clear and powerful judgment, for acute observation, a kind heart, and a brilliant wit." She possessed accomplishments of a

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high order and had a great love of natural history. Of all the Colstoun ladies the relics she has left behind are the most charming; collections of birds and butterflies, sketches and prints, an acacia tree brought from Bermuda, double snowdrops and daffodils, and a bank of wild sweet violets in a little wood which was once her shrubbery. She died in 1839, less than a year after her husband, who was succeeded as twenty-fourth laird by her son, James Andrew, tenth Earl and first Marquess of Dalhousie. His brilliant career is well known. He married Susan, daughter of the eighth Marquess of Tweeddale, won East Lothian in the Conservative interest at the age of 25, became President of the Board of Trade with a seat in the Cabinet at 33, and went to India as Governor General before he was 36. He ruled India longer than any other Viceroy, before or since, returning home in 1856, completely broken in health. He died in 1860, aged 46. He was considered by the late Lord Curzon (no mean judge and himself a Viceroy) to be the greatest Proconsul of them all, save only Warren Hastings. The Marquess was succeeded at Colstoun by his eldest daughter Lady Susan Broun Ramsay.

The mansion of Colstoun stands on the top of a high bank with the Colstoun Water running below; the site having been evidently chosen for defence. Whether any portion was built by the first laird is not certain, but parts are undoubtedly of great antiquity. When a fire, which took place in 1907, laid bare the walls in the north-west corner, they were found to be built without a proper foundation, and not even on the same level. The ceiling joists were made of untrimmed logs and as hard as stone.

The original house must have been a small square tower with a turret at the north-west angle and two small turret stairs at the north-west and south-west corners. The present top storey of the tower was added by Patrick Broun and Elizabeth Ramsay soon after 1574. It was roofed with large stone slates similar to those at Lennoxlove. Some of the walls are enormously thick; those on the east side being seventeen feet. Under the basement is the Laird's Pit. The present main stair must have been constructed at an early date (perhaps by Patrick when he built the top storey). After the fire it was found that the blocks of stone forming the steps were unusually high. They were not fixed into the wall, but merely rested on plaster. A fireplace, about twelve feet wide, was found in what used to be the principal room. It was lined with fine Dutch tiles of the early eighteenth century: these have been preserved.

The lands are named in a charter of 1599 as those of Dalgowrie, Gowkshill, Seggarisdean, the barony of Colstoun, Nether miln, the dominical lands

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of Sandersdean, Seggiehaugh, Myreside, Clocherdean, and Stobstane. As such they remain to the present day. The lands of Sandersdean were "Templelands," belonging to the Knights Templar until their suppression in 1312, when their houses and property passed for the most part to the Knights of St. John of Jerusalem. In early times the greater extent of the barony must have been covered by moors and woods, and some of the latter remain unaltered. Colstoun Big Wood still possesses very old Scots firs, descendants of the primeval forest.

This wood is bounded on the south by a burn called the Mealpoke. There are several explanations of this name, but the most likely seems to be that prior to the gathering of lepers into communities such as Liberton (Lepertown), there was a small leper settlement on the south side of the Big Wood, and that the country people brought bags or pokes of meal, putting them on the banks of the burn, to be fetched by the lepers. There are several other Mealpoke burns in Scotland with the same story attached to them.

Between Myreside and Yester lies a bog known as Cromwell's Steps, because it is said that some of his soldiers were lost in it on their way to the battle of Dunbar. Most of the land is of a very stiff clay and, because of this, two industries were carried on at Colstoun. From the twelfth to the fifteenth century pottery was made there, and in the eighteenth and nineteenth centuries there was a tile work. On Sandersdean there are outcrops of coal, which some of the lairds attempted to work. Writing to his factor in 1847, Lord Dalhousie says: "Many a good hundred pounds lies rotting in Sandersdean. My father and my grandfather and all their grandfathers before them howked and howked and better howked after coal, and all in vain. There are veins of coal no doubt; but veins of impure, chattery, poor stuff, all less than eighteen inches deep, and necessarily unworkable."

We learn a good deal about life in the Barony from old leases, tacks, accounts and the Baron Court records. Some of these records were dealt with in a previous article, but I give one or two papers to illustrate the times. The following is the draft of a lease dated about 1644:—

"Memorandum for seting ye mains of Colstoun.

I may now set ye manis of Colstoun under xxll merkis be zeir Reseruing ye personag and vickarage teindis in my awin hand, wt ye waird and zairdis for feidng of my horssis in tyme of summer. I most haue my horssis cumeing out of ye waird qn ze begin to maw zor meiddowis and in ye tyme of hervist yat they may eit in ye meiddow and upoune ye stibbil, I sall haue bot thrie or four kay to give milk to ye bairnis and they most eit in ye sumer tyme and hervist wy zor awin kay and in winter ze most giue yeme yt scro cut of ye bairne and they most be hirdit and keipit wt zor awin kay zor servands keiping yeme wt zor awin kay wtout anay expensiis of me. Ite I most haue of scheip to mee

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meit scheip to my houssis Ill scoir ye on half of yame to be pasturit fed and keipit wt zor awin milk zowis and ye uyer half of yame to be fed pasturit and keipit wt zor awin zeild scheip zor hird keiping yame also. Ite I most haue the teind hay to my horssis and they most lied it and stakit into ye barneyard to me wtout anay expensiis of me. Ite they most be oblischit to lied my teind cornis and to stack and bigit into ye barnezard wtout anay expensiis of me. Ite I most haue yame oblischit to fetch me home from ye koilport of Elphinstoune I paying for yame at ye collhill xxllll kajirts full of coillis. Ite they most be oblischit to fetch me home from ye schor of Dunbar and Tinninghame tua kairt full of herring I paying for yame at ye schor. Ite they most be oblischit to pay to me and my wyf thrie dussone of guid fat geis to keip my houssis. I most haue yame oblischit to send vlll horssis to help home wt my myllstones. Ite they most be oblischit to pay of foullis vl dussone Ill dussone of hennis thrie dussone of kaippinis. Ite they most be oblischit to kast diffitis and to win yame and to bring yame home yat they may thack my barne byre hay house and ye houssis yt is let in ye riuer zet becaus I most khaue all thes houssis ye use of yame myself wtout anay expensiis of me. Ite they most be oblischit to cast me sax dārgis of turfis and to win yame and to leid yame home to me wtout anay expensiis of me and to big and stack yame eftir they be cumed home. Ite they most be oblischit to grind all zor haill cornis at ye nayer myllne of coilstoune. Ite they most be oblischit to scheir and win ye haill cornis yet sall happin to be growand upone ye manis of coilstoune and eist manis yt is nixt hervist and to bigit wittin ye barnezard. Most also reserue ane aiker of land wt ane kowis gras in ye busheidis for ane gairdrer."

*Accompt of an days sheraing with the shearers we had each day.*

(circa 1690.)

Itt. The first day two riggs and a bandster.

Itt. The second day five riggs and two bandsters with ane odd shearer.

Itt. The fifth day two riggs and one bandster, wt ane odd shearer and two binding pease.

Itt. The sivin two riggs and a bandster they shere onlie till elivin a cloack Becaus the day wes rainie.

Itt. The nint two riggs containing four shearers on each rigg and a bandster from elivin a cloack in the fournoon Becaus the ground wes wet and the morning rainie.

The following extract is interesting, as it shows a man and his wife working at thatching. Sandiford is a good way from Broun's Hill, and they seem to have got very little for struggling "thorow" the snow:—

*Accompt the Right Hon my Lord Colstoun to Alex. Grant, thacker,  
for days work.*

To a day myself and wife timbring Broun's hill stable	o. I. 2.
Dito to on day both of us cutting and carring timber throw the snow from Sandieford for said stable	o. I. 2.
To a day and half caing heather to said stable	o. I. 9.
To half a day cutting and carrying templing to sd stable	o. I. 8.

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Dito my wife caing divots and thack in with the heather o. o. 6.

When vexed by some untoward occurrence, the old factor at Dalhousie used to say, "That Colstoun always was a fash ever since it was a Colstoun," and true it is that to keep it going to-day is indeed a "fash." But the old barony casts a spell over its children, and they have always loved it dearly. It is constantly visited by the descendants of cadets, who left it more than three hundred years ago, and who have returned from the Dominions to fight in two world wars. We do not know what the future holds, but we hope that the Luck of the Pear may continue and that the old house may still stand above the Colstoun Water.

## THE JOHNSTONES OF ELPHINSTONE. /

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By the REV. J. B. P. BULLOCH, B.D.

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ELPHINSTONE TOWER stands at the western end of that long ridge of high ground which lies between the Forth and the valley of the Tyne, looking out over a wide stretch of the fertile Lothians. Gaunt, bleak, and squat, it has a sinister air and makes an impression of strength which in some ways is misleading, for the massive walls are honeycombed with many small chambers in such a way as considerably to reduce their defensive strength. The coalworkings provided the wealth which built the Tower: they have almost proved its ruin by causing subsidence and a consequent cracking of the walls. Internally its design is a compromise between the laird's need for a private fortress and the increasing demand for comfort and privacy. While earlier workmanship may be seen in the lower courses, the Tower as it stands is almost entirely the work of the late fifteenth century and therefore of the Johnstones with whom this article is concerned, and whose arms may be seen above the fireplace in the hall.

In the middle of the thirteenth century the Elphinstone lands were held by John de Elphinstone, the earliest known ancestor of the modern family of that name. Early in the fourteenth the family added to its East Lothian possessions the estate of Airth in Stirlingshire by a marriage with its heiress. William de Elphinstone, the owner of these lands, died about 1426 leaving three sons, Alexander, Henry, and William. The last of these became the Archdeacon of Teviotdale and the father of William Elphinstone, Bishop of Aberdeen. Alexander, the eldest son, fell at the battle of Piperdean on 10th September 1435, leaving an infant daughter, Agnes, said to have been a posthumous child. His younger brother Henry naturally took possession of the estates, but when his niece attained her majority he refused to grant her the inheritance which was her due. After twenty years of protracted legal proceedings the dispute was settled by arbitration in 1476 before the

## THE JOHNSTONES OF ELPHINSTONE

Earl of Crawford, Lord Hamilton and Lord Monypenny. By their decision Henry de Elphinstone received the Stirlingshire lands while his niece obtained Elphinstone itself, Leuchie at North Berwick, and Nether Malgask in Fife. These lands therefore passed out of the hands of the Elphinstones and fell to the lot of Gilbert Johnstone, the husband of Agnes de Elphinstone. For two hundred years they were the home of his descendants.

### I

Sir Richard Maitland, the historian of the family of Seton, gives an account of the parentage of Gilbert Johnstone:—

“ Lord George Setoun,” he records, “ being the first of that name, succedit to Lord Johne his father, being bot nyne yeiris of age. In the mein tyme, the Lord Crichtoun being greit in the Court, and having the castell of Edinburgh in his hands, gat the said Lord George, and keipit him in the said castell. In the mein tyme the laird of Johnston in Annandale desyrit the said Lord George his mother in marriage, quha, amang uther talk and communicatioun, schew to the said laird that scho was evill contentit that hir said onlie sone was in the Lord Crichtoun his handis, and had great suspition thair of, becaus the said Lord George had bot onlie ane sister, quhilk was narrest air to his haille landis failzeing of him. The laird of Johnstoun perceaving that the said Lord George his mother wald have had hir sone out of the Crichtoun his handis, he waitit his tyme, and maid sic moyan in the castell, that he gat the said George furth of the said castell, and convoyit him secretly to his place callit Lochwood in Annandaill, quhair he was weill nurishit ane lang tyme. The said lady heiring tell that the said laird had convoyit hir son out of the Lord Crichtoun his handis, scho was contentit to marie him and bair to him monie sones, quhilk war all brether to Lord George on the mother syde, of the quhilk the eldest was callit Gilbert, quha was after ane valiant man, and maid knight. This Sir Gilbert mareit the heretrix of Elphinstoun, and was the first of the surname of the Johnstones.”

This account is demonstrably inaccurate. Sir John de Seton, who died about 1441, left a widow who was about seventy years old at the time of her husband's death: not she but her daughter-in-law was concerned. William, Master of Seton, son of Sir John, went to France with the Scottish auxiliaries in the service of the Dauphin and was killed at the battle of Verneuil in Normandy on 17th August 1424, while his father was yet alive, leaving a son and two daughters. This son, George, first Lord Seton, cannot therefore have been nine years old when he came into the estates; he must have been at least seventeen on succeeding to the title. Already, in 1436, when a dispensation was obtained for the purpose, he had married Margaret Stewart, daughter of the Earl of Buchan. Not till two years after this marriage did Lord Crichton become Chancellor. In 1437 and 1438 the Seton estates were in ward and under his charge, and any element of truth in Maitland's account probably derives from this fact. In any case the dating is far wrong and the story confused.



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### II

Gilbert Johnstone was the eldest son of this marriage between Adam Johnstone of Annandale and Janet, widow of the Master of Seton, Adam Johnstone already having a family by a former wife. In 1433 Janet Seton was still a widow, so her marriage and the birth of her son must have taken place after that date. About 1460 Gilbert Johnstone married the heiress of Elphinstone. She was not yet in full legal possession, but, possibly through the influence of her husband's kinsmen the Setons, she was in occupation of Elphinstone. By 1472 her husband was knighted. On 22nd March 1483 the Lords in Council ordered Sir Gilbert, with Adam his son and Adam his brother, to restore to Sir William Knolles, Preceptor of Torphichen, goods of which they had robbed him. The list includes oxen and a plough, fourteen chalders of oats, a down bed with a bolster, "with rufe and heads of arras," an iron chimney, pewter vessels, hay, coal and peats, cheese, meal, malt, forty hogs, twenty-seven ewes, seventy-five wedges of iron, a barrel of tar, and a "Flanders Kist." Such were the riches of the time. The Protocol Book of James Young describes Sir Gilbert as Sheriff of Edinburgh in 1486; he had held the office since 1484, but his name is absent from the list of Sheriffs in the Edinburgh burgh records. During the same period he appears as a Scottish negotiator on the Borders. His death took place between 1493 and 1497.

Adam Johnstone, his elder son, must have been born in the fourteensixties, since he was involved with his father in the affair of 1483. He had a younger brother George. By 1497 he had succeeded his father, and between 1503 and 1506 he was knighted. He is last noted as appearing in the Parliament of 1528 in name of Adam Weir of Raecleuche, vassal to the Earl of Angus. His wife, Agnes Hog, survived him as late as 1535.

Next of the family on record is Andrew, the eldest surviving son of Adam Johnstone. He succeeded to the family lands after 1532, but before 31st October 1534, when he sold to Robert Lauder of the Bass half of the lands which he held at Leuchie, near North Berwick. Leuchie had been his since the death of his elder brother Gilbert at Flodden. In 1544, whether because of the national danger from the English army or for some private reason, he was in frequent communication with the Regent Arran, during whose regency there are frequent entries in the Treasurer's Accounts for carriage of letters to the laird of Elphinstone. Before 1530 he had married Mariota Douglas, probably a daughter of the family of Douglas of Longniddry. On 16th February 1545 they received a confirmation of their lands

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under the Great Seal, and on the same day there was also confirmed a charter by which William Nudry of Leuchie sold to them his lands there. In the Treasurer's Accounts for 1546 is noted a payment of £6 13s 4d over this transaction, also one of £115, as composition for "warde relevie" and non-entry of the lands of Elphinstone.

The Earl of Hertford, returning south from the invasion of 1544, retreated through Seton, burning the castle there. A number of stragglers were cut off and captured by the Scots harrying the rear, who lodged their captives for safekeeping in Elphinstone Tower and the house of Douglas of Longniddry.

In January 1546 the Tower saw the most dramatic event in its history. George Wishart, the Reformer, was taken prisoner at Ormiston Hall and brought by Lord Bothwell before Cardinal Beaton, who was spending the night at Elphinstone. Beaton confronted his prisoner for the first time in the hall of the Tower. Knox was intimately acquainted with two of Andrew Johnstone's sons, and it might be thought that he would have learned from them the details of the interview, but none are recorded in his *History of the Reformation*.

Andrew Johnstone had associations with both the ecclesiastical parties of the time. He was brother-in-law to Douglas of Longniddry, an associate of the Reformers as was also his neighbour, Cockburn of Ormiston. On the other hand, he was the relative and feudal dependent of the Setons, strong adherents of the old regime. He also held an official position in the service of Holyrood Abbey. In February 1545 he was appointed its chamberlain and undertook to uplift its arrears of payments. As chamberlain he owed the Bishop of Dunkeld £255 on 24th March 1547, being Holyrood's share of the expenses of the siege of St. Andrews Castle. He was excommunicated, however, for default. With Johnstone's consent, the Lords in Council ordered payment of £180. Johnstone held this post as late as 21st May 1552, when the Lords in Council ordered him to produce the register books of the Abbey, and to give extract of a tack of an orchard, kailyard, and gardens, lying to the east of Holyrood.

### III

Near the surface of the Elphinstone lands lay the Tranent Great Seam in which coal had been mined for many years. The first mention of coal-mining by the Johnstones occurs in 1546, when Andrew Johnstone accused Lady Seton of interfering with a coal heugh belonging to him and regarding which an action was already before the courts. Elphinstone seems to have

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been undisturbed by the English army in the year of Pinkie, but in the following year Andrew Johnstone and his neighbours were warned to light bonfires on the hilltops in the event of another invasion. In 1549 Johnstone was instructed to meet the Governor at Ormiston. Next year he had to supply oxen and pioneers for the transport of the Queen's artillery in pursuit of the withdrawing English. In 1550 also he was in attendance upon the French ambassador, while in December 1552 he acted as a commissioner to recruit men for service with the French army.

Between that date and September 1553 he was knighted, for in that month he was styled Sir Andrew Johnstone of Elphinstone when nominated to meet the English representatives as one of the Commissioners for the Borders. As an assessor to the Scottish Warden he was present at a meeting with the English in June 1554. In December the English Warden wrote to the Queen Regent narrating recent negotiations with the laird of Elphinstone, the Scottish Warden of the Middle Marches. Johnstone and his subordinates were accused of dilatoriness and neglect of their duties. Summoned before the Queen Regent, Johnstone repudiated the charges and offered to do single combat for his vindication, but the time for such methods was past. The Regent insisted on the re-opening of negotiations. Record of the payments made to Johnstone as Warden may be found in the Treasurer's Accounts until October 1555. Though now approaching seventy years of age, Elphinstone was still taking part in public affairs, for the Queen Regent was in communication with him several times in 1558. Another aspect of his life appears on 9th February 1560 when a messenger was sent to him to cause all the coal from his Elphinstone coalpits to be sent to Leith, then the scene of civil war.

Like other Scotsmen of his time, Sir Andrew Johnstone deserted the party of the Queen Regent and ranged himself with the smaller barons who supported the Reformers. This final decision at the end of his days cannot but render enigmatic his association with the death of Wishart. Did the Cardinal occupy Elphinstone Tower to intimidate and deter a laird suspected, not without cause, of sympathy with the Reformers? Or, may it have been that he went there as to a friendly house, and that the events of the evening raised a questioning in the mind of the master of the house. We do not know; but on 27th April 1560, when there was drawn up at Edinburgh "ane Contract of the Lords and Barons to defend the Liberty of the Evangell of Christ," among those who signed were Andrew Johnstone and James Johnstone, "apparand of Elphinstone." The document which they signed ran thus:—

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"We, quhais namis are underwrittin, haif promittit and oblist oure selffis faithfullie, in the presens of oure God, and be thir presentis promittis, that we altogidder in general, and every ane of us in speciall, be him self, with oure bodies, guidis, freyndis, and all that we may do, shall sett fordwart the Reformatioun of Religioun, according to Goddes word; and procure, be all meanis possibill, that the treuth of Goddes word may haif free passage within this Realme, with due administratioun of the sacramentis, and all thingis depending upoun the said word. . . ."

This must have been among the last actions of Andrew Johnstone's life, for by 25th October 1561 he was dead. By his wife Mariota, or Margaret Douglas of Corhead, he had nine children, James, John, Adam, Robert, Gilbert, Agnes, Janet, Mariota, and Elizabeth. Leaving James the eldest until later it may be said that something is known about most of the others.

### IV

John is frequently referred to as John Johnstone of Elphinstone, possibly to distinguish him from the clerk to the Privy Council of the same name, or because he was the younger twin brother of James. He had to earn his own livelihood, like most younger sons of Scottish lairds. A lawyer in Edinburgh, he soon was prominent in the affairs of the Kirk. By 1560, he was acting as an agent for the Town Council in a case about the Friars and Magdalene's lands, and in September 1566 he appeared before the Council as agent for John Knox. When Knox was drawing near to the end of his fiery career, too ill to leave St. Andrews, he received a deputation from the citizens of Edinburgh consisting of Nicholas Udward and John Johnstone. The latter was a witness to Knox's will and probably helped to draw it up. The day before Knox died his servant, Richard Bannatyne, sent for Johnstone who was summoned to the bedchamber to receive the dying man's counsel and blessing. It was a Sunday and Johnstone arrived in Knox's room immediately after the afternoon service:—

"I have been in meditation these two last nights," Knox said to him "upon the troubled Kirk of Scotland, despised of the world but precious in His sight, and have called to God for it, and commended it to Christ her head. I have been fighting against Satan, who is ever ready to assault. I have been in heaven, where presently I am, and have tasted of the heavenly joys."

Thereafter Knox repeated the Lord's Prayer and the Creed. Next day Johnstone was with Knox when he died. It would be interesting to know how far back the friendship of these two East Lothian men went.

From 1573 onwards John Johnstone's name appears prominently in the records of the General Assembly as one of its lay leaders. Evidently he kept careful notes of the Assembly proceedings. Apart from access to the official records of the Assembly, Calderwood the historian, who as minister of

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Pencaitland was a near neighbour of the Johnstones, depended partly on Johnstone's notes. "The questions themselves," he says in his account of the affairs of 1577, "are not extant in the register. I have set them down as I found them in John Johnstone of Elphinstone his scrolls, a chief actor in the affairs at the Assembly at that time."

On 25th October 1577 Johnstone was admitted a Guild Brother of Edinburgh by right of his wife Isobel, eldest daughter of James Barroun. From 1578 onwards he was a member of the Town Council, acting as Collector from 11th February 1587 until 8th November 1595. After 1560 various ecclesiastical endowments fell into the possession of the Town Council among them those of Kirk of Field, Trinity Collegiate Church, the Nunnery of Haddington, Currie and Dunbarney Churches with all of which Johnstone had a connection. His association with these endowments also involved him in the proposals for the erection of Edinburgh University. Appointed in August 1589 to collect the tacks of the Nunnery of Haddington, he was instructed shortly afterwards to pay part of the sum to a regent in the college, and £460 to the Prioress and Nuns in compensation for overdue payments. On 28th January 1590 he was instructed to pay Henry White, who collected the small annuals and capons of the Abbey of Haddington, £37 owing to him by Lord Lindsay of the Byres. Two months later Johnstone paid the minister of Whittingehame the part of his stipend which came from the thirds of Haddington. Part of the income of the Nunnery of Haddington came from Crail in Fife. In April 1591 the Council was at loggerheads with the tenants over the teinds, and Johnstone was instructed to store the teind victual if the tenants refused to sell at St. Andrews prices.

He appears to have been a man of some education, for the Town Council of Edinburgh asked his advice when appointing a lecturer in law. His ecclesiastical sympathies were with the extremists of the Kirk. John Durie, having been banished from Edinburgh for an attack on the French emissary, made a public protest at the Mercat Cross; Johnstone acted as his agent and later he did service for James Lawson when he too was in disgrace. Elsewhere in the Edinburgh Burgh Records Johnstone's interests in church music and in the High School appear. In 1600 he bought the estate of Langraw in Fife but his home continued to be in Edinburgh where he lived in Stewart's Close, on the south side of the High Street. His death took place between November 1607 and September 1608. By his wife, Isobel Barron, he had five children: Robert, Samuel, of whom hereafter, Patrick, Janet and Barbara, who married John Ker, minister of Prestonpans. By

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his will, dated at Prestonpans 31st October 1607, he left £696 13s 4d, but he had also the large sum of £17,202 3s 8d owing to him.

### V

Adam, the third son of Andrew Johnstone, matriculated in St. Salvador's College, St. Andrews in 1552 and graduated in 1555. He became minister of Crichton and Provost of the Collegiate Church there in November 1569, receiving as stipend the third of the benefice, amounting to £46 6s 8d. In 1574 Fala and Soutra were added to his charge, the stipend now being £133 6s 8d. During his ministry the former parish church became ruinous and was disused in favour of the Collegiate Church still in use today.

In keeping with the outlook of his family, Adam Johnstone took an active part in the General Assembly, supporting the party of Melville against the influence of James VI. By the Assembly of 1582 he was appointed to wait on the Duke of Lennox and protest against his association with Montgomery then excommunicated for simony. He was also instructed to associate himself with the kirk session of Haddington in investigating a report that the wife and daughter of the laird of Feirniehirst had attended Mass while in France. Oversight of the process against the Bishop of Dunblane and the Isles was entrusted to him by the Assembly of 1583. Failing to subscribe obedience to his ordinary, the Bishop, he served a term in prison during 1584.

In 1586 Johnstone was prominent among the enemies of Archbishop Adamson: being a member of committee which prepared the charges against him, and later among those who dissented from the proposal to release him from excommunication. The Archbishop retaliated by arresting Johnstone's stipend. He died in December 1595, and was survived by his wife Agnes Borthwick. His books were valued at £100, and his household appointments at 100 merks, which suggests that his library was better than his furniture. Evidently he farmed his own glebe for he had two men servants, a woman servant, and a hind. Their total wages for the year amounted to £66 13s 4d. Johnstone's "frie gear" amounted to £6,102 13s 4d. Of the other children of Andrew Johnstone; Robert went into business in Edinburgh; Gilbert died young; Mariota married David Hume of Wedderburn and became the mother of David Hume of Godscroft, who wrote the *History of the House of Douglas*; Elizabeth married Sir William Cranstoun of Cranstoun.

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### VI

James, the eldest son of Sir Andrew, succeeded his father in the estate. On 24th March 1550 he married as his first wife Margaret, eleventh child of William, Master of Ruthven, and a descendant of Thor of Tranent, the twelfth-century superior of the Elphinstone lands. In April 1560, as already noted, he appeared with his father among the Protestant barons. By October 1561 he had succeeded to the estate. Later a payment of £20 is noted from him in the Treasurer's Accounts for a charter of confirmation granted him on his father's death. His first wife died soon after their marriage, and on 25th March 1564 he married Janet, eleventh child of Sir James Melville of Halhill. After the marriage they had a joint charter of ten librata of land in Ballencrieff.

Several times James Johnstone was in trouble with the crown. In 1564 he was put to the horn, his property being confiscated and granted to Lord Seton on a payment of £100, but the order was soon rescinded. In 1566 Johnstone was in more serious trouble. No longer following the lead of the Setons who were Roman Catholics and adherents of Queen Mary, he, as a zealous Protestant, had transferred his allegiance to the Douglas family. On Saturday 9th March he was one of the conspirators who burst into the Queen's apartments at Holyrood and murdered Riccio. Although his nephew, Hume of Godscroft, wrote an account of the murder it is not known what part Johnstone took in the affair. Randolph, writing to Cecil from Berwick on 21st March, names him as one of those "consenting to the death of David and now in displeasure with the Queen and their houses taken and spoiled." An order having been issued on 19th March for the confiscation of Johnstone's property, messengers were sent to Elphinstone to make inventory of the estate. Like the rest of the conspirators, Johnstone ignored the proceedings and was denounced rebel on 8th June.

James Johnstone's wife, besides being aunt to Kirkcaldy of Grange, was sister to Sir James Melville, the acting Secretary of State. The troubles of Mary made Johnstone's position once again secure, and less than a year after the Riccio murder he shared in the general pardon of the conspirators. Though evidence is lacking, it is likely that he was at Carberry Hill.

On 1st May 1571 Johnstone was anxious for the safety of Knox. With Kirkcaldy of Grange holding Edinburgh Castle, opposition to Knox began to raise its head and threats were made and fears entertained for his life.

"The same day" says Calderwood, "the laird of Elphinstone sent a missive to his brother-in-law, Robert Melville, wherein he desired him to have a care that Mr Knox be not troubled. The other answered, that howbeit that he had used them

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otherwise than they had deserved, yet did they mind no harm to him. But because they could not be answerable for the rascal multitude, it was their advice that he should either come to them in the castle where he should be preserved as one of themselves, or else that he would remove to some friend's house and stay till the troubles were ended. The other answered, whosoever meddled with him to his hurt, the Lord would revenge it: albeit he would assay if he might move him to remove out of the town for a while."

The advice prevailed: Knox retired to St. Andrews.

### VII

Leuchie at North Berwick appears to have been regarded as the portion for younger sons of the family, being granted periodically to them and afterwards returning to the head of the house. It had previously been held by Robert, a son of Sir Andrew, and was now granted to Robert, the eldest son of John Johnstone, in exchange for a salt pan in Prestonpans. The laird purchased the neighbouring lands of Cousland from his old associate Lord Ruthven, on 24th February 1583, and the purchase was confirmed by Parliament in 1585. There were Johnstones in Cousland as late as 1627.

James's name is found in the records of the Parliament and Assembly of 1584 but from then onwards he seems to have taken little part in public life. His testament was lodged on 24th May 1595. His second wife, Janet Melville, survived him and died in September 1603. He had seven children: James, who died in 1607, Patrick, of whom hereafter, John who died in 1604 having married Elizabeth Halden, Johanna, who married William Bonar of Rossie in 1576, Margaret, who married Alexander Crichton of Drylaw and Naughton in 1580, Marion who married the Laird of Cockburn, and Martha, who died single.

Patrick Johnstone, his second son—for James the eldest son had quarrelled with his father and was disinherited—succeeded him. In contrast with the active lives of his father and uncles, he took no part in public affairs. He inherited the estate in 1595. His testament was lodged on 27th April 1607. By his wife, Elizabeth Dundas, who survived him till March 1615, he had five children, Robert, Patrick, Martha and Mary, all of whom died young, and Barbara. He left 7,000 merks to his surviving daughter, Barbara.

Elphinstone thus passed to the heirs of his uncle John Johnstone. As his elder brother was already dead, it was Samuel, the second son, who received the lands. From his father he inherited ample means which enabled him to exploit his lands in a manner rare among his impecunious neighbours. Little record of him is found until the autumn of 1612 when he received



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license from the Crown to travel abroad "to the realms and countreys of France, Spain, Flanders and other parts beyond sea for the space of five years." Not until 1620 is he heard of again in Scotland.

### VIII

The Elphinstone lands covered part of the Tranent coalfield which had been mined since at least the beginning of the thirteenth century, while the Johnstones had worked the coal in their own land as early as 1546. In his travels Samuel Johnstone visited coalfields where conditions were more advanced than in Scotland, and on his return home he began mining in his lands with renewed vigour and with new methods.

Until the end of the fifteenth century the local coal had generally been worked by mines driven at an angle into the sloping ground, but from then onwards vertical shafts were driven, up which the coal was carried, (usually by women), either by wooden spiral stairs or by ladders laid from one platform to another. Water in the workings had always been a problem. Day levels had been in use at least as early as the beginning of the sixteenth century but now, as the workings drove deeper, the problem of drainage became more insistent.

In April 1620 Samuel Johnstone appealed to the Privy Council. He had spent much labour, time, and money in discovering new methods and devices for draining the coalpits and raising the coal to the surface. He therefore asked for what amounted to a patent, being the sole right to erect and employ his devices and inventions in any part of Scotland where he should obtain the consent of the landowner. His petition was successful, he being granted the right for twenty one years after the erection of each machine. Those who infringed his monopoly were to be fined 500 marks for each offence. Apparently one of these devices was the coalgin—a large horizontal wheel mounted on a shaft above the pithead, and turned by a horse walking continually in a circle on the ground beneath. This operated a rope drawn round the wheel which drew up two creels of coal from the underground workings.

### IX

The coal which Johnstone worked was the Tranent Great Seam. It had an average thickness of six feet, and lay comparatively near the surface. To the north-east the laird of Fawside worked the same seam beneath his lands. The Master of Elphinstone rented the coal of Wester Fawside. To

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the north-west the Setons, possibly the greatest coalmasters in Scotland, worked several pits around Tranent on the stoup and room system. As the workings were advanced, large square pillars of coal were left intact to support the roof, leaving a plan like a grill. From the pit bottom the workings were pushed forward in all directions to a distance of seventy or eighty yards. A new shaft was then sunk to the same seam about one hundred and fifty yards away from the original one and the new workings pushed back until they met the old.

Water in the pits created special problems and before the Reformation the two great abbeys of Dunfermline and Newbattle, both involved in mining in the Lothians, had made an agreement whereby the water in the Dunfermline workings beneath Carberry was allowed to drain into the lower levels of the Newbattle workings in Preston. From there it reached the surface by a day level and so was drained away. Lord Seton, too, had constructed a day level, draining not only his own workings but those of the Johnstones. In turn the Fawside workings were permitted to drain into the Elphinstone ones and thence into the day level.

Under legislation of the sixteenth century the Scottish miners, and consequently their families, were held in a state of serfdom by the coalowners, thus returning to the conditions of the thirteenth century. In the village of Elphinstone Samuel Johnstone held forty such families, the men working as hewers on the face and the women and children carrying the coal to the surface. Conditions, evidently, were not so bad as they became in the following century for Johnstone paid an average weekly wage of five marks to each family and maintained a schoolmaster, Nichol Whyte, for the education of the children. Nichol Whyte had graduated at Edinburgh University in 1616, and in 1640, after the death of his patron, he became minister of the parish of Dunrossness in Shetland.

The economic theory of the seventeenth, like that of the twentieth century, resulted in constant state interference in the mining industry. The coalfields known were few and only the upper seams were workable: their possibilities were largely unknown, and with the domestic use of coal rapidly increasing, it was feared, not without reason, that the available seams might be exhausted. The Privy Council regarded with hostility all combinations of masters or men in the industry and any concerted attempts to raise prices or to export coal, fearing scarcity. In the Lothians this policy reacted adversely upon the coalmasters and the sixteenth century saw the bankruptcy or decline of many families engaged in the industry. As a prominent coal-

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master of the time, Samuel Johnstone illustrated these facts.

On 5th November 1620 Janet Lawson, widow of the laird of Fawside, and a woman of business instincts and strong personality, invited most of the neighbouring coalowners, and among them Samuel Johnstone, to a dinner in her new house recently erected beside Fawside Castle on a magnificent site overlooking the Forth. As those present practically monopolised the local coal trade, they agreed to raise the price of coal from 3/- to 4/- the load and not to sell at any lower rate. Soon the results of this conference became apparent, and the parties concerned were summoned before the Privy Council and charged with raising prices and exporting coal. As they did not appear, their association and actions were denounced, and they were forbidden to export.

Within two months the Council learned that its orders were being ignored. Not only had the price of a load been increased but the amount of coal it contained had been reduced, so that what had cost 3/- or 3/4 now cost 6/8. Purchasers, too, complained that if they criticised the new rates their horses were kept waiting all day at the pithead by way of retaliation. Some of the accused appeared in their defence, but Johnstone, Lady Fawside, and the Master of Elphinstone, failing to appear were found guilty, fined £2,000 each, and sentenced to be imprisoned in Edinburgh Castle. The penalties, however, were not enforced.

On 1st March Johnstone and the other two accused appeared before the Council for the first time to answer the charge. The price, they said, had not been as low as 3/- originally. Not they, but the middlemen, had reduced the quantity. An adverse decision, or so they claimed, would reduce them to bankruptcy. Johnstone stated that for many years the coal of Elphinstone had been barren, that his losses already exceeded 20,000 marks, and that the sinking of a new shaft would cost 5,000 more. The Council listened sympathetically and appointed a commission to investigate and fix new prices.

On 23rd April Johnstone was again before the Privy Council, this time with a supplication. Since his entry into the estate he had been striving at great expense to maintain his coal heughs at Elphinstone, which, seemed to be largely exhausted. Losses already amounted to 20,000 marks and might compel him to close the pits. If on the other hand, they were to remain open a new system of drainage must be installed soon or not at all. Seven years would be needed for the completion of the work and neither the profits of the pits nor his private resources could support the expense. Con-

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ditions had been particularly bad for the last five months, but if the coal could be drained it was expected that the seam would provide work for a century. He therefore sought permission to export coal over a period of seven years and so augment his profits. The petition was granted upon condition that he first satisfied the local demand. In July the Commissioners of Burghs protested to the Council that not only Johnstone but his neighbours were exporting coal from Morrison's Haven near Prestonpans. The Council equivocated by ordering export to cease as soon as landward sales could support the pits.

### X

On 22nd June 1624 the estate of Leuchie returned to the ownership of the head of the family. After the death of Robert Johnstone it passed to Patrick, the younger brother of Samuel Johnstone. By 1624 Patrick was in debt to the amount of £8,085 and Leuchie was returned to his brother in exchange for a settlement of the debts.

Samuel Johnstone was now taking a prominent part in local public life. He was already a Justice of the Peace and on 27th June 1624 he became Sheriff of Haddington. According to Burke's *Extinct Baronetage*, he was made a baronet in 1627. On 18th October 1627 he received the necessary grant of land in Nova Scotia from Sir William Alexander but not until July 1628 did he receive the title in the Crown records. Elsewhere he is found reporting on the number of fencible men in the district, collecting taxes on exported coal and salt, and acting on the teind legislation of Charles I.

On 3rd July 1628 Johnstone and Sir John Hamilton of Preston were commissioned as Justices to try four suspected witches in Prestonpans. In July and August nine more came before them. In April 1630 five women from Cousland "lang suspected of witch craft" came before Johnstone and being examined "confessed the renouncing of Christ and their baptism, the service of the devil and sundry other points of devilry and witch-craft". In the following month he was empowered to prosecute a man and six women implicated by the confessions of those already implicated. The records suggest, though they do not clearly state, that all were condemned. Two years after came the conclusion. In February 1632 James Balfour in Corshouse was examined before the Council for pretending the power of discovering witches by sticking pins into their bodies, to discover the devil's mark, and of having deluded simple and ignorant people for his private gain. Balfour declared in his defence that the first time he knew the devil's

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mark was upon a gardener's wife at Tranent. As she was suspected of witchcraft, he was required by Robert Balcanquhall, minister of Tranent, to seek for the mark, which he found on her arm, and she confessed. Balfour admitted that he had often been thus employed, and that he had uncovered many persons in the sight of the people within the kirk and tolbooth. The Council decided that his knowledge was mere conjecture and was unlawfully used within the Kirk. After being convicted of a fraud of such dire consequences, he was "forbidden to continue this trade in the future".

Johnstone's last public employment was in connection with an outbreak of plague in Prestonpans in 1636. A solitary relic of Sir Sāmuel yet remains. For many years the Musselburgh Arrow was competed for by the Royal Company of Archers on Musselburgh Links. The successful competitor was awarded 30/- and a dozen bottles of claret. In return he was obliged to make and append a medal of gold or silver to the Arrow before the next annual competition. Of these medals the oldest is dated 1603 and shews on one side an archer with bow and arrow prepared to shoot with the word "Elphinstone" above and the letters S.I. On the obverse are the Johnstone arms, a saltire, surtout on the fess point a cinquefoil, and three cushions in chief, with the motto "Guid Them" above and the date 1603 below. ,

He died on 18th February 1637; the testament of this laird was lodged on 6th January 1638 and that of his wife Jean Douglas of Spott, on 6th November 1651. Besides a son, John, they had daughters, Elizabeth, who in 1633 married John Seton and in 1643, as her second husband, Lord Johnstone, afterwards Earl of Hartfell, Jean, Helen, Mary, and Anna. He left £2,878 but was also owed £516 12/-.

Sir John Johnstone, second baronet of Elphinstone, succeeded his father in February 1637. In December 1642 the Magistrates of Edinburgh complained of the scarcity of coal, due to export, and asked for its prohibition, fearing that the coalheughs would become exhausted. As a consequence, the Lords sent two commissioners to survey the Elphinstone coalworkings. On the back of their report is a note of execution of the summons on 17th December against Sir John Johnstone of Elphinstone, James Dischingtoun there, and Alexander Sympsone, in the Crochouse of Elphinstone. On 9th October of the following year the Commissioners of Royal Burghs protested that the first two were again exporting coal. In answer Dischingtoun, who seems to have been the tacksman for the coalpits, appeared before the Lords, who on the ground that "the Elphinstone coal had always been a land coal for furnishing the country," forbade him or

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any other to sell coal for export or at a higher price than  $3/4$  the load "being a water boll, which is the price taken for the last three years".

On 20th February 1645 Sir John was belatedly retoured heir of his father, Sir Samuel, in the lands of Leuchie, possibly because he was considering their sale, the family affairs being now at a low ebb. Wolfstar, which they had once held, had returned to the Setons. Moreover Sir Samuel had left the estate in a precarious state, and the Covenanted wars completed the ruin. His brother-in-law, Sir Archibald Primrose of Carrington, Lord Clerk Register, and ancestor of the Rosebery family, came to his rescue, advancing money to meet the most urgent claims of his creditors, and obtaining bonds over the estate in security.

In February 1652 Sir John was one of the few men of family in East Lothian to sign the assent of the heritors to the Cromwellian proposals for union between England and Scotland. Though domestic circumstances prevented him taking much part in public life, he evidently held the same views as his predecessors in the time of the Reformation.

The family of Fawside had also become involved in difficulties and was obliged to sell to Sir John Fletcher, His Majesty's Advocate, who speedily got involved in a quarrel with his neighbour of Elphinstone. The Fawside workings had long drained through the Elphinstone ones into those of Lord Winton, and thence to the surface. In November 1661 nine of Sir John's servants built up the water course and completely stopped the flow. Immediately the Fawside workings began to flood. A complaint being lodged, the Council ordered Sir John to allow the water free passage with compensation for any loss incurred. Sir John in turn complained that the flow was endangering his own workings, and asked leave to build up "the chainzie wall" between the workings, and so stop the flow permanently, but no action is recorded.

Sir John's testament was lodged on 14th January 1664. By his wife Margaret Keith, daughter of James Keith of Benholme, and cousin of the Earl Marischal, he had a son, James, and a daughter, Margaret, who on 25th October 1664 married James, second son of Alexander Borthwick of Glencorse.

Sir James Johnstone, third baronet of Elphinstone, inherited an estate already bankrupt. Within a year, on 12th September 1664, he executed a bond of provision in favour of his children, Margaret, Jean, Elizabeth, John, and Anna for sums of money as their portions, which was registered in the Books of Session on 4th December 1664. By assignations, dated

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June 1666 and 23rd July 1674, Margaret, Jean, and Anna resigned their portions to Sir Archibald Primrose, their father's creditor. By this time Sir James was hopelessly bankrupt. Accordingly he disposed the estate absolutely to Sir Archibald in settlement of his debts. The disposition, dated 10th April 1666, narrates the various debts due to Sir Archibald, and states that he has the heritable right to the lands of Elphinstone, having advanced sums far in excess of their value. On 28th September 1666 following upon the formal resignation of Sir Archibald Primrose, George, Earl of Winton, as superior of the lands, granted him a charter of Elphinstone. Margaret Johnstone married Alexander Strathearn, a tailor in Tranent. For a time Sir James farmed in New Monkland Parish, but later he returned to Edinburgh. Sir John Foulis of Ravelston notes that he had supper with him there in July 1705. He died in 1727 and was buried in Greyfriars Churchyard, where four corner stones mark his grave.

## THE BASS ROCK IN HISTORY

By W. FORBES GRAY, F.R.S.E.

*The isle is full of noises,  
Sounds and wild airs, that give delight, and hurt not.*

WHETHER the Bass is "the most curiously shaped island in the world" (as claimed by one writer) may be doubted, but that it is one of the sights of Scotland, appealing in a fascinating manner to the naturalist as well as to the student of history, is indisputable. A series of Papal bulls and processes preserved in the Record Office of the General Register House, the earliest dating from the middle of the twelfth century, includes a reference to a dispute between the nuns of North Berwick and the Laird of Bass about tithes, consisting of so many barrels of fat of the solan geese on the Bass Rock. This information establishes two significant facts. First, that from very early times the solan geese or gannets that breed on the cliffs of the Bass in enormous numbers were serving ecclesiastical purposes, being killed for their fat, which commodity was utilised for the commutation of tithes. Secondly, that there were lairds of Bass eight hundred years ago, and probably considerably earlier.

But the dispute between the nuns of North Berwick and the owners of the Rock is not the first recorded allusion to the Bass. Alcuin of York (died 804), the great mediæval scholar who advised the Roman emperor, Charlemagne, regarding his educational reforms — Alcuin was sufficiently acquainted with the stupendous rocky islet fronting Tantallon Castle to describe it in Latin verse.

### I.

A historical narrative of the Bass really begins with St. Baldred, the Northumbrian anchorite who is reported to have died there on March 6,



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607-8. The date, however, is suspect, being given on the authority of Hector Boece, an old-world chronicler who trafficked much in legend. Besides, there appears to have been another saint bearing the same name who flourished a century later, and is supposed to have founded the monastery of Tynninghame. He died in 756. Skene in his *Celtic Scotland* connects the two Baldreds, and regards the later date as the right one. If this conjecture be correct, then Alcuin would be a contemporary, and may have heard of Baldred and his place of retirement at the mouth of the Firth of Forth. At any rate the Bass begins its historical record as the hermitage of St. Baldred.

In 1542, the year of the birth of Mary Queen of Scots, a chapel was erected on the island, and, as is usually thought, on the site of the cell in which Baldred led a life of contemplation and austerity, always remembering "the blessed Kentigern, his instructor." The chapel belonged to the bishopric of St. Andrews, and on January 5, 1542, was consecrated and dedicated by William Gibson, suffragan to Cardinal Beaton, as "the parish kirk in the Craig of the Bass in honor of St. Baldred" (*Extracta e Variis Cronicis Scocie*, Abbotsford Club, p. 255). The ruins are situated high up on a terrace on the south side of the Rock. A plain, rectangular structure, measuring externally thirty feet by twenty, St. Baldred's Chapel had its doorway facing south, and there were two windows.

Dr M'Crie suggests that the chapel may have been occasionally frequented as a place of worship till the Reformation, after which it seems to have been abandoned, there being few inhabitants on the island. This is borne out by an entry in the *Buik of Assignations of the Ministers' and Readers' Stipends* (1576). It runs: "Bass and Auldhame neidis na reidaries." All that can be said of the subsequent history of the building is comprehended in a sentence written by Fraser of Brea in 1677: "Below the garden there is a chapel for divine service; but in regard no minister was allowed for it, the ammunition of the garrison was kept therein."

## II

"The Bass is indelibly associated, and for all time," writes A. G. Bradley in his delightful book *The Gateway of Scotland*, "with the name of the famous family of Lauder, which kept a grip of it, rejecting the money overtures, and defying all other attempts of the Stuart kings to get hold of it, till very near the time when it was purchased for the Crown in the reign of Charles II." And he adds: "The Lauders were all buried in the old church

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of North Berwick, which has gradually been consumed by the sea, till now there is but a fragment left.

One portion of the islet is said to have come into the family of the Lauders of the Bass in or about the eleventh century; but there is no authentic information before the fourteenth. Not till 1316 do we get on firm ground. On 4th June of that year William de Lamberton, Bishop of St. Andrews, granted "our part" of the Bass to Robert Lauder, one of the companions of Sir William Wallace, "for his homage and service." Lauder came under an obligation to pay "to us and our successors at Tynningham [Monastery], at the term of Whitsunday yearly, one pound of white wax, in name of blenche-ferme."

Robert Lauder, the leal supporter of Wallace, is the first of the owners of whom we have definite knowledge. He defended his island fortress with great determination against Edward I. He also fought at the battle of Stirling Bridge. In short, he belonged to that group of stalwart Scottish knights who could be relied on when the country was in danger from the "auld enemy." This Robert Lauder was the progenitor of the long line of Lauders of the Bass, no fewer than thirty-three of whom bore the Christian name of Robert, a fact that has made the unravelling of the early history of the island one of much perplexity.

The Lauders were both churchmen and ambassadors. They provided Scotland with several bishops, and were frequently governors of Berwick when it was in Scottish hands. A Lauder ratified the treaty of peace with Edward III concluded at Edinburgh in 1327; another, who was Justiciar of Lothian, took the oath of peace at Northampton as proxy for King Robert the Bruce; a third appears as witness to a charter granted by Randolph, Earl of Moray, to John, Earl of Angus, in 1331, and, two years later, is styled "Chamberlain of Scotland"; a fourth was present at the battle of Halidon Hill; while a fifth, who was Constable and Keeper of Tantallon Castle, is reported to have obtained no fewer than eight charters under the Great Seal between 1370 and 1381. On this knight Robert II bestowed an annual pension of £10 sterling in acknowledgment of his services as Clerk of the Justiciary Rolls, an office held by Lauders of the Bass for several generations.

In January 1337-8 the Bass came prominently and creditably into history for the first time. Dunbar Castle was then being gallantly defended by Agnes, Countess of Dunbar (called from her dark complexion "Black Agnes"), in the absence of the Earl, who was campaigning against the

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English. The situation was critical, for Montague, Earl of Salisbury, at the head of strong forces, was investing the Castle by land and by sea. Surrender seemed inevitable. Timely aid, however, came from the Bass. Under cover of darkness, Sir Alexander Ramsay with forty men sailed from the island, and eluding the English ships, managed to reach Dunbar Castle in safety. Next morning, Ramsay's force swooped down on the unsuspecting enemy and inflicted so severe a defeat that the siege was raised.

The Bass played an inconspicuous part in the lives of several of the Stuart kings, but still worth recalling in the case of a tiny island somewhat remote from the seat of authority in days of limited transport. In 1405 the Bass afforded a temporary retreat to James, youngest son of Robert III (afterwards James I), before embarking with the Earl of Orkney on the ill-fated expedition which resulted in his capture by the English and detention south of Tweed for nineteen years. That the Rock was fortified during his reign seems clear from the fact that on his return to Scotland in 1424 Walter Stewart, eldest son of the Duke of Albany, who had acted as Regent in the king's absence, was arrested and "sent prisoner to the Castle of the Bass" (Lesley's *History*, lib. vii, p. 262). Walter Stewart (M'Crie points out) was the first prisoner of the Bass that we read of.

The next reference to royalty is on 23rd May 1497, James IV (he who fell at Flodden) was then sojourning at Dunbar, and on the day mentioned crossed the Firth to the Bass for a day's sport, so at least it is surmised. That such a visit was paid is apparent from the Lord High Treasurer's Accounts where an entry states that fourteen shillings were paid to the boatman that "brought him (the King) furth of the Bass."

During 1548-49 when the English were in possession of Haddington and an effort was being made by Scots and French to oust them, English ships were sent to co-operate with the land forces. Recognising the strategic importance of the Bass, an effort was made to capture it. A blockade having failed, stratagem and an offer of gold were tried. But the governor ordered the guard to fire when a deputation approached the island with the object of making terms. A few hours later the English vessels departed.

By this time the Bass had become a stronghold not to be attacked with impunity. Boece describes it (1526) as "fortified by nature in the most extraordinary manner" (Holinshed's *Chronicles*, chap. IX). The laird soon after was one of the many who bore the name of Robert Lauder. He was a valiant supporter of Mary, Queen of Scots, and evinced his chivalry by refusing to sell his castle in order that it might be made the prison of his

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dethroned sovereign. Morton, as well as the Regent Moray, was anxious to acquire the island, judging by some remarks of Wishart of Pitarrow quoted in Richard Bannatyne's *Memorials* (pp. 9-10): "I hear say my lord of Morton is trafficking to get the house of the Bass, which, if he does, he will stop some devices your Grace knows; and therefore were I in your Grace's stead, I would go betwixt the *cow* and the *corn*. I tell you that auld crag is a good starting-hole; at least it will serve to keep them that you would be sure of."

A crisis was reached with the death of Sir Robert in 1561. The family then divided into two branches. Of the two surviving sons, Richard, the elder, was given the title and estates of Lauder Tower, while the younger, Robert, succeeded to the Bass and other lands in East Lothian. Robert made several changes in the family arms. Instead of the crest of the Lauders of Lauder Tower, a tower with a sentinel on the watch, the junior branch assumed, more appropriately, a crest showing a gannet sitting on a rock.

In 1581 James VI visited the Bass, and was so enamoured that he offered to buy the island, a proposition which did not commend itself to George Lauder. The King appears to have accepted the situation with a good grace, for two years later he ratified a document in favour of Lauder retaining possession. The charter also prohibited the destruction or snaring of solan geese by strangers upon pain of a fine of £20, half of which was to go into the Royal coffers and the remainder to the laird. In the event of the fine not being paid, the delinquent was to be imprisoned on the Bass for one year at his own expense. George Lauder was the King's "familiar councillor" (*sic*), as well as tutor to Prince Henry. Possibly the fact that he stood well with James VI explains how, in 1591, the lands of Tynninghame were confirmed to him.

On the occasion of the coronation of Anne of Denmark, queen of James VI, Calderwood tells us that, before Her Majesty "went out of her chamber," a number of State officials were dubbed knights, including the laird of Bass. Again, in 1593, the same authority mentions Lauder as one of a committee, comprising nobles and burgesses, "to convene in the Checker-hous [Edinburgh], and consider the bygone abuses, and to give their advice and overture tuiching reformation and amendment thereof [as regards the King's extravagance] in tyme comming, as alsa tuiching his Majesties visitatioun of the Iles this nixt sommer." (*History of the Kirk*, V, 95, 221.)

The lairds of Bass had not their troubles to seek as regards the payment of teinds. Dowered with more land than money, financial embarrassment

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was frequently their lot. In 1626 George Lauder, son of the laird mentioned in the preceding paragraph, was being hunted by creditors. Charles I, like his father, was desirous of acquiring the Bass and, knowing of the money troubles of the family, was mean enough to bring the rigours of the law to bear on Lauder, who obstinately held on to the island. On 10th November the President of the Court of Session received the royal commands "to prosecute *our right* concerning the Bass with all expedition." Two years later a warrant against the Lauders was issued from Holyroodhouse. It began:—

Forsameikill as the King's Majestie being informed that George Lauder of Bass and Dame Isobel Hepburn, Lady Bass, his mother, do stand rebels and at the horn, at the instance of diverse creditors, and that notwithstanding thereof they peaceably . . . enjoy some of their rents, and remain within the Crag of the Bass, presuming to keep and maintain themselves so to elude justice and execution of the law.

Therefore the King directed the Privy Council to take steps for the delivery of the Bass and the incarceration of Lauder and his mother in the Tolbooth of Edinburgh. The reaction to this was that "Mr Alexander Hepburne, indweller in Edinburgh" presented a petition subscribed by the laird and his mother lamenting "thair hard and desolate estait" but affirming their "reddie willingnesse" to give their creditors satisfaction, provided they were allowed to come to Edinburgh without molestation. George Lauder only appeared, and though no detailed report of the proceedings is available, it is evident that an amicable arrangement was arrived at, since he remained in possession of the Bass for other twenty years.

It has been plausibly suggested that Lauder eased the situation by selling the lands of Tynninghame. At any rate it is at this juncture that Sir Thomas Hamilton of Priestfield, ancestor of the Earls of Haddington, comes on the scene, and for a considerable number of years is linked with the history of the Bass. On 29th June, 1625, Charles I granted Hamilton the north side of the island, together with certain lands in East Lothian, these to be redeemable within seven years. But the sales to meet the demands of creditors proved but a temporary expedient, and ultimately the Lauders, driven by their impecunious state, had to part with a heritage which had been theirs for hundreds of years.

### III

In 1649 the Earl of Haddington and Hepburn of Waughton were duly installed joint proprietors of the Bass. With the Lauders the romance that had so long enriched the Rock vanished. The ancient castle, no longer their

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home, gradually fell into decay. In its best days it was a strong fortress on a rock well nigh inaccessible where, in the days before gunpowder, the inmates lived in absolute security, though not without much discomfort and privation incidental to its situation.

The Cromwellian invasion of 1650 did not leave the Bass untouched. Waughton, well aware of its possibilities from a military point of view, made use of them by intercepting English ships carrying supplies for the Parliamentary army. One vessel captured was the "John" of London laden with a "huge quantity of boots and shoes" and "a great number of bridles, stirrups, and girths," besides "Canary wine, strong waters, hams, tongues, and Cromwell's two trunks." But when an inventory of the contents of the "John" was ordered, it was found that much of the cargo had been appropriated by the crew, who sold a portion to the inhabitants of Anstruther.

Vigorous measures were taken by the English to prevent further captures. A proclamation was made by tuck of drum in the towns on both sides of the Firth of Forth, by which all intercourse with the garrison of the Bass was forbidden under heavy penalties. Nor was this all. By a summons, dated 22nd October 1651, Waughton was ordered "to deliver into the possession of Captain Roleston the Bass island, with all the forts, fortifications, ordnance, arms, ammunition, provisions, magazines, and stores therein, for the use of the Parliament of England, to avoid the effusion of blood or destruction which may otherwise happen."

On the following day the *Mercurius Scoticus* announced that a party of horse sent to arrest the wife and brothers of the Governor of the Bass on a charge of having supplied him (i.e., the Governor) with necessaries, brought the trio to Leith, whence they were to be shipped off in the event of the Governor not seeking "reasonable terms" and applying "timely remedy." Two days later the same periodical stated that the three offending persons were to be conveyed to London, and their property forfeited if the surrender of the Bass was not immediately forthcoming. Waughton's wife implored her husband to comply, but the appeal was unavailing. Not till April 1652 was capitulation brought about.

Following this, was an order by the English Parliament that "the public records of the Kirk taken in the Isle be packed up in casks and sent to the Tower of London, there to remain in the same custody that the other records that came from Scotland are." In the previous year a requisition had been sent to Waughton "that the Bass might be made secure for the registers, as it had been in a former day of calamity." The Governor "most gladlie

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offered to receive them," promising at the same time "to preserve them from all danger." Thus the Bass was a repository for the records of the Kirk of Scotland for a whole year. (*Book of the Universall Kirk*, Bannatyne ed., vol. III, preface 6, appendix 30.) The Scotts of Buccleuch also placed their heirlooms in Waughton's keeping. There they lay till 1652 when £720 Scots was given to James Anderson, servitor to the laird of Waughton, to be distributed as drink silver amongst the garrison for "importing, keeping, and exporting of the charter-kist to and from and in the Basse."

### IV

For the most part of twenty years after the Cromwellian invasion the Bass probably was without inhabitants except solan geese. At any rate there appears to be no record of any happening during this period. But in 1671 the island again comes into notice, entering upon what perhaps is the most interesting episode of its history, certainly the one that links it in a vital sense with the national story. In Fountainhall's *Historical Notices* it is stated that in March of that year Sir Andrew Ramsay, then Lord Provost of Edinburgh, was appointed a member of a committee to consider "what is fittest to be done for preventing conventicles and disorderly field meetings." At this time the Government were searching for a suitable place in which recusant Covenanters might be immured, and Ramsay, who had just acquired the Bass for £400 from the laird of Waughton, and knowing well what was afoot, sold it to Lauderdale for £4000, and, as is fairly obvious, "a dear bargain it was." (*Kirkton, History of the Kirk*, p. 361.) This nefarious transaction is thus commented on in a contemporary tract:—

"Sir Andrew Ramsay, having neither for a just price, nor by the fairest means, got a title to a bare, insignificant rock in the sea, called the Bass . . . my Lord Lauderdale, to gratifie Sir Andrew, moves the King, [as] the Bass was a place of strength . . . and of great importance . . . to buy the rock from Sir Andrew at the rate of £4000 sterling, and then obtains the command and profits of it, amounting to more than £100 sterling yearly, to be bestowed upon himself." ("Account of Scotland's Grievances by reason of Lauderdale's Ministrie," p. 18.)

Even Sir George Mackenzie of Rosehaugh, the persecutor of the Covenanters, cannot refrain from caustically remarking: "They were kind to one another upon his Majesty's expenses."

Ramsay, who negotiated this highly profitable deal, owed his honours and distinctions to nepotism and jobbery. He was a serviceable tool of Lauderdale, whose favour he gained by prevailing on Edinburgh to give £5000 to the Government for the superiority of Leith, and an additional £5000 as the price of a new imposition on wine and ale granted to the city

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by Charles II. In the town council Ramsay was so unpopular that a motion to have him removed from the Provostship was lost only by a narrow majority. In 1673 another attempt was made to get rid of him. An unsuccessful action was raised in the Court of Session, in which the petitioners contested Ramsay's right to hold the Provostship on the ground that he was of higher rank than a merchant. Such was the character of the man who sold the Bass in order that it might be made a prison for those who thwarted the ecclesiastical policy of the time.

"Every good Presbyterian takes his hat off to the Bass, or is expected to," writes A. G. Bradley, for the island became, in M'Crie's phrase, "the Patmos of many godly men." The tolbooths were filled with Covenanters who refused to bow the knee to Baal, and extra accommodation being an urgent necessity, the Bass had the advantage not only of being near Edinburgh but absolutely secure. When preparing his account of the sufferings of the Covenanters M'Crie visited the island and has left a graphic description of what he saw. Referring to John Blackadder's cell, which measured seven feet by eight, the biographer of Knox and Melville writes:—

"On a late visit to the ruins, I was struck by observing in the western gable of this room (known as the 'inner prison') one small window which had served for light, but which is placed at such a height above the floor that the prisoners could not see either earth or sky from it; while in the eastern gable there is another window placed at a lower elevation, but so contrived that it had looked only into a narrow passage formed by a wall built up against it."

When the Bass passed to the Government the old fortress was repaired, and additional accommodation provided for the Covenanting prisoners, though with the bare minimum of comfort, the rooms being cold, damp, and unventilated; they were also subjected to perpetual drippings from above, and the spray from the sea below.

From 1672 to 1687 some forty Covenanters were imprisoned for periods varying from a few months to upwards of six years. The maximum number confined at one time appears to have been fifteen. The first to suffer was Robert Gillespie, a preacher, who was imprisoned within a year of the purchase of the island. The last was John Spreul, a Glasgow apothecary, whose term of captivity is one of the longest on record, lasting from July 1681 to May 1687.

Needless to say the prisoners suffered terrible privations. Besides the rigour of confinement they were subjected to harsh treatment. All but the bare necessities of life were denied them, and occasionally they were "sore put to it for want of victual for ten or twelve days together." (Crichton,



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*Memoirs of John Blackadder*, p. 296). As a matter of fact, they had to buy their food (mainly consisting of dried fish) from the Governor at greatly enhanced prices, and when bad weather interrupted communication with the mainland, they were almost reduced to starvation.

In 1677 the Privy Council gave instructions that the prisoners were to be allowed to walk about the island, two at a time, and they might receive visits from their friends. Adam Blackadder has left an account of an interview with his father when the latter was in durance vile on the Bass. The men of the Covenant were also permitted the use of books and writing materials, a luxury of which James Fraser of Brea fully availed himself. During his enforced leisure he studied Hebrew and Greek and wrote a treatise on faith.

John Blackadder was one of two prisoners (the other being John Rae) who succumbed to their sufferings on the island. Both were buried in the old churchyard of North Berwick. The flat stone that covers Blackadder's grave bears an inscription in metre, from which the following lines are taken:—

“Blest John, for Jesus' sake, in Patmos bound  
His prison Bethel, Patmos Pisgah found;  
So the bless'd John, on yonder rock confined—  
His body suffer'd, but no chains could bind  
His heaven-aspiring soul.

Five years on the lone rock, yet sweet abode,  
He, Enoch-like, enjoyed, and walk'd with God.”

“With few exceptions,” writes M'Crie, “all the persons confined in the Bass were pious and peaceful Presbyterians”—the exceptions being a Quaker accused of disorderly conduct; a popish priest imprisoned for some cause unknown; a curate who evinced zeal against the “Test”; and that hare-brained fanatic, James Mitchell, who attempted to assassinate Archbishop Sharp.

Lauderdale was officially responsible for the administration of the Bass, and was usually styled “Governor” but sometimes “Captain of the Bass.” There was however a Deputy Governor, resident on the island, and with him lay the entire supervision. This was Robert Maitland, who seems to have belonged to the East Lothian family of that name and to have been a kinsman of Lauderdale. Maitland held the post for eleven years—till his death in 1682, when he was succeeded by his son Charles, who had served on the Bass under his father, being then known as “Ensign Maitland.”

On 5 May 1678 Charles Maitland, at the head of forty armed men,

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dispersed a conventicle of about a thousand people assembled for worship on the rising ground at Whitekirk, and within sight of the Bass. When Maitland ordered the assemblage to dismiss, a scuffle ensued and one soldier was shot. Maitland's men were disarmed and eventually took to flight. (Wodrow, *History of the Sufferings of the Kirk*, II. 476). The central figure of this incident was James Learmont, a native of Haddington. Arrested along with several other Covenanters, he was tried, condemned, and beheaded in the Grassmarket of Edinburgh. In 1685, Charles Maitland, now Deputy Governor, received a grant with which to provide a boat with sail, mast, and oars, to be used by the garrison on the Bass. Further, on 15 July 1687, he was given an allowance of £60 from the Government.

In an appendix to this article a list of Covenanters who suffered imprisonment is printed from an old and not readily accessible work—*Martyrs of the Bass*, by Rev. James Anderson. Here we would refer briefly to the romantic career of George Scot of Pitlochrie, a Covenanter who made history in the New World as well as in the Old. The son of Sir John Scot of Scotstarvit, author of that curious work *Staggering State of Scots Statesmen*, by his second wife Margaret, daughter of Sir James Melville of Halhill, he was not an orthodox Covenanter, for, notwithstanding confinement on the Bass, he sat loosely to Presbyterian principles. While in London in 1679 Scot conversed with several influential persons concerned in the American plantations, and in 1685 wrote a book entitled *The Model of the Government of the Province of New Jersey in America*.

Scot's scheme for a plantation in East New Jersey was adopted. His idea was to settle on the plantation only those who volunteered, but so poor was the response that the Privy Council granted him fifty prisoners from the jails of Edinburgh and a like number from Dunnottar Castle. The voyage, which lasted more than three months, was stormy, and, owing to incredible hardships, the mortality was high. Scot and his wife were among those who perished, so that he never took possession of the five acres in New Jersey granted him in acknowledgment of his services in writing *The Model*. One of the rarest of volumes, an original copy of this work, is preserved in the Gray Library at Haddington.

### V

With the Revolution the grim Covenanting episode connected with the Bass came to an end. It had lasted sixteen years, and scenes of intense suffering were witnessed, the victims being men that only followed the dictates

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of conscience rather than the behests of a king who thought Presbyterianism "no religion for a gentleman." The Bass, however, did not cease to play its part in history. Trouble of another kind arose which assigned the island a distinctive place in Scottish military annals, being the last place in the northern kingdom to surrender to the government of William III. Maitland, a zealous supporter of James VII, continued to hold the Bass on behalf of the dethroned king. A new Governor was appointed in the person of Henry Fletcher of Saltoun, but Maitland relying on the loyalty of the fifty men who composed the garrison and the impregnability of the fortress, declined to surrender. A food problem hardly existed, the solan geese being sufficient in the last resort to sustain the garrison. Moreover, meal and other provisions were levied from ships passing up the Firth of Forth.

The fortress being difficult to take by assault, the Privy Council ordered Captain Archibald Dunbar to try to bring about capitulation by means of blockade. This officer had been recommended to William III as Deputy-Governor in spite of the fact that Fletcher of Saltoun was already in possession. The matter was further complicated by the fact that Fletcher himself had appointed a deputy of his own, a person named Wood, who eventually was given command of the Bass, though the island was still in Jacobite hands.

When Maitland's ammunition was exhausted, and no help from the mainland forthcoming, surrender became inevitable. Accordingly, on 9th August 1689, terms of capitulation were agreed to, the main feature of which was that Maitland and the garrison were to be indemnified on taking an oath never again to bear arms against the government of William and Mary.

But a comparatively trifling incident led to the Bass becoming once more a citadel of Jacobite influence. On 15 June 1691, while the garrison were engaged taking in coal at the landing stage, four Jacobite prisoners barred the gate of the fortress and trained the guns on the garrison outside. The Jacobite prisoners, reinforced till they numbered sixteen, were lucky enough to receive provisions from the French Government, and having two vessels at their disposal, made plundering expeditions. Among their exploits was the theft of a number of sheep from the May Island. They also seized a merchant vessel laden with salt, and were daring enough to exact ransom from the Edinburgh owners for the ship itself. These marauding enterprises were not always successful. On one occasion, having seized a cargo of wheat, the plunderers directed course to the Bass, but being driven by contrary winds as far north as Montrose, they had to run the prize ashore.

This filibustering was not allowed to go on unchecked. A punitive

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expedition, consisting of two frigates with sixty and fifty guns respectively, was dispatched by William III. For two days the fortress was subjected to continuous cannonade, but with little effect. Several of the sailors were killed, while the frigates were damaged and cost £500 to repair.

Cannon shot proving of little avail, an attempt was made to starve the garrison into submission. Two vessels were assigned the duty of blockading the Bass and protecting passing ships from being plundered. In addition, strict watch was maintained on both sides of the Firth, with the object of capturing any of the marauders who chanced to evade the Government's vessels. It is interesting to recall that there is preserved at Dunbar a letter from the Lord Chancellor thanking the magistrates for their diligence "in seasing the vessel and apprehending the seamen who had been with coalls to the Bass."

The records of the Privy Council contain numerous entries "concerning the Bass and its pretended garrison." It seemed as if the defenders would never be brought to heel, and all sorts of stratagems were resorted to. For example, the Scottish Secretary of State proposed that two war vessels should engage in a sham fight in the vicinity of the island. One of them, flying the French flag, should give signs of being disabled, and, under pretence of seeking refuge, sail for the Bass and then seize it.

Communication with the beleaguered Jacobites was made a capital offence. This prohibition however, did not prevent a relative of the Trotters of Morton-hall attempting to reach the mainland. He was arrested and condemned to death, the gibbet being erected opposite the Bass that the garrison might witness his fate. But the latter calmly fired a shot and scared the executioner from his post. The Jacobite was hanged elsewhere.

In the summer of 1693 James VII wrote to Captain Michael Middleton congratulating him on his zeal and loyalty, and intimating that much needed provisions were on the way. Early in the following year the exiled king wrote again:—

"We are informed of the scarcity of provisions our garrison under your command is reduced to, and have ordered it to be supplied. We have likewise sent Major Middleton to assist you with his advice in all things relating to our service in the said garrison, not doubting but his experience will be both a help and a comfort to you, and that you will conjointly manage all things to be best for our service by keeping the garrison in union and discipline, and encouraging all our subjects under your command to stand firm to their duty, letting them know they may assure themselves of a due reward of their services and sufferings whenever we shall be in a condition to do it. . . . That all our Catholic subjects with you may have the comfort of the exercise of their religion, we have likewise sent you Mr Nichols to perform the duty

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of a priest to the garrison by administering to the Catholics all the spiritual assistance that is incumbent to his functions."

But the Royal message of succour and consolation came rather late in the day. According to a contemporary account, a vessel, laden with supplies, duly arrived at the Bass from Dunkirk, but the garrison were so reduced in number and enfeebled that there was not sufficient help to land the provisions. To make matters worse, the difficulty of hoisting the supplies was increased by the action of the "Lion," one of the two blockading ships, which caused the privateer to cut its cable to avoid being run down. As only a small portion of the provisions had been landed, it became clear that the garrison would be faced with starvation before long.

The end came on 18 April 1694. On that day the commander of the garrison hoisted a flag of truce and announced that the Bass would be surrendered, provided his terms were granted. These were, that the garrison should be allowed ashore carrying their swords; that a ship should be furnished by the Government to transport such as were willing to go to Dunkirk or Havre; while those remaining behind should not be molested; that all property captured from passing ships should remain in their possession, together with their boats and all personal belongings; and that every member of the garrison should have the benefit of capitulation, while those in prison (or otherwise distressed) should be liberated. These terms were accepted, and the protracted siege of the Bass, lasting nearly three years, was terminated.

Considering their straitened circumstances, it is impossible to withhold a tribute to the skill, courage, and resource of the defenders, irrespective of the wretched and hopeless cause in which they were enlisted. Hill Burton, who gives graphic details of the siege, cites as the most instructive part of the episode, the slight progress then made "in the art of marine sieges of fortified places." As an instance of ineffective marksmanship, he mentions that the garrison picked up five hundred cannon balls that had been scattered over the rock by the besiegers.

The Government, strangely enough, were in no hurry to prevent the recurrence of the incident narrated. Not till 1701 were the fortifications of the Bass demolished, and the guns and ammunition removed. Once this was done, however, a period was put to the warlike history of the island, which now entered upon those peaceful days that have continued ever since. Only one important fact remains to be recorded. In 1706 Sir Hew Dalrymple of North Berwick, Bart., Lord President of the Court of Session, obtained

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a grant of the Bass from the Crown on payment of one penny Scots yearly. The island is still in the possession of his descendants.

### VI

But there is more to be said which, if not bearing directly on the historical aspect, cannot be ruled out entirely, as it adds instructively to our knowledge of the past of the island whose successive phases have been unfolded in the preceding pages. That much abused word "unique" may be applied to the Bass with some justification. Its singularly imposing mass set in the sea but so near the mainland that it can be reached from the nearest point under favourable weather conditions in about a quarter of an hour; the long drawn-out and diversified historical pageant that it recalls; and, above all, the fact that it is a naturalist's paradise, thousands of solan geese or gannets having their nests in its precipitous cliffs—these features have combined to call forth the admiration and enthusiasm of travellers throughout the centuries. Whether a person be interested in zoology, or botany, or in rock formations, or, on the other hand, is historically-minded, the Bass provides a rich and fascinating field. Thus it comes as no surprise that travellers from earliest times have beheld this island with wonder and enchantment.

Not a few piquant references to the Bass are to be found in the early literature of our country. Surely no one had more right to jot down his impressions than the mediæval scholar, John Major, who was born at Gleg-hornie, near North Berwick (1469 or 1470), and knew the Bass intimately. In his *History of Greater Britain*, he describes it as "an impregnable stronghold." But what attracted this Latin historian most was the gorgeous display of bird life.

"Bound about the Bass is seen a marvellous multitude of great ducks (which they call Sollendae) that live on fish. . . . These geese in the spring of every year return from the south to the rock of the Bass in flocks, and for two or three days, during which the dwellers on the rock are careful to make no disturbing noise, the birds fly round the rock. They then begin to build their nests, stay there throughout the summer, living on fish, while the inhabitants of the rock [also] eat the fish that are caught by them, for the men climb to the nests . . . and there get fish to their desire."

Major goes on to say that "the produce of these birds" supports thirty or forty men of the garrison. He also refers to the dexterous methods employed by the solan geese in catching the fish. Hume Brown in his *Early Travellers in Scotland* notes that the bird life of the Bass constantly appears in narratives as one of the marvels of Scotland, and that the construction of the nests has been matter of controversy, even in modern times.

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For Hector Boece, another sixteenth-century chronicler (not to be relied on overmuch), the Bass is "ane wonderful crag risand within the sea, with so narrow and strait hals [passage] that na schip noir boit may arrive bot allanarlie [only] at one part of it. This crag is callet the Bas; unwinnabill by ingine of man. In it are coves, als profitable for defence of men, as [if] thay were biggit be crafty industry. Every thing that is in that crag is ful of admiration and wounder." (*Bellenden's trans. of Boece's History*, I, 37.)

In 1535, Peder Swave came to Scotland to gain the support of James V for Christian II against the citizens of Lubeck, who had cast off that monarch's authority. During his stay Swave kept a diary. This is what he writes of the Bass: — "We saw a fortified place called Basth, situated on an immense rock." The gannets are "of white colour but mixed with black," and "the feathers and fishes which these birds carry on to the rock" are said to yield "the commander of the fort" an annual sum of "400 gold [pieces]." (Hume Brown, *Early Travellers in Scotland* pp. 55-58).

We pass to a French testimony—that of Jean de Beaugué, who assisted Mary of Guise in trying to expel the English from Haddington in 1548-9. Beaugué must often have seen the Bass. He calls it the "Isle des Magots," the term being suggested by the solan geese. The Scots, we are told, "receive it as a fact that the hundred or hundred and twenty soldiers who form the ordinary garrison of the Castle of Bass...live for the most part on...fish daily carried thither by these birds, and burn no other wood than what these wild geese bring in spring to build their nests with." Here is an interesting passage about the castle from the same pen: —

"The island is so little inviting and so uneven that till you come to the castle wall itself, you cannot plant the foot on level ground; and this is so much the case that (as I have often myself seen) when the captain's servants wish to enter, it is necessary to throw down a thick rope to help them in the ascent; and when they have reached the foot of the wall with the utmost difficulty, a basket is let down, in which they are drawn up."

Bishop Lesley in his *History* (1578), after giving details of bird life in much the same terms as John Major, enlarges upon the great strength of the fortress. "Nather be force or fraud is it thocht winnable" and "lang towis [ropes] and lathiris [ladders] have to be let down before anyone can be admitted . . . In the heid of this craig is ane calde and perpetual spring of fyne freshe, and fair water."

The chief event in the life of John Taylor, the "Water Poet," was his journey on foot from London to Edinburgh in 1618, quaintly narrated in *Penniless Pilgrimage*. Taylor begged his way, "asking meat, drink, or

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lodging." At Leith he met Ben Jonson, who gave him "two-and-twenty shillings" wherewith to drink his health. The Water Poet's description of the Bass affords a pleasant glimpse of its appearance in the reign of James VI. He remarks on its great height, that it has a house and chapel, and at the top "a well of pure fresh water." Further, the island is "fully replenished with wild fowle."

Our next traveller is Sir William Brereton, who made a journey to Scotland in 1636. He wrote up his travels but they remained in manuscript till 1844 when they were published by the Chetham Society. In the course of his itinerary Brereton viewed the Bass. His account, however, does not differ materially from Taylor the Water Poet's, penned eighteen years before. He speaks of the rock being fortified and inhabited "by the lord of the Bass." On the island "are kept sheep, and some kine and coneys," also "abundance of fowl." When "their eggs are sufficiently sitten, the solan geese stamp upon them with their feet and break them."

Brereton was not the only traveller who surveyed the ornithology of the island with the eye of a naturalist. In 1651 no less a person than William Harvey, the discoverer of the circulation of the blood, made a special pilgrimage to the Bass to study the habits of the solan geese. Then in 1662 John Rae, the renowned naturalist, came to Scotland and, as one would expect, made acquaintance with the gannets of the Bass, who, judging by his *Itinerary*, claimed the major portion of his attention. "They are very bold, and sit in great multitudes till one comes close up to them, because they are not wont to be scared or disturbed." Rae mentions a curious custom met with in no other early description, namely, that visitors were made "burgesses of the Bass," the ceremony consisting of their "drinking of the water of the well which springs near the top of the rock" and accepting "a flower out of the garden thereby."

And while pursuing his apostolic labours in Scotland in 1772, John Wesley must needs satisfy his insatiable curiosity by a scramble up the Bass Rock, which, he is careful to remind us, was "the prison of those venerable men who suffered all things for a good conscience." In his *Journal*, under date 21 May 1772, Wesley writes:—

"I went to the Bass. . . . It is a high rock surrounded by the sea. . . . The strong east winds made the water so rough that the boat could hardly live. And when we came to the only landing place (the other sides being quite perpendicular), it was with much difficulty that we got up, climbing on our hands and knees. The castle, as one may judge from what remains, was utterly inaccessible. The walls of the chapel and of the governor's house are tolerably entire. The garden walls are still seen near



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the top of the rock, with the well in the midst of it; and round the walls there are spots of grass that feed eighteen or twenty sheep. But the proper natives of the island are solan geese, a bird . . . which breeds by thousands, from generation to generation, on the sides of the rock."

Then Wesley's thoughts turn to the sufferings of the Covenanters, and he asks: "How many prayers did the holy men confined on the Bass offer up . . . and how many thanksgivings should we return for all the liberty, civil and religious, which we enjoy!"

It would have been gratifying had it been possible to place alongside Wesley's description the impressions of his equally renowned contemporary, Samuel Johnson, who made a peregrination through Scotland a year later. The great Cham of Literature may have caught a distant glimpse of the Bass as he journeyed through East Lothian on his way to Edinburgh, but he never visited the island, though, curiously enough, he landed on Inchkeith while crossing the Firth of Forth to Fife, and has recorded his experience.

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### ALPHABETICAL LIST OF COVENANTING PRISONERS

(Compiled by Rev. James Anders on, author of *Martyrs of the Bass*.)

- |   |   |
|---|---|
| Anderson, Patrick, minister of Walston.                 | Lin, William, writer in Edinburgh.  |
| Bell, William, preacher.                                | Macaulay, James, preacher.  |
| Bennet, Robert, of Chesters.                            | McGilligen, John, minister of Fodderty.   |
| Blackadder, John, minister of Troqueer.                 | Mitchell, James, preacher.  |
| Campbell, Sir Hugh, of Cesnock.                         | Peden, Alexander, minister of New Glenluce.   |
| "    Sir George,    "                                   | Potter, Michael, preacher.  |
| "    John, minister in Ireland.                         | Rae, John, minister of Symington.   |
| Dick, Robert, saltgrieve to Lord Carrington.            | Riddell, Archibald, minister at Kippen.   |
| Dickson, John, minister of Rutherglen.                  | Ross, Thomas, minister in the North.  |
| Drummond, James, chaplain to Marchioness of Argyle.     | "    Robert, preacher.  |
| Dunbar, Alexander, preacher.                            | Rule, Gilbert, minister of Greyfriars, Edinburgh, afterwards Principal of College of Edinburgh. |
| Fithie, James, chaplain of Trinity Hospital, Edinburgh. | Scot, George, of Pitlochrie.  |
| Forrester, Alexander, minister of St. Mungo.            | Shields, Alexander, preacher, author of <i>A Hind Let Loose</i> .                               |
| Fraser, James, of Brea.                                 | Spence, William, schoolmaster in Fife.  |
| Gillespie, Robert, preacher.                            | Spreul, John, apothecary in Glasgow.  |
| Gordon, Alexander, of Earlston.                         | "    "    Town Clerk of    "  |
| Greig, John, minister at Carstairs.                     | Stewart, John, minister in Presbytery of Deer.  |
| Hog, Thomas, minister of Kiltearn.                      | Traill, Robert, minister at Cranbrook, "a Pentland Rebel."                                      |
| Kid, Peter, minister at Carluke.                        |   |
| Law, John, minister of Campsie.                         |   |
| Learmont, Joseph, Major in the Covenanters' Army.       |   |

DAVID CALDERWOOD: HISTORIAN OF THE KIRK  
BY THE REV. W. Y. WHITEHEAD, Ph.D.

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DAVID CALDERWOOD, whose voluminous *History of the Kirk of Scotland*, from the beginnings of the Reformation to the close of the reign of James VI (1528-1625), has given him a distinguished place among Scottish ecclesiastical historians, is intimately connected with East Lothian, having been for ten years minister of the parish of Pencaitland.

It is supposed that Calderwood was born near Dalkeith about 1575. There is definite evidence, however, that he graduated Master of Arts at Edinburgh University in 1593, and that in 1605 he became minister of Crailing in Roxburghshire. Not long after his induction he rose into prominence by his strong and purposeful opposition to the ecclesiastical policy of James VI. To understand adequately Calderwood's unbending attitude, and the need there was for it, certain facts of contemporary history must be borne in mind.

After the Union of the Crowns James VI aimed at presiding over a mighty triad—a United Kingdom, a United Parliament, and a United Church. He was moved thereto by a megalomania which possessed him to the end of his days. As regards the Church of Scotland, a lust for power led him to attempt the undermining of the authority of the ministers. To this end he tried to alter the government of the Church, especially by proposing the following amended statute: "That whatsoever His Majesty should determine in the external government of the Church with the advice of the archbishops, bishops and *a competent number of the ministry* should have the strength of a law." This meant that a few pliable ministers added to the prelates was all that was necessary for the passing of ecclesiastical laws in future. In short, the General Assembly was to be ignored.

Among the large number of ministers from the south of Scotland who met and protested against the proposed amended statute was Calderwood.

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Along with two Edinburgh ministers, Peter Hewat (or Ewart) and William Struthers, he was chiefly responsible for drafting the protestation, which achieved its aim—the proposed statute being withdrawn. But shortly after, Calderwood, Hewat, Struthers and three other ministers were summoned before the Court of High Commission. Archbishop Spottiswood presided, and the King, who was present, called for a severe sentence. The Edinburgh ministers made abject submission and were pardoned; but Calderwood sturdily stood his ground, in consequence of which he was deprived of his charge and committed to the tolbooth in St Andrews. After a few days he was transferred to Edinburgh for further sentence, which took the form of banishment from the King's dominions.

The cause of the exceptional severity thus meted out was the resoluteness with which Calderwood had defended his principles. Neither the gibes and browbeating of Spottiswood and other prelates, nor the protracted argument he had with the King could change his respectful but obdurate attitude. When a little over forty Calderwood steps out as the visible standard-bearer of Scottish Presbyterianism, and this at a time when its champions were fewest and its hopes lowest.

Subsequently we hear of him protesting against the right of the Bishop of Orkney to set aside an appointment made by the Presbytery of Jedburgh of two commissioners to the General Assembly. For his resistance to the invasion of the rights of Presbytery, Calderwood was deprived by the Privy Council of the privilege of sitting in Church courts, and was forbidden to go beyond the bounds of his parish. At the same time the archbishops and bishops were urging the King and the Privy Council to suppress the opposition led by Calderwood. As he himself declares in his *History* (vol. vi, pp. 702-5): "The bishops for their own ends blame every unpopular proclamation on the King, though orders coming from Court were first drawn up by themselves."

Calderwood also waged war against constant moderatorships in the lower courts of the Church. But for his resistance this feature would very probably have been introduced. Soon the constant moderators would have been transformed into bishops, and the way to the adoption of Episcopacy would have been made easy. Calderwood likewise stood out against the royal claim to control the General Assembly without the consent of its commissioners.

There was a puritanical side to Calderwood's character. Once, when attending a meeting of ministers presided over by bishops, he objected to the

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discussion being confined to the betterment of stipends, exclaiming: "It is an absurd thing to see men sitting in silks and satins and crying Poverty! Poverty! while in the meantime purity is departing." Again, when in 1609 Christmas was made a public holiday in Scotland, the minister of Crailing wrote: "Christmase was not so well kept by feasting, and abstinence from worke in Edinburgh these thirtie yeares before—an evil example to the rest of the countrie." His puritanical tendencies are also evident in his strictures upon the elaborate new costumes to be worn by Scottish members of Parliament and lawyers.

The year 1610 was notable for the meeting at Glasgow of the General Assembly which all but completed the destruction of the Presbyterian system in favour of Episcopacy. One of its active members was George Home, Earl of Dunbar, who was accused by Calderwood of having "left nothing undone to overthrow the discipline of our Church."

The spirit of sweet reasonableness was not conspicuous in Calderwood, neither was it the ethos of the Church of Scotland. It may have been prevalent among the "Aberdeen Doctors," who flourished during this period; but the Scottish Reformation required the courageous if somewhat too rigid mind of Calderwood more than the compromising spirit of the "Aberdeen Doctors."

By 1617, the year in which James VI revisited his native land, Calderwood had become such a thorn in the royal flesh that his banishment was ordered. The real objective of the King's visit was to persuade and, if need be, force the Scottish people to adopt Episcopacy. When His Majesty took up residence at Holyrood, which he decorated with painted figures of the twelve Apostles as well as introduced an organ, the popular cry arose: "The organ comes first, the images succeed, and we shall soon have the Mass itself." To which the King retorted that it was surely better to have figures of the Apostles than those of devils and dragons, which then so plentifully ornamented sacred buildings. Nevertheless, the danger of making painted images objects of worship was at that time very real. At any rate, Calderwood thought so, and many shared his opinion. But even admitting that all the right was not on one side, we are bound to admire the courage, acumen and learning displayed by Calderwood in his bouts with the King and the bishops. Had he not been so able an antagonist, Scotland almost certainly would have been a victim of the tyranny of the Court of High Commission. When James VI charged Calderwood with having assisted at a "mutinous meeting," he replied: "Sir, when that meeting shall be condemned as

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mutinous, then it is time for me to answer for my particular assistance." Pursuant to this, the King strove to compel the conscience of the minister of Crailing by thus defining obedience: "The centurion, when he said to his servants—to this man go and he goeth, to that man come and he cometh—that is obedience." Modestly but firmly, Calderwood countered with the remark: "To suffer, Sir, is also obedience." Again, when the King absolved himself from pronouncing on Calderwood the sentence of removal from his pulpit, the latter turned to the bishops and said: "Neither can ye suspend or deprive me in this Court [of High Commission], for ye have no further power in this Court than by commission from His Majesty, who cannot communicate that power which he claimed not for himself." Provoked by this declaration, the royal disputant asked: "Are they not Bishops and Fathers of the Kirk, clothed with the Kirk's authority—have they not power to suspend and depose?" "Not in this Court, Sir," was Calderwood's brave reply.

We can now understand how Calderwood became the chief object of the King's resentment, whereby he was imprisoned and then banished. It was only the intercession of powerful friends, like Lord Cranstoun, that prevented Calderwood from being sent to the Plantations. As it was, he was in hiding for several months, since the King was adamant against the postponement of the sentence. At last, in August 1619, he sailed from Newhaven to Holland.

Before leaving Scotland, and while concealed in Cranstoun House, Calderwood wrote a tract entitled "The Perth Assembly," in which he made a trenchant attack on the Articles passed by that body. The tract was printed in Holland, smuggled in vats to Leith and Burntisland, and widely circulated. An Edinburgh bookseller, Cathkin by name, was wrongly suspected of having printed and published the tract, and consequently incurred the wrath of the King. Cathkin, however, was in sympathy with the views expressed in the tract, and had lodged the author in his house on several occasions.

Calderwood found no such sympathiser in a person named Patrick Scott. Hearing a rumour that the author of the tract was dead, Scott thought to enrich himself by publishing a "Recantation" purporting to have been written by Calderwood. But the fraud was soon exposed when Calderwood's famous *Altare Damascenum* was published in Holland and copies brought over to Scotland. This work so established the author's reputation in the Netherlands that he was described there as "Ementissimus Calderwood."

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James VI perused the *Altare Damascenum* and was so much discomfited that an English prelate remarked soothingly: "The English bishops, Sir, will answer it." "What . . . will you answer, man?" cried the King; "there is nothing here than Scripture, reason, and the Fathers." The royal testimony is borne out by a later writer, who quaintly says: "The work hath not been answered to this day, nor belike will afterward."

The *Altare Damascenum* deals with the ecclesiastical state of England under Elizabeth. Calderwood shows how all the conditions then prevailing had no warrant either from Scripture or from the writings of the Fathers. The Church of Scotland, he argued, must remain free from such State control as existed south of the Border.

King James died in 1625, and Calderwood was free to return to Scotland. Looking to his services in behalf of the Church of Scotland, he might well have expected to be received with open arms, and to have been appointed at once to a charge, but it was not till 1641 that he became minister of Pencaitland. Many things hard to determine now may have accounted for the cold reception and tardy recompense. His long absence may have weakened the ties which bound him to his friends, some of whom may have died in the interval. Jealousy may also have been a factor, and there may be some truth in Andrew Lang's accusation that Calderwood was violently intolerant, and that he became soured.

Be that as it may, he set himself after his return the task of writing his monumental *History of the Kirk of Scotland*, a work which led Robert Baillie to characterise as "that living magazine of our ecclesiastical history." Most of the work of compilation was probably done while Calderwood was living privately in Edinburgh. The General Assembly showed a practical interest in the *History* by granting the author a pension of £800 Scots to complete the undertaking.

Calderwood's *History* existed originally in three versions. The first and largest, extending to 3136 pages, was not a consecutive narrative, but something in the nature of a commonplace book, in which the materials were roughly put together. The second version was a condensation of the first, "in better order and wanting nothing of the substance." It was published by the Wodrow Society in eight stout volumes in 1842-49. The third version, containing another summary of the whole work, was published in folio form in 1678. Thomas Thomson, the great record scholar, who edited the Wodrow Society's edition, praises Calderwood's "eloquence, learning, and acute dialectic power." "If the *History*," it has been remarked, "cannot be com-

## DAVID CALDERWOOD: HISTORIAN OF THE KIRK

mended as a literary performance, it at all events represents vast labour and profound knowledge." In truth, the author's acquaintance with Church records was unrivalled, and to-day his eight volumes is the chief quarry for every historian of Calderwood's times. In addition to the *History*, Calderwood wrote nearly a score of works, several in Latin, and mostly controversial.

About the time when Cromwell's army was in the Lothians, Calderwood retired to Jedburgh, the scene of his earlier ministrations, and soon to be the scene of his death, which took place in the year of Dunbar Drove (1650).

## HADDINGTON DOCUMENTS IN REGISTER HOUSE

The following list of documents relating to properties in and about Haddington has been deposited in the Register House, Edinburgh. The documents, which are available for consultation, have been arranged in chronological order. For identification a number on the documents is indicated in a bracket at the end of each item. Nos. 23, 24 and 25 are now in the possession of Mr Robert Waterston, a member of the Society:—

1. 1438 April 23.—SASINE of Henry of Caverton, son and heir of deceased William of C. burgess of Haddington in 1 acre of land called Kingsmeadow. (21)
2. 1467 Decr. 16.—RESIGNATION by Robert Atkinsone burgess of Haddington in hands of Sir William Knollis (Preceptor) of his temple land in the Fyscheraw. (22)
3. 1467 Decr. 16.—RESIGNATION as above, and SASINE thereof to Patrick of Ogill burgess of Haddington. (13)
4. 1467-8, Jan. 7.—SASINE of Patrick Ogyl and his wife of said tenement. (71)
5. 1467-68 Jan. 7.—RENUNCIATION by David Wricht of annual rent of 7 merks from said tenement, and SASINE of Patrick Ogyl therein. (39)
6. 1477 Novr. 15.—SASINE of Robert Schortous burgess of Haddington and his spouse in a temple tenement in H. on north side of the Gryp, resigned by Walter Fowlar. (27)
7. 1479 April 5.—SASINE of Patrick Ogill and spouse in the (Fisherrow) tenement on warrant from the Preceptor dated 5th April 1479. (151)
8. 1488 Octr. 31.—RESIGNATION by Patrick Ogill of a tenement on south side of the burgh of Haddington. (John Kello west and George Leirmonth east), and SASINE thereof to John Getgud burgess of Haddington. (6)
9. 1488 Octr. 31.—RESIGNATION by John Getgud of half of his tenement and SASINE thereof to himself and spouse. (47)
10. 1499-1500 Mar. 13.—RESIGNATION by John Bowmaker burgess of Haddington and spouse of annualrent of 13s. 4d. from his tenement on south side of the market place, and SASINE of Thomas Andersone, burgess of Haddington therein. (121)
11. 1500 Augt. 6.—CHARTER by William, Lord St. John, to John Getgude of a temple tenement on west side of the Fyschermercat. (86)



## HADDINGTON DOCUMENTS IN REGISTER HOUSE

12. 1509 May 18.—CHARTER by George Dundas, Preceptor of Torphichen to John Getgude, younger and spouse, of a temple tenement in the Fisherrow (in vico piscium) resigned by John G. elder, his father. (20)
13. 1509 June 20.—CHARTER by Alexander Nisbet and spouse to John Waik, burgess of Haddington, and spouse of annualrent of 5s. from tenement of John Ritpetht lying in the Sidgait of Haddington, and several other annualsrents from sundry properties. (40)
14. 1510 Oct. 7.—SASINE of John Getgud, younger, and spouse in temple tenement on west side of street of the Fishmarket, on precept by George, Lord St. John, dated 30th September, 1510. (33)
- 15.—1514 May 31.—SASINE of John Getgud in a piece of land (juger) in the Nungate (vico monialium) on south side of St. Martin's chapel, in terms of precept by the Prioress of the nunnery at Haddington dated 12th November, 1513. (45)
16. 1519-20 Feb. 1.—RESIGNATION by Cristina Anderson of tenement on north side of Marketplace, and other properties, to William Fourrois, her future husband. (18)
17. 1520 Mar. 27.—SASINE of William Fourros, burgess of Haddington in above properties. (41)
18. 1520 July 24.—CHARTER by William Lermotht of Leehill to David Fourrois, burgess of Haddington, of his tenement on north side of Market Street. (149)
19. 1520 Aug. 4.—RESIGNATION by Henry Lauson rural dean of Haddington of his croft called the Tentercroft on north of town, and west side of road leading to Harperdeyn, and SASINE of William Fourros therein. (88)
20. 1521 July 6.—RESIGNATION by John Home burgess of Haddington of tenement on north side of the Smiddyrow (*vici feranei*) in favour of William Fourros. (83)
21. 1522 Oct. 20.—SASINE of Mr George Sidserf and his successors, chaplains of the altar of the Virgin and the Three Kings of Cologne, of annualrents amounting to 14 merks from properties in Haddington belonging to David Fourros, burgess of Haddington, founder of said chaplainry, in terms of his Charter dated 20th October, 1522. (96)
22. 1532 May 24.—SASINE of John Getgud, son of deceased John Getgud, burgess of Haddington, in an acre of land on north side of Haddington in the territory called Harmanschot. (100)
23. 1532 May 23.—CHARTER by John Getgud to Mr Robert Walterson, provost of Bothans and chaplain of Trinity altar, of said acre. (32)
24. 1532 May 24.—SASINE of Walterstoun in above, and RESIGNATION by him to Mr Patrick Cokburn, chaplain of Trinity altar, to whom sasine is accordingly given. (37)
25. 1532 May 23.—TACK by Mr Robert Walterson, provost of the college kirk of St. Cuthbert of the Bothanis, founder of the Trinity Aisle in Haddington, with consent of Mr Patrick Cokburn now chaplain thereof, to John Getgud of the foresaid acre for 26s 8d. yearly and 5s to the bailies or the small customers of Haddington. (5)
26. 1535 Apr. 21.—SASINE of John Getgud as heir to his father in a

## HADDINGTON DOCUMENTS IN REGISTER HOUSE

- temple tenement in Haddington (John Hynde on south and John Wilson on north) on precept by Walter, Lord St. John. (36)
27. 1537 Mar. 26.—SASINE given by Henry Congiltoun of that ilk to John Fowrois, burges of Haddington, of an acre on the north side of Haddington, containing four rigs (*sulcos*) and bounded by the Hermynd well on the south. (9)
  28. 1537 Mar. 26.—SASINE of John Fowrois, eldest son of deceased William Fowrois in a tenement on north side of Marketgate, and several other properties. (15)
  29. 1542 May 17.—CHARTER by Walter, Lord St. John, to John Getgud and spouse of temple tenement in Haddington (John Hynd on south and John Wilson on north). (162)
  30. 1542 May 23.—SASINE thereupon (tenement said to be near the Greyfriar's port). (102)
  31. 1542 May 23.—SASINE of John Getgud in an acre in the Harmonflatt. which he again resigned in favour of himself and spouse. (4t)
  32. 1542-3 Mar. 8.—SASINE of Katherine Mane, wife of Andrew Hendersoun, in a tenement on north side of the Nungate, as heir to deceased John Mane her father, on precept by the Prioress dated 1st March, 1542-3 (which refers also to other properties). (31)
  33. 1543 Apr. 9.—SASINE of John Fowrois as heir to deceased William Fowrois his father in 4 rigs (*sulcos*) of arable land with heidrig thereof lying in Haddington on north side, having the Harmonwell on south. (19)
  34. 1547-48 Feb. 8.—DEED OF WARRANDICE by John Getgude, burges of Haddington, to secure John Fores, burges there, in his possession of certain properties there sold to him by Getgude. (150)
  35. 1551 Octr. 16.—PRECEPT OF SASINE by Elizabeth, Prioress of Haddington to infest John Fowrois, burges of H., in a piece of arable land lying in the Nungate on the south side of St. Martin's Chapel. With seal. (123)
  36. 1551 Octr. 16.—SASINE following thereupon. (46)
  37. 1553 July 16.—INSTRUMENT narrating that John Fowrois son and heir of deceased William F., and heir and successor of deceased David F., and thus undoubted patron of the chaplainry of the Three Kings in St. Mary's Church at Haddington gave infestment of the said chaplainry to dene John Anderson. Signature and seal of John Forrest.
  38. 1553-4 Mar. 17.—RESIGNATION by Thomas Park of an annualrent of 20s. from his tenement in the Baxstar Raw and SASINE thereof to John Fourrois. (3)
  39. 1556 Augt. 31.—INSTRUMENT upon licence granted by John Forrest, provost of Haddington, to John Aytoun, burges there, to build windows and a door on the east side of his barn adjacent to the garden of the said John Forrest. (98)
  40. 1557 June 29.—INSTITUTION by John Forrest, burges of Haddington, patron of the chaplainry of the Three Kings of dene John Anderson as chaplain in succession to dene Thomas Keryngtoun who had resigned. (105)
  41. 1557 Decr. 14.—CHARTER (cancelled) by John Forrest, burges of Haddington, to dene Adam Broun, chaplain of the Trinity Altar in Haddington, of his 2 acres of arable land, one in the Myllschott and the other in the Medowakeris. (42)

## HADDINGTON DOCUMENTS IN REGISTER HOUSE

42. 1558 May 6.—INSTRUMENT OF RESIGNATION of John Forrest, burges of Haddington, as heir of deceased William F., his father, in several subjects in Haddington; which he anew resigned for Sasine to be given to himself and Magdalene Cokburn, his spouse. (2)
43. 1558 May 6.—Another SASINE to the same effect. (8)
44. 1558 May 6.—SASINE of John Forros, burges of Haddington, as heir to his said father, in subjects in Haddington. (11)
45. 1560-1 Mar. 6.—PRECEPT by James Cokburn of Skirling to infest John Forrest and Magdalene Cokburn, his spouse, in 3½ acres of arable land called Sleychtislandis of which some rigs lie in the Myllflatt. (26)
46. 1562 May 28.—SASINE given by George Broun of Colstoun to Mr Alexander Forest of an acre of arable land in the Giffert Gait bounded on the East and South by the lands belonging to the Altar of the Virgin Mary of Edram. (141)
47. 1562 May 29.—LETTER OF REVERSION by said Mr Alexander Forrest regarding the above acre. (75)
48. 1562 Novr. 22.—RESIGNATION by John Canny of half an acre in the Nungate in the field called the Crocefot containing 8 butts of land and SASINE thereof to Henry Cambell, burges of Haddington. (74)
49. 1562 Decr. 3.—SASINE of Henry Cambell in an acre of land in the Nungate described as above on Precept by Elizabeth, Prioress of Haddington. (97)
50. 1564 Decr. 27.—LETTER OF REVERSION by John Hepburn in the Nungate regarding an acre of arable land in the Mydshott dispo-  
ned to him by John Forrest. (81)
51. 1565 May 24.—PRECEPT by James, Lord St. John, for infesting Patrick Getgude as heir to his brother german John G., in a temple tenement (John Hynd on South and John Wilson on North). (92)
52. 1565 July 16.—SASINE of Patrick Getgud thereupon. (94)
53. 1566 Novr. 16.—LETTER OF REVERSION by Thomas Park, burges of Haddington, regarding an acre of arable land in the shot of land called Adamflatt in the territory of Nungate dispo-  
ned to him by John Forros. (12)
54. 1568 May 6.—JUDICIAL CONSENT by Elizabeth Keringtoun, wife of John Myllar *alias*. Johnestoun and liferentrix of 3 waste tenements in Nungate beside the mill called Gymmos Myll to the Disposition thereof by her husband in exchange for an acre lying beside the Walkmyll. (90)
55. 1569 Octr. 6.—SASINE of David Forrest son and heir of the deceased John F., Provost of Haddington, in the grain mills called Gymmersmyllis with the myll croft and other mill lands with other properties in terms of Precept by Isobell, Prioress of Haddington. (156)
56. 1572 Mar. 28.—SASINE of David Forrest as heir to the deceased John F., burges of H., his father, in a tenement on the North side of Market Street (*vici pretorialis*) and other properties. (24)
57. 1572-3 Jan. 20.—RESIGNATION by David Forros son and heir of deceased John F., burges of H., with consent of Mr George Hepburn, parson of Hauch, his curator, of a tenement of land (Thomas Aytoun on West and Patrick Congiltoun of that ilk on

## HADDINGTON DOCUMENTS IN REGISTER HOUSE

- East) being the tenement above mentioned and other properties and SASINE to himself and spouse thereupon. (14)
58. 1573 March 31.—SASINE of above David Forrest and Isobell Yule his spouse, in 3½ acres called Sleychislandis. (25)
59. 1574 Decr. 18.—RESIGNATION by Alexander Welandis, smith, and his spouse, of an annualrent of 10 merks from his tenement on the South side of the High Street of Edinburgh outside of the Nether Bow and SASINE thereof to Helen White widow of John Nicolson. (73)
60. 1576 Sept. 27.—SASINE given by Patrick Getgud, burges of H., to Elizabeth Wilson, his spouse, of his temple tenement on the East side of the Burgh (John Wilson on North and waste land called Hyndisland on South). (49)
61. 1576-7 Jan. 22.—TACK by Sir James Cokburn of Skirling to David Forrest, burges of H., and his spouse, of a half acre of the Walkmyln lands for 19 years. (4)
62. 1578 May 2.—THREE INSTRUMENTS narrating the Disposition by David Forros, burges of H., in favour of David F., his son and heir, of several properties in Haddington, including the mills called Gymmos Myll and piece of ground called Gymmosmyll-haucht his croft called Tentar Croft etc. (10, 35, and 157)
63. 1579-80 Feb. 9.—CHARTER by George Lyell, chaplain of the Mary Altar in the Parish Church of North Berwick, with consent of Mr James Lawder of Bass, his patron, to Janet White, widow of Alexander Barclay, burges of Haddington, and Alexander Barclay, son of the said Janet, of his acre of arable land on the North side of H., in the field called Hermanflatt. (61)
64. 1580 Apr. 16.—RESIGNATION by John Wilson, son and heir of deceased Martin W., burges of H., of an annualrent of 38s from a waste tenement on the West side of the old fishmarket and SASINE thereof to Alexander Symson, burges of H. (82)
65. 1582-3 Mar. 9.—RESIGNATION by same of his waste tenement on the East side of the Market Cross and SASINE thereof to Alexander Symson, burges and town clerk of H. (76)
66. 1585 May 16.—CHARTER by Patrick Broun of Coilstoun to Alexander Symson, burges of H., of his croft of arable land called Candillis Orcheart lying on the East side of Giffergait. (99)
67. 1585 Augt. 8.—SASINE following thereupon. (30)
68. 1585 Sept. 8.—SASINE of Eupham, Marion, Margaret and Janet Forrests, sisters german of David Forrest, who was son and heir of David F., in 3 butts being part of 11 butts of arable land on the East side of Giffertgait which lie together with the other 8 butts called Candillis Croft. (29)
69. 1586 May 21.—INSTRUMENT upon the redemption by David Forrest son and heir of deceased John F., burges of H., from Marion Harchas, widow of John Aytoun, elder, burges there, and their two sons of an acre of land in the Mylnflat. (55)
70. 1587 May 6.—RESIGNATION by John Anderson, chaplain of the Altar of the Three Kings of Colone of his chaplainry. (48)
71. 1587 May 6.—CHARTER by David Forrest, burges of H., patron of the Altar of the Three Kings of Colone appointing John Hepburn, brother german of Mr Patrick Hepburn of Smetoun to be chaplain of the said Altar in succession to John Anderson who had re-

HADDINGTON DOCUMENTS IN REGISTER HOUSE

- signed.
72. 1587 May 6.—INSTITUTION following on above charter. (115)
73. 1588 May 25.—SASINE of John Seytoun, dyer, burges of Edinburgh, in an annualrent of 20 merks from 3½ acres in the shot called Sprotland dispoed to him by William Hepburn in Nungate. (84)
74. 1588 Sept. 6.—CHARTER by William Purves, burges of H., and his spouse and son, to John Young *alias* Howden, dwelling in Howden, of an annualrent of 12 merks from a temple tenement on the East side of the Burgh of H., (John Wilson on North and Alexander Symson on South). (87)
75. 1588 Sept. 6.—RESIGNATION by Purves in hands of Sir James Sandilands of Calder, his superior, for the purpose of granting above Charter. (38)
76. 1588 Decr. 20.—RESIGNATION by David Forrest, elder, burges of H., and David F., Jr., his eldest son, of the two grain mills called Gymmersmylnis lying on the East side of the water of Tyne and the hauchs thereof (mentioned in detail) and SASINE thereof to the said David F., Jr., and his future spouse Isobell Symson, daughter of Alexander S., burges of H., in terms of Marriage Contract of this date. (158)
77. 1592 Decr. 10.—RESIGNATION by Robert Baigbie, burges of Haddington, of his tenement on the North side of Market Street and the half of a tenement adjacent thereto on the West and SASINE thereof to Barbara Wod, his spouse, conjointly with himself. (112)
78. 1596-7 Jan. 31.—PRECEPT by George Swyntoun, rector of Navay, prebendary or bursar in place of the chaplain of the Mary Altar in the Parish Church of North Berwick directing Sasine to be given to Elizabeth Barklay wife of John Symson as heir to the deceased Alexander B., her brother german, who was son and heir of the deceased Alexander B., burges of Haddington, of an acre of land in Harmanflat. (95)
79. 1596-7 Feb. 26.—RESIGNATION by David Forrest younger, of an acre of arable land in Harmanflat (lands of deceased Alexander Barclay now of Elizabeth B., on West) and SASINE thereof to himself and spouse. (34)
80. 1597 Novr. 22.—SASINE of Elizabeth Barclay, wife of John Symson, notary public, burges of Haddington, in an acre of arable land in Hermanflat in terms of Precept by George Swyntoun. (77)
81. 1597-8 Jan. 31.—CROWN PRECEPT for infefting Mr Patrick Hepburn of Smetoun in two tenements in Nungate. (104)
82. 1598 May 24.—CHARTER by Sir James Sandilands of Calder to William Purves, burges of Haddington, and Elizabeth Hewat, his spouse, and George and William, their sons, of a temple tenement in Haddington lying between the temple tenement of John Wilson on the North, the burgage tenement of the deceased John Hynd now of Alexander Symson on the South and the highway on the East. With seal. (43)
83. 1598 June 5.—SASINE thereupon (stating that the tenement was conquest from deceased Patrick Getgude). (85)
84. 1598 Novr. 1.—RESIGNATION by David Forrest, merchant burges of Haddington, of his acre of arable land conquest from David Forrest of Gymmousmyllis lying in Hermanflat (lands of deceased Alexander Barclay now of Elizabeth B., on West) and SASINE

## HADDINGTON DOCUMENTS IN REGISTER HOUSE

- of the half thereof to Robert Forrest, his third lawful son. (122)
85. 1598 (No month or day).—SIMILAR RESIGNATION and SASINE of half of above acre in favour of David Forrest, fourth lawful son of David F., elder. (91)
86. 1600 Decr. 22.—CHARTER by William Purves indweller in Nungate with consent of William P., burghess of Haddington, his father, and Elizabeth Hewart, his mother, selling to Alexander Symson, burghess of Haddington, his tenement at the East end of Haddington between the tenement of said Alexander on the South, temple tenement of John Wilson on the North, tenement of deceased John Douglas, baker, on the West and the Market Place on the East paying 12d yearly to the Lord of Torphichen. (124)
87. 1601 Jany. 1.—PRECEPT by William Purves younger, indweller in Canongate, empowering William P., his father, and Elizabeth Hewart, his mother, to resign the tenement above described in favour of Alexander Symson. (70)
88. 1601 Jany. 2.—RESIGNATION and SASINE in terms of above Precept. (66)
89. 1601 Nov. 12.—CHARTER by Mr Patrick Hepburn of Smetoun, in favour of William Tait in Canongate, and his spouse, of a tenement in Nungate and his lands of Sprottislandis and other subjects in Haddington. (114)
90. 1604 Apr. 6.—SASINE of William Tait and his spouse in tenements in Nungate and elsewhere in terms of Charter by Robert Oliphant, burghess of H., dated 31 October and 30 December 1603. (69)
91. 1605 Mar. 14.—SASINE of William Tait and his spouse in subjects in Nungate in terms of Charter by Agnes Gibson, daughter and heir of deceased Philip Gibson, burghess of H. (67)
92. 1606 Mar. 5.—SASINE given by Alexander Symson, burghess of H., to George S., his third son, of an acre of arable land called Candillis Croft lying on the East side of the Giffertgait. (111)
93. 1606 Mar. 5.—SASINE by same of 2 acres of arable land in the Mylneflat, 2 acres called Gallow Akeris and 2 acres in Harmanflat. (17)
94. 1607 Feb. 19.—SASINE given by Robert Schortus in Tynningame to John Bell in Haddington and Janet S., his spouse, in the Easter half of his tenement of land lying on the East side of the Hardgait (the common vennel formerly Bellis Wynde now the Freirgowle on the South). (1)
95. 1611 Mar. 28.—SASINE of five children of Alexander Symson, burghess of Haddington, in an annualrent of £100 from tenements in Haddington on the East side of the Market Cross belonging to George S., their brother. (116)
96. 1618 Mar. 9.—PRECEPT by Mr Patrick Hepburn of Smetoun for infetting James Tait as heir to the deceased William T., in Nungate, his father, in subjects there and in Braidcroft. (72)
97. 1620 Mar. 6.—RESIGNATION by David Forrest of Gymmous Mylles and his spouse of his tenement on the North side of Market Street and an acre of land in the Mylneflat and SASINE to John Cockburn burghess of H., and his spouse. Deed is cancelled. (146)
98. 1622 Mar. 19.—RESIGNATION by David Forrest of Gymmersmylles, burghess of Haddington, of that croft of arable land called Galloway Akeris at the West end of the Burgh (lands of Sanctlaurence-

## HADDINGTON DOCUMENTS IN REGISTER HOUSE

- hous on West and highways and common loan on South, North and East) also 2 tenements lying in Market Street and other properties and SASINE thereof to James Symsons, burges of H. (60)
99. 1622 Novr. 16.—SASINE of Walter Cant, merchant burges of Edinburgh, in the above subjects in terms of letters of apprising at his instance against the said James Symson. (78)
100. 1624 Octr. 8.—SASINE of Sir Robert Hepburn of Alderston on Charter by Patrick Keringtoun, son and heir of Andrew K., in Nungate to him of 2½ acres in the Nethercroft and a tenement in the Nungate and some butts of land in the croft called Clappergait. (59)
101. 1626 Decr. 30.—CHARTER by Sir Robert Hepburn to Adam Tait and his spouse of the foresaid subjects. (89)
102. 1627 Apr. —.—CHARTER by John Mortoun, skipper in Leith, to James Tait, son and heir of deceased William T., in Nungate, of subjects there. (113)
103. 1627 Novr. 19.—SASINE of said James Tait in the foregoing subjects. (109)
104. 1627 Decr. 8.—RESIGNATION by David Forrest of Gymmersmylles of the croft called Tentarcroft and some other properties in Haddington and SASINE to George Forrest, his eldest son, and Jean Lauder, his future wife, sister german of Mr John Lauder, minister at Tynninghame, in terms of Marriage Contract. (23)
105. 1628 Nov. 1 & 5.—CHARTER by James Tait, indweller in Nungate, to William Smyth indweller there and Christian Tait, his spouse, of properties in Nungate etc. (101)
106. 1632 Feb. 24.—SASINE of George Forrest, far of Gymmersmylles, and Jean Lauder, his spouse, in the teinds of 19½ acres belonging to the said George (some of which lie in Harmanflat) on Charter by the Provost & Bailies of Haddington. (56)
107. 1632 Feb. 24.—SASINE of Helen Symsons, daughter of deceased Alexander S., as lawful and nearest heir to the deceased Margaret, William, Charles and Mary S., her brothers and sisters, in 4 parts of an annualrent of £100 from the Gallowaikeris. (103)
108. 1644 Sept. 28.—RESIGNATION by David Forrest of Gymmousemynes of 2 acres in the Medow Aikeris and other pieces of land and SASINE thereof to George Forrest, his grandson, son and apparent heir of deceased George Forrest, eldest son of said David. (28)
109. 1650 Mar. 23.—RENUNCIATION by James Symson, eldest son and heir of deceased James S., Postmaster of Haddington, in favour of George Forrest of Gimmersmylles of all right he has to 2 tenements of land which belonged to his said father and now belong to Forrest lying at the East end of "Crocegaitt" of Haddington also the Candelscroft and croft. called Gallow Aikeris. (131)
110. 1653 Apr. 23.—SASINE of Andrew Tait in Haddington as heir to deceased James T., gardener burges thereof, his father, in 2½ acres in Nungate in the Northcroft and other properties there. (7)
111. 1656 Novr. 19.—SASINE of John Yeoman in Nungate, burges of Haddington, in subjects in Nungate on Disposition by Robert Markes in Clerkington. (110)

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112. 1665 Apr. 7.—CROWN PRECEPT from Chancery for infetting George Forrest, burghess of H., as heir to deceased George F., also burghess there, his father, in the mills called Gymmersmylnes with the haugh and mylnelandis and 3½ acres in Nungate etc. (161)
113. 1666 Decr. 22.—CONTRACT between George Forrest of Gymmoumylnes burghess of H., and Robert Corser, weaver in Nungate, whereby Forrest sets in Tack to Corser his acre of land called Candlecroft for 3 periods of 19 years for £18 Scots of yearly tack duty. (127)
114. 1676 Feb. 10.—DISPOSITION by John Yeoman, portioner of Nungate, to James Y., his third lawful son, of his tenement of land in Nungate, acquired from Robert Marks in Ormiston and another piece of land there. (138)
115. 1676 Feb. 12.—SASINE following thereupon. (65)
116. 1695 Dec. 7 (registered 17 August 1726).—CONTRACT of MARRIAGE between David Forrest of Gimmersmilns on the one part and Grisell Anderson, second lawful daughter of deceased George A., merchant burghess of Haddington on the other part, providing for her liferent infettment in his corn mills called Gimmersmilns and mansionhouse thereof and “ the village called Gimmersmilns-haugh . . . . the village called Dobbies Haugh or Lies Braes ” and other properties (detailed at great length).
117. 1743 July 26.—RESIGNATION by James Barr, Albany Herald, and James B., his son, of a tenement of land with tanholes yard and pertinents in Nungate and other properties there in favour of Captain Richard Millar late of Brigadier Guise’s Regiment of Foot and brother german of deceased Archibald M., portioner of Nungate and SASINE thereof (dated August 13) to said Captain Richard Millar. (93)
118. 1756 Mar. 29.—SASINE of Grisel Davidson, daughter and only child on life of William D., portioner of Giffordgate and now spouse of John Davidson in Nungate, in some pieces of land on the East side of Giffordgate on Disposition by her father and SASINE thereof given by her to her said husband.

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### LIST OF MSS., RELATING TO HADDINGTON, DEPOSITED IN THE REGISTER HOUSE, EDINBURGH, BY MESSRS. MONTGOMERIE & CO. LTD., GLASGOW, FOR EXAMINATION.

1. Minutes of the Skinner Craft of the Royal Burgh of Haddington, 1682-1801.
2. Fragment of Day Book of John Kyle, Town Treasurer of the Burgh of Haddington, 1573-74.
3. Notebook entitled “Disposition of the Friars Lands, Kirk and Houses, etc. etc. in Haddington, 1560.”



## HADDINGTON DOCUMENTS IN REGISTER HOUSE

4. Notebook entitled "Jottings from Old Records."
5. Notebook entitled "Book of Scraps gathered from Burgh Records of Haddington, 1555-1660."
6. Notebook entitled "Extracts from the Burgh Records of Haddington" by James Robb.
7. Book entitled "Inventory of Records of the Town of Haddington" being print of article contributed to the Proceedings of the Society of Antiquaries of Scotland, Vol. II., Part III.

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## PROCEEDINGS OF THE SOCIETY, 1938-1947

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THROUGH shortage of space full reports for the above period cannot be printed. The latest to be issued was the twenty-third, and the notes which follow outline the proceedings from May 1938 to May 1947. The material is arranged under five headings: Membership, Funds, Publications, Excursions, Office-Bearers.

### *Membership.*

As was to be expected, the years of the second World War seriously affected the membership. During this period the accessions were few. On the other hand, many members were serving with the Forces, or engaged in some form of War work, with the result that subscriptions were in arrear. At the outset of hostilities the membership was reported to be 194, but this figure could not be maintained. When, however, the War ended there was a gratifying increase, and the membership now approximates to the pre-war figure. Still there is need of more members before the Society can be said to be in a flourishing state. The Council are confident that as the good work done in expounding the antiquities and natural history of East Lothian becomes more widely known, there will be a corresponding increase in the membership.

### *Funds.*

Under the adverse circumstances that have prevailed for so long, the Society's income naturally has fluctuated. Yet some consolation is derived from the fact that the cost of two publications issued to members, the first in 1941 and the second in 1944, was not only met but there actually remained a balance in hand. In the case of *The Short History of Haddington* the total cost amounted to the substantial sum of £233 16/-, but even so, there was a balance of £37 0s 5d. This gratifying state of affairs, however, was due mainly to special sums most generously contributed by private persons and several public bodies.

### *Publications.*

The War years notwithstanding, the Society was able to issue to members the two publications above mentioned. *East Lothian Biographies* and *A Short History of Haddington* were the work of Mr W. Forbes Gray, F.R.S.E., F.S.A. Scot., in which he was assisted by Mr James H. Jamieson, F.S.A. Scot. Their labours were cordially acknowledged.

### *Excursions.*

These outings have been always highly popular, and when the weather is fine invariably attract large attendances. Unfortunately this feature had to be dropped entirely during the War years, transport facilities not being available. There were also other hindrances.

Only one excursion falls to be reported prior to the outbreak of the War. It took place on May 6, 1939, when, under the leadership of Mr Colin Chisholm and the late Mr John Russell respectively, visits were paid to Yester woods and the remains of the Collegiate Church of Bothans. Then followed the long interregnum. Not until 1945 was there a resumption of excursions. On July 21 New Hailes was inspected by kind permission of Lady Blake, who entertained the company to tea. In the absence of Mr W. Forbes Gray, owing to illness, a paper prepared by him was read by Mr James H. Jamieson. Again, on September 22, the battlefield of Prestonpans was inspected under the guidance of Mr W. F. Arbuckle, M.A., who recounted the features of the memorable encounter between the troops of Prince Charles Edward and the Hanoverian forces under Sir John Cope. The Society's visit took place on the occasion of the hundredth anniversary of the battle, the actual day being September 21.

## PROCEEDINGS OF THE SOCIETY, 1938-1947

On March 15, 1946, an evening lecture with lantern slides was delivered at Haddington by Dr J. B. Simpson, F.R.S.E., his subject being the geology of East Lothian.

The annual meeting was held at Dunbar on May 18, after which the parish church and the ruined castle by the sea were inspected under the leadership of the Rev. A. Sawyer, B.D., minister of the parish. In July Penkaet Castle was visited, where, through the kindness of Mrs Holbourn, the members were shown over a quaint mansion associated with, among others, the eminent lawyer and statesman, Sir John Lauder, who, in the seventeenth century, was appointed a Lord of Session with the title of Lord Fountainhall. Mrs Holbourn entertained the company to tea. Then in September Hamilton House, Prestonpans, Northfield House and Preston Cross were inspected, Mr William Cruden, Deputy-Inspector of Ancient Monuments for Scotland, being leader.

In May 1947, after the annual meeting, Dirleton Castle was described by Mr James S. Richardson, Inspector of Ancient Monuments for Scotland. In June there was an ornithological excursion to Aberlady Bay under the leadership of Mr George Waterston, and in July members assembled at Hailes Castle where they again had the services of Mr Cruden.

### *Office-Bearers.*

In May, 1944, the Very Rev. Marshall B. Lang, D.D., resigned the Presidentship. Fitting tributes were paid to his labours which, in various capacities, reach back to the formation of the Society more than twenty years ago. Mr Gilbert F. M. Ogilvy of Winton House, was elected his successor, and to fill the vacancy thus caused in the Vice-Presidentship, Colonel C. de W. Crookshank of Johnstounburn, was chosen.

Mr James Annand resigned the Secretaryship in 1939 and was succeeded by Mr Charles Bruce, M.A., who held office till 1946, when the present Hon. Secretary, Mr George Murray, M.A., was elected. In December 1945, Mr W. Forbes Gray resigned the Convenership of the Editorial Board and was succeeded by the Rev. James Bulloch, B.D., minister of Tranent.

Numerous changes of one kind or another have taken place during the last nine years in the personnel of the Council. The Office-Bearers for 1946-47 are as follows:—President, Mr Gilbert F. M. Ogilvy of Winton House; Vice-President, Colonel C. de W. Crookshank of Johnstounburn; Hon. Secretary, Mr George Murray, M.A.; Hon. Treasurer, Mr William C. Taylor, C.A.; Hon. Auditor, Mr John E. Dalgliesh, C.A.; Editorial Board, Rev. James Bulloch, B.D., F.S.A. Scot. (Convener); and Messrs W. Forbes Gray, F.R.S.E., F.S.A. Scot.; James H. Jamieson, F.S.A. Scot.; Lady Broun Lindsay of Colstoun; Rev. W. Y. Whitehead, Ph.D., F.S.A. Scot.; A. M. Jamieson, M.A.; James Jack; Robert Waterston; A. B. Anderson, M.A.; James Annand; R. A. Dakers; and the Earl of Wemyss and March.